

Planning Committee AGENDA

DATE: Wednesday 30 May 2018

TIME: 6.30 PM

VENUE: Council Chamber, Harrow Civic Centre, Station Road, Harrow, HA1 2XY

A SITE VISIT FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON SATURDAY 26 MAY 2018 STARTING AT 10.00 AM.

A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON TUESDAY 29 MAY 2018 AT 6.30 PM IN THE EE BOARDROOM

MEMBERSHIP (Quorum 3)

Chair: TBC

Councillors: To be Appointed at Council on 24 May 2018

Reserve Members: To be Appointed at Council on 24 May 2018

Contact: Manize Talukdar, Democratic and Electoral Services Officer
Tel: 020 8424 1323 E-mail: manize.talukdar@harrow.gov.uk

Useful Information

Meeting details:

This meeting is open to the press and public.

Directions to the Civic Centre can be found at:
<http://www.harrow.gov.uk/site/scripts/location.php>.

Filming / recording of meetings

The Council will audio record Public and Councillor Questions. The audio recording will be placed on the Council's website.

Please note that proceedings at this meeting may be photographed, recorded or filmed. If you choose to attend, you will be deemed to have consented to being photographed, recorded and/or filmed.

When present in the meeting room, silent mode should be enabled for all mobile devices.

Meeting access / special requirements.

The Civic Centre is accessible to people with special needs. There are accessible toilets and lifts to meeting rooms. If you have special requirements, please contact the officer listed on the front page of this agenda.

An induction loop system for people with hearing difficulties is available. Please ask at the Security Desk on the Middlesex Floor.

Agenda publication date: Monday 21 May 2018

AGENDA - PART I

Guidance Note for Members of the Public attending the Planning Committee (Pages 7 - 8)

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. APPOINTMENT OF VICE CHAIR

To appoint a Vice-Chair for the 2018/19 Municipal Year.

5. MINUTES (Pages 9 - 18)

That the minutes of the meeting held on 25 April 2018 be taken as read and signed as a correct record.

6. PUBLIC QUESTIONS *

To receive any public questions received in accordance with Committee Procedure Rule 17 (Part 4B of the Constitution).

Questions will be asked in the order in which they were received. There will be a time limit of 15 minutes for the asking and answering of public questions.

[The deadline for receipt of public questions is 3.00 pm, 24 May 2018. Questions

should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

7. PETITIONS

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution).

8. DEPUTATIONS

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

9. REFERENCES FROM COUNCIL AND OTHER COMMITTEES/PANELS

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

10. REPRESENTATIONS ON PLANNING APPLICATIONS

To confirm whether representations are to be received, under Committee Procedure Rule 29 (Part 4B of the Constitution), from objectors and applicants regarding planning applications on the agenda.

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. SECTION 1 - MAJOR APPLICATIONS

- | | | | | |
|-----|--|------------|----------------------------------|-------------------|
| (a) | 1/01: KILBY'S INDUSTRIAL ESTATE, BACON LANE, EDGWARE - P/5810/17 | EDGWARE | GRANT SUBJECT TO LEGAL AGREEMENT | (Pages 19 - 72) |
| (b) | 1/02: THE HIVE FOOTBALL CENTRE, PRINCE EDWARDS PLAYING FIELDS, CAMROSE AVENUE, EDGWARE - P/2763/17 | QUEENSBURY | GRANT SUBJECT TO LEGAL AGREEMENT | (Pages 73 - 134) |
| (c) | 1/03: THE HIVE FOOTBALL CENTRE, PRINCE EDWARDS PLAYING FIELDS, CAMROSE AVENUE, EDGWARE - P/2764/17 | QUEENSBURY | GRANT SUBJECT TO LEGAL AGREEMENT | (Pages 135 - 184) |

12. SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

(a)	2/01: 53 & 55 ST. MICHAEL'S CRESCENT, PINNERS - P/0289/18	PINNER SOUTH	GRANT	(Pages 185 - 212)
(b)	2/02: 11 SHERINGTON AVENUE, PINNERS - P/0999/18	HATCH END	APPROVE	(Pages 213 - 230)
(c)	2/03: WEST HOUSE GALLERY, GALLERY CAFE - P/5747/17	PINNER	GRANT	(Pages 231 - 262)
(d)	2/04: FLATS 330 TO 332B ALEXANDRA AVENUE, HARROW - P/5563/16	ROXBORNE	GRANT	(Pages 263 - 292)
(e)	2/05: 1A CUNNINGHAM PARK, HARROW - P/4427/17	HEADSTONE SOUTH	GRANT	(Pages 293 - 340)
(f)	2/06: 4 FAIRHOLME ROAD, HARROW - P/0152/18	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 341 - 380)
(g)	2/07: 21 WHITEGATE GARDENS - P/0966/18	HARROW WEALD	GRANT	(Pages 381 - 436)
(h)	2/08: FERRARI HOUSE, 102 COLLEGE ROAD, HARROW - P/0587/18	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 437 - 470)
(i)	2/09: CENTRAL DEPOT, FORWARD DRIVE, HARROW - P/0276/18	KENTON WEST	GRANT	(Pages 471 - 494)
(j)	2/10: UNIT 10, WHITEFRIARS TRADING ESTATE, TUDOR ROAD, HARROW - P/0773/18	WEALDSTONE	GRANT	(Pages 495 - 520)
(k)	2/11: THE OLD BAKERY, GRANGE COURT - P/0186/18	PINNER	GRANT	(Pages 521 - 556)
(l)	2/12: 6 CREST VIEW, PINNERS - P/1498/18	PINNER	GRANT	(Pages 557 - 578)
(m)	2/13: 74 WHITTINGTON WAY, PINNERS - P/0073/18	PINNER SOUTH	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 579 - 620)

13. SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

NONE

14. SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

NONE

15. SECTION 5 - PRIOR APPROVAL APPLICATIONS

NONE

16. REQUEST TO INTRODUCE AN ARTICLE 4 (1) DIRECTION FOR THE DEMOLITION OF FRONT BOUNDARY TREATMENTS WITHIN 14 OF HARROW'S CONSERVATION AREAS (Pages 621 - 642)

Report of the Divisional Director, Planning & Regeneration.

17. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

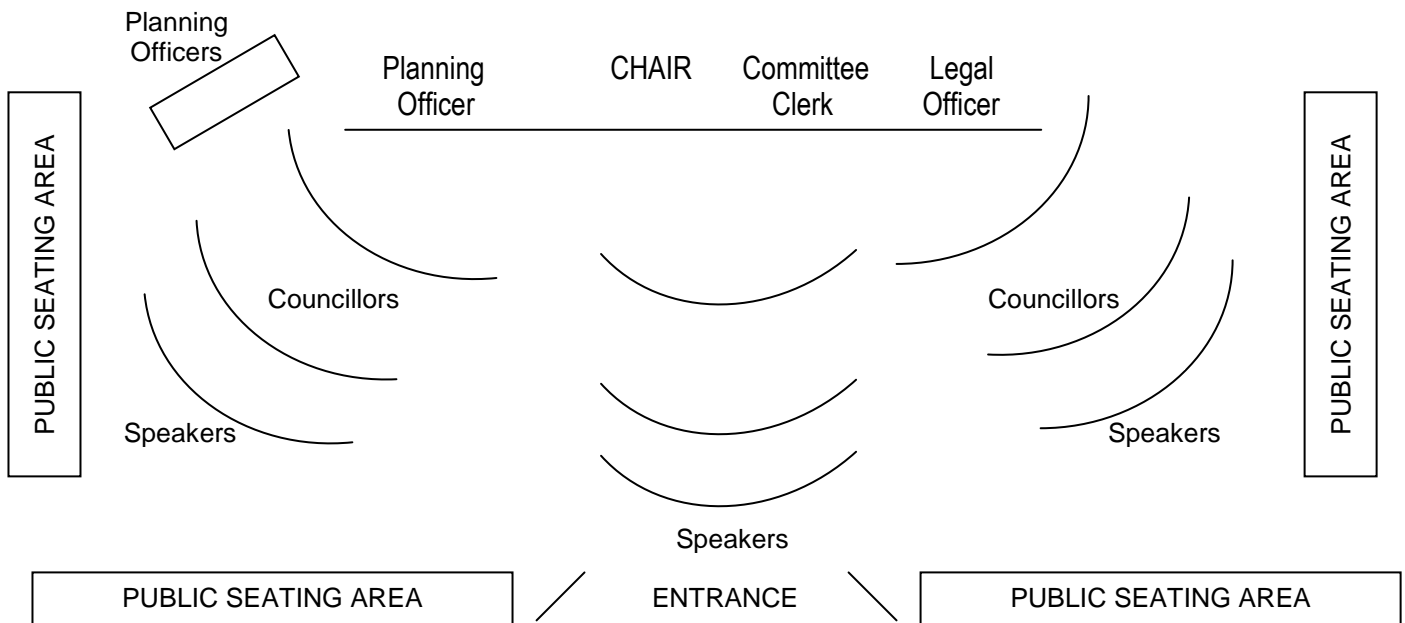
*** DATA PROTECTION ACT NOTICE**

The Council will audio record item 5 (Public Questions) and will place the audio recording on the Council's website, which will be accessible to all.

[**Note:** The questions and answers will not be reproduced in the minutes.]

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 Divisional Director 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 by contacting the Committee Administrator (tel 020 8424 1323). 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.*)

PLANNING COMMITTEE

MINUTES

25 APRIL 2018

Chair: * Councillor Keith Ferry

Councillors:

* Ghazanfar Ali	* Nitin Parekh (1)
* June Baxter	* Norman Stevenson (1)
* Stephen Greek	* Anne Whitehead

* Denotes Member present
(1) Denotes category of Reserve Members

570. Attendance by Reserve Members

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

Ordinary Member

Councillor Pritesh Patel
Councillor Christine Robson

Reserve Member

Councillor Norman Stevenson
Councillor Nitin Parekh

571. Right of Members to Speak

RESOLVED: That no Members, who were not members of the Committee, had indicated that they wished to speak at the meeting.

572. Declarations of Interest

RESOLVED: To note that there were no declarations of interests made by Members.

573. Minutes

RESOLVED: That the minutes of the meeting held on 21 March 2018 be taken as read and signed as a correct record.

574. Public Questions, Petitions and Deputations

RESOLVED: To note that no public questions were put, or petitions or deputations received.

575. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

576. Representations on Planning Applications

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 30 (Part 4B of the Constitution), representations be received in respect of item 2/03 on the list of planning applications.

577. Addendum

RESOLVED: To accept both Addendums.

RESOLVED ITEMS

578. 2/01: 113 High Street, Wealdstone, Harrow - P/5793/17

PROPOSAL: *Redevelopment to provide 9 residential units comprising 6 flats within a 5 storey building with ground floor (class D1) unit and first floor B1/D1 unit with adjoining 3 x 2 storey terraced houses; bin and cycle store*

Following questions and comments from Members, an officer advised that a separate entrance would be provided for the residential component of the development.

DECISION: GRANTED

RECOMMENDATION A

Granted planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement, as amended by the addendums, and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 and the addendums) or the legal agreement.:

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 25th July 2018, or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Regeneration, Enterprise and Planning on the grounds that:

The proposed development, in the absence of a legal agreement to provide restriction of resident parking permits, would fail to adequately mitigate the impacts of the development on the surrounding highway network, contrary to the requirements of policies 6.9, 6.10, 6.11, 6.13 and 8.2 of The London Plan 2016, policy CS1.R of the Harrow Core Strategy 2012 and Policies DM42 and DM 50 of the Harrow Development Management Policies Local Plan 2013 and would therefore be unacceptable.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

579. 2/02: Civic Centre, Station Road, Harrow - P/0956/18

PROPOSAL: *Temporary Change of use of ground floor office (Class B1) to Place of Worship (Class D1)*

Following questions and comments from Members, an officer advised that the land exchange agreement built in a sufficient timeframe for a replacement temple to be built on the other site.

DECISION: GRANTED planning permission subject to the conditions and informatives listed in Appendix 1 of the officer report and as amended by the addendum

The Committee wished it to be recorded that the decision to grant the application was unanimous.

580. 2/03: Linden House, South View Road, Pinner - P/0708/18

PROPOSAL: *Four storey rear corner infill extensions; single storey side link extension; alterations and extension to roof to form crown roof with rooflights; four rear dormers; rear extension to detached garage; external alterations (demolition of side extension)*

Following questions and comments from Members, an officer advised that:

- the Applicant had stated that the two live applications with appeals lodged for non-determination would be withdrawn should the current planning application be granted;
- no change was proposed to the overall height of the roof. It was considered that due to the distance between the applicant building and the neighbouring buildings no unacceptable overlooking would occur from the four rear dormers;

- no precedent would be set as every application was dealt with on its own merits. It would not be reasonable to include a condition to prohibit any future flattened development;
- the site would provide sufficient provision for off-street parking for the proposed development.

A Member proposed refusal on the following grounds:

The proposed development by reason of its excessive size, massing, bulk and site coverage would result in disproportionate additions to the original dwellinghouse and would reduce the openness of the site in the Green Belt. The proposal would constitute inappropriate development in the Green Belt, and no very special circumstances have been demonstrated by the applicant whereby the harm, by reason of inappropriateness is outweighed by other material considerations. The proposal would therefore be detrimental to the character and appearance of the Green Belt and the Harrow Weald Ridge Area of Special Character contrary to National Planning Policy Framework, policy 7.16 of the London Plan, policies CS1.F and CS6.A of the Harrow Core Strategy and policies DM6 and DM16 of the Development Management Policies Local Plan.

The motion was seconded, put to the vote and lost.

The Committee received representations from two objectors, Mr Carlo Criscuolo and Mr Stephen Simmonds.

DECISION: GRANTED planning permission subject to the conditions and informatives listed in Appendix 1 of the officer report and as amended by the addendum

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Ghazanfar Ali, Keith Ferry, Nitin Parekh and Anne Whitehead voted for the application.

Councillors June Baxter, Stephen Greek and Norman Stevenson voted against the application.

581. 2/04: Car Park rear of 15-19 Church Road - P/0379/18

PROPOSAL: *Redevelopment to provide two storey building with accommodation in roof to create 8 flats; underground parking to accommodate 12 parking spaces; bin and cycle stores*

Following questions and comments from Members, an officer advised that:

- the car parking provision currently leased to local businesses was dependant on the current lease and the companies affected were aware of the situation;

- the application previously granted for the site had considered the vitality impact of a loss of car parking spaces so the principle had already been established

A Member proposed refusal on the following grounds:

The proposal would be an overdevelopment and would result in an unacceptable loss of commercial parking provision, causing harm to local economic vitality and local amenity, contrary to policies DM1, DM42 and DM43 of the Local Plan, CS1 of the Core Strategy and 4.8 and 6.13 of the London Plan.

The motion was seconded, put to the vote and lost.

DECISION: GRANTED

RECOMMENDATION A

Granted planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions and informatives (set out in Appendix 1 of the officers report) or the legal agreement.

RECOMMENDATION B:

That if the Section 106 Agreement is not completed by 27th July 2018 or such extended period as may be agreed in writing by the Divisional Director of Planning, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to **REFUSE** planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement to provide parking permit restrictions that directly relates to the development, would fail to ensure that the development in this location prioritises access by sustainable modes and does not place additional transport stress on the public highway, in accordance with paragraphs 35 and 36 of the National Planning Policy Framework (2012), Policy 6.13 of the London Plan (2016) and Policy DM 43 of the Harrow Development Management Policies Local Plan (2013).

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Ghazanfar Ali, Keith Ferry, Nitin Parekh and Anne Whitehead voted for the application.

Councillors June Baxter, Stephen Greek and Norman Stevenson voted against the application.

582. 2/05: 498 Uxbridge Road, Pinner - P/5625/17

PROPOSAL: *Conversion of dwelling to four flats; single rear extension; single storey front extension; first floor side and rear extensions; alterations and extension to roof to create habitable roofspace; side and rear dormers; rooflights in front and side roofslopes to create habitable roofspace; parking; landscaping; separate and communal amenity space; bin / cycle storage; external alterations*

A Member proposed refusal on the following grounds:

The proposal is an over-development and over-intensive use of the site, with excessive scale and bulk, to the detriment of local character and amenity, contrary to policies DM1 of the Local Plan, CS1 of the Core Strategy, and 7.4 and 7.6 of the London Plan.

The motion was seconded, put to the vote and lost.

DECISION: GRANTED planning permission subject to the conditions and informatives listed in Appendix 1 of the officers report.

The Committee wished it to be recorded that the decision to grant the application was by a majority of votes.

Councillors Ghazanfar Ali, Keith Ferry, Nitin Parekh and Anne Whitehead voted for the application.

Councillors June Baxter, Stephen Greek and Norman Stevenson voted against the application.

583. 2/06: 64 - 66 Marsh Lane, Stanmore - P/5204/17

PROPOSAL: *Re-development to provide one two storey building for six flats; parking; landscaping; separate and communal amenity space; bin / cycle storage*

DECISION: GRANTED planning permission for the reasons set out in the officers report subject to the conditions and informatives listed in Appendix 1 as amended by the addendum.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

584. 2/07: Cedars Youth and Community Centre, Chicheley Road, Harrow - P/4522/17

PROPOSAL: *First Floor Side To Rear Extension*

Following questions and comments from Members, an officer advised that:

- the height was similar to the existing;
- the applicant had submitted a revised Travel Plan which had addressed the points made by the Highways Authority. Payments would be required should the monitoring requirements in years 1, 3 and 5 not be met
- Construction contractors were required to submit proposals for approval by Highways and Environmental Health and make contact and complaints procedure information available to neighbours;

DECISION: GRANTED

RECOMMENDATION A

Granted planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report as amended by the addendums) or the legal agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed, by 26th July 2018 or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Divisional Director of Regeneration, Enterprise and Planning on the grounds that:

The proposed development, by reason of failure to demonstrate an acceptable impact in terms of on-street parking and a failure to demonstrate satisfactory mitigation of the transport impacts of the development, contrary to policies DM42 and DM43 of the Harrow Development Management Policies Local Plan (2013).

The Committee wished it to be recorded that the decision to grant the application was unanimous.

585. 2/08: 104 College Road, Harrow - P/1824/17

PROPOSAL: *Creation of third and fourth floors comprising seven flats; parking; bin and stores, together with internal alterations between ground and second floor to create a separate residential access.*

DECISION: GRANTED

RECOMMENDATION A

Granted planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 25 August 2018, or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Divisional Director of Regeneration, Enterprise and Planning on the grounds that:

The proposed redevelopment of the site, in the absence of a legal agreement for the restriction of resident parking permits, would fail to comply with the requirements of Policies DM26 and DM42 of the Development Management Policies Local Plan 2013 which seeks to ensure the proposal would not result in any unreasonable impacts on the highway.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

586. 2/09: 104 College Road, Harrow - P/1827/17

PROPOSAL: *Creation of third and fourth floors to provide additional office space; parking; bin store.*

DECISION: **GRANTED** planning permission subject to the conditions and informatives listed in Appendix 1 of the officers report.

The Committee wished it to be recorded that the decision to grant the application was unanimous.

587. End of municipal year

The Chair stated that this was the current administration's last Planning Committee meeting and he thanked the Members and officers for their contribution to the work of the Committee.

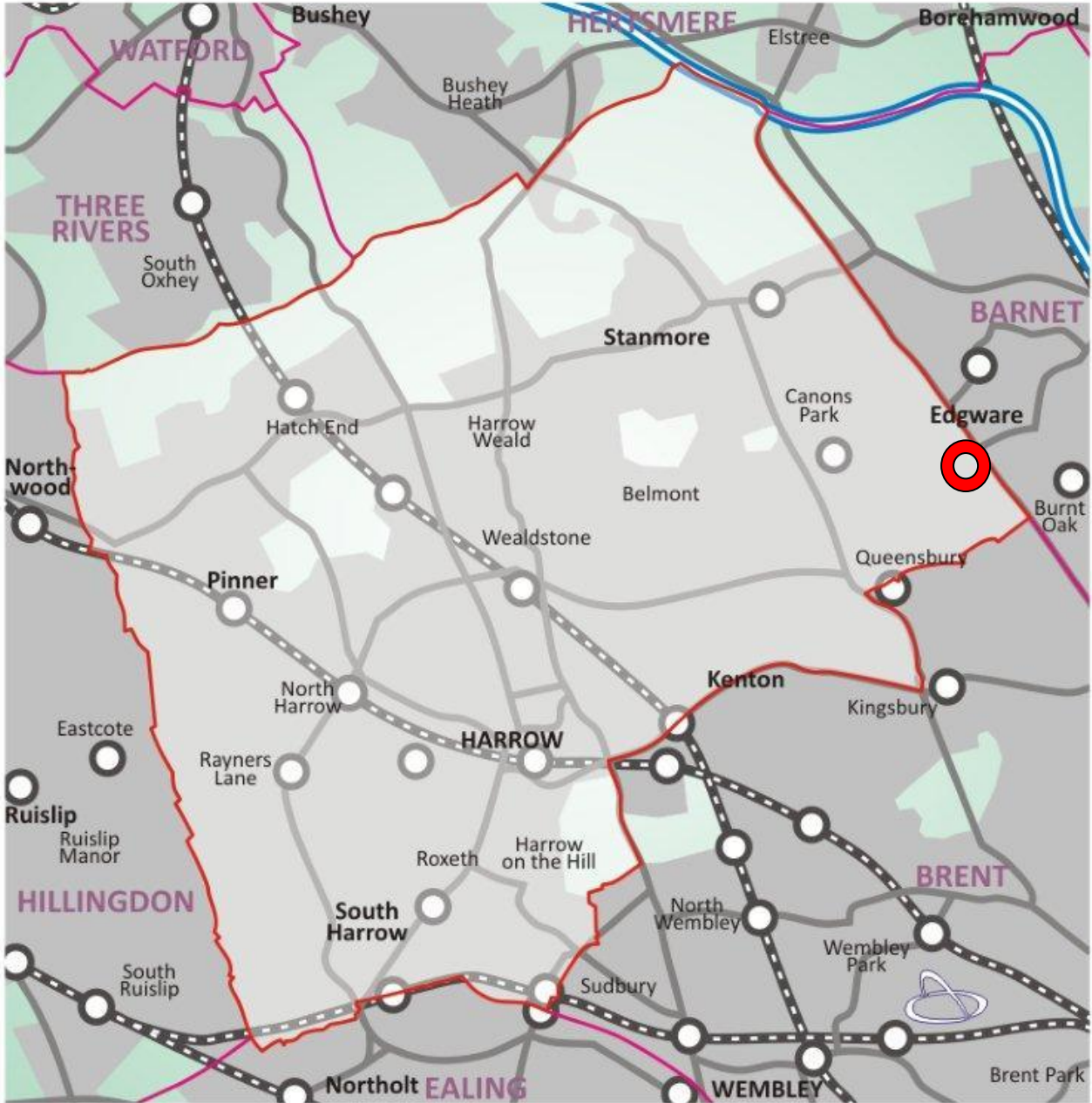
(Note: The meeting, having commenced at 6.30 pm, closed at 7.52 pm).

