

Planning Committee AGENDA

DATE: Wednesday 10 July 2013

TIME: 6.30 PM

VENUE: Council Chamber, Harrow
Civic Centre

A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON MONDAY 8 JULY AT 6.30PM IN COMMITTEE ROOM 6.

A SITE VISIT FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON WEDNESDAY 3 JULY 2013 STARTING AT 6.00 PM.

MEMBERSHIP (Quorum 3)

Chairman: Councillor William Stoodley

Councillors:

Stephen Greek (VC)
Simon Williams
Stephen Wright

Mrinal Choudhury
Keith Ferry
Bill Phillips

Reserve Members:

1. Kam Chana
2. Amir Moshenson
3. Joyce Nickolay

1. Graham Henson
2. Ajay Maru
3. Sachin Shah

1. (Vacancy)

Contact: Miriam Wearing, Senior Democratic Services Officer
Tel: 020 8424 1542 E-mail: miriam.wearing@harrow.gov.uk

AGENDA - PART I

Guidance Note for Members of the Public attending the Planning Committee (Pages 1 - 2)

1. ATTENDANCE BY RESERVE MEMBERS

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

2. RIGHT OF MEMBERS TO SPEAK

To agree requests to speak from Councillors who are not Members of the Committee, in accordance with Committee Procedure 4.1.

3. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee;
- (b) all other Members present.

4. MINUTES (To Follow)

That the minutes of the meeting held on 19 June 2013 be taken as read and signed as a correct record.

5. PUBLIC QUESTIONS

To receive questions (if any) from local residents/organisations under the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution).

6. PETITIONS

- a) To receive a petition from Councillor Stanley Sheinwald in objection to application 2/02 with regard to Units 1-10, 286 Pickwalk Walk, Uxbridge Road, Hatch End, Pinner;
- b) To receive any further petitions submitted by members of the public/Councillors under the provisions of Committee Procedure Rule 15 (part 4B of the Constitution).

7. DEPUTATIONS

To receive deputations (if any) under the provisions of Committee Procedure Rule 16 (Part 4B) of the Constitution.

8. REFERENCES FROM COUNCIL AND OTHER COMMITTEES/PANELS

To receive references from Council and any other Committees or Panels (if any).

9. REPRESENTATIONS ON PLANNING APPLICATIONS

To confirm whether representations are to be received, under Committee Procedure Rule 30 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.

10. PLANNING APPLICATIONS RECEIVED

Report of the Divisional Director, Planning - circulated separately.

Members are reminded that, in accordance with the Planning Protocol, where Councillors disagree with the advice of the Divisional Director, Planning, it will be the Members' responsibility to clearly set out the reasons for refusal where the Officer recommendation is for grant. The planning reasons for rejecting the Officer's advice must be clearly stated, whatever the recommendation and recorded in the minutes. The Officer must be given the opportunity to explain the implications of the contrary decision.

11. INFORMATION REPORT - APPEALS AND ENFORCEMENT UPDATE REPORT
(Pages 3 - 20)

Report of the Divisional Director of Planning.

12. LOCAL VALIDATION REQUIREMENTS: CONSULTATION RESPONSE (Pages 21 - 46)

Report of the Divisional Director of Planning.

13. MEMBER SITE VISITS

To arrange dates for Member site visits that have been agreed during the course of the meeting (if any).

14. ANY OTHER URGENT BUSINESS

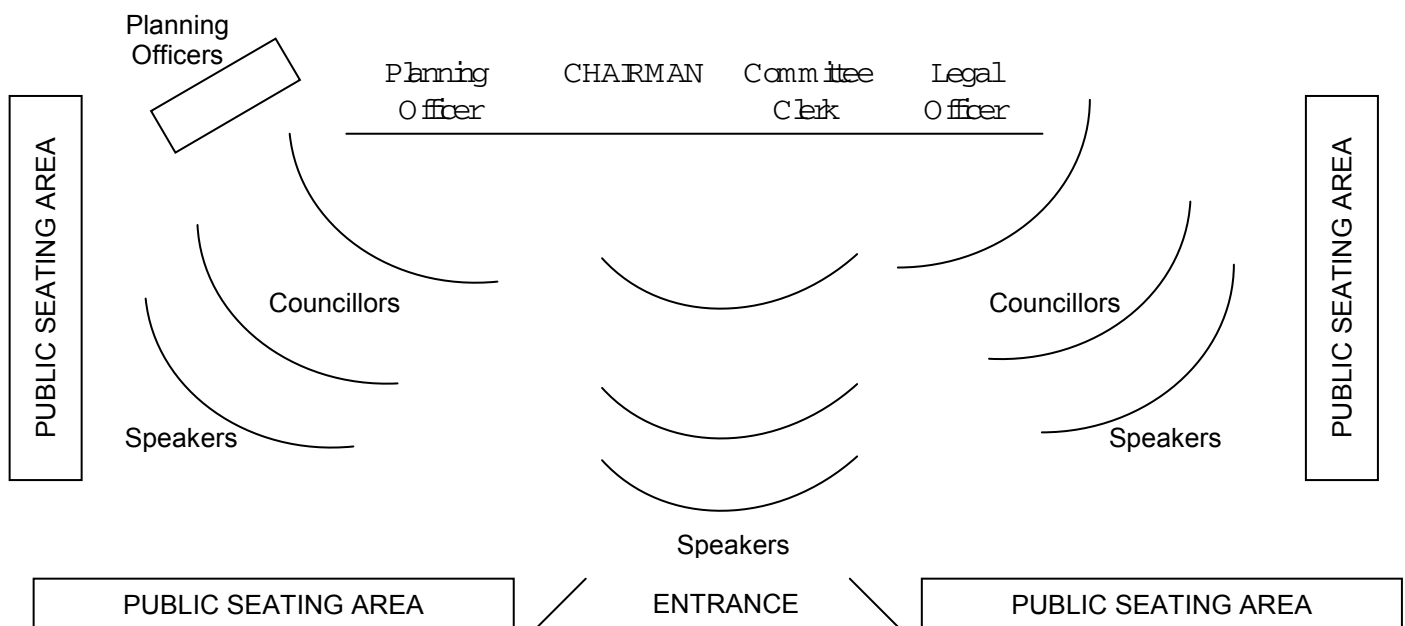
Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

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GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING COMMITTEE

Typical Planning Committee layout for Council Chamber



Order of Committee Business

It is the usual practice for the Committee to bring forward, to the early part of the meeting, those planning applications where notice has been given that objectors wish to speak, or where members of the public have come to hear the debate.

The Democratic Services Officer will ask those members of the public, who are seated before the meeting begins, which planning application they are interested in.

Although the Committee will try to deal with the application which you are interested in as soon as possible, often the agendas are quite long and the Committee may want to raise questions of officers and enter into detailed discussion over particular cases. This means that you may have to wait some time. The Committee may take a short break around 8.30 pm.

Rights of Objectors/Applicants to Speak at Planning Committees

Please note that objectors may only speak if they requested to do so before 5.00 pm on the working day before the meeting. In summary, where a planning application is recommended for grant by the Head of Planning, a representative of the objectors may address the Committee for up to 3 minutes.

Where an objector speaks, the applicant has a right of reply.

Planning Services advises neighbouring residents and applicants of this procedure.

The Planning Committee is a formal quasi-judicial body of the Council with responsibility for determining applications, hence the need to apply rules governing the rights of public to speak. Full details of this procedure are also set out in the **“Guide for Members of the Public Attending the Planning Committee”** which is available in both the Planning Reception or by contacting the Committee Administrator (tel 020 8424 1542). This guide also provides useful information for Members of the public wishing to present petitions, deputations or ask public questions, and the rules governing these procedures at the Planning Committee.

Addendum Sheet

In addition to this agenda, an Addendum Sheet is produced on the day of the meeting. This updates the Committee on any additional information received since the formal agenda was published and also identifies any applications which have been withdrawn by applicants or which officers are recommending for deferral. **Copies of the Addendum are available for the public in the Council Chamber from approximately 6.00 pm onwards.**

Decisions taken by the Planning Committee

Set out below are the types of decisions commonly taken by this Committee

Refuse permission:

Where a proposal does not comply with the Council's (or national) policies or guidance and the proposal is considered unacceptable, the Committee may refuse planning permission. The applicant can appeal to the Secretary of State against such a decision. Where the Committee refuse permission contrary to the officer recommendation, clear reasons will be specified by the Committee at the meeting.