(Signed) COUNCILLOR KEITH FERRY
Chair

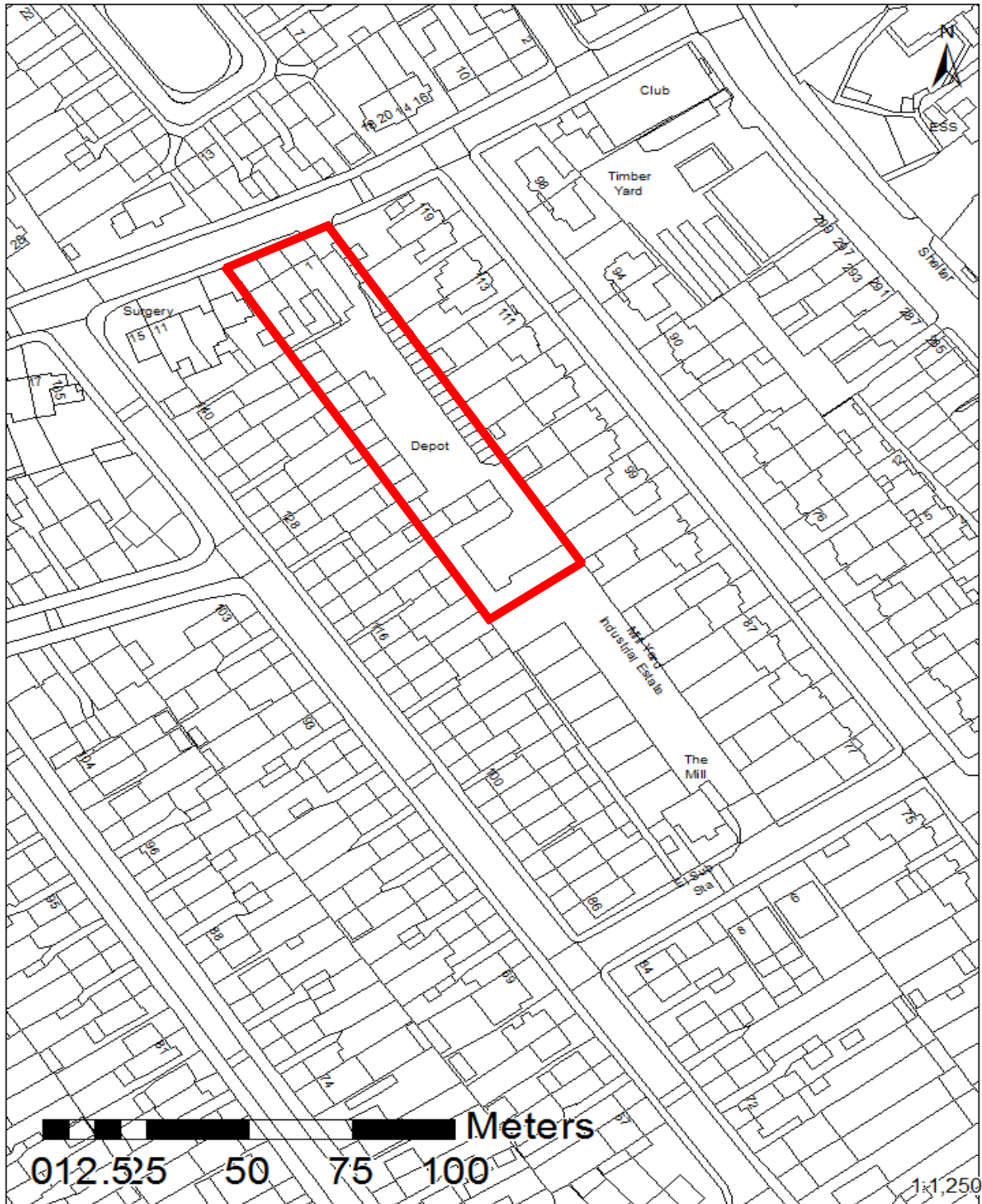
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Agenda Item : 1/01

 = application site



Kilby's Industrial Estate, Bacon Lane, Edgware	P/5810/17
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Kilby's Industrial Estate, Bacon Lane, Edgware	P/5810/17
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th MAY 2018

APPLICATION NUMBER: P/5810/17
VALIDATE DATE: 29/01/2018
LOCATION: KILBY'S INDUSTRIAL ESTATE, BACON LANE,
EDGWARE
WARD: EDGWARE
POSTCODE: HA8 5AS
APPLICANT: MR JOHN POLYCARPOU
AGENT: URBANISSTA LTD
CASE OFFICER: OLIVIER NELSON
EXPIRY DATE: 16/04/2018 (EXTENDED EXPIRY DATE 06/06/2018)

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Redevelopment to provide 24 houses; associated landscaping and parking; refuse storage

The Planning Committee is asked to:

RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - i) Provision of offsite affordable housing contribution of £110,000 with a viability review mechanism
 - ii) Harrow Employment and Training Initiatives: Contribution of £16,015 towards local training and employment initiatives prior to commencement
 - iii) Child Play Space provision contribution
 - iv) Local goods and services commitment strategy
 - v) Parking permit restriction
 - vi) Carbon offsetting contribution

- vii) External materials strategy
- viii) Travel plan
- ix) Planning Permission monitoring fee: Payment of £5000 administration fee for the monitoring and compliance of the legal agreement.
- x) Legal fees

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 29th August 2018 or such extended period as may be agreed in writing by the Divisional Director of Planning, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to **REFUSE** planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement to provide appropriate affordable housing provision that directly relates to the development, would fail to ensure that the development in this location prioritises access by sustainable modes and does not place additional transport stress on the public highway, in accordance with paragraphs 35 and 36 of the National Planning Policy Framework (2012), Policy 6.13 of the London Plan (2016) and Policy DM 43 of the Harrow Development Management Policies Local Plan (2013).

REASON FOR THE RECOMMENDATIONS

The principle of providing a residential development on the application site has been firmly established by identifying the site as an Allocated Site within the Borough. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.

It is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development. In addition to this, the details submitted in relation to landscaping, boundary treatment, levels, the environmental enhancement scheme and cycle parking are considered to be acceptable.

INFORMATION

This application is reported to Planning Committee as it is a Major Development and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Largescale Major Dwelling development
Council Interest:	N/A
GLA Community	£290,620
Infrastructure Levy (CIL)	
Contribution (provisional):	
Local CIL requirement:	£92,470

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 **BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	Kilby's Industrial Estate, Bacon Lane
Applicant	Mr John Polycarpou
Ward	Edgware
Local Plan allocation	H15 – Hill's Yard Bacon Lane – (28 homes)
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	No

Housing		
Density	Proposed Density hr/ha	409
	Proposed Density u/ph	73
	PTAL	2-3
	London Plan Density Range	200-450 hr/ha
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / %)	0
	3 bed (no. / %)	10 (42%)
	4 bed (no. / %)	14 (58%)
	Overall % of Affordable Housing	0%
	Social Rent (no. / %)	N/A
	Intermediate (no. / %)	N/A
	Private (no. / %)	N/A
	Commuted Sum	N/A
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Yes	

Non-residential Uses		
Existing Use(s)	Existing Use / Operator	B1/B2 uses
	Existing Use Class(es) sqm	1071 sqm
Proposed Use(s)	Proposed Use / Operator	N/A
	Proposed Use Class(es) sqm	N/A
Employment	Existing number of jobs	N/A
	Proposed number of jobs	N/A

Transportation		
Car parking	No. Existing Car Parking spaces	0
	No. Proposed Car Parking spaces	24
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	49
	Cycle Parking Ratio	1:2
Public Transport	PTAL Rating	2-3
	Closest Rail Station / Distance (m)	Burnt Oak / 1150m
	Bus Routes	Eight (Routes : 32, 142, 204, 251, 292, 605, 606, 619)
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	-
	Previous CPZ Consultation (if not in a CPZ)	
	Other on-street controls	
Parking Stress	Area/streets of parking stress survey	-
	Dates/times of parking stress survey	-
	Summary of results of survey	-
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	

Sustainability / Energy	
BREEAM Rating	
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site comprises approximately 0.33ha of land located between the rear gardens of the residential properties along Vancouver Road and the Chase with the access point from Bacon Lane. In addition, the application site includes three residential properties (nos. 1-5 Bacon Lane), resulting in a rectangular site.
- 1.2 The application site is currently used for various B1/B2 industrial uses and as lock up garages.
- 1.3 The surrounding land use is predominantly residential in the form of semi-detached and terraced inter-war housing.
- 1.4 The application site is located within the Policy sub Area of Edgware and Burnt Oak. It is an identified allocated site (H15) for residential development within the Harrow Site Allocations SPD (2013).

2.0 PROPOSAL

- 2.1 The application proposes to demolish the existing commercial buildings and the three terrace dwellinghouses on Bacon Lane to construct 24 terraced dwellinghouses.
- 2.2 The proposed dwellinghouses would be a mixture of ten x three bed six persons and four x four bed six persons. The three beds would have an internal area of 106sqm and the four beds an internal area of 113 sqm.
- 2.3 The properties would be split into 5 terraces comprising of either 4 or 5 dwellinghouses. One five house terrace would face onto Bacon Lane and the rest would be within the site and in between the rear gardens of the properties on The Chase and Vancouver Road. These would consist of three terraces of five and one terrace of four.
- 2.4 The properties would all have front and rear gardens. One car parking space and refuse storage would be within the front garden. The rear gardens would be private amenity space for each dwellinghouse.
- 2.5 Soft landscaping is proposed within the frontage and to the rear of the development.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
P/3578/17/PREAPP	Demolition of existing commercial buildings and erection of 25 dwelling houses along with associated parking and bin stores.	Pre application advice issued.
P/5647/16/PREAPP	Demolition of existing commercial building and erection of 44 residential dwellings comprising 8 x 1 bed, 18 x 2 bed & 4 x 3 bed flats, and 6 x 4 bed and 4 x 5 bed houses.	Pre application advice issued.

4.0 **CONSULTATION**

4.1 A Site Notice was erected on 01/02/2018, expiring on 22/02/2018.

4.2 Press Notice was advertised in the Harrow Times on the 01/02/2018, expiring on 22/02/2018.

4.3 The application was advertised as a major application.

4.4 A total of 94 consultation letters were sent to neighbouring properties regarding this application.

4.5 The overall public consultation period expired on 22/02/2018.

4.6 Adjoining Properties

Number of letters Sent	94
Number of Responses Received	5
Number in Support	0
Number of Objections	5
Number of other Representations (neither objecting or supporting)	

4.7 5 objections were received from adjoining residents.

4.8 A summary of the responses received along with the Officer comments are set out below:

Details of Representation	Summary of Comments	Officer Comments
Mr Alam 124 The Chase	<p>Objects to the application due to:</p> <p>Height of the proposed buildings and the close proximity to my property</p> <p>Proposal would lead to loss of privacy to my garden</p> <p>Proposal would compromise light and obstruct view from my property</p> <p>Proposal would devalue my property</p> <p>Proposal would lead to congestion with visitors increasing parking pressures to the area.</p> <p>Issue with safety, increase housing could lead to fire risk</p>	<p>Issues relating to height of the proposal are assessed in section 6.7.13 of this report.</p> <p>Issues relating to light are assessed in section 6.7.12 -13 of this report.</p> <p>Issues relating to parking n are assessed in section 6.8.1 – 6.8.3 of this report.</p>
P Varsani 134 The Chase	<p>Loss of light and overshadowing</p> <p>Overlooking/ loss of privacy</p> <p>Traffic generation will be high especially due local surgery and primary school.</p> <p>Noise and disturbance resulting from use</p>	<p>Issues relating to loss of privacy are assessed in section 6.7.11 of this report.</p> <p>The surrounding area is residential it is not considered that additional residential uses would be over and above the neighbouring properties.</p>
S Patel	Loss of light and overshadowing	

136 The Chase	Overlooking/ loss of privacy	
A Featherstone 128 The Chase	There is an alleyway running at the bottom of the gardens in The Chase. This gives access from the chase through the back gardens. How is the going to change?	Noted.
Mr I Wyper 120 The Chase	<p>Proposal would devalue my property</p> <p>Issue with safety, the back is at risk with loss of brick partition.</p> <p>Proximity of 20 new build houses backing onto my property. An invasion of privacy.</p> <p>The height of the new build would result in loss of light.</p> <p>Proposed parking most houses have 2 vehicles or more, the proposal will prevent emergency services entering the new build area.</p>	<p>Valuation of properties is not a material planning consideration.</p> <p>Concerns in relation to safety would be covered by the building regulations.</p>

4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

LBH Environmental Health
LBH Highways
LBH Planning Policy
LBH Design
LBH Conservation Officer
LBH Tree Officer
LBH Landscape Architects

LBH Waste Officer
TFL
Environment Agency
Affinity Water
Natural England
Designing Out Crime Officer, Metropolitan Police Service
Thames Water Authority
Campaign for a Better Harrow Environment

4.11 Internal Consultation

4.12 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
Planning Policy	<p>The application site is an allocated site within the Allocation SPD (2013) under H15.</p> <p>It is acknowledged that there is a steady reduction in employment floorspace, and the draft London Plan (2017) identifies that Harrow should retain capacity.</p> <p>It is noted that the site is not designated for employment use, and therefore would be the first standard to be released. The site has been through a sequential process, which has been identified as being acceptable to be released subject to achieving a satisfactory housing quantum.</p> <p>The loss of the site as a B1/B2 is acceptable given the allocation of the site, and the loss of the employment floorspace would not be resisted in this instance.</p>	
Highways	<p>No objection to the proposal. Proposal is within a Ptal 2/3 location. The shopping areas of Burnt Oak and Edgware are within a reasonable walking distance.</p> <p>The existing use generates a</p>	

	<p>fairly high number of vehicle trips per day (364) this is likely to reduce to (122) by this proposal.</p> <p>Ratio of 1:1 parking is acceptable. In the event of a possible overspill permit restrictions should be secured via s106 agreement.</p> <p>All vehicles would be able to enter and exit in forward gear.</p> <p>Details of the electrical charging points and type of cycle storage should be secured by pre-occupation condition.</p> <p>The submitted construction method statement is good.</p>	
Drainage	<p>The site is within Critical Drainage Area 15 (Edgware)</p> <p>The Flood Risk Assessment submitted is satisfactory.</p> <p>Measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems.</p>	
Economic Development	<p>The site has been identified as a housing site in the Local Plan, however we are concerned about the loss of employment space given that there has been a steady reduction of employment space in the borough over a number of years such that there is now a limited amount of employment space available in the borough.</p> <p>Given the loss of employment space, we would expect a planning (section 106) contribution towards employment and training or business support activities, based on job loss.</p>	

Landscape	<p>If you are minded to approve this application the following hard and soft landscape conditions would be required:</p> <p>Landscaping to be approved, include masterplan, hard and soft landscape details.</p> <p>Soft landscape</p> <p>Boundary treatment</p> <p>Levels</p> <p>Landscaping scheme</p> <p>Management and maintenance plan</p>	
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External Consultation

Consultee	Summary of Comments	Officer Comments
Metropolitan Police Service – Design out Crime Officer	A condition should be added stating that the development would achieve Secure by Design accreditation	The application can achieve the physical security requirements of Secured by Design

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2015 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

Principle of the Development
Regeneration
Affordable Housing
Design, Character and Appearance
Residential Amenity and Accessibility
Housing Supply, Density and Overall Housing Mix
Traffic, Parking and Drainage
Impacts on Trees and Biodiversity
Sustainability
Contaminated Land

6.2 Principle of Development

6.2.1 The adopted National Planning Policy Framework [NPPF] has brought forward a presumption in favour of “sustainable development”. The NPPF defines “sustainable development” as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three strands of sustainable development for planning to be; to play an economic, social and environmental role. The NPPF, following the deletion of the Planning Policy Statements and Guidance Notes, continues to encourage the effective use of land by reusing land that has been used previously, recognising that “sustainable development” should make use of these resources first.

6.2.2 Harrow’s Core Strategy establishes a clear vision for the management of growth in the Borough over the Local Plan period (to 2026) and a framework for development in each district of the Borough. Policy CS1(A) directs growth¹ to town centres and strategic, previously-developed sites and provides for that growth to be managed in accordance with the sub area policies. Policy CS8² I commits the Council to bring forward the *‘Redevelopment of identified, previously developed sites to collectively contribute at least 1,229 homes towards the Borough’s housing allocation, set out in Core Policy CS1 H will be encouraged’*. To this end, the key diagram for the Edgware and Burnt Oak sub area identifies this location for future housing and the site is formally allocated as such in the Site Allocations Local Plan document.

6.2.3 Within the context of planned growth across London, the proposal therefore accords with Harrow’s vision for the development of the Borough as a whole and for the Edgware and Burnt Oak sub area. The proposal would make a

¹ That portion of the Borough’s growth that would be accommodated beyond the Harrow & Wealdstone Intensification Area.

² For the Edgware and Burnt Oak sub area.

contribution to forecast requirements for new housing in the Borough over the plan period.

- 6.2.4 Turning to the detail of the site's allocation, it is included as Site H15 of Harrow's Site Allocations Local Plan document. The site allocation also seeks residential development. The site has been through a sequential test and providing an acceptable quantum of housing is provided, its loss would therefore be considered acceptable.
- 6.2.5 Kirby's Industrial estate is an allocated site within the Site Allocations Local Plan for residential development. On this basis it is considered that the proposed residential development would be acceptable in principle. The proposed additional dwellinghouses along Bacon Lane would facilitate the wider redevelopment of the site. Even though the proposed intensification of these dwellinghouses would constitute Garden Land Development as per the adopted Garden Land SPD, it is considered that the departure from planning policy would be justifiable in this instance, given that the redevelopment would help bring forward an allocated site for development. On this basis it is considered that the proposed residential use on the site would be acceptable, subject to further detailed character, design and amenity considerations.
- 6.2.6 The commentary notes that the allocated site is earmarked to provide for a minimum of 28 homes (net 28). The proposal is for 24 homes. Within the strategic policy context, the indicative status of the housing capacity figure included in the site allocation and taking into account the approach to the design and layout of the scheme, the provision of 24 homes is not inappropriate. The form of the development would comprise five separate blocks of terrace accommodation, with one block fronting onto Bacon Lane and the rest within the parcel of land that sits in between Bacon Lane, The Chase and Vancouver Road.
- 6.2.7 The principle of the development is therefore considered acceptable.

6.3 Regeneration

- 6.3.1 The proposal would redevelop a "windfall site" that would to provide additional Council Housing Stock and create local jobs during the construction, with its 2-3 PTAL level and the scale and intensity of surrounding development, the site is currently considered to be underutilised. The London Borough of Harrow published a Regeneration Strategy for 2015 – 2026. The objective of this document is to deliver three core objectives over the plans life, which include;
- Place; Providing the homes, schools and infrastructure needed to meet the demands of our growing population and business base, with high quality town and district centres that attract business investment and foster community engagement;
 - Communities; Creating new jobs, breaking down barriers to employment, tackling overcrowding and fuel poverty in our homes and working alongside other services to address health and welfare issues;

- Business; Reinforcing our commercial centres, promoting Harrow as an investment location, addressing skills shortages, and supporting new business start-ups, developing local supply chains through procurement.

6.3.2 Whilst it is acknowledged that the proposed development would not address all of the aspects noted in the above bullet points, it would achieve the overall aspiration of regeneration of the Borough by helping to meet the demands of a growing population. Furthermore, the proposed development aid in the regeneration of the Borough as it would result in new terrace dwellinghouses within the neighbourhood, and would help to promote housing choice, meet local needs, and to maintain mixed and sustainable communities. A contribution would be secured by way of planning obligation for contribution towards employment and training or business support activities as a result of the loss of the B1/B2 uses which currently occupy the site. This would help to regenerate the local community in relations to creating new jobs and improving skill shortages.

6.4 Affordable Housing

6.4.1 The NPPF defines affordable housing as: social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Intermediate housing is defined as homes for sale and rent provided at a cost above social rent but below market levels.

6.4.2 The strategic part of London Plan Policy 3.11 calls for 60% of affordable housing provision to be for social and affordable rent and for 40% to be for intermediate sale or rent, and gives priority to the provision of affordable family housing. However, London Plan Policy 3.12 – which is a planning decisions policy - requires the on-site provision of the maximum reasonable amount of affordable housing from private residential developments.

6.4.3 The London Plan's housing policies are supplemented by the Mayor's Housing SPG (2016). In relation to affordable housing policies, the tone of the SPG is to further emphasise the need for policies to be applied in a manner that maximises output and, having regard to viability, to encourage not restrain housing development.

6.4.4 Having regard to Harrow's local circumstances, Policy CS1 (J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites having regard to the following considerations:

- the availability of public subsidy;
- the housing mix;
- the provision of family housing;
- the size and type of affordable housing required;
- site circumstances/scheme requirements;
- development viability; and
- the need to meet the 40% Borough-wide target.

- 6.4.5 Policy DM24 (*Housing Mix*) of the Development Management Policies Local Plan document supports proposals that secure an appropriate mix of housing on the site. The policy undertakes to have regard *inter alia* to the target mix for affordable housing set out in the Planning Obligations SPD and the priority to be afforded to the delivery of affordable family housing. Harrow's planning obligations require that the affordable units are split: 60% affordable rent to 40% shared ownership.
- 6.4.6 The proposed development would provide for 24 residential units within the site. Policy 3.13A (Affordable Housing Thresholds) of the London Plan (2016) requires that any development which has the capacity to provide 10 or more homes should provide an affordable housing contribution. Core Strategy policy CS1J states that 'the Council will aim for a Borough-wide affordable housing target of 40% of the housing numbers delivered from all sources of supply across the Borough'. Policy CS1.J goes on to say that the Council will seek the maximum reasonable amount of affordable housing on all development sites having regard to a number of criteria, including development viability.
- 6.4.7 The development proposed here would contribute towards the housing stock and increase the choice of housing in the borough and would therefore find some support in policies 3.5 and 3.8 of The London Plan as detailed above. As mentioned previously, the site is allocated and as such is earmarked to bring forward a housing development.
- 6.4.8 The Council recognise that not in all circumstances it is viable to provide affordable housing targets within a scheme. Where this cannot be provided on site, a robust viability assessment must be provided to demonstrate that the proposed scheme cannot viably provide this requirement. The proposed development offered a zero provision of affordable housing as part of the scheme. The applicant has submitted a Financial Viability Appraisal to support the zero provision of affordable housing to the boroughs stocks. The submitted information within the Financial Viability Assessment contains market sensitive information, and as such is unable to be assessed in a public forum. Notwithstanding this, the submitted information has been independently reviewed and tested to ensure that the zero provision of affordable housing is the maximum reasonable affordable housing that can be made as part of the proposed scheme.
- 6.4.9 The independent assessment of the Financial Viability Assessment concluded that the proposed scheme could indeed reasonably provide a payment in lieu of offsite affordable housing contribution, contrary to what was detailed within the applicants appraisal. The independent review concluded that the proposed development could reasonably provide a financial contribution of £110,000. The financial contribution would be less than the price of one dwellinghouse however this could be used for off-site affordable housing. Negotiations with the applicant have since resulted in an agreement of an affordable housing provision which would be secured by way of a section 106 agreement.
- 6.4.10 Monetary contributions in-lieu of on-site affordable housing are pooled and used by the Council's Housing Service to provide additional affordable housing

in the borough. Under the Council's Planning Obligations and Affordable Housing SPD, monetary contributions can be spent on (but not limited to) providing affordable housing through delivery of conventional new affordable housing, delivery of private rented housing that is affordable to people in housing need on the Council's housing register, estate regeneration, bringing long term vacant properties back into use, and acquisition of existing properties. Whilst the preference is that affordable housing is provided on the site to which the planning application relates, monetary contributions provide flexibility in a number of circumstances where: it is not possible / practical to provide affordable housing on site (this application site), it can be used to secure a higher level of provision on an alternative site, it better addresses priority needs (especially for affordable family housing on an alternative, more suitable site) or where there is already a significant amount of affordable housing in an area.

6.4.11 For these reasons, the proposed development would accord with the spatial development strategy for the borough set out in the Core Strategy, whereby providing a development within the borough that would be in a coherent, efficient and effective manner, according with National Planning Policy Framework (2012), policy 3.5A of The London Plan (2016) and policies CS1.A and CS1.B of the Harrow Core Strategy (2012.)

6.4.12 The proposed development would therefore meet the strategic housing aim for the borough and accord with policy 3.13 of the London Plan (2016), Policy CS1.J of the Harrow Core Strategy, policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

6.5 Design, Character and Appearance

6.5.1 The NPPF advises at paragraph 58 that planning policies and decisions should aim to ensure that developments optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.

6.5.2 The London Plan (2016) Policy 7.4B states, inter alia, that 'all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment'. The London Plan (2016) Policy 7.6B states, inter alia, that all 'development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation'.

6.5.3 Paragraph 4.6 of the Council's adopted Residential Design Guide SPD (2010) states that 'the design and layout of new development should be informed by the pattern of development of the area in which it is situated. Furthermore, Paragraph 4.7 goes on to state that 'the design and layout of new development should recognise the character of the area in which it is situated in...and respond to the positive features of that character'. Paragraph 4.16 of

the SPD makes clear that development proposals should recognise the scale, massing and roof form of the surrounding environment and should be appropriate in relation to other adjoining buildings and in the street

- 6.5.4 The surrounding land use is characterised by two-storey semi-detached and terraced inter-war residential housing. It is considered that the principle of a contemporary interpretation of suburban post/mid-war terraced housing would be acceptable. The massing of the buildings which would be in keeping with the neighbouring dwellinghouse would be in keeping with the locality. Whilst it could be considered the scheme is undeveloped given the allocation proposed figure of 28 units and the provision proposed of 24 units, this is considered acceptable due to the size and quality of accommodation proposed.
- 6.5.5 The proposed scheme has been developed following pre-application discussions and has been reduced from 25 to 24 dwellinghouses. The proposed development would consist of five separate terrace blocks of dwellinghouses within the site, which would provide an 'T' shape within the site. Five houses would front Bacon Lane a public highway, with the rest behind and within the site. Car parking spaces would be located to within the front gardens of the properties, an access road from Bacon Lane into the site would lead to the private residential road for the new dwellinghouses.
- 6.5.6 The proposed five terrace dwellinghouses which would front Bacon Lane would be two storey with habitable accommodation in the roof. This is consistent with the general scale of housing in the surrounding area. The two end terraces would be three bedroom six person houses and the three mid-terraces would be 4 bed six person houses. The other proposed terrace would follow a similar pattern with the end terraces being three bed six person houses and the mid terraces being four bed six person houses. The three bedroom dwellinghouses would have front dormers and the four bedroom dwellinghouses would have front and rear dormers in order to accommodate two bedrooms at roof level.
- 6.5.7 The dwellinghouses fronting on Bacon Lane would respect the established building line and ridge heights of this frontage and are considered acceptable with respect to scale. The design of the buildings within the site seeks to build on the traditional character of the surrounding dwellinghouses. The proposed materials would be brick and masonry external skin, with double glazed aluminium windows. The dwellinghouses would be spaced out from one another in an acceptable manner with separation distances of 1.5m between the dwellinghouses and the shared boundaries. The proposed dwellinghouses within the site would not be readily visible from the public highway.
- 6.5.8 The scheme would provide a brick built development with clean and basic elevations. The fenestration would be of a similar size and would be banded together. The dormers would follow the pattern of fenestration on the front and rear elevation of the dwellinghouses. The proposed plans and elevations do not clearly demonstrate what this finish would be, and as such it is considered appropriate to request further information on this element through planning condition.

- 6.5.9 Each of the proposed blocks would have a hipped roof, with dormers to assist in providing a suitable level of accommodation within the roof space of future occupiers. The proposed roof form, being gabled would be an acceptable roof form in the locality which is predominantly hipped. The proposed roof form, which provides accommodation within the roof space, would ensure that the bulk of the development remains proportionate and not overbearing within the site .
- 6.5.10 As mentioned previously, it is proposed to provide accommodation within the roof space. To ensure satisfactory living accommodation for future occupiers (to be assessed in detail later), Dormers are proposed in the front and rear slopes, no side dormers are proposed. There would be dormers only on the front elevations of the end terrace dwellinghouses which would help to reduce the cluttered feel of having too many dormers. Furthermore, the number and siting of the proposed dormers would ensure that they would not appear cluttered or unsightly from within the site or wider streetscene.
- 6.5.11 The materials palette has been simplified to provide a much more basic development. It is proposed to erect the new build primarily from brick, which is considered to be appropriate. However, it is important that the colour and texture of the brick is appropriate for the scale of the building and the surrounding area. Accordingly, it is considered reasonable to attach a condition requiring further details on this detail. Furthermore, a condition has been attached to request details of the materials used it the remainder of the external surfaces of the proposed development.
- 6.5.12 The proposed five terrace dwellinghouses on Bacon Lane would be accessed directly from the street. The other properties within the development would be accessed via a front entrance which would be a new road off Bacon Lane. This would be open and would allow open access to the site and free movement. The primary access point off Bacon Lane provides access to car parking in front gardens of the proposed dwellinghouses. Parking and other traffic related matters are to be assessed under section 6.8 of this appraisal.
- 6.5.13 The proposed PTAL rating of 2/3 has led to proposal having a car parking ratio of 1:1. As such one car parking space is proposed for every dwellinghouse. The proposed hardstanding in the front gardens of the dwellinghouses would be primarily for the parking of cars. The rest of the front garden would have refuse storage and cycle storage with some planting just above. Notwithstanding the above, a condition is attached to seek further detail on some hard landscaping features such as boundary treatment, fences, gates, brick walls and railings. Subject to such a condition, it is considered that the proposed hard landscaping is satisfactory.
- 6.5.14 The proposed soft landscaping details and plans in the main are considered acceptable. The proposed plants over the bin stores are in relatively small plots and these should be increased in size to provide denser permanent planting structures that are more robust and as such more likely to survive. A planting specification and planting plans would be secured by condition. The

proposed design of the roof which is part flat roof provides an opportunity to provide a green roof specification. This would be secured by way of planning condition.

- 6.5.15 The proposed redevelopment should be designed to reduce opportunities for criminal behaviour and contribute to a sense of security as required by policy 7.3B of The London Plan and policy DM 2 of the Development Management Policies Local Plan (2013). It is advised that the redevelopment of the site takes into account the Secure by Design principles and seeks accreditation. A condition has been added requesting that the proposal is in line with these principles.
- 6.5.16 Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2016), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

6.6 Housing Supply, Density and Overall Housing Mix

- 6.6.1 Paragraph 48 of the NPPF reminds local planning authorities that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 6.6.2 London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. These are set out in the *Principle of Development* section of this report (above). The proposal's 24 home contribution to housing supply ensures that this strategic site makes an appropriate contribution to the Borough's housing need over the plan period to 2026 and to fulfilling the Core Strategy's target for the Edgware and Burnt Oak sub area, as well as modestly exceeding the housing capacity figure attributed to the site in the Site Allocations Local Plan document.
- 6.6.3 London Plan Policy 3.4 seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Supporting text to the policy makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor's Housing SPG (2016).
- 6.6.4 The application site area is 0.328 hectares and it has a public transport accessibility level (PTAL) score of 2/3 indicating a poor/moderate level of public transport accessibility. Within the definitions of the London Plan density

matrix, the site is considered to have an urban³ setting. The proposal, taken as a whole, equates to a density of 73 units per hectare⁴ and of 408 habitable rooms per hectare⁵. These densities fall well within the overall matrix ranges for urban setting sites with PTAL 2-3, being between 45-120units per hectare and 200-450 habitable rooms per hectare. However, as noted above, the matrix is only the starting point for considering the density of development proposals. The following is a breakdown of the proposed housing mix across the scheme.

Table 2: Detailed Housing Mix		
Unit Size	No. of Units (Total)	% of All Units
3 Beds:	10	42%
4 Beds:	14	58%
Totals:	24	100%

6.6.5 All the proposed residential units would be dwellinghouses within the development. The table above demonstrates that there would be a satisfactory mix of housing types within the scheme. The proposal would provide 24 family size housing units, which is welcomed.

6.7 Residential Amenity

6.7.1 London Plan Policy 3.5 *Quality and Design of Housing Developments* sets out a range of criteria for achieving good quality residential development. Part B of the policy deals with residential development at the neighbourhood scale; Part C addresses quality issues at the level of the individual dwelling.

6.7.2 Core Strategy Policy CS1 K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 *Achieving a High Standard of Development* and DM27 *Amenity Space* set out a number of privacy and amenity criteria for the assessment of proposals for residential development.

6.7.3 The submitted Planning Statement and proposed plans confirm that all of the proposed dwellings have been designed to meet the London Plan's minimum space standards and a condition to ensure this is achieved is recommended. The submitted drawings show that the proposed layouts would make reasonable provision for the accommodation of furniture and flexibility in the arrangement of bedroom furniture.

6.7.4 The SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain

³ 'Urban' is defined as: areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of a district centre or along main arterial routes.

⁴ Calculated as: 24 dwellings divided by 0.328ha x 1ha.

⁵ Calculated as: 134 habitable rooms divided by 0.328ha x 1ha.

three or more bedrooms. Policy DM1 *Achieving a High Standard of Development* undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on single aspect dwellings. The proposed dwellinghouses would have habitable rooms located closest to the windows. The proposed dwellinghouses would be dual aspect and light would be afforded to all habitable rooms.

- 6.7.5 The London Plan calls for a minimum floor to ceiling height of 2.3 metres with 2.5m being the optimum in habitable rooms. The proposed plans indicate that ground, first and second floors would all have a minimum floor to ceiling height of 2.5m. The proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers.
- 6.7.6 Policy DM27 Amenity Space of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy.
- 6.7.7 For private amenity space, the SPG requires a minimum of 5m² per 1-2 person dwelling and an extra 1m² for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. The proposed development would have private rear gardens which exceed the minimum standards set out in the London Plan. The proposal due to being a major development would need to provide an open space and amenity space for children. The Planning Statement states the development would generate 66 children would need 660 sqm of open space. This amount of space cannot be provided on site, as such the applicant has agreed to provide an off-site provision which would be secured by way of a planning obligation. This would be a monetary contribution and all major developments are expected to provide children's play spaces on site. Where this is not possible as is the case here, an off-site monetary provision is requested. This can sometimes be used to improve child play facilities which are within 100m of the development
- 6.7.8 A Landscaping Strategy has been submitted and sets out some principles for the hard and soft landscaping of the whole site including the amenity spaces.
- 6.7.9 The SPG seeks an adequate level of privacy to habitable rooms in relation to neighbouring property, the street and other public spaces. Policy DM1 *Achieving a High Standard of Development* in relation to privacy has regard to:
- the prevailing character of privacy in the area and the need to make effective use of land;
 - the overlooking relationship between windows and outdoor spaces;
 - the distances between facing windows to habitable rooms and kitchens; and
 - the relationship between buildings and site boundaries.
- 6.7.10 The proposed development sits in an 'T' shape within the site, with five terrace dwellinghouses facing onto Bacon Lane. A conscious design rationale was taken to split the development into five terrace blocks. This assisted in

breaking the bulk of the scheme up, whereby ensuring that it does not appear overly dominant within the site or streetscene. In so adopting this design approach, it results in some of the flank and rear elevations of the individual blocks facing each other within the development, each which would have flank windows within them.

- 6.7.11 It is noted that the four blocks of terrace houses would have windows on the front which would face on the rear gardens of properties on Vancouver Road and windows on the rear elevation facing onto the rear gardens of properties on The Chase. Objections have been received from neighbouring properties in The Chase regarding the proposed terraced properties causing visual impact loss of light, overlooking and loss of privacy. However it is considered that given that these properties are sited in excess of 21m from the proposed development there would be no undue impact with regard to outlook and visual impact. The proposed terrace houses would have rear facing windows at first floor level which would offer views of the rear gardens of these properties. However given the separation distance it is not considered that there would be unreasonable in this suburban location.
- 6.7.12 Further objections have been received regarding the impacts of the proposed dwellinghouses on loss of light to the neighbouring properties on the surrounding roads. This element of the proposal would not interrupt a 45° line drawn from the nearest corner of the neighbouring properties and therefore it is considered that there is no undue impact with regard to loss of light. The properties which are likely to be affected are the properties on Vancouver Road and The Chase. The submitted daylight and sunlight report indicates that the properties located between 114 to 140 The Chase would not be affected by the proposed scheme. This is due to all of these neighbouring properties being located approx. 20 metres away from the proposed development. The report also states that the proposed scheme would not impact the properties along Vancouver Road (no. 97 – 119).
- 6.7.13 The proposed development is highlighted as having a potential to impact on the neighbour at no. 7 Bacon Lane. The proposed terrace fronting Bacon Lane is considered to have some impact on this neighbour. The property at no. 7 has fenestration namely windows at ground and first floor level on the flank elevation of the property. The proposed dwellings fronting Bacon Lane would not exceed the maximum ridge of this neighbour however the proposed terrace would be positioned 0.8m closer to the boundary with no. 7. The positioning of this new building form may impact on this neighbour. The window at first floor level of no. 7 is obscure glazed and is not to a habitable room as such the extension close to the boundary with this window is not considered to be detrimental. The window at ground floor level at this neighbour is the one likely to be affected. The daylight and sunlight report reviewed the position of the new dwellinghouses in relation to this neighbour and considered that this window at no. 7 would still receive an acceptable amount of sunlight in line with BRE guidelines. As such the proposed development is therefore considered appropriate for the site and complies with the BRE guidelines. The report concluded that the rear gardens of the neighbouring properties on The Chase and Vancouver Road would not receive

a negative change in daylight and sunlight levels to existing occupants as a result of the proposal.

- 6.7.14 Overall it is considered that the proposed development given the distance from neighbouring residential properties both within the estate and the surrounding residential streets there would be no undue impact on residential amenities of neighbouring properties.

6.8 Traffic and Parking

- 6.8.1 The proposal would make provision for 24 parking spaces. The proposed level of parking at a ratio of 1:1 is acceptable considering the size of proposed dwellings and the poor/moderate PTAL location. There is the possibility of overspill parking taking place in the roads surrounding the development site, however the suggestion to permit restrict these properties will assist with limiting this activity. The permit restriction for the new dwellinghouses would be secured via s106 agreement. All the vehicles would be able to enter and exit in a forward gear. Refuse vehicles would be able to enter the site on collection day.

- 6.8.2 In support of the current planning application, a Transport Statement has been submitted in an attempt to demonstrate that the proposed development would not unacceptably harm the safety and free flow of the public highway. The proposed development would result in the demolition of 3 terrace dwellinghouses, each which are served by an individual dropped kerb onto Bacon Lane along with access to the Kilby Industrial Estate. It is noted that there are a number of bus routes and also Burnt Oak tube station (Northern line) in close proximity.

- 6.8.3 It is noted that a number of objections have been received in terms of the parking concerns, which have been commented on as already being a poor situation within the area. However, and as mentioned previously, the proposed parking quantum would be compliant with the maximum standards as set out within the London Plan. In addition, the quantum of vehicle movements from generated by the site is considered to have an acceptable impact on the capacity of the public highway. Furthermore, the submitted Transport Statement has been reviewed by the Highways Authority who consider that the proposed quantum would be acceptable, and would not unacceptably harm the safety and free flow of the public highway. Accordingly, it is considered that notwithstanding the objections received in relation to parking, the proposed development would have an acceptable impact on the local parking provision, and the safety and free flow of the public highway.

- 6.8.4 London plan requires that 1 in 5 spaces are electric car charging points. The submitted Transport Statement confirms that the proposal would provide 20% electric car parking spaces and as such is policy compliant in this regard. This would be secured by pre-occupation condition.

- 6.8.5 The level of cycle parking would be 49 secure cycle storage spaces for the development. This is in line with the London Plan requirement whereby two

spaces per unit are required to be provided. Table 6.3 of the London Plan (2016). Subject to an appropriately worded condition to secure this, it is considered that the proposed development would accord with the policies listed above.

- 6.8.6 The scheme has been amended to remove the proposed gated pedestrian and vehicular access to the site. The scheme as originally proposed was not considered to create a more socially inclusive scheme. It failed to integrate the new homes within the development with the surrounding area. The revision to the scheme showing an open accessible entrance to the new housing would help to create a sustainable movement network within the borough. This would be in line with London Plan Policies 3.5, 7.1 and 7.3. The secure by design accreditation has been added as planning condition.