Grant permission as recommended:

Where a proposal complies with the Council's (or national) policies or guidance and the proposal is considered acceptable, the Committee may grant permission. Conditions are normally imposed.

Minded to grant permission contrary to officer's recommendation:

On occasions, the Committee may consider the proposal put before them is acceptable, notwithstanding an officer recommendation of refusal. In this event, the application will be deferred and brought back to a subsequent meeting. Renotification will be carried out to advise that the Committee is minded to grant the application.

Defer for a site visit:

If the Committee decides that it can better consider an application after visiting the site and seeing the likely impact of a proposal for themselves, the application may be deferred until the next meeting, for an organised Member site visit to take place.

Defer for further information/to seek amendments:

If the Committee considers that it does not have sufficient information to make a decision, or if it wishes to seek amendments to a proposal, the application may be deferred to a subsequent meeting.

Grant permission subject to a legal agreement:

Sometimes requirements need to be attached to a planning permission which cannot be dealt with satisfactorily by conditions. The Committee therefore may grant permission subject to a legal agreement being entered into by the Council and the Applicant/Land owner to ensure these additional requirements are met.

(Important Note: This is intended to be a general guide to help the public understand the Planning Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures.)

REPORT FOR: PLANNING COMMITTEE.

Date of Meeting: 10 July 2013

Subject: **INFORMATION REPORT** – Appeals and Enforcement Update Report

Responsible Officer: Stephen Kelly - Divisional Director of Planning

Exempt: No

Enclosures: Enforcement Register Quarters 1-4, 2012/2013

Section 1 – Summary

This report provides the Committee with an overview of Planning appeal decisions for Quarter 4 of 2012/13, and an end of year overview enforcement statistics for 2012/13.

FOR INFORMATION

Section 2 – Report

2.1 Appeals Background

This report provides the Committee with an overview on the appeal decisions received by the Council in Quarter 4 of 2012/2013.

2.2 Overview

The decisions of the Council as Local Planning Authority are subject to a right of appeal. Appeals are made to the Planning Inspectorate, an agency of Government, established independently by the Secretary of State to review and in most cases, determine, planning appeals submitted. Planning Appeals may be determined by 'written representations' – where the appeal is 'heard' by an exchange of written correspondence; an 'informal hearing' – where the parties meet to explore the reasons for refusal with a Planning Inspector or by way of a public inquiry, where formalised examination of the evidence takes place under the Direction of an Inspector.

The majority of planning appeals are heard by way of written representations. Public Inquiries, because of their cost and the delay associated with them, are the least common form of appeal in the borough.

In addition to the consideration of the planning merits of a specific application – centred upon the reasons for refusal, in some cases, Planning Inspectors will determine claims against the Council for applicants (or the Councils) costs arising as a result of unreasonable behaviour.

2.3 Appeal Decisions by Type

Table 1: Appeal Decisions by Type – 1 January 2013 – 30th April 2013

Summary of Appeal Decisions (Jan – April 2013)
Householder Appeals 27 Decided 12 Allowed % Allowed = 44%
Enforcement 4 Decided 1 Allowed % Allowed = 25%
Others (Written representations, informal hearings, public inquiries) 20 Decided 6 Allowed % Allowed = 30%

The above table summarises the results of appeal decisions by type in the previous quarter (Q4). There has been an improvement on the Local Authorities performance with the percentage of applications being dismissed on appeal increasing to 62% from 58%.

The success rate (for appellants) for householder appeals has risen since the last quarter with 44 % of all householder appeals being allowed. The performance in householder applications is considered to reflect the Government's relaxation in policy with regard to householder development. The now implemented amendments to the permitted development allowances and Officers continuing to place significant emphasis on specific site circumstances is considered to result in improved performance next quarter.

Performance in the 'other' category has improved dramatically from 53% of appeals being allowed to 30%. This improvement in performance is excellent given that there was an increase in applications on that determined in Q3. This performance reflects the work with the Development Management team to consider not just adopted guidance, but also to take into account site circumstances, being clear to identify harm cause prior to refusing permission. It is also considered to reflect the adoption of the Harrow Garden Land Development Supplementary Planning Document, which clarifies and defines garden land for decision makers.

The Local Planning Authority has successfully defended three costs applications submitted by appellants in planning appeals over the past quarter. It has, however, unsuccessfully defended one appeal at 14 Cecil Road for a planning condition regarding car parking permit restrictions. This was due to the fact that the condition was not fully substantiated through appeal documents. Significant discussion has been had with the Local Highways Authority, who is carrying out further work with regard to parking capacity within controlled parking zones. In order to avoid any future costs applications this condition is only recommended to be added to any permission if specific site circumstances warrant the condition reasonable.

The Enforcement Appeal performance has also significantly improved on Q3 with the percentage of appeals being allowed on appeal dropping by half. The Local Planning Authority has been successfully awarded costs in 77 Stuart Avenue but unsuccessfully defended applications for costs in two further appeals; 73 Hindes Road and 293 and 295a Station Road. Costs were awarded in the case of 73 Hindes Road on the basis of a fundamental disagreement between the Appellant and the Council on the description of the breach of planning control, which was at the heart of the appeal. The Planning Inspector determined that the breach was as described by the appellant and subsequently awarded costs against the Local Planning Authority. It is not considered that this costs application was awarded on the basis of any legal or procedural deficiency.

Costs were also awarded in the appeal at 293 and 295a Station Road as the Inspector considered that the Council did not correctly describe the breach of planning control in relation to the planning unit. In order to avoid any future costs applications Officers will check at length that the description of the breach is accurate, and will increase the use of Planning Contravention Notices (PCNs) to ascertain clearer information on the nature of the breach of planning control where there may be limited information available to the Council. From 2013/14 onwards

the number of PCNs served will be reported by Quarter as part of the Enforcement statistics.

2.4 Conclusion (Appeals)

Planning Appeals introduce considerable additional costs to the planning application process for both applicants and the Council. They also prolong the uncertainty surrounding new development for surrounding residents and businesses. The outcome of planning appeals can be uncertain for both applicants and the Council. Wherever possible, the Planning Division is seeking to avoid unnecessary appeals by providing better, earlier and more consistent guidance and by ensuring that planning applications submitted respond to clear policy guidance setting out the expectations of the Council for quality, sustainability and amenity. When an application is refused, work within the team is increasingly focused upon ensuring that sound and clear reasons for refusal are provided, to enable an applicant to understand what needs to be changed (if possible) to make a proposal acceptable, and to allow the most robust defence of such reasons in the event of an appeal.

2.5 Planning Enforcement

Below is a summary of enforcement statistics by quarter for 2012/13. A copy of the enforcement register for all 4 quarters is appended to this report for information. This year has seen the reduction in staff from 4 to 2 in the planning enforcement team, following the deletion of the Enforcement team leader post as part of the Medium Term Financial Strategy, and the departure of another officer to take up a more senior position in another authority. The Development Management team structure has also been changed to bring the enforcement officers into the area teams to work more closely with the area team managers and with the case officers within each team.

Planning enforcement continues to receive a significant number of complaints regarding alleged breaches of planning control, and notwithstanding the reduction by 50% in the number of dedicated enforcement officers, the number of complaints investigated and closed has remained consistent throughout the year. Prosecutions and direct Actions have also continued, with 2 prosecutions pending in addition to the three successful prosecutions during the year, and direct action being completed on 4 breaches of planning control. The performance on enforcement appeals is discussed in the appeals section above.

There has, however, been a notable reduction in the number of formal notices served. As a response to this officers have reviewed the process for agreeing and authorising formal enforcement action, and as a consequence of this review a revised report format has been agreed with legal officers, which should serve to make this process more efficient. It should also be noted, that, whilst the number of notices served last quarter was 4, there are 5 further notices authorized and currently being drafted.

The Enforcement team has, in this year, also worked with Harrow and Brent Trading Standards to successfully prosecute two landlords under the

Proceeds of Crime Act (POCA). Further cases have been identified for similar action, and it is important to note that , following publicity on the successful POCA prosecution, other landlords in a similar position have confirmed that they will be (and indeed have) complied with the requirements of their enforcement notices.