6.9 Development and Flood Risk

- 6.9.1 London Plan (2016) Policy 5.13 A states that development should utilise urban drainage systems, unless there are practical reasons for not doing so, and should aim to achieve Greenfield run-off rates. Core Strategy Policy CS 1 U requires development to be managed to reduce flood risk and increase resilience to flood events. Policy DM 10 A of the Development Management Policies Local Plan (2013) gives substantial weight to the achievement of Greenfield run-off rates and part B of the policy sets out the design and layout criteria for major development proposals.

- 6.9.2 The application site is located within a critical drainage area of Harrow. The submitted Flood Risk Assessment is considered satisfactory. The Drainage Authority have raised no objection to the proposal subject to conditions which are recommended.

6.10 Sustainability

- 6.10.1 Paragraphs 96-98 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 5 of the London Plan contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. Specifically, policy 5.2 sets out an energy hierarchy for assessing applications, as set out below:

- 1) *Be lean: use less energy*
- 2) *Be clean: supply energy efficiently*
- 3) *Be green: use renewable energy*

- 6.10.2 Policy 5.3 seeks to ensure that future developments meet the highest standards of sustainable design and construction, whilst policies 5.9-5.15 support climate change adaptation measures.

- 6.10.3 The applicant has submitted an Energy Statement, which details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. The Energy Statement goes on to investigate measures to reduce the carbon emissions by 36% on site. London Plan policy

5.2 states that residential buildings should be zero carbon in relation to emission rates in 2016 and beyond.

- 6.10.4 The methodology for the proposed Energy Strategy accords with the hierarchy set out within the London Plan and demonstrates how the minimum savings in carbon emissions against Building Control targets would be achieved on site. The additional of additional green roof to the flats of the proposed terrace would further the reduction in emissions. The use of Photovoltaic Panels would be used to ensure that this reduction would be met by the development. The proposal would need to be zero carbon and as such the energy statement would need to be revised to illustrate this.
- 6.10.5 The application site has a 64% shortfall of carbon dioxide and as such this would need to be provided either on site or by way of an off-site financial contribution. There would be a yearly shortfall of 26 tonnes of carbon dioxide and this would have to be offset for a period of 30 years. The cumulative shortfall of years would then provide a figure which would be payable to the council. The contribution would help towards the Harrow Green Grid which is a network of interlinked, multi-purpose open and green spaces with good connections to places where people live and work in Harrow.
- 6.10.6 It is therefore considered that subject to a condition requiring the Energy Statement to be updated to show the proposed development would be zero carbon, the proposal would accord with the policies listed above. Conditions to this effect have been recommended.

6.11 Contaminated Land

- 6.11.1 The proposed residential development would see a significant change from the existing hard landscaped commercial use to a residential use with areas of soft landscaping. This would be a sensitive end use and there would be a moderate risk to future end users. A remediation of the underlying soils would be required to reduce the level of risk to future users. Due to the existing use and practices on site, a remediation of the near surface soils is considered necessary to reduce the risk to future ground works and residents. Further work is required in way of a Remediation Method Statement in order for the proposal to be considered acceptable this would be added by way of condition.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The principle of providing a residential development on the application site has been firmly established by identifying the site as an Allocated Site within the Borough. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.
- 7.2 It is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the

character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development. In addition to this, the details submitted in relation to landscaping, boundary treatment, levels, the environmental enhancement scheme and cycle parking are considered to be acceptable.

- 7.3 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.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 2411- BACON LANE - SPD - ACCOMMODATION SCHEDULE , 2411- FPAD - SPD000, PROPOSED SITE LAYOUT OVERLAID ON OS SHEET - LOCATION PLAN, PROPOSED SITE LAYOUT PLAN, 2411- FPAD - SPD003, 2411- FPAD - SPD004, 2411- FPAD - SPD005, 2411- FPAD - SPD006, 2411- FPAD - SPD007, 2411- FPAD - SPD008, 2411- FPAD - SPD009, 2411- FPAD - SPD010, 2411- FPAD - SPD011, 2411- FPAD - SPD012, 2411- FPAD - SPD013, 2411- FPAD - SPD014, 2411- FPAD - SPD015, 2411- FPAD - SPD016, 2411- FPAD - SPD017, 2411- FPAD - SPD018, 2411- FPAD - TOPOGRAPHICAL SURVEY, 2411- FPAD - SITE ELEVATIONS SURVEY (1), 2411- FPAD - SITE ELEVATIONS SURVEY (2), 2411- FPAD - EXISTING SITE LAYOUT PLAN, 2411- FPAD - EXISTING SITE LAYOUT PLAN, 2411- FPAD - EXISTING SITE LAYOUT PLAN, 2411- FPAD - EXISTING SITE LAYOUT PLAN, BACON LANE VIEW, BIRDS EYE VIEW NORTH, BIRDS EYE VIEW SOUTH, DRIVEWAY VIEW, GARDEN VIEW, GROUND FLOOR - TYPICAL 3 & 4 BEDROOM HOUSES, FIRST FLOOR - TYPICAL 3 & 4 BEDROOM HOUSES, SECOND FLOOR - 3 BEDROOM HOUSE, SECOND FLOOR - 4 BEDROOM HOUSE, LLD1210_IS03_Kilbys Industrial Estate_11.01.2018, LLD1210-LAN-DWG-100-02_11.01.2018, LLD1210-LAN-DWG-101-03_11.01.2018, LLD1210-LAN-DWG-102-03_11.01.2018, LLD1210-LAN-DWG-200-02_11.01.2018, LLD1210-LAN-DWG-201-03_11.01.2018, LLD1210-LAN-DWG-202-03_11.01.2018, LLD1210-LAN-SCH-001-03_Planting_11.01.2018, LLD1210-LAN-SCH-002-02_Materials_11.01.2018, LLD1210-LAN-SPE-001-03_11.01.2018, Planning Statement, Design and Access Statement, Kilbys Industrial Estate - Transport Statement January 2018 ref 11012018, FRA ref 17-3265, Air Quality Assessment ref AQA/2348/EAL, Construction Management Plan, CONT7667 Rev 1 Kilbys Industrial Estate - Contamination Assessment Report , DTS7667 Kilbys Industrial Estate - Desktop Study, FACT7667 Factual Report, Daylight, Sunlight & Overshadowing Assessment revised December 2017, Extended Phase 1 Habitat Survey Ref 17-3265, Energy and Sustainability Statement, NIA Ref: BACON LNE,LONDON, AffordableHousingFVABaconLane09.01.18 (1), Appendix 1 Bacon Lane - Order of Cost Estimate 04.12.17 Rev A, Appendix 2 Decontamination works - B000.PTK Bacon Lane Budget A 2017, Appendix 3 Neway Sales Values, Appendix 3a BestPriceGuide, Appendix 4

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Materials

The development hereby approved shall not progress beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and agreed in writing by, the local planning authority:

- a. external appearance of the buildings;
- b. windows and doors
- c. refuse and cycle storage area
- d. the boundary treatment

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

Reason: To ensure that the development achieves a high standard of design and layout and to ensure that the ground surfacing materials are permeable in accordance with Policy DM 1 of the Harrow Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

4 Permitted Development Restrictions 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development which would otherwise fall within Classes A - 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 and to safeguard the amenity of neighbouring residents.

5 Permitted Development Restrictions 2

The development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced,

sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2012.

6 Landscaping Masterplan

Before any landscaping is carried out within the site, including any works preparatory to such landscaping, a scheme for the hard and soft landscaping masterplan of the whole site shall be submitted to, and agreed in writing by, the local planning authority. Details shall include:

- a. planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme;
- b. existing and proposed site levels, clearly identifying changes to landform;
- c. landscaping scheme – implementation and implementation programme, including a period of 5 year period for replacements of soft landscape;
- d. details of hard surface materials;
- e. details of all boundary treatment, including fences, means of enclosure and gates; and
- f. details of management and maintenance objectives and a programme for all of the communal landscape areas;
- g. tree planting, tree grille and fixing details;
- h. green roof detail buildup of the layers, including the substrate and schedules of plants

The development shall be carried out in accordance with the scheme so agreed, and shall thereafter be retained.

Reason: To ensure that the development secures satisfactory hard and soft landscaping details (including planting appropriate to biodiversity enhancement) for all parts of the site, in accordance with Policies DM 1 A & B, DM 21 A and DM 22 B of the Development Management Policies Local Plan (2013).

7 Landscaping

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first use 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 5 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 ensure that the development maintains appropriate provision for soft landscaping soft landscaping details (including planting appropriate to

biodiversity enhancement), in accordance with Policies DM 1 A & B, DM 21 A and DM 22 B of the Development Management Policies Local Plan (2013).

8 Contamination 1

Notwithstanding the submitted Environmental Risk Assessment Report, prior to the commencement of the development, the following details shall be submitted to the Local Planning Authority in writing to be agreed (a) a further investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(b) The results of the site investigation and detailed risk assessment referred to in (a) and based on these, if required an options appraisal and remediation strategy giving full details of the remediation measures required and how these will be undertaken.

(c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Unless otherwise agreed in writing with the local planning authority, the development shall be carried out as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite in accordance with policy 5.21 of The London Plan (2016) and policy DM 15 of the Harrow Development Management Policies Local Plan (2013).

9 Contamination 2

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be

prepared, which is subject to the Local Planning Authority in writing to be agreed

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 5.21 of the London Plan 2016 and Policy DM 15 of the Harrow Development Management Policies Local Plan (2013).

10 Levels

The development hereby approved shall not 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. The development shall be carried out in accordance with the approved details.

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 in accordance with policy DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

11 Accessible and Adaptable Dwellings

The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 as far as possible and thereafter retained in that form.

Reason: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

12 Construction Logistics Plan

Notwithstanding the submitted Construction Management Plan, no development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall provide details of:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities

- vi. measures to control the emission of dust and dirt during construction; and
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

The report shall assess the impacts during the construction phases of the development on nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Further guidance on the production of a CLP is available via the TfL website - <http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf>

Reason: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site. To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

13 Electric Charging Points

Prior to the commencement of the development, details of the electric vehicle charger point/s for the proposed development in accordance with London Plan Standards (2016), shall be submitted to and approved in writing by The Local Planning Authority. The electric vehicle charger point/s shall be implemented on site prior to occupation of the development in accordance with the approved details and shall be retained thereafter.

REASON: In the interests of sustainable transport in accordance with policy 5.8 and 6.13 of The London Plan (2016).

14 Refuse Storage

Notwithstanding condition 3, the refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

15 Hard surfacing

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 in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

16 Flank windows

Notwithstanding the detail shown on the approved plans, the windows within the flank elevations of the dwellinghouses shall be obscurely glazed and non-openable below 1.7m above internal floor level. The windows implemented shall be retained thereafter.

REASON: To protect the amenities of the neighbouring occupiers in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

17 Flood water disposal

The development hereby permitted shall not be commenced 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. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions. The applicant should contact Thames Water Utilities Limited and Harrow Drainage Section at the earliest opportunity.

Reason: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption. To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

18 Surface Water disposal

The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. The applicant should contact Harrow Drainage Section at the earliest opportunity.

Reason: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework. To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

19 Surface Water Attenuation

The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

Reason: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework. To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

20 Foul Water Drainage

No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2016) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with Policy AAP 9 of the Local Plan (2013). To ensure that measures are agreed and put in place to dispose of foul water arising from the development, this condition is a PRE-COMMENCEMENT condition.

21 Secure by Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to an approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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.

22 Site Hoardings

Site works in connection with the development hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or

other security 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, in accordance with policies DM1 and DM45 of the Development Management Policies Local Plan 2013. Details are required prior to commencement of development to ensure a satisfactory form of development.

23 Flues and pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

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

Informatives

1 **Policies**

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance: National Planning Policy Framework (2012)

The London Plan (2016):

- 2.13 Opportunity Areas and Intensification Areas
- 3.1 Ensuring Equal Life Chances for All
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.7 Large Residential Developments
- 3.8 Housing Choice
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 5.16 Waste net self-efficiency
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.21 Woodlands and trees

Draft London Plan (2017)

Local Development Framework

Harrow Core Strategy (2012)

- CS1 Overarching Policy
- CS8 Edgware and Burnt Oak

Development Management Policies Local Plan (2013)

- DM 1 Achieving a High Standard of Development

DM 2 Achieving Lifetime Neighbourhoods
DM 10 On Site Water Management and Surface Water
DM 12 Sustainable Design and Layout
DM14 Renewable Technology
DM 15 Prevention and Remediation of Contaminated Land
DM 22 Trees and Landscaping
DM 23 Streetside Greenness and Forecourt Greenery
DM 24 Housing Mix
DM 27 Amenity Space
DM 28 Children and Young Peoples Play Facilities
DM 42 Parking Standards
DM 43 Transport Assessments and Travel Plans
DM 44 Servicing
DM 45 Waste Management
DM 50 Planning Obligation

Harrow Council Site Allocations (2013)

Supplementary Planning Documents

Mayor of London, Housing Supplementary Planning Guidance (2016)
Technical housing standards - nationally described space standard (2015)

Supplementary Planning Document: Sustainable Building Design (2009)
Supplementary Planning Document: Access For All 2006
Supplementary Planning Document: Residential Design Guide (2010)

2 Compliance with Planning Conditions

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 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

4 INFORM 61

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £290,620 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £290,620 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 2642 sqm

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

5 INFORM 62

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

The Harrow CIL Liability for this development is: £92,470

6 Party Wall Act

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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

7 Protection of Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

8 Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:

0800-1800 hours Monday - Friday (not including Bank Holidays)

0800-1300 hours Saturday.

9 Thames Water

The applicant is advised that under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Edgware Brook, designated a main river.

10 Sustainable Urban Drainage System (SUDS)

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

11 Street Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

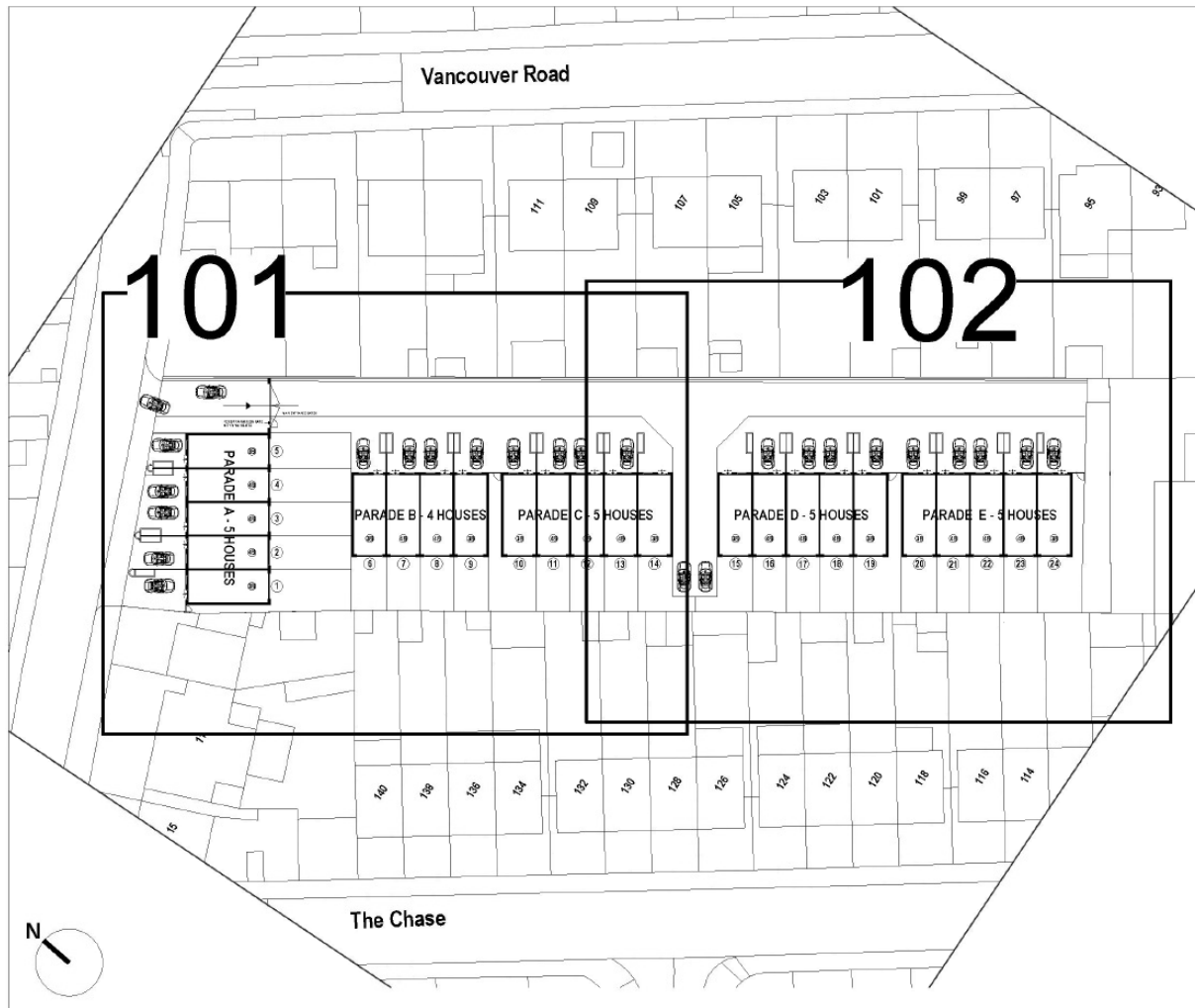
All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.
http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

Drawing numbers : 2411- BACON LANE - SPD - ACCOMMODATION SCHEDULE , 2411- FPAD - SPD000, PROPOSED SITE LAYOUT OVERLAID ON OS SHEET - LOCATION PLAN, PROPOSED SITE LAYOUT PLAN, 2411- FPAD - SPD003, 2411- FPAD - SPD004, 2411- FPAD - SPD005, 2411- FPAD - SPD006, 2411- FPAD - SPD007, 2411- FPAD - SPD008, 2411- FPAD - SPD009, 2411- FPAD - SPD010, 2411- FPAD - SPD011, 2411- FPAD - SPD012, 2411- FPAD - SPD013, 2411- FPAD - SPD014, 2411- FPAD - SPD015, 2411- FPAD - SPD016, 2411- FPAD - SPD017, 2411- FPAD - SPD018, 2411- FPAD - TOPOGRAPHICAL SURVEY, 2411- FPAD - SITE ELEVATIONS SURVEY (1), 2411- FPAD - SITE ELEVATIONS SURVEY (2), 2411- FPAD - EXISTING SITE LAYOUT PLAN, 2411- FPAD - EXISTING SITE LAYOUT PLAN, 2411- FPAD - EXISTING SITE LAYOUT PLAN, 2411- FPAD - EXISTING SITE LAYOUT PLAN, BACON LANE VIEW, BIRDS EYE VIEW NORTH, BIRDS EYE VIEW SOUTH, DRIVEWAY VIEW, GARDEN VIEW, GROUND FLOOR - TYPICAL 3 & 4 BEDROOM HOUSES, FIRST FLOOR -

TYPICAL 3 & 4 BEDROOM HOUSES, SECOND FLOOR - 3 BEDROOM HOUSE, SECOND FLOOR - 4 BEDROOM HOUSE, LLD1210_IS03_Kilbys Industrial Estate_11.01.2018, LLD1210-LAN-DWG-100-02_11.01.2018, LLD1210-LAN-DWG-101-03_11.01.2018, LLD1210-LAN-DWG-102-03_11.01.2018, LLD1210-LAN-DWG-200-02_11.01.2018, LLD1210-LAN-DWG-201-03_11.01.2018, LLD1210-LAN-DWG-202-03_11.01.2018, LLD1210-LAN-SCH-001-03_Planting_11.01.2018, LLD1210-LAN-SCH-002-02_Materials_11.01.2018, LLD1210-LAN-SPE-001-03_11.01.2018, Planning Statement, Design and Access Statement, Kilbys Industrial Estate - Transport Statement January 2018 ref 11012018, FRA ref 17-3265, Air Quality Assessment ref AQA/2348/EAL, Construction Management Plan, CONT7667 Rev 1 Kilbys Industrial Estate - Contamination Assessment Report , DTS7667 Kilbys Industrial Estate - Desktop Study, FACT7667 Factual Report, Daylight, Sunlight & Overshadowing Assessment revised December 2017, Extended Phase 1 Habitat Survey Ref 17-3265, Energy and Sustainability Statement, NIA Ref: BACON LNE,LONDON, AffordableHousingFVABaconLane09.01.18 (1), Appendix 1 Bacon Lane - Order of Cost Estimate 04.12.17 Rev A, Appendix 2 Decontamination works - B000.PTK Bacon Lane Budget A 2017, Appendix 3 Neway Sales Values, Appendix 3a BestPriceGuide, Appendix 4 Valuation report - 1-5 Bacon Lane Edgware HA8 5AS, Appendix 5 GLA Toolkit Summary09.01.18 HA8

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS



Existing entrance to the site



Properties 1 -5 Bacon Lane to be demolished



Existing uses within the site



Rear of properties on Bacon Lane

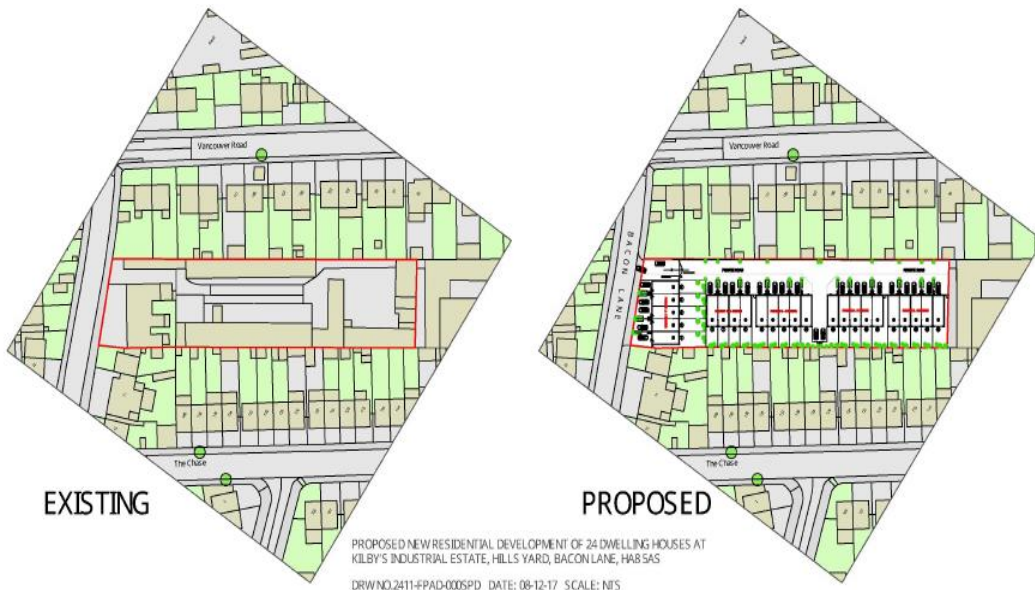


View of cars on site



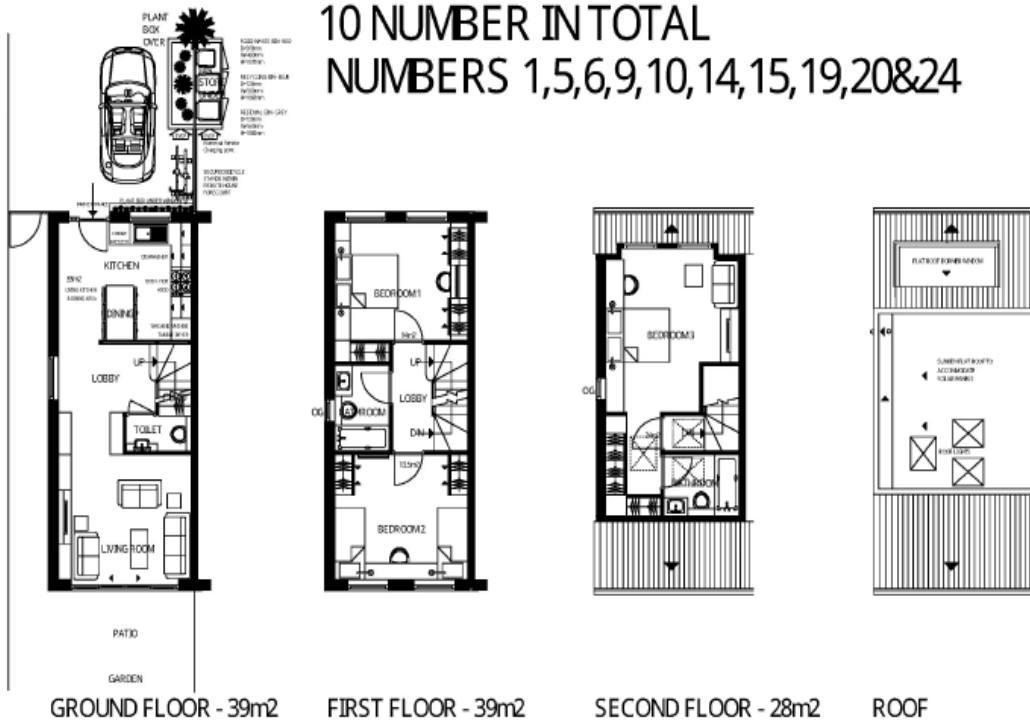
Rear of the rectangular land on Columbia Avenue

APPENDIX 4: PLANS AND ELEVATIONS



Existing and proposed site layout

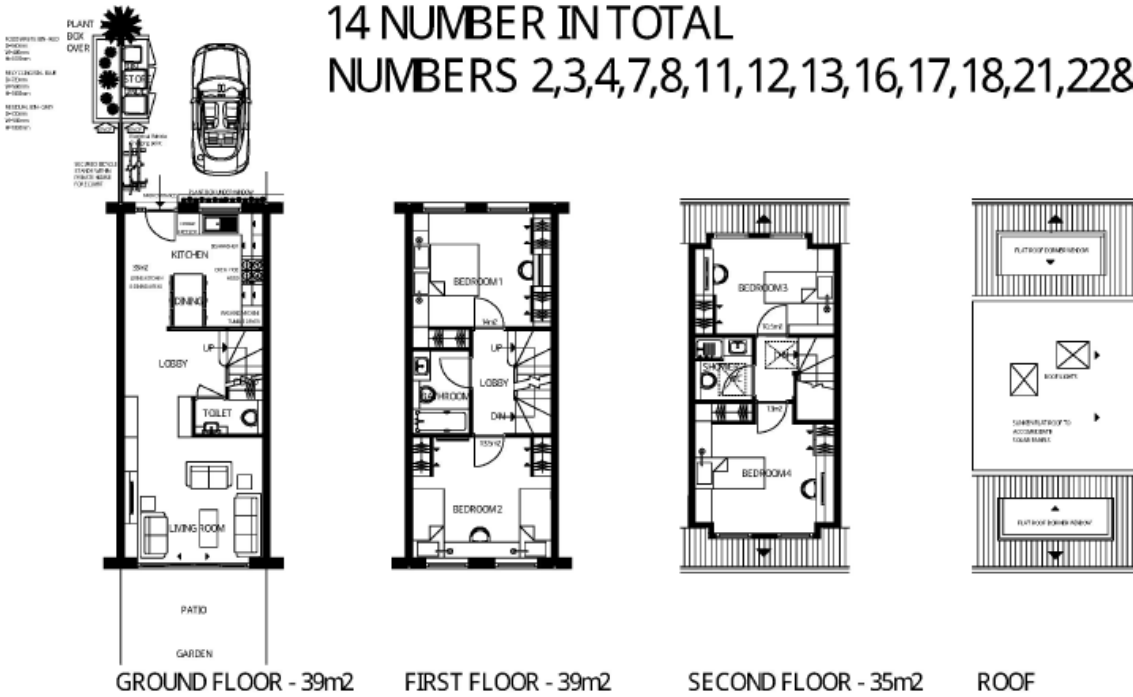
**TYPICAL 3 BEDROOM - 6 PERSON HOUSE
10 NUMBER IN TOTAL
NUMBERS 1,5,6,9,10,14,15,19,20&24**



**TYPICAL LAYOUT - 3 BED
GIA = 106m² EXCLUDING PARKING & BIN STORE AREAS**

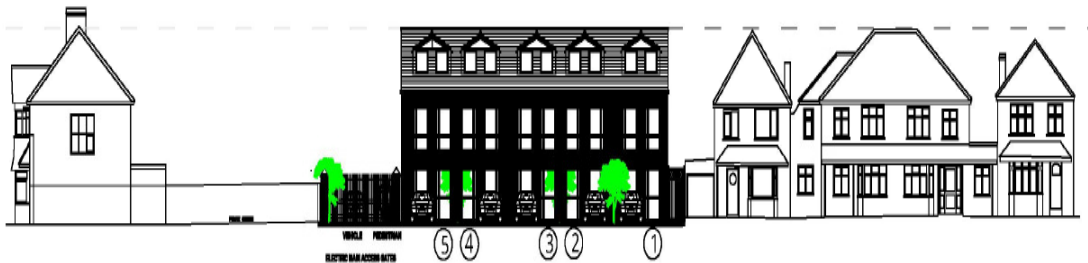
Layout for the 3 bed 6 person units

TYPICAL 4 BEDROOM - 6 PERSON HOUSE
 14 NUMBER IN TOTAL
 NUMBERS 2,3,4,7,8,11,12,13,16,17,18,21,22&23



TYPICAL LAYOUT - 4 BED
 GIA = 113m² EXCLUDING PARKING & BIN STORE AREAS

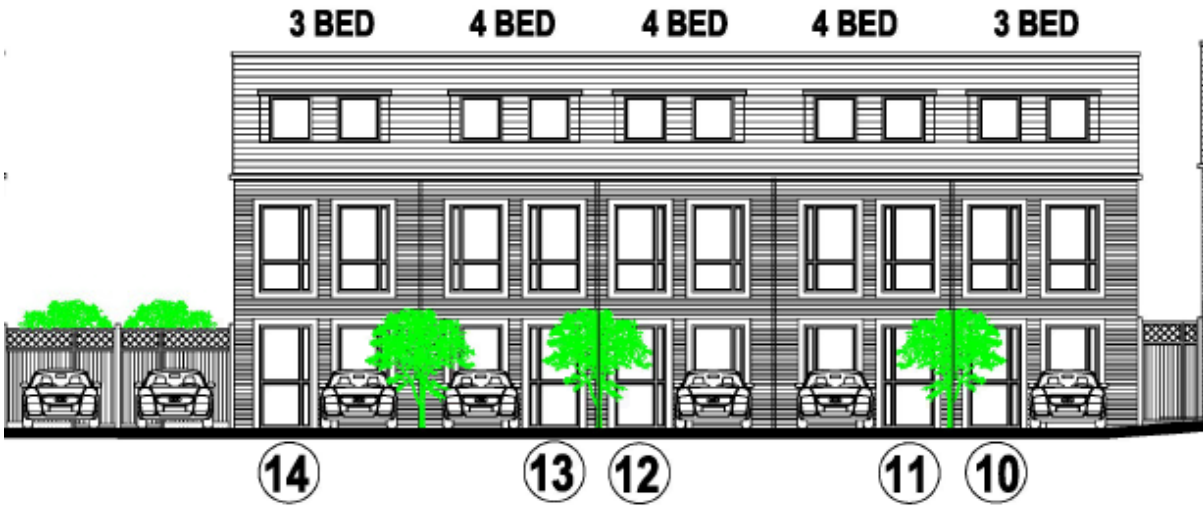
Layout for the 4 bed 6 person units



Proposed Bacon Lane elevation

PARADE C - 5 HOUSES

HOUSES 10 - 14



Terrace of 5 dwellinghouse numbered 10 -14

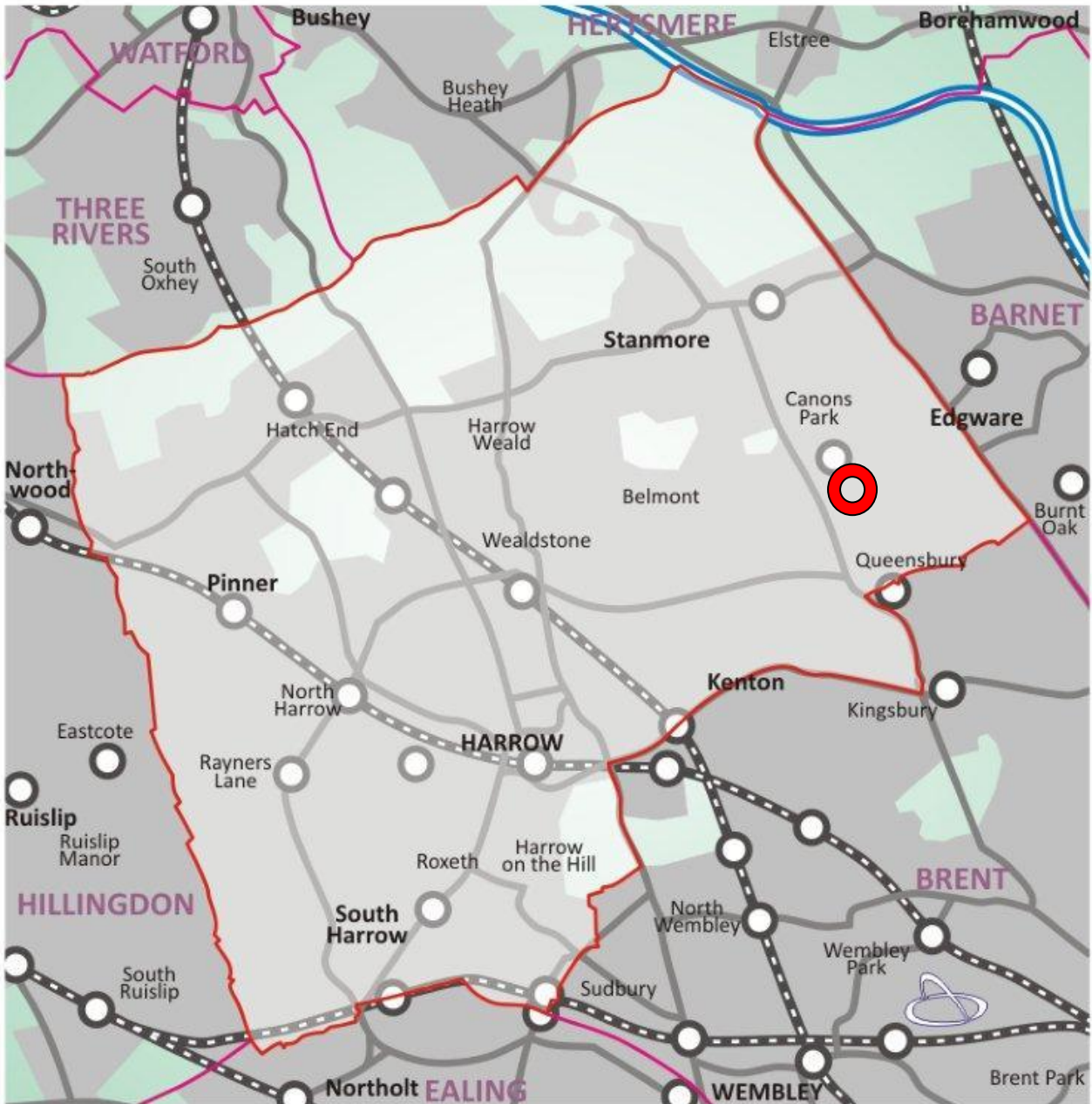


3D Image of driveway view

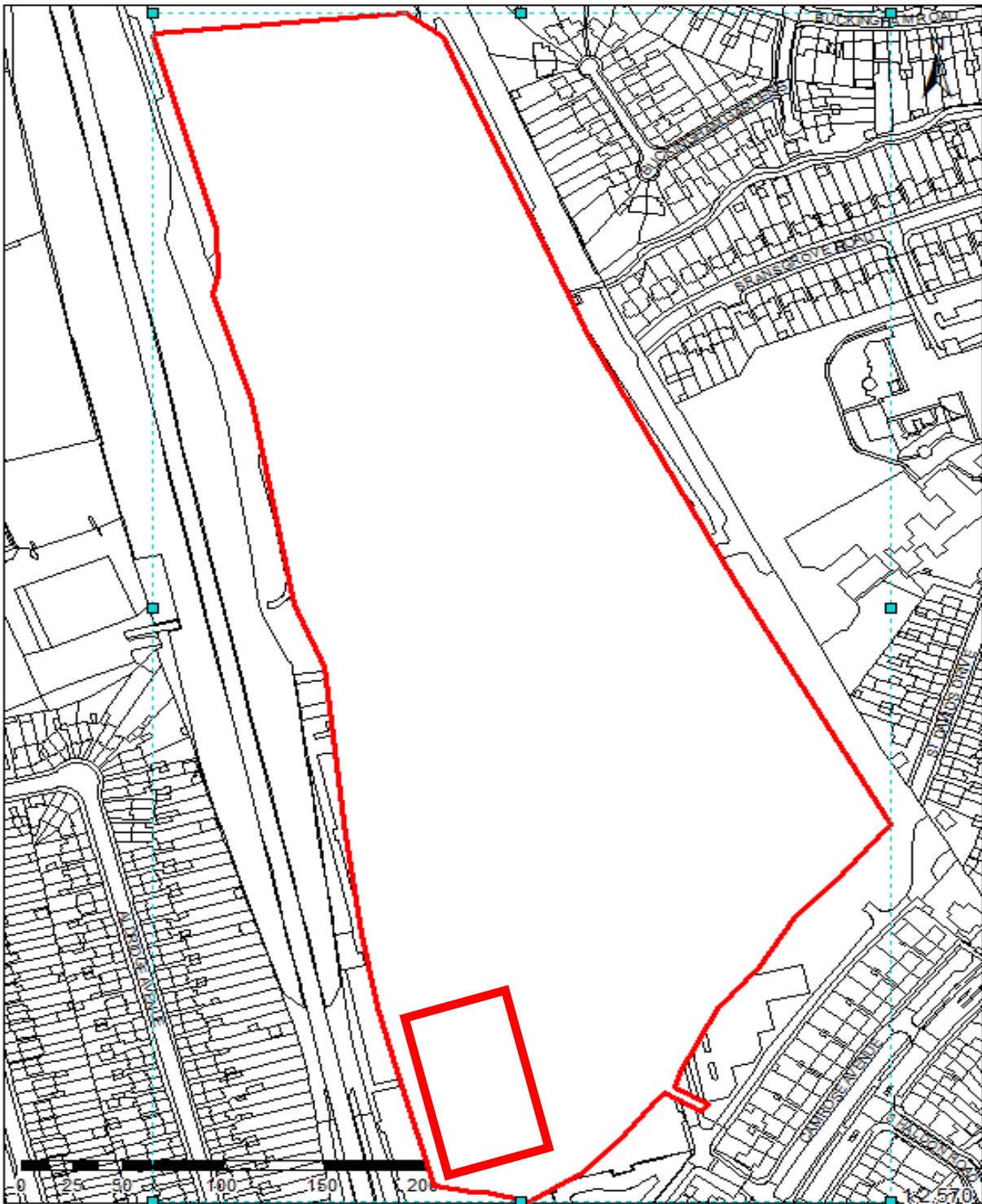
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 = application site



The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware	P/2763/17
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<p>The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware</p>	<p>P/2763/17</p>
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/2763/17
VALIDATE DATE: 06TH NOVEMBER 2018
LOCATION: THE HIVE FOOTBALL CENTRE, PRINCE EDWARDS
PLAYING FIELDS, CAMROSE AVENUE, EDGWARE
WARD: QUEENSBURY
POSTCODE: HA8 6AG
APPLICANT: THE HIVE FOUNDATION
AGENT: INDIGO PLANNING
CASE OFFICER: NIK SMITH
EXPIRY DATE: EXTENSION OF TIME FOR DETERMINATION AGREED
TO 10TH APRIL 2018

PURPOSE OF REPORT

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal:

Erection of an indoor academy building with an indoor 3G pitch, a new 11-a-side 3G pitch, eight 5-a-side pitches, a new indoor sports hall, a permanent ticket-office and club-shop, a permanent academy spectator stand and WC and snack shop porta cabins.

RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report including the planning obligations below and the conditions at Appendix 1, and
- 2) delegate authority to the Divisional Director of Regeneration, Enterprise and Planning to issue the planning permission subject to minor amendments to the conditions (set out in Appendix 1 of this report) and/or the Committee resolutions.

Planning Obligations

The committee resolution would include the following obligations:

1. Scheme of Community Access

The submission and approval of and compliance with a Scheme of Community Access that would be secured through a s106 agreement and that would obligate the owner to provide the following at the site:

The Academy building

- Priority booking arrangements for at least 500 hours per year during off-peak periods at a reduced rate for selected local groups*.
- Priority booking rights to local schools and clubs who block book the facility for the whole season.
- Secured public access when those facilities are not in use by the football club or selected local groups*.

The 11-a-side Astro turf pitch

- Priority booking arrangements for at least 500 hours per year during off-peak periods at a reduced rate for selected local groups*.
- Priority booking rights to local schools and clubs who block book the facility for the whole season.
- Secured public access when those facilities are not in use by the football club or selected local groups*.

The eight 5-a-side outdoor pitches

- Priority booking arrangements for at least 500 hours per year during off-peak periods at a reduced rate for selected local groups*.
- Priority booking rights to local schools and clubs who block book the facility for the whole season.
- Secured public access when those facilities are not in use by the football club or selected local groups*.

The indoor sports hall

- Priority booking arrangements for at least 500 hours per year during off-peak periods at a reduced rate for selected local groups*.
- Priority booking rights to local schools and clubs who block book the facility for the whole season.
- Secured public access when those facilities are not in use by the football club or selected local groups*.

*Selected local groups would be defined as local schools, those 16 and under and 50 and over, girls and women, lower socio economic groups, ethnic minority groups, people with disabilities, mental health user groups and other specified target groups agreed between the parties.