Table 2: Enforcement Statistics by Quarter 2012/13

1 st Quarter	Total Cases Closed	Total New Cases Created	Total ENF Notices served	Appeals Lodged	Appeals Allowed	Appeals Dismissed	Prosecution
Apr 12- Jun 12	102	186	14	7	4(1 part allowed)	2	1
2 nd Quarter	Total Cases Closed	Total New Cases Created	Total ENF Notices served	Appeals Lodged	Appeals Allowed	Appeals Dismissed	Prosecution
Jul 12- Sep 12	116	223	12	3	1	2	1
3 rd Quarter	Total Cases Closed	Total New Cases Created	Total ENF Notices served	Appeals Lodged	Appeals Allowed	Appeals Dismissed	Prosecution
Oct 12- Dec 12	102	122	6	4	2(1 part allowed)	2	1
4 th Quarter	Total Cases Closed	Total New Cases Created	Total ENF Notices served	Appeals Lodged	Appeals Allowed	Appeals Dismissed	Prosecution
Jan 13- Mar 13	134	99	4	6 (+9 that are awaiting Decision)	3	3	Direct Action on 4 Properties

Table 3: Enforcement Summary 2012/1013

Months	Total Cases Closed	Total New Cases Created	Total ENF Notices served	Appeals Lodged	Appeals Allowed	Appeals Dismissed	Prosecution/ Direct Action
April 2012- March 2013	552	630	41	29 (9 pending decisions)	10(including 1 part allowed)	10	3 prosecutions (2 pending) 4 direct actions

Section 3 – Further Information

This report, insofar as it reports on enforcement action, will be updated on a quarterly basis, in accordance with Proviso F of the Planning and Building Control Scheme of Delegation, March 2013, which requires that any decision on taking enforcement action be reported to the planning committee.

Section 4 – Financial Implications

This report, for information, has no direct financial implications.

Section 5 – Corporate Priorities

The delivery of effective defence against appeals and planning enforcement has a direct role to play in the achievement of Council Corporate priorities, including 'Keeping neighbourhoods clean, green and safe' and 'Supporting our Town Centre, our local shopping centres and businesses'.

The objectives of the Council's involvement in appeals and planning enforcement, set out in this report will contribute directly to improving the physical environment of the Borough and reinforcing the integrity of the statutory planning process, for the benefit of the Borough and its residents and businesses.

Name: Kanta Halai	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 25 June 2013		
Name: Abiodun Kolawole	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 26 June 2013		

Section 6 - Contact Details and Background Papers

Contact: Beverley Kuchar, Head of Development Management and Building Control, 0208 736 6167

Background Papers:

Enforcement Register Q1-Q4 2012/13
Schedule of appeals April to June 2012

ENFORCEMENT GRID

<u>No:</u>	<u>ENF REF</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF ALLEGED BREACH</u>	<u>ISSUED DATE</u>	<u>EFFECT DATE *</u>	<u>COMPLIANCE DUE DATE *</u>
694	ENF/0762/11/P	141 Uxbridge Road Harrow Weald Harrow Middlesex HA3 6TY Harrow Weald	Without planning permission, the material change of use of the outbuilding at the Land from a use incidental to the enjoyment of the dwellinghouse to a self contained dwelling ("the Unauthorised Use")	10-Apr-12	14-Aug-12	27-Aug-12
696	ENF/0673/10/P	18 Albury Drive Pinner Middlesex HA5 3RN Pinner	Without planning permission, the construction of paved hardsurfacing of the forecourt of the dwellinghouse on the Land ("the Unauthorised Development")	17-Apr-12	22-Feb-13	28-Aug-12
69	ENF/0183/11/P	252 High Road Harrow Middlesex HA3 7BB Wealdstone	Without planning permission, the material change of use of the Land from a Restaurant (Use Class A3) to a Mixed Use as a Restaurant and Shisha Lounge (sui generis)("the Unauthorised Use") Without planning permission the construction of a single storey rear extension at the Land ("the Unauthorised Use") Without planning permission the construction of a single storey front extension at the Land ("the Unauthorised Front Extension")	17-Apr-12	19-Apr-12	28-Jun-12
697	ENF/0527/11/P	43 Drummond Drive Stanmore Middlesex HA7 3PF Stanmore Park	Without planning permission, the construction of an outbuilding in the rear garden of the dwellinghouse on the Land ("Unauthorised Development")	30-Apr-12	7-May-13	10-Sep-12

* The Effect and Compliance Due Dates are subject to change if a valid appeal is submitted.

704	ENF/0394/09/P	Unit 7 Mill Yard Industrial Estate Columbia Avenue Edgware Middlesex HA8 5DE Edgware	Without planning permission, change of use of at the Land from light industrial use (Class B1 use) to a motor vehicle testing workshop (General Industrial Use, Class B2), ("the Unauthorised Use")	8-May-12	14-Aug-12	11-Dec-12
706	ENF/0189/10/P	3 Warrington Road Harrow Middlesex HA1 1SZ Marlborough	Without planning permission, the material change of use of the Land from two self contained flats to three self contained flats ("the Unauthorised Use")	10-May-12	6-Aug-12	5-Dec-12
699a	ENF/0343/12/P	16 Exeter Road Rayners Lane Harrow HA2 9PP Rayners Lane	Without planning permission the construction of an open ended perspex roofed canopy supported on timber posts attached to the rear elevation of the dwelling house on the Land ("the Unauthorised Canopy")	11-May-12	29-Nov-12	24-Jul-12
698	ENF/0137/09/P	32 Minehead Road Harrow Middlesex HA2 9DS Roxbourne	Without planning permission the material change of use of the Land from a single dwellinghouse to use as two self contained residential units of accommodation ("the Unauthorised Use")	11-May-12	14-Aug-12	24-Dec-12

*** The Effect and Compliance Due Dates are subject to change if a valid appeal is submitted.**

<u>No:</u>	<u>ENF_REF</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF ALLEGED BREACH</u>	<u>ISSUED DATE</u>	<u>EFFECT DATE *</u>	<u>COMPLIANCE DUE DATE *</u>
699	ENF/0307/09/P	16 Exeter Road Rayners Lane Middlesex HA2 9PP Rayners Lane	Without planning permission the construction of a front to side extension incorporating an entrance porch at the Land ("the Unauthorised Development").	11-May-12	29-Nov-12	21-Jan-13
702	ENF/0210/10/P	2 Audley Court Rickmansworth Road Pinner Middlesex HA5 3TQ Pinner	Without Planning permission the construction of an outbuilding at the Land ("the Unauthorised Development")	17-May-12	24-May-12	24-Jul-12
701	ENF/0069/10/P	73 Hindes Road Harrow Middlesex HA1 1SQ Greenhill	Without planning permission, the material change of use of the building on the Land from use as three self-contained flats to use as four self-contained flats ("the Unauthorised Use").	23-May-12	17-Jun-13	16-Jun-13
700	ENF/0714/11/P	18 De Havilland Road Edgware Middlesex HA8 5PA Edgware	Without Planning permission, the construction of an open ended Perspex roofed infill canopy attached to both the rear extension of the dwellinghouse and the detached outbuilding in the rear garden on the Land ("the Unauthorised Development")	23-May-12	23-Aug-12	6-Aug-12

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703	ENF/0245/12/P	Laureston Park Drive Harrow Weald Harrow HA3 6RN	Without planning permission, the carrying out of building operations consisting of the construction of foundations for a detached dwellinghouse and detached double garage at the Land ("the Unauthorised Development")	1-Jun-12	14-Aug-12	29-Jun-12
Harrow Weald						
705	ENF/0700/10/P	232 Malvern Avenue Harrow Middlesex HA2 9HE	Without planning permission, the installation of a microwave antenna on the front elevation of the dwellinghouse at the Land ("the Unauthorised Development")	8-Jun-12	6-Aug-12	10-Aug-12
Roxbourne						

ENFORCEMENT GRID

<u>No:</u>	<u>ENF REF</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF ALLEGED BREACH</u>	<u>ISSUED DATE</u>	<u>EFFECT DATE *</u>	<u>COMPLIANCE DUE DATE *</u>
708	ENF/0012/10/P	7 Stroud Gate Harrow Middlesex HA2 8JL Roxeth	Without planning permission, the material change of use of: (a) the single family dwellinghouse on the Land to use as seven self-contained flats; and (b) the outbuilding in the rear garden on the Land to use as a self-contained flat. (Hereinafter together referred to as "the Unauthorised Use")	31-Jul-12	14-Jun-13	27-Nov-13
711	ENF/0413/12/P	6 Rose Garden Close Edgware HA8 7RF	Without planning permission, the carrying out of building and engineering operations involving construction of a gabion wall and associated material change in the level of the garden along the northern boundary of the Land ("the Unauthorised Development")	3-Aug-12	6-Sep-12	31-Aug-12
712	ENF/0337/09/P	42 The Highlands Edgware Middlesex HA8 5HL	Without planning permission, the material change of use of the outbuilding (ancillary use) at the Land to use as two self-contained residential units ("the Unauthorised Use")	7-Aug-12	14-Sep-12	6-Mar-13
707	ENF/0024/12/P	113 Carmelite Road Harrow Middlesex HA3 5LU	Without planning permission, the material change of use of the single family dwellinghouse on the Land to use as two self contained flats ("the Unauthorised Use")	7-Aug-12	14-Jun-13	28-Nov-13

* The Effect and Compliance Due Dates are subject to change if a valid appeal is submitted.