2. Delivery of facilities in advance of the Academy building

A restriction on the ability to commence development on the academy building prior to the 11-a-side and eight 5-a-side pitches having been completed and made available for use.

Recommendation B

To delegate authority to the Divisional Director of Regeneration, Enterprise and Planning to refuse planning permission in the event that a s106 agreement reflecting the planning obligations set out above is not completed within three months (or an extended period agreed by the Local Planning Authority).

REASON FOR THE RECOMMENDATION

Whilst aspects of the proposed development would conflict with policies of the Development Plan, particularly insofar as they relate to the protection of Open Space, the cumulative benefits that the development would bring forward, including subsidised access to sports facilities at the site by community groups, would outweigh those policy conflicts. When taken as a whole, the proposed development would constitute a sustainable form of development for which planning permission should be granted.

INFORMATION

This application is reported to Planning Committee because the approval of aspects of the proposed development would represent a Departure from the Development Plan and the application is for a 'major development', and therefore the scheme falls outside of Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Major Development
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£555,415
Local CIL requirement:	nil

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has had regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan (2016) and Draft London Plan (2017) Policy D10 require that development proposals should maximise building resilience and minimise potential physical risks including measures to deter terrorism. Local Plan Policy DM1 of the Harrow Development Management Policies (2013) requires all new developments to have regard to safety and the measures to reduce crime in the design

of development proposal.

These development proposals have been considered in the context of the requirements of those relevant policies. They have not been found to raise issues that are unacceptable or that cannot be managed through the use of planning conditions.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

ENVIRONMENTAL IMPACT ASSESSMENT

Whilst no Screening Opinion from the Local Planning Authority has been sought in respect of the proposed development, it has been considered in the context of the Environmental Impact Assessment Regulations (2017) and found not to constitute EIA development.

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware, HA8 6AG
Applicant	The Hive Foundation
Ward	Queensbury
Local Plan allocation	MOS5: Prince Edwards Playing Fields
Conservation Area	n/a
Listed Building	n/a
Setting of Listed Building	n/a
Building of Local Interest	n/a
Tree Preservation Order	n/a
Other	<ul style="list-style-type: none"> • Designated Open Space • RAF Northolt Safeguarding Area • Flood Zones 2 and 3a • Critical Drainage Area • Core Strategy Sub-Area: Kingsbury and Queensbury • Site of Nature Importance • PTAL 2 and 3

Uses		
Existing Use(s)	Existing Use / Operator	The Hive Football Centre
	Existing Use Class(es) sqm	D2 (Assembly and Leisure)
Proposed Use(s)	Proposed Use / Operator	The Hive Football Centre
	Proposed Use Class(es) sqm	D2 (Assembly and Leisure)

Transportation		
Car parking	No. Existing Car Parking spaces	326
	No. Proposed Car Parking spaces	326
Public Transport	PTAL Rating	2 and 3
	Closest Rail Stations	Canons Park and Queensbury underground stations
	Bus Routes	79, 186 and 340

Parking Controls	Controlled Parking Zone?	CS (Canons Park Station), DA (Donnefield Avenue), TC (Torbridge Close), BG (Buckingham Gardens) and Q4 (Turner Road) within the vicinity of the site
	CPZ Hours	CS: 0800 – 1830 Mon - Sat DA: 0800 – 1830 Mon – Sat TC: 1400 – 1500 Mon - Fri BG: 1400 – 1500 Mon - Fri Q4: 1100 – 1200 and 1500 – 1600 Mon - Fri
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Privately managed

Sustainability / Energy	
Development complies with Part L 2013?	Yes
Renewable Energy Source	Air source heat pump

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The Hive Football Centre (formerly Prince Edward Playing Fields) comprises former educational sports grounds, designated as Open Space and allocated for Community Outdoor Sports Use. It is now occupied by a football stadium with ancillary facilities and open-air grass and synthetic football pitches. Planning permission has recently been granted for a temporary spectator stand to serve academy pitches at the east of the site. There are two porta cabins at about the mid-point on the east side of a central pathway that runs north to south through the site.
- 1.2 The site is bound by the Jubilee Line railway to the west, with residential properties fronting Aldridge Avenue on the other side of the embankment, residential properties fronting Whitchurch Lane to the north and those on Camrose Avenue to the south. Those properties on Camrose Avenue have gardens that adjoin the site, the majority of which have chain mesh means of enclosure. To the south of those gardens, on the other side of a road is a large bund, which limits views into the site and the existing artificial floodlit pitches beyond it. To the east, the site adjoins residential properties along Buckingham Gardens and St David's Drive and Little Stanmore Nursery, First and Middle Schools.
- 1.3 The section of railway embankment that adjoins the western site boundary is identified as a Site of Nature Conservation Importance.
- 1.4 Levels at the site fall from the north to the Edgware Brook, which crosses the site, and then rises again to Camrose Avenue.
- 1.5 The part of the site adjacent to the Brook is in Flood Zone 3a/3b (including an Environment Agency flood defence bund), with other parts of the site within Flood Zone 2.
- 1.6 The main vehicular access to the site is from Camrose Avenue, with secondary access (pedestrian only) from Whitchurch Lane.
- 1.7 The football stadium at the site is used by Barnet Football Club, a Football League side. A condition attached to a previous planning consent limits attendance on matchdays to 5,176.
- 1.8 There are 326 car parking spaces at the site and space to park ten coaches.
- 1.9 The total area of the site is around 17ha.

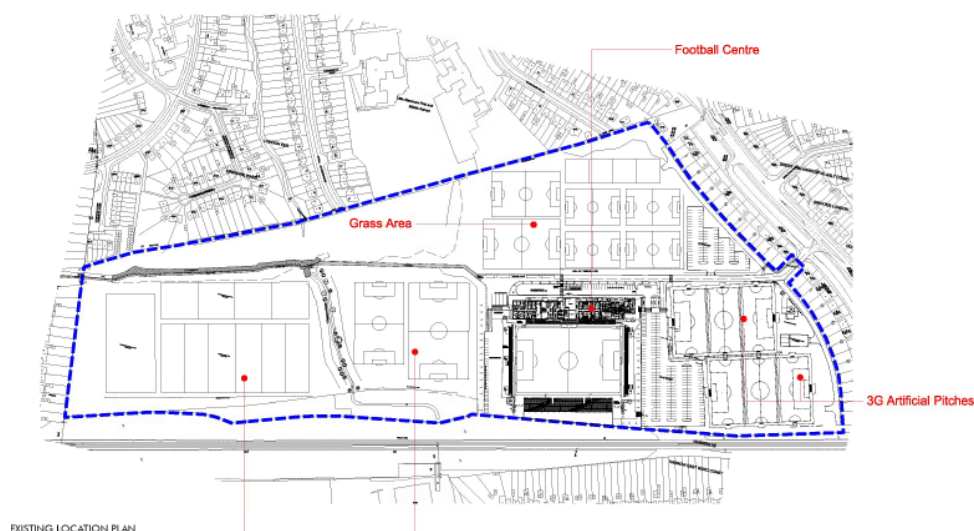
2.0 THE PROPOSAL

2.1 Full planning permission is sought for:

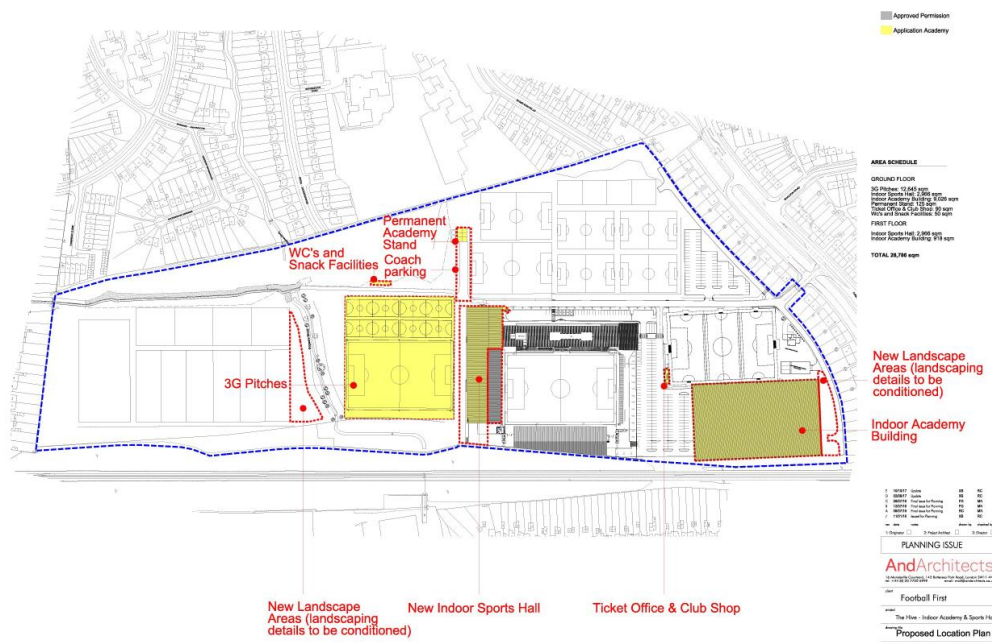
- An Academy building which would replace one of the existing artificial floodlit pitches on the southern edge of the site. It would be used for indoor sport. It would be approximately 123m wide, 74m deep, a minimum of 11m tall and a maximum of 18m tall, with a domed roof form.
- The re-provision of the 11-a-side artificial floodlit pitch together with eight floodlit 5-a-side pitches between Edgware Brook and the existing north stand of the stadium.
- A sports hall to the rear of and above the existing north stand. It would be used for indoor sport and would be approximately 114m wide, a minimum of 18 and a maximum of 33m deep and 17.5m tall. It would be located above an existing roadway located to the rear of the north stand so that traffic could continue to pass underneath it.
- A single-storey club shop/ticket office that would be located to the north of the existing artificial pitches at the south of the site. It would be approximately 25m wide, 4m deep and 3.5m tall.
- The permanent siting of the temporary academy spectator stand at the west of the site. It would be approximately 14m wide, 10m deep and 7m tall.
- The replacement of two porta cabins on the east side of the central footpath through the site with permanent single-storey structures.
- Associated landscaping and replacement coach parking.

Figure 3 – Existing and Proposed Site Plans

Existing



Proposed



3.0 RELEVANT PLANNING HISTORY

3.1 A summary of the relevant planning application history for the site is set out in the table below:

Reference	Description	Decision
EAST/148/01/OUT	Outline: football stadium, terraces, stand & clubhouse, floodlights to ground, artificial pitch & tennis courts, health & fitness facilities, parking, vehicular access from Camrose Avenue	Approved: 11 th April 2003
P/1087/03/DVA	Variation of condition 13 of planning permission East/148/01/OUT to provide revised parking layout	Approved: 29 th July 2003
P/898/03/CDP	Details of design and appearance of building and landscaping pursuant to condition 2 of outline planning perm. East/148/01/OUT for football stadium associated works	Approved: 04 th August 2003
P/0002/07	Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities,	Approved: 08 th April 2008

	health and fitness facility, internal roads and parking	
P/1321/08	Alterations and internal changes to east stand and change of use of part of first floor of east stand from D2 (assembly and leisure) to primary care trust premises	Approved: 06 th October 2008
P/1226/09	S.73 application to vary condition 27 (development within the area liable to flood) attached to planning permission P/0002/07	Approved: 25 th August 2009
P/2022/09	Variation of condition 18 (external lighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road and car park level that shall be extinguished not more than 60 minutes after the end of any match or event.'	Approved: 06 th November 2009
P/2257/09	Variation of condition 17 (floodlighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'The floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2200 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 2300 hours' to 'The floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2300 hours, until commencement of use of the playing surface of the main stadium, at which time floodlighting for the main stadium shall only be used on any day up to 2300 hours, and any	Refused: 29 th December 2009

	other floodlighting within the site hereby permitted for playing surfaces shall only be used on any day up to 2230 hours'.	
P/2912/09	Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours' to `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'; variation of condition 18 (external lighting) from `all exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to `exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'	Approved: 15 th June 2010
P/1693/12	Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to	Approved: 10 th September 2012

	<p>23.00 hours' to `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'</p> <p>Variation of condition 18 (external lighting) from `all exterior lighting other than floodlighting shall be extinguished on any day not later than 2230 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to `exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'</p>	
P/2807/12	<p>Non-material amendment to add a condition detailing approved plans to planning permission P/0002/07 dated 08/04/2008 for redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches , banqueting facilities, health and fitness facility, internal roads and parking</p>	<p>Approved: 27th November 2012</p>
P/0665/13	<p>Variation of condition 29 (approved plans - added through application P/2807/12) attached to P/0002/07 dated 08/04/2008 for 'Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches , banqueting facilities, health and fitness facility, internal roads and parking' to allow minor amendments to the stadium comprising: Phase 1: internal and external alterations to east stand including additional row of seats; increase in height, depth and capacity</p>	<p>Refused: 11th September 2013</p> <p>Appeal allowed: 19th December 2014</p>

	of west stand including camera position; reduction in capacity of standing areas; increase in height of floodlights and re-siting of southern floodlights; additional turnstiles, spectator circulation, fencing, food kiosks and toilets; alterations to parking areas. Phase 2: replace north stand with seated stand; reduction in capacity of standing area in southern stand; extension to rear of west stand to provide indoor spectator space (total stadium capacity not to exceed 5176 as previously approved)	
P/4092/14	Single storey side to rear extension to the east stand to create an enlarged medical centre and box office security; provision of two internal chiller units and three internal air conditioning units	Approved: 23 rd March 2015
P/4096/14	First floor side extension to the east stand to create an enlarged banqueting suite and provision of a new entrance	Approved: 13 th April 2015
P/2004/15	Display one internally illuminated free standing sign	Approved: 02 nd July 2015
P/2191/15	Variation of condition 1 (drawing numbers) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand and associated facilities than that approved by the original consent for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involves internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator	Approved: 20 th July 2015

	circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involves the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space	
P/3255/16	Erection of temporary spectator stand adjacent to the academy pitch (training area a); footpath to provide pedestrian access to the temporary stand	Appeal allowed: 23 rd December 2016
P/5204/16	Variation of condition 1 (drawing numbers) attached to planning application P/0665/13 allowed on appeal under reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand (increased height and depth, and larger bar area) and the provision of a building to facilitate a ticket office and turnstiles. The scheme allowed on appeal was for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involved internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involved the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space extension	Refused: 23 rd June 2017 Appeal lodged and decision pending
P/3352/16	Non-material amendment to planning permission reference P/2191/15 dated	Refused: 25 th August 2016

	17/07/15 to increase the depth of the north stand at ground floor level, increase the height of the north stand and increase the width of the north stand	
P/2764/17	Erection of a new South stand; new medical facilities, community facilities and commercial floorspace to the rear of the south stand; replacement of East stand seating with terraces; single deck above existing car park and increase in the total capacity of the stadium from 5,176 to 8,500	Decision pending
P/4485/17	Variation of Condition 1 (Approved plans) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/14 to allow for a larger north stand and associated facilities than approved by the original consent	Decision pending

4.0 **CONSULTATION**

- 4.1 Site Notices were displayed at the Whitchurch Lane and Camrose Avenue entrances to the site on 28th November 2017 and 02nd January 2018.
- 4.2 Press Notices were displayed in the Harrow Times and the Harrow Observer on the 9th November 2017.
- 4.3 The application was advertised as a major application and a departure from the Development Plan.
- 4.4 A total of 2,527 consultation letters were sent to neighbouring properties and Resident's Associations regarding this application.
- 4.5 The overall public consultation period expired on 15th February 2018.

Neighbours of the site

Number of letters Sent	2,527
Number of Responses Received	18
Number in Support	0
Number of Objections	18

Number of other Representations (neither objecting or supporting)	0
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- 4.6 Representations received can be summarised as follows:
- Object to the proposed permanent academy stand
 - The current temporary stand is an eyesore
 - The current youth team does not have enough support to justify the academy stand and it could be used for other purposes
 - There would be more buildings at the site and more people using it
 - There would be more traffic to and from the site and bigger local parking problems
 - The beauty of the field has been taken away
 - There could be anti-social behaviour
 - There would be road safety concerns
 - There would be noise pollution
 - The area is at risk of flooding and the development would make that worse
 - There would be increased footfall to the site
 - There would be light and air pollution
 - The site was supposed to be for a training ground
 - There is no benefit to the Council
 - There is an increased police presence on match-days
 - This would be a gross overdevelopment of the site
 - The existing pitches make it difficult to enjoy time in the garden
 - Too many planning applications are submitted at the site
 - The Council should have taken enforcement action previously
 - There should not be a football stadium in a residential area
 - There would be an impact on house prices
 - Infrastructure cannot cope with further expansion at the site
 - Local parking is already problematic
- 4.7 These comments are addressed in the main body of this report (other than where they relate to non-planning matters, like potential impact on house prices).

Statutory and Non Statutory Consultees

- 4.8 The following consultees were written to by the Planning Authority:
- Metropolitan Police
 - Sport England
 - London Underground
 - Natural England
 - Environment Agency
 - Ministry of Defence
 - Transport for London
 - Historic England
 - LBH Environmental Health
 - LBH Building Control
 - LBH Highways
 - LBH Biodiversity

- LBH Street Lighting
- LBH Drainage

4.9 A summary of responses received along with the comments are set out in the Table below:

4.10

Consultee	Response	Comments
Sport England	No objection subject to conditions	Conditions attached
TfL	No objection subject to condition	Condition attached
Natural England	No comment	Noted
Historic England (Archaeology)	No archaeological requirement	Noted
Environment Agency	No objection subject to conditions	Conditions attached
LBH Highways	No objection	Noted
LBH Drainage	No objections subject to conditions	Conditions attached
LBH Building Control	No objection	Noted

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Government has issued the National Planning Policy Framework (2012) (NPPF) which consolidates national planning policy and is a material consideration in the determination of this application. The National Planning Practice Guidance (NPPG) provides clarification on interpretation of the policies contained within the NPPF. A draft Emerging replacement National Planning Policy Framework is currently being consulted upon. The weight that should be attached to it is currently limited.

5.3 The Development Plan is made up of the London Plan (2016) and the Local Development Framework (LDF). The LDF comprises The Harrow Core Strategy (2012), the Harrow and Wealdstone Area Action Plan (2013), the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and Harrow Local Area Map (2013).

5.4 The emerging Draft London Plan was published on 29th November 2017. The current Plan still forms part of the Development Plan. The Draft London Plan is a material consideration in planning decisions. It will gain weight as it moves through the process to adoption and the weight given to policies within it is a matter for the decision maker. The Draft London Plan consultation has now closed, with Examination in Public expected in autumn 2018.

5.5 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

- The main issues are:
- Principle of the Development
- Character and Appearance of the Area
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage
- Accessibility, Inclusive Design and Lifetime Neighbourhoods
- Trees and Biodiversity
- Energy and Sustainability
- Infrastructure and Planning Obligations

PRINCIPLE OF DEVELOPMENT

- 6.1 The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.
- 6.2 The NPPF acknowledges the importance of providing access to communities to new sporting facilities and of protecting open space from harmful development.
- 6.3 Paragraph 73 sets out that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 6.4 The site is allocated as Open Space. In order to understand whether the principle of the proposed development would be acceptable, it is necessary to understand whether aspects of the development would conflict with policies that seek to protect open space. If they do, an assessment then needs to be made as to whether the provision of community sporting facilities would constitute a material consideration that should outweigh any such conflicts in the planning balance.

Open Space

- 6.5 London Plan Policy 7.18 (Protecting Open Space and Addressing Deficiency) states that the loss of protected open spaces must be resisted unless equivalent or better-quality provision is made within the local catchment area.

- 6.6 Policy DM18 (Protection of Open Space) of the Development Management Policies states that land identified as open space on the Harrow Policies Map will not be released for development. Proposals for ancillary development on land identified as open space on the Harrow Policies Map will be supported where:
- It is necessary to or would facilitate the proper functioning of the open space;
 - It is ancillary to the use(s) of the open space;
 - It would be appropriate in scale;
 - It would not detract from the open character of the site or surroundings;
 - It would not be detrimental to any other function that the open space performs;
- and
- There would be no harm to the quality or proper functioning of the open space as a result of the proposal.

The Academy building

- 6.7 The introduction of a building of the proposed scale and design in this location would conflict with policies that seek to protect Open Space. It would have a large footprint and would be tall and whilst located in the southwest corner of the site, adjacent to the railway embankment where its impact might be the least harmful at the site, it would result in a substantial built introduction to the site, to the detriment of its openness. It would highly visible from within and beyond the site.
- 6.8 Policy DM18 can accommodate the release of Open Space for development subject to criteria, where it would be ancillary to the use or uses for the site. Given the scale and nature of the building, it could not be considered ancillary to the allocated use of the site for outdoor community sport given that it would provide indoor facilities or the football stadium. In any event, the structure would fail to meet the criteria set out in the policy because at the least, it would detract from the open character of the site and its surroundings. The principle of this aspect of the development would be unacceptable. Planning permission should only be granted if other material considerations outweigh that conflict. Whether that would be the case is considered later in this report.