COMPLIANCE
DUE DATE *

EFFECT
DATE *

ISSUED
DATE

DESCRIPTION OF ALLEGED BREACH

ADDRESS

No: ENF_REF

10-Jun-13

11-Apr-13

8-Aug-12

Without planning permission, the construction of multi level raised decking at the rear of the Land (the Unauthorised Development")

39 Elmwood Avenue
Harrow
Middlesex
HA3 8AJ

713 ENF/0177/10/P

Greenhill

23-Mar-13

28-Aug-12

20-Aug-12

Without planning permission, the material change of use of the single family dwellinghouse on the Land to use as four self-contained flats ("the Unauthorised Use")

15 Morley Cres. West
Stammore
Middlesex
HA7 2LJ

709 ENF/0045/10/P

Queensbury

22-Jun-12

19-Apr-13

22-Aug-12

Without planning permission, the construction of a rear extension at the Land "(the Unauthorised Rear Extension")

73 Kynance Gardens
Stammore
Middlesex
HA7 2QJ

718 ENF/0382/10/P

Belmont

23-Dec-12

28-Aug-12

22-Aug-12

Without planning permission, the material change of use of the Land from a car park (sui generis) to a mixed use as a carpark and as a car washing place (sui generis) ("the Unauthorised Use")

North Side Car Park
Greenhill Way
Harrow
Middlesex
HA1

710 ENF/0637/11/P

Without planning permission, the construction of a canopy structure at the Land, in the approximate position shown on the attached Plan 2 ("the Unauthorised Development")

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714	ENF/0004/11/P	116 Imperial Drive North Harrow Middlesex HA2 7HT Headstone North	Without planning permission, the material change of use of the side extension of the dwellinghouse on the Land to use as a self contained unit of residential accommodation ("Unauthorised Use") Without planning permission, the construction of a front to side extension including an additional perspex roofed canopy attached to the dwellinghouse at the Land "Unauthorised Development")	3-Sep-12	14-Sep-12	11-Feb-12
716	ENF/0124/12/P	37 Constable Gardens Edgware HA8 5SF	Without planning permission, the use of an outbuilding constructed in the rear garden of the dwellinghouse on the Land as a self contained residential unit of accommodation.	11-Sep-12	11-Jun-13	14-Apr-13
717	ENF/0152/11/P	415 High Road Harrow Middlesex HA3 6EL Harrow Weald	Without Planning Permission the construction of a metal staircase providing access to the flat roof of the pre existing rear extension and the construction of metal railings on the roof of the pre existing rear extension on the Land ("the Unauthorised Staircase and Railings") Without planning permission, the construction at the Land of a single storey bungalow for use as a residential accommodation ("Unauthorised Bungalow")	12-Sep-12	4-Oct-12	18-Apr-13
715	ENF/0062/10/P	293-295A Station Road Harrow Middlesex HA1 2TA Greenhill	Without planning permission, the material change of use of the Land from retail premises to mixed use as retail premises and seven self contained residential units (sui generis) ("Unauthorised Use")	13-Sep-12	16-May-13	21-Apr-13

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ENFORCEMENT GRID

<u>No:</u>	<u>ENF REF</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF ALLEGED BREACH</u>	<u>ISSUED DATE</u>	<u>EFFECT DATE *</u>	<u>COMPLIANCE DUE DATE *</u>
716	ENF/0502/12/P	295a Station Road Harrow HA1 2TA	Without planning permission, the material change of use of the Land from mixed use as a retail premises and a house in multiple occupation for three to six people (sui generis) to a mixed use as retail premises and six self contained residential units (sui generis) ("Unauthorised Use")	22-Oct-12	16-May-13	21-Apr-13
722	ENF/0099/11/P	9 Crowshott Avenue Stammore Middlesex HA7 1HN	Without planning permission, the construction of a single storey front extension and part single and part two storey side and rear extensions together with alterations and extension to roof comprising conversion of hip to gable and rear dormer ("Unauthorised Development")	25-Oct-12	31-Jan-13	29-May-12
Belmont						
72	ENF/0284/11/P	21 Parkfield Crescent Harrow Middlesex HA2 6LE	Without planning permission, the material change of use of the side to rear extension of the dwellinghouse on the Land to use as a self-contained residential unit of accommodation ("the Unauthorised Use")	25-Oct-12	1-Nov-12	29-Mar-13
Headstone North						
719	ENF/0606/11/P	33 Radnor Avenue Harrow Middlesex HA1 1SB	Without planning permission, the construction of an outbuilding in the rear garden of the dwellinghouse on the Land ("the Unauthorised Development")	25-Oct-12	10-Dec-12	1-Mar-13
Marlborough						

* The Effect and Compliance Due Dates are subject to change if a valid appeal is submitted.

<u>No:</u>	<u>ENF_REF</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF ALLEGED BREACH</u>	<u>ISSUED DATE</u>	<u>EFFECT DATE *</u>	<u>COMPLIANCE DUE DATE *</u>
721	ENF/0280/12/P	35 Stanmore Hill Stanmore HA7 3DS	<p>3.1 Without planning permission, the material change of use of the Land from builder's yard and workshop (sui generis) to a Shisha Lounge (sui generis) ("the Unauthorised Use")</p> <p>3.2 Without planning permission, the construction of an extension to the pre-existing buildings at the Land in the approximate location shown cross-hatched on the attached Plan 2 (the Unauthorised Development")</p>	25-Oct-12	1-Nov-12	29-Dec-12
723	ENF/0441/11/P	Fleetwood 46 South Hill Avenue Harrow Middlesex HA2 0NQ Harrow on the Hill	Without planning permission, the material change of use of the ground floor flat at the Land from use as one (1) self contained flat into use as two (2) self contained flats ("the Unauthorised Use")	10-Dec-12	7-Jan-13	30-Jul-13

ENFORCEMENT GRID

<u>No:</u>	<u>ENF REF</u>	<u>ADDRESS</u>	<u>DESCRIPTION OF ALLEGED BREACH</u>	<u>ISSUED DATE</u>	<u>EFFECT DATE *</u>	<u>COMPLIANCE DUE DATE *</u>
724	ENF/0674/10/P	21 Westfield Drive Harrow Middlesex HA3 9EG Kenton East	Breach 1: Without planning permission, the construction of hardsurfacing on the forecourt of the dwellinghouse at the Land ("the Unauthorised Hardsurfacing") Breach 2: Without planning permission the construction of an open ended Perspex roofed canopy attached to the side and rear elevations of the dwellinghouse at the Land ("the Unauthorised Canopy")	15-Jan-13	15-Feb-13	18-Apr-13
725	ENF/0575/11/P	9 D'Arcy Gardens Harrow Middlesex HA3 9JU	Without planning permission, the construction of an open ended canopy attached to the existing rear extension at the Land ("Unauthorised Development")	21-Feb-13	22-Feb-13	7-Jul-13
726	ENF/0568/12/P	50 Warrington Road Harrow HA1 1SY	Untidy Land	27-Feb-13	18-Mar-13	30-Apr-13
726	ENF/0587/12/P	255 Pinner Road Harrow HA1 4EX	Untidy land	27-Feb-13	18-Mar-13	30-May-13

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REPORT FOR: PLANNING COMMITTEE

Date of Meeting:	10 July 2013
Subject:	Outcome of Consultation on Validation Requirements
Responsible Officer:	Stephen Kelly - Divisional Director Planning
Exempt:	No
Enclosures:	Appendix 1 Report to Planning Committee 29 May 2013 Appendix 2 Harrow Planning Validation Requirements Document 2013

Section 1 – Summary and Recommendations

This report documents the outcome of the consultation on Harrow's revised Planning Validation Requirements and recommends that the Validation Requirements be adopted.