The Sports Hall

- 6.9 The proposed sports hall building, to the north of the existing north stand would technically conflict with Open Space protection policies in that it would constitute built development on designated Open Space. It would not be ancillary to either the football stadium or community open space uses at the site. It would, though, not result in the loss of any green space at the site (it would be constructed above existing hardstanding) and it would only be viewed against the backdrop of the existing stadium, which is a substantial building. Whilst a large structure, it would not cause serious harm to the openness of the site on account of its location. Whilst this aspect of the proposed development would conflict with relevant development plan policies, the harm caused by that conflict would be limited. This will need to be weighed against the benefits associated with the development, which are described later in this report.

The permanent academy spectator stand

- 6.10 When temporary planning permission was granted for a stand in this location (P/3255/16 – appeal allowed in December 2016), the Inspector found that the stand would fulfil an ancillary function to the uses of the site and that it would meet the criteria set out in Policy DM18. A temporary three year consent was issued then, in part because that is what planning permission had been sought for. Given that an Inspector found the principle of the stand acceptable at that time, and that there have been no material changes in circumstances since that time that should result in a different conclusion being reached now, the principle of this aspect of the development should be found acceptable.

The replacement floodlit Astro turf pitch and the floodlit 5-a-side pitches

- 6.11 Whilst elements of these developments would conflict with policies that seek to protect Open Space (fencing and floodlighting in particular), additional playing pitches would form an ancillary function to the community outdoor sports use of the site. They would facilitate the proper functioning of the open space, would be appropriate in scale, would not detract from the open character of the site or its surroundings, would not be detrimental to the football stadium function of the site and would not cause harm to the quality or proper functioning of the open space. As a result, the principle of additional outdoor pitches at the site would be acceptable. The potential impact of floodlighting at the site is considered later in this report.

The club shop/ticket office, coach parking and WC/snack bar structures

- 6.12 These facilities would result in the loss of a relatively modest level of open space at the site but they would be ancillary to its football stadium use. Given their scale and location (the clubshop/ticket office building would be located on existing hardstanding), they would not cause serious harm to the openness of the site when taken as a whole. They would facilitate the proper functioning of the open space as a football stadium with supporting facilities, would be appropriate in scale, would not be detrimental to the community outdoor public space function of the site and would not cause harm to the quality or proper functioning of the open space. As a result, the principle of these ancillary structures at the site would be acceptable.

Open Space Summary

- 6.13 Whilst the pitches, academy stand and ancillary buildings would be acceptable in principle, the academy building and the sports hall would conflict with Open Space protection policies. The harm caused to openness at the site by the sports hall would be modest and, taken together with the overall improvements and benefits associated with the proposals, these constitute a material consideration in favour of supporting the proposals as set out in this report. It is now necessary to review the policy support for the provision of additional sporting facilities at this site and in general to understand whether that should outweigh conflicts caused by the proposed Academy building with development plan policies seeking to protect Open Space in the planning balance.

The provision of sports facilities at the site

- 6.14 London Plan Policy 3.19 (Sports Facilities) states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Where sports facilities developments are proposed on existing open space, they will need to be considered carefully in light of policies on protecting open space.
- 6.15 Policy MOS5 of the Site Allocations Local Plan allocates the site for community outdoor sports use. The commentary to that policy states that this allocation supports such further outdoor sport development as may be required to enable the success of this important community facility. Development must make provision for community access to facilities and be consistent, in terms of design, siting and any other impacts, with the amenity of neighbouring residential occupiers.
- 6.16 The site is designated by the Core Strategy is falling within the Kingsbury and Queensbury Sub-Area. Two of the area objectives for that sub-area are to:
- Continue to promote Prince Edward playing fields as a centre of sports excellence; and
 - Maintain community access to sport and recreation facilities and encourage enhancement
- 6.17 Policy DM46 (New Community, Sport and Education Facilities) states that proposals for the provision of new community, sport and educational facilities will be supported where:
- They are located within the community that they are intended to serve;
 - They are safe and located in an area of good public transport accessibility or in town centres;
 - There would be no adverse impact on residential amenity.
- 6.18 It states that new indoor sport development should make provision for community access to the facilities provided.
- 6.19 Policy DM48 (Enhancing Outdoor Sport Facilities) states that proposals that would increase the capacity and quality of outdoor sport facilities, and those that would secure community access to private facilities, will be supported provided that:
- There would be no conflict with Green Belt, Metropolitan Open Land and open space policies;
 - The proposal would not be detrimental to any heritage or biodiversity assets within or surrounding the site;
 - There would be no adverse impact on residential amenity or highways safety
- 6.20 Proposals for floodlighting will be supported where it would enhance sport facilities and would not be detrimental to the character of the open land, the amenity of neighbouring occupiers nor harmful to biodiversity.
- 6.21 There is a clear thrust in policy at all levels to provide high quality, new sporting facilities. Whilst it is clear this policy framework acknowledges potential conflicts

with Open Space protection policies and seeks to limit those, there is a clear focus on the delivery of new sporting facilities, particularly when they are designed to serve the community within which they are located. The Council's Core Strategy seeks to promote Prince Edward playing fields as a centre of sports excellence; and enhance recreation facilities there.

- 6.22 The development would result in substantial indoor, multi-use sporting facilities. Being indoor, they would have the benefit of being useable all year round. In addition, a replacement 11-a-side Astroturf pitch and eight new 5-a-side pitches would be provided at the site. Together, the facilities would represent a substantial provision of new, accessible sporting facilities to which positive weight should be afforded.
- 6.23 That provision, in itself, though, would not justify departing from the Open Space protection policies described previously. That is because London Plan Policy 3.19 and Policy DM48 both seek to avoid harm being caused to Open Space by new sporting facilities. The weight that can be attached to the delivery of new facilities in accordance with those policies must be reduced by the identified harm that would be caused by the Academy in particular to the designated Open Space.
- 6.24 In order that significant weight can be attached to the provision of new sporting facilities, the community must be able to access them. In this case, the applicant has confirmed that all of the new facilities will be made available for booking when not in use by the football club. That is likely to be most off-peak times of the day and through the summer, when the football club does not train. These new facilities, given their quantum and flexibility, would provide a genuine benefit for local people and substantial weight should be given to that benefit in the planning balance.
- 6.25 In addition, the applicant has committed to enter into a legal agreement which would secure priority booking arrangements for selected local groups at discounted rates for at least 500 hours per year for each of the new facilities. These local groups would include local schools, those 16 and under and 50 and over, girls and women, lower socio economic groups, ethnic minority groups, people with disabilities and mental health user groups.
- 6.26 Priority, discounted booking would also be provided for local clubs and schools who block booked the facilities.
- 6.27 The mechanism for securing that priority provision would be addressed in a legal agreement.
- 6.28 This would constitute a substantial community benefit and would get to the heart of the site's allocation for community sport. Taken together with the intrinsic benefit of providing new sporting facilities in the borough, these public benefits would outweigh the identified conflicts with Open Space protection policies set out in this report.
- 6.29 Planning applications should be determined in accordance with policies of the development plan unless material considerations indicate otherwise. These

benefits would constitute material planning considerations that indicate that a planning decision should be made other than in accordance with development plan policies relating to Open Space.

- 6.30 A planning obligation would prevent the Academy building coming forward in advance of the new pitches so as to ensure that the benefit was realised before harm to the Open Space occurred. The applicant has explained that it would not be feasible to deliver the sports hall in advance of the Academy because of funding arrangements for it. That explanation is accepted.
- 6.31 On balance, the principle of the development, when taken as a whole would be acceptable.

CHARACTER AND APPEARANCE OF THE AREA

- 6.32 The NPPF states that good quality design is an integral part of sustainable development and that decision takers should always seek high quality design. It states that achieving good design is about creating places, buildings or spaces that work well for everyone, look good, will last well, and adapt to the needs of future generations, with good design responding in a practical and creative way to both the function and identity of a place, putting land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use. The NPPF also says permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It is proper to seek to promote or reinforce local distinctiveness.
- 6.33 Planning permission should not be refused for buildings and infrastructure that promote high levels of sustainability because of concern about incompatibility with an existing townscape, if mitigated by good design.
- 6.34 The degree to which new development reflects and responds to the character and history of its surrounds is a key element of good design as defined within the NPPF. This relationship should be considered throughout the design process, and should inform the positioning, massing, height, and materiality of development proposals. Developing a design solution that works with its surrounding context should not prevent or discourage appropriate innovation.
- 6.35 The London Plan requires all large scale proposals to be of the highest quality design especially in terms of impact on views, the wider and local townscape context and local environmental impact. The achievement of high quality urban design is also highlighted as a key factor in achieving a more attractive and green city.
- 6.36 London Plan Policy 7.4 (Local Character) sets out that buildings should provide a high quality design response to the urban grain, street pattern, natural features, human scale and the historic environment and is supported by Policy 7.6 (Architecture) which seeks to promote high architectural and design quality appropriate to its context.

- 6.37 Policy 7.6 (Architecture) states that buildings and structures should:
- a) be of the highest architectural quality
 - b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
 - c) comprise details and materials that complement, not necessarily replicate, the local architectural character
 - d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
 - e) incorporate best practice in resource management and climate change mitigation and adaptation
 - f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
 - g) be adaptable to different activities and land uses, particularly at ground level
 - h) meet the principles of inclusive design
 - i) optimise the potential of sites
- 6.38 Policy CS1 of the Council's Core Strategy states that all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness.
- 6.39 Policy DM1 states that all development must achieve a high standard of design and layout. Proposals which fail to achieve this, or which are detrimental to local character and appearance will be resisted.
- 6.40 The assessment of the design and layout of proposals will have regard to:
- a) The massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring properties
 - b) The appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services
 - c) The context provided by neighbouring buildings and the local character and pattern of development
 - d) The provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
 - e) The need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit
 - f) The functionality of the development including but not limited to the convenience and safety of internal circulation, parking and servicing (without dominating the appearance of the development) and the appearance, capacity, convenience, logistics and potential nuisance of arrangements for waste, recycling and composting
 - g) The arrangements for safe, sustainable and inclusive access and movement to and within the site.
- 6.41 The Council's Residential Design Guide SPD (2010) provides further guidance on how developments can achieve good design.

The Academy building

- 6.42 Aside from the impact of the building on the openness of the space, and whilst the building would be large, it would be of an acceptable appearance for its use. It would relate reasonably well to the emerging character of the site and would be located in the least visually sensitive area of it. It would largely be viewed in the context of the car parking areas and the stadium which have a more urban character. Materials would be secured by condition.

The sports hall

- 6.43 Whilst a substantial addition to the site, the extensions to the north stand would be seen in the context of the stadium, where it would not appear dominating or out of place. Materials would be secured by condition.

The new pitches

- 6.44 Whilst the introduction of fencing and floodlighting would introduce a more urban form of development into the centre of the site, which is currently grassed, facilities like this would not appear inappropriate in this location, particularly in the context of the site's allocation for outdoor sport.

The academy stand

- 6.45 When temporary planning permission was granted by a planning inspector for this development in 2016, they found its appearance in the context of the site to be acceptable. There have been no material changes in circumstances that should alter that conclusion at this time.

The club shop/ticket office and WC/snack shop buildings

- 6.46 These single-storey structures would be modest in scale and appearance in the context of the wider site. They would appear ancillary and would not detract from the appearance of the site as a whole.

Summary

- 6.47 The appearance of the development overall would be acceptable.

RESIDENTIAL AMENITY

- 6.48 The NPPF sets out as one of its core planning principles at paragraph 17 that planning should always seek to secure a good standard of amenity for existing occupants.

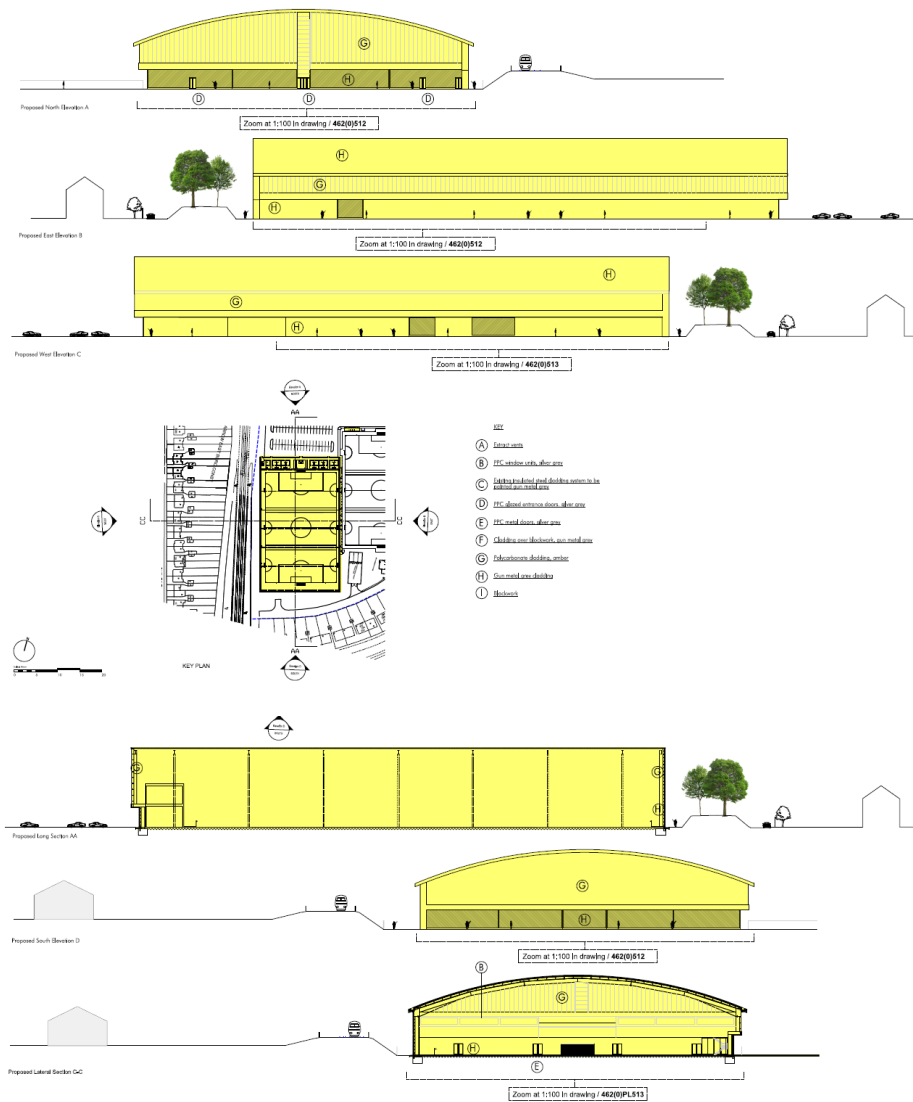
- 6.49 London Plan policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 6.50 Policy DM1 states that proposals that would be detrimental to the privacy and amenity of neighbouring occupiers will be resisted. The assessment of privacy and amenity considerations will have regard to:
- a) The prevailing character of privacy and amenity in the area and the need to make effective use of land;
 - b) The overlooking relationship between windows and outdoor spaces;
 - c) The distances between facing windows to habitable rooms and kitchens
 - d) The relationship between buildings and site boundaries
 - e) The visual impact of development when viewed from within buildings and outdoor spaces
 - f) The adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces
 - g) The adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers
 - h) The impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution
 - i) The need to provide a satisfactory quantum and form of amenity space for future occupiers of residential development
- 6.51 The Council's Residential Design Guide SPD (2010) (at NS17) is a material planning consideration. It states that the size and siting of buildings must avoid unreasonable loss of light to, or overshadowing of, adjoining buildings and spaces. Developments which have an overbearing visual impact will not be acceptable.
- 6.52 It says that the relationship between buildings is a significant determinant of the amenity enjoyed by residents. The proximity, orientation and size of one building can impact upon the light, outlook and visual environment of occupiers of an adjoining building.
- 6.53 Policy DM 41(Evening Economy) includes criteria requiring the consideration of impacts of uses proposed upon neighbouring residential occupiers. Policy DM 1 (Achieving a High Standard of Development) requires consideration of the amenity impact of a proposed use/activity in terms noise (including hours of operation), vibration, dust, air quality and light pollution.

The Academy building

- 6.54 The building would be large and prominent. Given its location at the site, in the southwest corner, it would be very visible. Neighbours to the south that front Camrose Avenue would be able to see the building clearly from their rear facing windows and from their rear gardens. Most properties that adjoin the site to the south have chain link fencing as boundary treatment which would amplify visibility.
- 6.55 The structure would be around 14m away at its nearest point to the boundaries with gardens to the south (No's 292 and 294). At that point, the building would be at its lowest (around 11m tall) and the view from those gardens would be more open than just the new building. The distance between the Academy and the

nearest garden at the point that the building was at its tallest (around 18m in height at the centre), would be around 23m. The distance between the building and the edge of the gardens would increase to the west of No 292 and 294, to a maximum of around 24m. The distance between the building and the rear elevation of houses to the south would be a minimum of 30m and in most cases, more than that.

6.56 Sections taken through the building and adjoining neighbours of the site are shown below:



6.57 There is a substantial earth, grassed bund between those gardens and the proposed site of the building. That would assist in reducing its visual impact. Views from the back of the gardens is currently of the bund, which restricts views over the site. A condition would require details of landscaping of the bund, which would soften the appearance of the structure – albeit over time as it matures.

6.58 Owing to the distances described and the orientation (it would be to the north of the gardens), there would be no serious loss of sunlight or daylight or the introduction of shadowing. The development would not be overbearing to an

extent that should lessen the enjoyment of habitable rooms or gardens. Outlook would change, but it is already limited to an extent by the siting of the bund.

- 6.59 Clearly, a building of this scale in this location would be very visible for existing neighbours to the south, in particular, but it would not result in harm in terms of loss of amenity to living conditions to an extent that should justify the refusal of planning permission.
- 6.60 Neighbours to the west on Aldridge Avenue would experience a comparable relationship, albeit lessened by the presence of the railway and its embankments and the lower eaves section of the proposed building running for the length of the western elevation.
- 6.61 The enclosure of one of the currently outdoor pitches with the structure would result in noise and light that might be associated with an outdoor pitch being lessened, which some neighbours might consider an improvement against the existing situation.

The sports hall, stand and ancillary structures

- 6.62 The location and use of the sports hall (which whilst a large structure, would be further away from neighbours than existing elements of the stadium), the academy spectator stand and the ancillary single storey structures would prevent harm being caused by them to living conditions at neighbouring properties. The sports hall would be no nearer to neighbours to the west than the existing west stand at the stadium. When the Inspector granted consent for the temporary academy spectator stand at the site, he found the impact on neighbours to be acceptable, and that would continue to be the case with a permanent stand in this location.

Noise and floodlighting – the proposed outdoor pitches

- 6.63 The application is supported by an Acoustic Assessment which concludes that the proposed academy building would be expected to reduce noise levels for existing neighbours to the west and south because one of the currently outdoor pitches would be enclosed by a structure. The provision of the sports hall would result in little or no change to noise exposure. The relocation of some sports pitches within the site could result in a marginal increase in noise levels, because outdoor sport would be taking place at different parts of the site. Given the outdoor sport allocation of the site, activity associated with it, subject to controls, would be appropriate in this location.
- 6.64 The external pitches at the site would be served by floodlighting. The application is supported by a Lighting Statement which concludes that the impact on neighbouring residents would be minimised as overspill values into gardens and windows would be below recommended values. Daytime visual impact would be minimised through the use of slim line masts and light grey floodlights.
- 6.65 Planning conditions would seek to minimise the potential impacts of noise and floodlighting. The Council's Environmental Health Team has reviewed the

submitted technical reports and have raised no objection to the planning application. Planning conditions would control the hours where floodlighting could be used to minimise impact on neighbours during night time hours.

Summary

- 6.66 Subject to planning conditions, the impacts of the development on living conditions at neighbouring properties to the site would be acceptable.

TRANSPORT AND PARKING

- 6.67 The NPPF emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use. It says that development proposals should not be refused on transport grounds unless the impacts of a development would be severe.
- 6.68 London Plan policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel.
- 6.69 Policy DM42 (Parking Standards) prescribes the amount of car parking that should be provided at a site, depending on its use.
- 6.70 The application is supported by a Transport Assessment that concludes that the site is well served by public transport, is served by local pedestrian and cycle links and has on-site car parking.
- 6.71 Coach parking spaces that would be lost as a result of the development would be replaced within the site, to the satisfaction of the Local Highways Authority.
- 6.72 Given the nature of the proposed facilities, it is unlikely that they would result in new vehicular trips to the site in quantities that could have a severe impact on the local highways network. The applicant's Transport Assessment sets out that whilst the new facilities at the site could attract a larger number of visitors to the site, this could be accommodated within the existing capacity of existing roads and junctions. There is a large number of car parking at the site which would adequately serve the proposals.
- 6.73 The Local Highways Authority is satisfied that the traffic and parking implications of the proposed development would be acceptable.

FLOOD RISK AND DRAINAGE

- 6.74 London Plan Policy 5.12 (Flood Risk Management) states that development proposals must have regard to measures proposed in Catchment Flood Management Plans. The Environment Agency Thames Catchment Flood Management Plan (2009) focuses on the adaptation of the urban environment to increase resistance and resilience to flood water. This objective informed the preparation of Harrow's Local Plan policies on flood risk management.