Recommendations:

The Committee is requested to:

1. Delegate authority to the Divisional Director of Planning, in consultation with the Portfolio Holder for Planning and Enterprise, to adopt the Validation Requirements following expiration of the consultation period.

Reason: (For recommendation)

To ensure that up-to-date Validation requirements that reflect national guidance are in place and to enable applicants to make successful planning applications, which will reduce the number of invalid applications

Section 2 – Report

Introduction

1. The Town and Country Planning (Development Management Procedure) (England)(Amendment No. 3) Order 2012 requires that local planning authorities operate to a local list no more 2 years old. All LPAs are required to revisit their “local” lists by 1 August 2013. Should the revised/reviewed list not be published within this period, then only the national validation requirements will apply. As the current list of local information requirements was published more than 2 years ago, it is necessary to review Harrow’s list, consult (6 week consultation period) and then publish.
2. On May 29 2013 the Planning Committee agreed the draft list of revised Local Information Requirements for consultation.
3. Consultation on the content of the document will run from 30 May 2013 to 10 July 2013, in accordance with the statutory consultation period. To date no responses have been received. Any responses received following the committee meeting will be taken into account by the Divisional Director of Planning before a decision is made on the validation requirements.

Options considered

Alternative options were considered in the report to the 29 May 2013 Planning Committee, which is appended for information.

Implications of the Recommendation

Financial Implications

There are no direct financial implications of the proposed changes to the local information requirements. However, the adoption of a clearer, more proportionate list of requirements would likely increase the number of applications which are valid on receipt and would have an indirect financial benefit in relation to officer time and rework. This will be factored into the MTFs as required

Any costs associated with the consultation would be met from the existing Planning Services budget. However it is not anticipated that any significant costs will arise as an on line consultation was undertaken.

Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

The key risk associated with not adopting an updated local information list for the validation of planning applications arises from the omission of important local information that might lead to delay or unnecessary costs later in the planning application process. Moreover, the lack of information might also undermine the Council's aspirations, and corporate priority, to involve residents by making such involvement more difficult as part of the consultation process.

Equalities implications

Officers do not consider that the proposals have any adverse impact upon persons with protected characteristics

Corporate Priorities

The proposed revised list will help support the implementation of the following corporate priorities:

- United and involved communities: A Council that listens and leads – provision of a more proportionate service in response to feedback on current processes.
- Supporting our town centre, our local shopping centres and businesses – through reducing the burden of information requirements, for smaller scale developments and creating greater certainty in the planning validation process.

Section 3 - Statutory Officer Clearance

Name: Kanta Halai		on behalf of the Chief Financial Officer
Date: 26 June 2013	√	
Name: Abiodun Kolawole		on behalf of the Monitoring Officer
Date: 26 June 2013	√	

Section 4 - Contact Details and Background Papers

Contact: Beverley Kuchar Head of Development Management and Building Control Tel: 0208 7366 167

Background Papers:

Validation requirements (June 2013)

NB: The above background paper is available via the Council's website

REPORT FOR: **PLANNING COMMITTEE**

Date of Meeting:	29 May 2013
Subject:	Harrow Local Information Requirements for the Validation of Planning Applications
Responsible Officer:	Stephen Kelly – Divisional Director - Planning
Exempt:	No
Enclosures:	Appendix 1 – Current Local Information Requirements Appendix 2 – Proposed Local Information Requirements

Section 1 – Summary and Recommendations

This report introduces a draft revised schedule of local information requirements for the validation of planning applications in accordance with the requirements of The Town and Country Planning (Development Management Procedure)(England)(Amendment No. 3) Order 2102

Recommendations:

1. The Planning Committee is requested to approve the draft Local Validation Requirements for public consultation.

Reason: (For recommendation)

To ensure that an up to date list of Validation requirements can be adopted to provide greater clarity and certainty to applicants submitting planning applications.

Section 2 – Report

Since 2008 local planning authorities (LPAs) have been required to publish lists of information needed to validate planning applications. In addition to national requirements (which include the submission of an application form, payment of a fee, submission of plans and elevations, and certificates of ownership), LPAs must list any specific local requirements. Local validation requirements include the detailed reports necessary to be submitted with an application, such as Flood Risk Assessments, Heritage Statements, Viability Appraisals and Transport Assessments. The current list of validation requirements is attached as Appendix 1.

The recent LEAN review of the Planning Service processes, together with feedback from Planning Agents has highlighted that in a significant number of cases, applicants are unable to understand and meet the validation requirements. Feedback from agents suggests that this is because the requirements are often complex and even, in some cases, unclear as to their purpose, putting additional financial burden on the applicants with no material benefit. The LEAN review has highlighted that 48% of all applications submitted are not valid as these requirements have not been met.

The Town and Country Planning (Development Management Procedure) (England)(Amendment No. 3) Order 2012 requires that local planning authorities operate to a local list no more 2 years old. All LPAs are required to revisit their “local” lists by 1 August 2013. Should the revised/reviewed list not be published within this period, then only the national validation requirements will apply. As the current list of local information requirements was published more than 2 years ago, it is necessary to review Harrow’s list, consult (6 week consultation period) and then publish.

The review provides an opportunity to reconsider what is required for any specific application, and to streamline the requirements so that they are clearly understood and proportionate to the scale of application proposed. This reflects the aspiration of the planning service to move from “controlling” to “enabling” high quality sustainable development in the Borough. There is a clear benefit arising from this, particularly in relation to householder developments, which form a significant percentage of all applications received. The full updated list, which would be the subject of consultation, is attached as Appendix 2

It is important to note that the Local Planning Authority would retain the right under the Town and Country Planning Acts to request any additional information required on a case by case basis, if it were deemed necessary. It should also be noted that the onus is on the applicant to submit appropriate information with their application to enable officers to fully assess the impact of any development. In the event that any requested additional information needed to help demonstrate how an application meets the requirements of the development Plan is not be provided, then the local planning authority may refuse permission on the basis of the inadequate information.

Alternative Options considered

1. Consult on maintaining the existing list. This option would miss the opportunity to secure real benefits to applicants through reduced burdens on provision of information and simplification of process. It would also prevent the Council and applicants from realising the benefits from reducing the number of invalid submissions.
2. Do nothing. In effect this would mean that the current local information requirements would expire and the Council would be unable to require the submission of any documents other than those covered by the national information requirements. This would represent significant concern for major applications where supporting documentation is essential for the consideration and assessment of complex schemes.

Consultation on the Draft Local Information Requirements

Subject to approval by the Planning Committee, it is proposed to publish the draft local information requirements on the Council website for 6 weeks, in accordance with statutory requirements. The outcome of this consultation together with any necessary changes to the criteria will be brought back to Planning Committee in July, to enable the adoption of the revised criteria on August 1st, in line with the timescales set out in the Development Management Procedure Order.

Implications of the Recommendation

Legal Comments

The proposed consultation on amendments to the local information list for the Validation of Planning applications' is in accordance with the requirements set out in the Development Management Procedure Order 2010 (as amended). There are no legal implications for the Council

Financial Implications

There are no direct financial implications of the proposed changes to the local information requirements. However, the adoption of a clearer, more proportionate list of requirements would likely increased the number of applications which are valid on receipt and would have an indirect financial benefit in relation to officer time and rework.

Any costs associated with the consultation would be met from the existing Planning Services budget. However it is not anticipated that any significant costs will arise as an on line consultation is proposed.

Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

The key risk associated with not adopting an updated local information list for the validation of planning applications arises from the omission of important local information that might lead to delay or unnecessary costs later in the planning application process. Moreover, the lack of information might also undermine the Council's aspirations, and corporate priority, to involve residents by making such involvement more difficult as part of the consultation process.

Equalities implications

Officers do not consider that the proposals have any adverse impact upon persons with protected characteristics

Corporate Priorities

The proposed revised list will help support the implementation of the following corporate priorities:

- United and involved communities: A Council that listens and leads – provision of a more proportionate service in response to feedback on current processes.
- Supporting our town centre, our local shopping centres and businesses – through reducing the burden of information requirements, for smaller scale developments and creating greater certainty in the planning validation process.

Section 3 - Statutory Officer Clearance

Name: Kanta Halai	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 14 May 2013		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 15 th May 2013		

Section 4 - Contact Details and Background Papers

Contact: Beverley Kuchar, Head of Development Management and Building Control 020 8736 6167

Background Papers: None

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INFORMATION REQUIREMENTS FOR VALIDATION OF PLANNING APPLICATIONS

May 2013

INTRODUCTION

This document sets out Harrow Council's Planning Application Requirements. The requirements were agreed by the Council in line with changes to the regulations concerning the validation of planning applications introduced by the Government with effect from 6 April 2008. The document explains the national requirements that will be required for all applications, and sets out the local requirements that the Council proposes to ask for in some cases.

The information you need to provide will depend on the type of application you are making, the nature of your proposals and the site location. In drawing up our Planning Application Requirements we have tried to ensure that the information required is the minimum needed to determine an application. However, in certain circumstances, the Council may need additional information to be prepared in order that it can conclude that the impacts of a proposal are acceptable, having regard to the local plan policies, and any other material planning consideration.

Before submitting your application we would recommend that you [contact the relevant Development Management team](#) to confirm what the requirements for your application will be. The details of Council's pre-application service are provided below. If the Council cannot demonstrate from your submission that your proposals are acceptable, and will not give rise to unacceptable impacts on the matters addressed by the local plan (and cannot be conditioned), it will not be able to support your proposals.

THE 1 APPLICATION FORM

Since 6 April 2008 a national standard application form, known as 1APP, became the only way you can make a planning application in England.

The national form is designed to be completed on the internet, and is available either through the planning portal website: www.planningportal.gov.uk/1app or www.harrow.gov.uk.

The 1APP form is not a single document for all application types but is standardised to give consistency in headings and details. There is an application form for each application type, but an applicant may now also submit joint applications, so there are 27 application types now available through the 1APP forms. The full range is set out in **Appendix B** below.

It is essential that you complete the correct form. If you are not sure which form to complete, please contact the Planning Service.

You will probably also need building regulations approval if you want to do new building work. If you want advice on this, please contact Harrow's Building Control Service on phone (020) 8424 1846.

You may also need to contact Environmental Health if your proposal is to do with a food business or a place of public entertainment. The address is Community Safety Services (Environmental Health), FREEPOST HA4343, Civic Centre, PO Box 18, Station Road, Harrow, HA1 2BR and the phone number is (020) 8901 2600.

PRE-APPLICATION ADVICE

The Council offers a comprehensive pre-application advice service. This service has a range of competitively priced packages covering simple enquiries (for extensions to homes by householders) to much more complex projects. National Planning Guidance and the Council strongly encourages you to use this service to help ensure that the process of applying for planning permission is as smooth as possible.. The advice provided will help you to understand what information and questions are likely to be raised by your proposal, and what information will therefore be required to enable the Council to reach a favourable recommendation/decision on the eventual planning application.

For further information on the Council's pre-application advice service, please see [\[INSERT NEW WEBLINK\]](#). The Pre-application advice service is subject to a a charge (see [\[INSERT WEBLINK\]](#)). In order to make an appointment, please phone (020) 8901 2650 or send your details by email to planning.applications@harrow.gov.uk . Please provide as much information as possible in order that we can invoice you for the correct amount.

THE VALIDATION PROCESS

Whilst the Council has tried ot set out as clearly as possible what the requirements are for a "valid" planning applcaiton, it is your responsibility to ensure that you submit supporting information in accordance with the requirements below.

If you do not submit an application in accordance with the requirements set out in this document, your application will be declared invalid and a decision cannot then be made on the application – this could occur after the initial pre-application advice referred to above

If your application is invalid, we will set out the reasons in writing and specify the information required in order to make the application valid

Please note, that with the exception of the Contact Details (telephone numbers and e-mail addresses) and the ownership certificate, all the information you provide on the application form and in any accompanying documents will be made publicly available. Therefore, if you have provided any other information as part of your application which falls within the definition of personal data under the Data Protection Act, which you do not wish the Council to publish, please make this clearly known to the Council.

NATIONAL AND LOCAL REQUIREMENTS FOR VALIDATION OF PLANNING APPLICATIONS

The following **National Requirements** are statutory requirements for the validation of all planning applications in England:

1. National Requirements

- 1) 1APP form needs to be completed in full, signed and dated
NB: The application asks for your signature in multiple places, throughout the document.

2) An Ordnance Survey site plan

- § Showing the property in relation to its surroundings
- § The boundaries of the property must be marked with a **red** line
- § Other land owned by the applicant must also be marked with a **blue** line
- § The plan must be scaled at 1:1250
- § The plan must also include a North arrow and two named roads



Scale 1:1250

3.a) Elevation plans (side views)

- § Elevation plans must show all sides of the property affected by the proposal
- § Plans should be either 1:50 or 1:100 scales with a scale bar indicating a minimum length of 0 to 5 or 0 to 10 metres
- § Existing elevations (prior to works) and proposed elevations (the planned works) displaying site levels must be supplied
- § Each sheet must have a drawing reference number and include the site address

3.b) Floor plans

- § Floor plans must show all floors of the property affected by the proposal
- § Plans should be either 1:50 or 1:100 scales with a scale bar indicating a minimum length of 0 to 5 or 0 to 10 metres
- § Existing floor plans (prior to works) and proposed floor plans (the planned works) must be supplied
- § Each sheet must have a drawing reference number and include the site address

3.c) Roof plans

- § Required if the proposed roof is not a flat roof
- § Plans should be either 1:50 or 1:100 scales with a scale bar indicating a minimum length of 0 to 5 or 0 to 10 metres
- § Each sheet must have a drawing reference number and include the site address

4) Planning fee

- § This fee is a national charge and is set to £172 for a Householder application
- § If the fee is incorrect the application will be made invalid and the correct fee will be requested
- § Payment can be made via the Government planning website the Planning Portal

2. Local Requirements:

In addition to the above national requirements, the following sections set out the **Local Requirements** which the Council requires in order to validate specific types of planning applications. As stated previously, in certain circumstances, in order to successfully process an application, the Council may require additional information to be submitted. While potential additional requirements are listed under each of the development types provided, the Council reserves the right to request any other additional information as required. (a detailed explanation of each validation requirement is set out at **Appendix A**).

All Development

Required:

Your planning application will be scanned and published online. Because of the need for drawings that people can derive measurement from, and to ensure that the plans are scanned accurately, the Council therefore requires **all submitted plans and drawings to include:**

- print (paper) minimum A3 size
- the relevant metric scale at the size that the page is printed/reproduced (e.g. 1:50, 1:100)
- key dimensions in meters and centimeters or millimeters
- scale bar indicating a minimum length of 0 to 5 or 10 meters (depending upon the size of the development)
- a unique reference plan number – this will be used to “index” the document
- Community Infrastructure Levy (CIL) Planning Application Additional Information Requirement Form

Potential Additional Requirements:

- **Location of watercourse** - where there is a watercourse located on the site, the submitted site plans should show its location and cross sections of the existing and proposed development need to show the bank top of the watercourse (the bank top is defined as the point at which the bank meets normal land levels) in relation to the development.

Householder Development

Required:

- **None** – the Council does not propose to introduce any universal local validation requirements on householder development

Potential Additional Requirements:

- **Daylight/sunlight assessment** – for extensions where the proposed works might affect the daylight/sunlight enjoyed by neighbouring properties or buildings
- **Design and Access Statement** - where proposed works fall within a conservation area or relate to a listed building
- **Flood Risk Assessment** - where the property is located within a designated flood plain (zones 2 and 3 a –c)
- **Tree Survey/Arboricultural Statement** – where the proposal involved building works within 5 metres of or otherwise likely to affect a tree

For further notes on householder applications, see the Council's Residential Design Guide at [INSERT NEW WEB LINK]

Listed Building Consent, Scheduled Monument Consent, Conservation Area Consent or Development in an Archaeological Priority Area

Required:

- **Design and Access Statement** – to explain and justify the proposal in a structured way
- **Heritage Statement** – to provide an understanding of the impact of the proposed works on the historic interest

Potential Additional Requirements:

- **Statement of Heritage Significance and Impact** – more detailed statement that includes a schedule of works, an analysis of the significance of the heritage asset, the principles of and justification for the proposed works and their impact on the heritage asset, and a structural survey

Other “Minor” Planning Applications

Required:

- **Design and Access Statement** – to explain and justify the proposal in a structured way
- **Statement of Community Involvement** – setting out the consultation undertaken and how this has informed the proposal

Potential Additional Requirements:

- **Air Quality Assessment** - where the development is proposed inside, or adjacent to an air quality management area (AQMA), or where the development could conflict with, or render unworkable, elements of Council’s air quality action plan.
- **Biodiversity Survey and Report** - where the site is located within or adjacent (within 20m of) to a designated Site of Importance for Nature Conservation (SINC).
- **Daylight/sunlight Assessment** – showing how the proposed development might affect the daylight/sunlight enjoyed by neighbouring properties or buildings, or proposed amenity areas or buildings within the site
- **Flood Risk Assessment** - where the site, or part of the site, is located within a designated flood plain (zones 2 and 3 a –c)
- **Landscaping Details** – detailing the landscaping proposals which follow from the design concept in the Design and Access Statement, including maintenance and management arrangements.
- **Land contamination assessment** – required if the site is known or suspected to be contaminated, including sites previously used for industrial processes
- **Noise Impact Assessment** – for proposals that may give rise to issues of disturbance by noise to the occupants of nearby existing buildings, and for proposals that are considered to be noise sensitive and which are close to existing sources of noise
- **Planning Obligations – draft s106 agreement** – where any of the assessments have identified impacts that require works to be undertaken to mitigate these to make the development acceptable in planning terms
- **Planning Statement** - identifying the context and need for the proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies
- **Tree Survey/Arboricultural Statement** – where the proposal involved building works within 5 metres of or otherwise likely to affect a tree
- **Ventilation/Extraction Statement** - required for applications which include commercial extraction flues

Major Development

Required:

- **Design and Access Statement** – to explain and justify the proposal in a structured way
- **Landscaping Details** – detailing the landscaping proposals which follow from the design concept in the Design and Access Statement, including maintenance and management arrangements.

- **Energy statement** - to explain the approach on energy efficiency and renewable energy measures, in accordance with London Plan Policy 4A.8
- **Foul Sewage and Utilities Assessment** – details of connection to existing networks and the capacity of these existing network to serve the proposed development
- **Planning Statement** - identifying the context and need for the proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies
- **Statement of Community Involvement** – setting out the consultation undertaken and how this has informed the proposal
- **Sustainability statement** - to explain the approach on sustainable design and construction measures, in accordance with the London Plan Policy 4B.6

Where the proposals involve residential development:

- **Affordable Housing Statement** – setting out the provision of affordable housing in accordance with both London Plan and Local Plan policy requirements

Potential Additional Requirements:

- **Air Quality Assessment** - where the development is proposed inside, or adjacent to an air quality management area (AQMA), or where the development could conflict with, or render unworkable, elements of Council's air quality action plan.
- **Biodiversity Survey and Report** - where the proposal may result in impacts upon wildlife and biodiversity on or off the site, in particular, designated protected species or habitats
- **Daylight/sunlight Assessment** – showing how the proposed development might affect the daylight/sunlight enjoyed by neighbouring properties or buildings, or proposed amenity areas or buildings within the site
- **Economic Statement** – setting out regeneration benefits of the proposed development, including: details of any new jobs that might be created or supported, any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal
- **Environmental Statement** - required of development falling under the categories set out in the Town and Country Planning (Environmental Impact Assessment) Regulations (SI 1999/293)
- **Flood Risk Assessment** - where the site area is greater than 1 hectare within Flood Zone 1, or part of the site, is located within a designated flood plain (zones 2 and 3 a –c)
- **Land Contamination Assessment** – required if the site is known or suspected to be contaminated, including sites previously used for industrial processes, or where the proposed development or activities pose a significant new risk of land contamination
- **Noise Impact Assessment** – for proposals that may give rise to issues of disturbance by noise to the occupants of nearby existing buildings, and for proposals that are considered to be noise sensitive and which are close to existing sources of noise
- **Planning Obligations – draft head(s) of terms** – where any of the assessments have identified impacts that require works to be undertaken to mitigate these to make the development acceptable in planning terms
- **Transport Assessment** – where the proposal is likely to have an impact upon the highway network that will require works to mitigate.
- **Travel Plan** – to demonstrate how any significant transport implications of the proposal will be mitigated and how opportunities for modal shift away from vehicles will be achieved
- **Tree Survey/Arboricultural Statement** – where the proposal involves building works within 5 metres of or otherwise likely to affect a tree

- **Ventilation/Extraction Statement** - required for applications which include commercial extraction flues

APPENDIX A

Details of the Individual Harrow Local Requirements

Affordable Housing Statement

Where local plan policies (London Plan Policy 3.13 and Core Strategy Policy CS1J) or Supplementary Planning Document guidance requires the provision of affordable housing the Council may require information concerning both the affordable housing and any market housing for example, the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of the units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.

The affordable housing statement should also include details of any Registered Social Landlords acting as partners in the development.

Air Quality Assessment

Where the development is proposed inside, or adjacent to an air quality management area (AQMA), or where the development could in itself result in the designation of an AQMA or where the grant of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan, applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. Where AQMAs cover regeneration areas, developers should provide an air quality assessment as part of their planning application. Further advice is available in **Planning Policy Statement 23: Planning and Pollution Control** (November 2004).

Biodiversity Survey and Report

Where a proposed development may have possible impacts on wildlife and biodiversity, **and / or is located adjacent to a watercourse**, information should be provided on existing biodiversity interests and possible impacts on them to allow full consideration of those impacts. Where proposals are being made for mitigation and/or compensation measures information to support those proposals will be needed. Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats of any species protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994 or the Protection of Badgers Act 1992.

Applications for development that will affect areas designated for their biodiversity interests are likely to need to include assessments of impacts and proposals for long term maintenance and management. For information on the location of Harrow's SINC's consult [INSERT NEW WEBLINK]. This information might form part of an Environmental Statement, where one is necessary. Certain proposals which include work such as the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation proposals for such impacts.

Community Infrastructure Levy (CIL) Planning Application Additional Information Requirement Form

The Mayor of London and the Council have introduced a Community Infrastructure Levy that will be charged on certain types of development where these provide for 100sqm of new

floorspace or create a new residential dwelling. To determine whether a proposal is CIL liable, the Council needs to understand the existing and proposed floorspace of the development and its use. The CIL Planning Application Additional Information Requirement Form therefore needs to be completed. The form is available on the Council's website or the Planning Portal with all relevant applications [weblink].

Daylight/Sunlight Assessment

In circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space then applications may also need to be accompanied by a daylight/sunlight assessment. Further guidance is provided in the Council's Residential Design SPD and in the BRE guidelines on daylight assessments.

Economic Statement

Applications may also need to be accompanied by a supporting statement of any regeneration benefits from the proposed development, including: details of any new jobs that might be created or supported; the relative floorspace totals for each proposed use (where known); any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal.

Energy statement

Major applications are required to explain the approach on energy efficiency and renewable energy measures, in accordance with London Plan Policy 4A.8. The energy statement should:

- a) demonstrate how these issues have been considered and designed into the development
- b) how the various technologies have been assessed for their feasibility on a particular site, and
- c) highlight which technology or combination of technologies is to be integrated to generate renewable energy

Environmental Statement

The Town and Country Planning (Environmental Impact Assessment) Regulations (SI 1999/293), as amended, set out the circumstances in which an Environmental Impact Assessment (EIA) is required. EIA may obviate the need for other more specific assessments.

Where an EIA is required, Schedule 4 to the regulations sets out the information that should be included in an Environmental Statement. The information in the Environmental Statement has to be taken into consideration when the local planning authority decides whether to grant planning consent. It may be helpful for a developer to request a 'screening opinion' (i.e. to determine whether EIA is required) from the local planning authority before submitting a planning application. In cases, where a full EIA is not required, the local planning authority may still require environmental information to be provided.

Flood Risk Assessment

A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and for all proposals for new development located in Flood Zones 2 and 3 as designated by the Environment Agency. A FRA will also be required for any development other than minor development in a designated critical drainage area which has been notified to the Local Planning Authority by the Environment Agency.

The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water management systems including Sustainable Drainage Systems (SUDs) and address the requirement for safe access to and from the development in areas at risk of flooding.

The FRA should be prepared by an applicant in consultation with the local planning authority with reference to their published local development documents and any Strategic Flood Risk Assessment. The FRA should form part of an Environmental Statement when one is required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended. **Planning Policy Statement 25: Development and Flood Risk (March 2010)** and its associated *Practice Guide* provide comprehensive guidance for both local planning authorities and applicants in relation to the undertaking of FRAs and the responsibilities for controlling development where it may be directly affected by flooding or affect flooding elsewhere.

Foul sewage and utilities assessment

All new buildings need separate connections to foul and storm water sewers. If an application proposes to connect a development to the existing drainage system then details of the existing system should be shown on the application drawing(s). It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers.

Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should include a full assessment of the site, its location and suitability for storing, transporting and treating sewage.

If the proposed development results in any changes/replacement to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations and specification. Drainage details that will achieve Building Regulations Approval will be required. If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land.

An application should indicate how the development connects to existing utility infrastructure systems. Most new development requires connection to existing utility services, including electricity and gas supplies, telecommunications and water supply, and also needs connection to foul and surface water drainage and disposal. Two planning issues arise; firstly, whether the existing services and infrastructure have sufficient capacity to accommodate the supply/service demands which would arise from the completed development, and secondly, whether the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains.

The applicant should demonstrate:

- (a) that, following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community;
- (b) that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures;

- (c) that service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains;
- (d) where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.

Land Contamination Assessment

Applications may also need to be accompanied by a land contamination assessment which should include an extended assessment of contamination in line with **Planning Policy Statement 23: Planning and Pollution Control (November 2004)**. Sufficient information should be required to determine the existence or otherwise of contamination, its nature and the risks it may pose and whether these can be satisfactorily reduced to an acceptable level. Where contamination is known or suspected or the proposed use would be particularly vulnerable, the applicant should provide such information with the application as is necessary to determine whether the proposed development can proceed.

Landscaping Details

Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management. There should be reference to landscaping and detailed landscaping proposals which follow from the design concept in the Design and Access Statement, if required. Existing trees and other vegetation should, where practicable, be retained in new developments and protected during the construction of the development.

Noise Assessment

Applications for developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise assessment prepared by a suitably qualified acoustician. Further guidance is provided in **Planning Policy Guidance 24: Planning and Noise (September 1994)**.

Open Space Assessment

For development within open spaces, application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site. Planning consent is not normally given for development of existing open spaces which local communities need. However, in the absence of a robust and up-to-date assessment by a local authority, an applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements. Any such evidence should accompany the planning application.

Parking Provision

Applications may be required to provide details of existing and proposed parking provision. These details could also be shown on a site layout plan.

Photomontages and 3D-Models

These provide useful to help to show how large developments can be satisfactorily integrated within the street scene [format/doc type].

Planning Obligations – S106 Agreements & Draft Head(s) of Terms

Planning obligations (or “section 106 agreements”⁶) are private agreements negotiated between local planning authorities and persons with an interest in a piece of land (or “developers”), and are intended to make acceptable development which would otherwise be unacceptable in planning terms.

Where proposals are unable to or are required to provide a positive obligation (such as in respect of affordable housing) in order to comply with the policy requirements of the Local Plan, applicants are encouraged to set out the details of likely planning obligation that will be required to address the shortcoming of the proposed scheme. These should take the form of a draft s106 agreement or, for major developments, a statement of the proposed Heads of Terms. Further advice on planning obligations is set out in the Council’s Planning Obligations SPD.

Planning Statement

A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. It may also include details of consultations with the local planning authority and wider community/statutory consultees undertaken prior to submission. Alternatively, a separate statement on community involvement may also be appropriate.

Statement of Community Involvement

Applications may need to be supported by a statement setting out how the applicant has complied with the requirements for pre-application consultation set out in the local planning authority’s adopted Statement of Community Involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.

Statement of Heritage Significance and Impact (including Historical, archaeological features and Scheduled Ancient Monuments)

The scope and degree of detail necessary in a Statement of Heritage Significance and Impact will vary according to the particular circumstances of each application. Applicants are advised to discuss proposals with either a planning officer or a conservation officer before any application is made. The following is a guide to the sort of information that may be required for different types of application.

For applications for listed building consent, a written statement that includes a schedule of works to the listed building(s), an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. A structural survey may be required in support of an application for listed building consent.

For applications for conservation area consent, a written statement that includes a structural survey, an analysis of the character and appearance of the building/structure, the principles of and justification for the proposed demolition and its impact on the special character of the area may be required.

For applications either related to or impacting on the setting of heritage assets a written statement that includes plans showing historic features that may exist on or adjacent to the

application site including listed buildings and structures, historic parks and gardens, and scheduled ancient monuments and an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required.

For applications within or adjacent to a conservation area, an assessment of the impact of the development on the character and appearance of the area may be required.

For all applications involving the disturbance of ground within an Area of Archaeological Potential as defined in the development plan or in other areas in the case of a major development proposal or significant infrastructure works, an applicant may need to commission an assessment of existing archaeological information and submit the results as part of the Statement of Heritage Significance and Impact.

Structural Survey

A structural survey may be required in support of an application if the proposal involves substantial demolition.

Sustainability Statement

Required on major applications to explain the approach on sustainable design and construction measures, in accordance with the London Plan Policy 4B.6 - the Mayor's Sustainable Design & Construction Supplementary Planning Guidance (May 2006) provides further guidance.

For larger scale developments a **water use assessment** should be included

Tree Survey / Arboricultural Statement

Where there are trees within 5 meters of building works on an application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculturist. To include details of retention and protection of trees within or up to 5m from the trees / hedge to be removed, protection plan and method statement as appropriate. Full guidance on the information that should be provided with an application is set out in the current **BS 5837 'Trees in relation to construction –Recommendations'**. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.

Also required for submission of applications for a Hedgerow Removal Notice

Transport Assessment

Where the Local Planning Authority considers that the proposals are likely to have an impact upon the highway network, you may be asked to prepare a transport assessment or transport statement.

Further guidance will be found in **Guidance on Transport Assessment**, (March 2007) published by the Department for Transport.

Travel Plan

A travel plan should be submitted alongside planning applications which are likely to have significant transport implications, as advised

Ventilation/Extraction Statement

Where the proposals involve the creation, alteration or enlargement of an odour generating property (such as café/bar or restaurant, the Council will require a **Ventilation / extraction statement**. Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes within Use Classes A3 (i.e. Restaurants and cafes – use for the sale of food and drink for consumption on the premises), A4 (i.e. Drinking establishments – use as a public house, winebar or other drinking establishment), A5 (i.e. Hot food takeaways – use for the sale of hot food for consumption off the premises), B1 (general business) and B2 (general industrial).

This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

APPENDIX B

Range of 1 Application Types

Note: application types in italics indicate a multiple application type

1. Householder application for works or extension to a dwelling
2. *Householder application for works or extension to a dwelling and Conservation Area Consent for demolition in a Conservation Area*
3. *Householder Application for works or extension to a dwelling and Listed Building Consent*
4. Full Planning Permission
5. Outline Planning Permission with some matters reserved
6. Outline Planning Permission with all matters reserved
7. Approval of Reserved Matters following outline approval
8. *Full Planning Permission and Conservation Area Consent for demolition in a Conservation Area*
9. *Full Planning Permission and Listed Building Consent*
10. *Full Planning Permission and Advertisement Consent*
11. Conservation Area Consent for demolition in a Conservation Area
12. Listed Building Consent for alterations, extension or demolition of a Listed Building
13. Advertisement Consent
14. *Listed Building Consent for alterations, extension or demolition of a Listed Building and Advertisement Consent*
15. Lawful Development Certificate for an Existing use or operation or activity including those in breach of a planning condition
16. Lawful Development Certificate for a Proposed use or development
17. Removal or Variation of a Condition following grant of planning permission (Section 73 of the Town and Country Planning Act 1990)
18. Approval of Details reserved by condition
19. Prior Notification of proposed development by telecommunications code system operators
20. Prior Notification of proposed demolition
21. Prior Notification of proposed agricultural or forestry development – proposed building
22. Prior Notification of proposed agricultural or forestry development – proposed road
23. Prior Notification of proposed agricultural or forestry development – proposed excavation / deposit of waste material
24. Prior Notification of proposed agricultural or forestry development – proposed fish tank or cage
25. Tree Works: Works to Trees subject to a Tree Preservation Order (TPO)
26. Notification of Proposed Works to Trees in Conservation Areas (CA)
27. Hedgerow Removal Notice

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