- 6.75 Core Strategy Policy CS1 U undertakes to manage development to achieve an overall reduction in flood risk and increased resilience to flood events.
- 6.76 London Plan Policy 5.13 states that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates.
- 6.77 Policies DM9 (Sustainable Flood Risk Management) and DM10 (On-Site Water Management and Surface Water Attenuation) call for major development to reduce surface water run-off; utilise sustainable drainage systems; ensure adequate arrangements for management and maintenance of on-site infrastructure; use appropriate measures to prevent water pollution; and where appropriate, demonstrate that the proposal would be resistant and resilient to flooding from all sources.
- 6.78 The application is supported by a Flood Risk Assessment. It describes that the Environment Agency Flood Zone mapping and modelled flood data for the Edgware Brook shows that areas at the site are located across all three flood zones. The proposed uses of each area of the site have been assessed against the land uses allowed in each flood zone and have been found to be acceptable. Other forms of flooding been assessed to present risk of flooding to the site and so mitigation measures are proposed to reduce these risks.
- 6.79 Existing drainage systems relating to earlier developments at the site have been approved by the Council and the Environment Agency. The proposed development would not result in flow rates above those previously agreed. Appropriate surface water attenuation storage would be provided at the site and would be controlled by planning conditions.
- 6.80 The Council's Drainage Team and the Environment Agency are satisfied that subject to planning conditions, the flood risk and drainage implications of the development would be acceptable.

ACCESSIBILITY, INCLUSIVE DESIGN AND LIFETIME NEIGHBOURHOODS

- 6.81 London Plan Policy 7.1 (Lifetime Neighbourhoods) requires development to improve people's access to social and community infrastructure, shops, services, employment opportunities and public transport; contribute to healthy, active lives, social inclusion and cohesion, and people's sense of place, safety and security; and reinforce the character, legibility, permeability and accessibility of the neighbourhood.
- 6.82 Policy DM2 (Achieving Lifetime Neighbourhoods) requires the location, design and layout of development, and any associated improvements to the public realm, transport and other infrastructure, to contribute to the creation of lifetime neighbourhoods. In particular it calls for:
- non-residential development to be located to sustain town centres and local employment opportunities, and to be accessible to all;
 - new residential development to ensure good access to services and facilities, and to provide accessible homes;

- all proposals to be safe and secure in accordance with Secured by Design principles; major proposals to demonstrate how they contribute to lifetime neighbourhoods within and beyond the site boundary;
- improvements to the public realm must achieve an inclusive, legible pedestrian and cycling environment; and
- accessible bus stops and provision of car parking for disabled people;
- major development within town centres to make provision for the comfort and convenience of all users.

6.83 Policy DM1 (Achieving a High Standard of Development) calls for all proposals to achieve a high standard of design and layout and sets out a range of relevant criteria, including (g) arrangements for safe, sustainable and inclusive access and movement to and within the site.

6.84 Policy DM2 (Achieving Lifetime Neighbourhoods) requires the location, design and layout of development, and any associated improvements to the public realm, transport and other infrastructure, to contribute to the creation of lifetime neighbourhoods. This policy is supported by guidance in the Access for All Supplementary Planning Document.

6.85 The site is in a sustainable location, would be of a sufficiently high quality design and would secure the delivery of new sporting facilities that would provide community value for local people. A planning obligation would secure access to the facilities at a discounted rate for those groups traditionally less likely to access sporting facilities like those proposed.

TREES, LANDSCAPING AND BIODIVERSITY

Trees and landscaping

6.86 London Plan Policy 7.21 (Trees and Woodland) states that existing trees of value should be retained and that, wherever appropriate, additional trees should be planted in new development.

6.87 Policy DM22 Trees and Landscaping requires development proposals to include hard and soft landscaping and calls for retained trees to be protected during construction.

6.88 None of the trees on the site are subject to a Tree Preservation Order (TPOs) or Conservation Area designations. It is not proposed to remove any trees from the site.

6.89 A planning condition would seek to secure the protection of existing trees at the site.

6.90 The extent of new built development that would be introduced to the site enhances the need for new, high quality landscaping at the site. This would be secured by way of a planning condition.

Biodiversity

- 6.91 The NPPF sets out the principles for conserving and enhancing biodiversity, which include resisting development that would:
- cause significant harm that cannot be avoided, mitigated or compensated-for; or
 - have an adverse effect on a Site of Special Scientific Interest (SSSI). Opportunities to incorporate biodiversity in and around developments are encouraged.
- 6.92 London Plan Policies 5.10 (Urban Greening) and 5.11 (Green Roofs and Development Site Environs) call for the provision of green infrastructure on site, including planting, green roofs and green walls.
- 6.93 London Plan Policy 7.19 Biodiversity and Access to Nature echoes the need for development proposals to make a positive contribution to biodiversity, to protect statutory sites, species and habitats, and to help achieve Biodiversity Action Plan targets.
- 6.94 Policy DM20 (Protection of Biodiversity and Access to Nature) makes clear that proposals that would be detrimental to locally important biodiversity or that would increase local deficiencies will be resisted.
- 6.95 Policy DM 21 (Enhancement of biodiversity and access to nature) encourages improvements to biodiversity, including the incorporation of techniques to enhance biodiversity – such as green roofs and green walls.
- 6.96 The application is supported by an Ecological Assessment of the site. It concludes that subject to mitigation measures, the impact of the development on existing biodiversity at the site would be acceptable. The development would not result in harm to protected species. Planning conditions would seek to protect existing biodiversity and secure a net-gain in value at the site.

ENERGY AND SUSTAINABILITY

- 6.97 Section 10 of the NPPF seeks to promote low carbon and renewable energy, including decentralised energy. This includes requiring local planning authorities to have a positive strategy to delivery low carbon and renewable energy infrastructure and for these matters to be considered as part of any planning application.
- 6.98 London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires new development to minimise carbon emissions in accordance with the energy hierarchy of be lean (use less energy), be clean (supply energy efficiently) and be green (use renewable energy). The policy sets targets for carbon emission ructions, with a 40% reduction required relative to the 2010 Building Regulations for both residential and non-residential development (this is equivalent to a 35% reduction over the more recent 2013 Building Regulations). The policy outlines the requirements for energy statements and indicates that the carbon reduction targets should be met on-site.

- 6.99 London Plan Policy 5.3 requires that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. It outlines broad considerations that developments should address, including minimising carbon emissions, avoiding overheating, making the efficient use of resources, minimising pollution and the generation of waste, avoiding the impacts from natural hazards, ensuring developments are comfortable and secure, using sustainable materials and promoting and protecting biodiversity and green infrastructure. The Policy notes that all aspects of the London Plan contribute to the sustainability of developments.
- 6.100 London Plan Policy 5.7 (Renewable Energy) requires new development to provide a reduction in expected carbon emissions through on-site renewable energy, where feasible. The supporting text to the policy indicates there is a presumption that the reduction achieved through on-site renewable energy will be at least 20%.
- 6.101 Policies CS1 and DM12 (Sustainable Design and Layout) reflect these objectives in local planning policy.
- 6.102 The application is supported by an Energy Statement. It demonstrates that the academy building has been designed to include passive design measures to reduce the demands for energy. Solar gains into the space would be mitigated through the use of translucent polycarbonate cladding. This would allow daylight to penetrate into the space to reducing the need for artificial lighting whilst reducing solar gain and an overheating risk.
- 6.103 Where possible, the facility would be naturally ventilated for most of the year. Mechanical ventilation would be required during the winter to minimise cold draughts and during the summer to boost fresh air intake. Low power fans would be used to minimise energy usage.
- 6.104 There are no existing or proposed district heating networks in the area that the development could connect to.
- 6.105 Air source heat pumps are proposed to provide heating and hot water across the site.
- 6.106 The development would achieve a 40% reduction in carbon emissions when compared to the Part 2LA gas baseline, in accordance with relevant policy expectations.
- 6.107 The application is supported by a Sustainability Statement which describes the sustainability credentials of the development with reference to policy and guidance on resource management, adapting to climate change and greening the city and pollution management.
- 6.108 It concludes that an holistic approach to sustainability has been taken whereby sustainable design principles have been integrated into the scheme from the outset and implemented throughout design and operation stages. This would ensure that the development would minimise any negative environmental impacts associated with energy and resource consumption, waste, noise, air and light

pollution. The scheme would promote sustainability principles through the provision of a comfortable and safe development, maximising the use of sustainable design techniques, such as passive design and low environmental impact materials.

6.109 The energy and suitability credentials of the development would be acceptable.

WASTE AND RECYCLING

6.110 London Plan Policy 5.17(Waste Capacity) requires adequate provision for waste and recycling storage and collection and Policy 5.18 (Construction, Excavation and Demolition Waste) requires developers to produce Site Waste Management Plans to arrange for the efficient handling of construction, excavation and demolition waste and materials.

6.111 London Plan Policy 5.3 (Sustainable Design and Construction) and Policy CS1 X require development to minimise the generation of waste and maximise reuse or recycling.

6.112 Policy DM45 states that: all proposals will be required to make on-site provisions for general waste, the separation of recyclable materials and the collection of organic material for composting. The on-site provisions must:

- a) provide satisfactory storage volume to meet the general recycling and organic waste material arising from the site;
- b) ensure satisfactory access for collectors and, where relevant, collection vehicles; and
- c) be located and screened to avoid nuisance to occupiers and adverse visual impact.

6.113 The Joint West London Waste Local Plan (July 2015) outlines the vision and strategy for managing waste in the West London area until 2031. It identifies the following targets to be achieved by 2020:

- 95% recycling and re-use of construction, demolition and excavation (CD&E) waste and 80% recycling of that was as aggregates;
- 50% recycling/composting/re-use of municipal solid waste (MSW); and
- 70% recycling/composting/re-use of commercial and industrial waste.

6.114 A condition is recommended to secure a detailed Site Waste Management Plan to ensure the above objectives are met and subject to this the proposal would accord with the policies of development plan.

COMMUNITY INFRASTRUCTURE LEVY

6.115 On 1st April 2012 the Mayor of London's Community Infrastructure Levy (CIL) came into force and applies to all development except medical and educational uses. In Harrow, the Mayor's CIL is charged at a rate of £35.00 per square metre. It used to help fund the Crossrail infrastructure project. It is calculated that the proposal would generate an estimated liability of £555,415 under the Mayor's CIL.

6.116 Harrow adopted its CIL on 16 September 2013 and it applies Borough wide for certain uses of over 100sqm gross internal floor space. The CIL was examined by the Planning Inspectorate and found to be legally compliant. It has been charged from the 1st October 2013. However the CIL does not apply to D2 uses and there is no charge in this case.

PLANNING OBLIGATIONS

6.117 London Plan Policy 8.2 Planning Obligations states that planning obligations should address strategic as well as local priorities and that affordable housing and public transport improvements should be given the highest importance.

6.118 Policy CS1 AA requires all development to contribute to the delivery of strategic infrastructure identified in Harrow's Infrastructure Delivery Plan. Policy DM 50 (Planning Obligations) undertakes to seek s.106 planning obligations to secure the provision of infrastructure needed to mitigate site specific impacts of the proposed development.

6.119 The Council has published a Planning Obligations Supplementary Planning Document.

6.120 The SPD makes it clear that whilst general improvements to transport infrastructure are to be funded by the CIL and other sources, additional works required to accommodate or mitigate the impact of a proposed development should be funded by the developer.

6.121 Planning obligations necessary to bring forward this development are identified in the relevant sections of this report.

7.0 CONCLUSIONS

7.1 The proposed Academy building would conflict with policies that seek to protect designed Open Space. Whilst the proposed sports hall would also conflict with those policies, the harm caused by that conflict would be modest. Planning decisions should be made in accordance with policies of the development plan unless material considerations indicate otherwise.

7.2 In this case, the delivery of extensive new sports facilities in the borough, when taken together with a scheme of community access - with a particular focus on groups typically less likely to access such facilities, would outweigh those policy conflicts and justify the approval of planning permission.

7.3 The Academy building would substantially change the outlook for a number of neighbours of the site but the development would not result in harmful impacts that should justify the refusal of planning permission.

7.4 Subject to planning conditions and planning obligations, the development would be acceptable in all other respects.

7.5 Approval is recommended.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1 Timing

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

REASON: To comply with the provisions of section 91 of the Town and Country Planning Act 1990.

2 Approved Plans and Documents

Save where varied by other planning conditions attached to this permission and unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the following approved drawings and documents:

462PL(0)100 rev E, 462PL(0)101 rev E, 462PL(0)103 rev E, 462PL(0)103 rev C, 462PL(0)104 rev E, 462PL(0)105 rev E, 462PL(0)106 rev C, 462PL(0)107 rev B, 462PL(0)108, 462/PL(0)111 rev F, 462PL(0)120 rev E, 462(0)121 rev F, 462PL(0)122 rev F, 462PL(0)123, 462PL(0)501 rev A, 462PL(0)502 rev A, 462PL(0)503, 462PL(0)511 rev A, 462PL(0)512, 462PL(0)513, 462PL(0)521 rev A, Energy Strategy reference HA-HYD-XX-00-REP-0001 dated 08th November 2017, Sustainability Statement reference HA-HYD-XX-00-REP-0002 dated 08th November 2017, Flood Risk Assessment dated 04.07.2016, Flood Risk Assessment Addendum dated April 2018, SK3 rev P1, Micro Drainage storage calculations, Planning Statement dated June 2017, Design Development document dated June 2017, Transport Assessment reference 117682/LP/170614 rev C, Preliminary Academy Investigation Report dated 20th October 2017, Lighting Technical Report dated 15th June 2017, Ecological Report dated September 2017, Open Space Assessment dated September 2017, Waste Management Plan dated September 2017

REASON: For the avoidance of doubt and in the interest of proper planning.

3 Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of

the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 5.21 of the London Plan 2016 and Policy DM 15 of the Harrow Development.

4 Non-Road Mobile Machinery

No development shall commence at the site, including any works of demolition, until details have been submitted and approved in writing by the local planning authority for all Non-Road Mobile Machinery (NRMM) to be used on the development site. All NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not available. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development would not result in a deterioration of air quality in accordance with, Local Plan Policies AAP 4 and DM1 and Policy 7.14 of the London Plan (2016) to ensure that suitable vehicles would be used during the construction process, this is a PRE-COMMENCEMENT condition.

5 Construction and Site Waste Management Plan

No development shall commence at the site, including any works of demolition, until a Construction and Site Waste Management Plan, setting out arrangements for the handling of excavation, demolition and construction waste arising from the development, and to make provision for the recovery and re-use of salvaged materials wherever possible, has been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved Plan.

REASON: To ensure that waste management on the site is addressed from construction stage and to promote waste as a resource, in accordance with Policy CS1 X of the Core Strategy (2012). To ensure that measures are agreed and in place to manage and re-use waste arising during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

6 Ecological Mitigation, Enhancement and Management Plan

No development shall commence at the site before an Ecological Mitigation, Enhancement and Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall set out measures to help mitigate the impacts of the development on ecology at the site, secure a net-

gain in the biodiversity value of the site and shall secure the long-term management of those measures. The development shall be carried out in accordance with the approved Plan.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity in accordance Local Plan Policy DM 21. This is a PRE-COMMENCEMENT condition.

7 External Materials

Notwithstanding the details shown on the approved drawings, no development shall commence at the site before details of all materials to be used in the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policy DM1 of the Local Plan (2012). This is a PRE-COMMENCEMENT condition.

8 Noise – Mechanical Plant

The rating level of noise emitted from any plant, machinery and equipment on the site shall be lower than the existing background level by at least 10 dB(A). Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation.

Before any plant is used, measurements of the noise from the plant must be taken and a report / impact assessment demonstrating that the plant (as installed) meets these design requirements, shall be submitted to be approved in writing by the Local Planning Authority.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighboring buildings, in accordance with Local Plan Policy DM1 and Policy 7.6 of the London Plan (2016).

9 Levels

Notwithstanding the details shown on the approved drawings, no development shall commence at the site (other than demolition works) until details of the proposed levels of the building(s), road(s) and footpath(s) relative to those at adjoining land and highway(s) to the site, have been submitted to, and agreed in writing by the local planning authority. The

development shall be carried out in accordance with the approved details.

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 in accordance with Policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013). To ensure that appropriate site levels are agreed before the superstructure commences on site, this condition is a PRE-COMMENCEMENT condition.

10 Tree Protection

No development shall commence at the site before a Tree Protection Plan (TPP) in respect of the existing trees to be retained on the site has been submitted to and approved in writing by the local planning authority.

The TPP shall follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP shall also clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

The development shall be carried out in accordance with the approved Plan.

REASON: To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Local Plan Policy DM22 and Policy 7.21 of the London Plan (2016). This is a PRE-COMMENCEMENT condition.

11 Demolition and Construction Logistics and Management Plan

No development shall commence at the site, including any works of demolition, until a Demolition and Construction Logistics Plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall detail the arrangements for:

- a) detailed timeline for the phases and implementation of the development
- b) The parking of vehicles of site operatives and visitors;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in construction the development;
- e) The erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- f) Wheel washing facilities;
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works;

- h) Measures for the control and reduction of dust;
- i) Measures for the control and reduction of noise and vibration; and

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Local Plan Policies DM1 and DM43 and Policies 7.14 and 7.15 of the London Plan (2016) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2016), this condition is a PRE-COMMENCEMENT condition.

12 Artificial Grass Pitches

No development of the Academy Building or Artificial Grass Pitches hereby permitted shall commence until full details of the design and layout of the Artificial Grass Pitches to the north of the stadium have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England and the Football Foundation]. The Artificial Grass Pitches shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose, sustainable, of a benefit to sport to outweigh the loss of a natural turf playing field.

13 Community Use Agreement

No development shall commence at the site until a Community Use Agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to at least the Artificial Grass Pitches hereby permitted and include details of pricing policy, hours of use, access by non-football club users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

REASON: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport. This is a PRE-COMMENCEMENT condition.

14 TfL

No development shall commence at the site before detailed design and method statements relating to all foundations, basements and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent) which:

- Provides detail on all structures
- Provides details on the use of tall plant/scaffolding
- Accommodate the location of the existing London Underground structures
- Shows that there would be no opening windows or balconies facing the LU elevation
- Demonstrates access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering LU land
- Demonstrates that there will at no time be any potential security risk to the railway, property or structures
- Accommodates ground movement arising from the construction thereof
- Mitigates the effects of noise and vibration arising from the adjoining operations within the structures

have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London)

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in this condition shall be completed, in their entirety, before any part of the buildings hereby permitted are occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan (2016) and 'Land for Industry and Transport' SPG 2012. This is a PRE-COMMENCEMENT condition.

15 Sewage

No development shall commence at the site before 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 development shall be carried out in accordance with the approved details.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption. This is a PRE-COMMENCEMENT condition.

16 Surface Water Drainage

No development shall be commenced at the site before details of works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework. This is a PRE-COMMENCEMENT CONDITION.

17 Surface Water Attenuation and Storage Works

No development shall commence at the site before details of surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework. This is a PRE-COMMENCEMENT CONDITION.

18 Environment Agency

No development shall commence at the site before a scheme for the provision and management of an 8 metre wide buffer zone alongside the Edgware Brook has been submitted to and approved in writing by the local planning authority in consultation with the Environment Agency. The development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority in consultation with the Environment Agency. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme or management regime (for example, native species).
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of a detailed management plan.
- details of any proposed footpaths, fencing, lighting etc.
- lighting levels within 8 metres of the top of bank of the watercourse must be maintained at background levels. The Environment Agency considers background levels to be a Lux level of 0-2.

REASON: To protect and enhance land alongside watercourse in line with the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around

developments should be encouraged. This is a PRE-COMMENCEMENT condition.

19 Academy Hours

The Academy building hereby approved shall not be used before 0600 or after 2230 on any day unless otherwise agreed beforehand in writing by the Local Planning Authority.

REASON: To protect neighbours of the building from noise and disruption at unsociable hours.

20 Landscaping

Notwithstanding the submitted details, no development shall commence at the site before details of a landscaping scheme for the site, together with a timetable for its implementation and a schedule for its ongoing maintenance has been submitted to and approved in writing by the local planning authority. The scheme shall include tree planting on the bund land to the south of the approved Academy building. The development shall be carried out in accordance with the approved details, timetable and maintenance scheme.

REASON: To help mitigate the impacts of the development on the appearance of the site and the view of the Academy building from neighbouring properties. This is a PRE-COMMENCEMENT condition.

21 Floodlighting

The floodlighting hereby approved shall not be used before 0600 or after 2230 on any day unless otherwise agreed beforehand in writing by the Local Planning Authority.

REASON: To protect the appearance of the site and potential impacts on neighbouring residents of the site.

22 Coach parking

The approved replacement coach parking spaces shall be provided and made available for use within 30 days of the existing coach parking spaces at the site being unavailable for the parking of coaches.

REASON: To ensure that adequate coach parking is provided at the site.

Informatives

1 Policies

The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and, or the Harrow Local 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 (2016)

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.2 Improving health and addressing health inequalities
- Policy 3.19 Sports facilities
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 4.1 Developing London's economy
- Policy 4.12 Improving opportunities for all
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy
- Policy 5.8 Innovative energy technologies
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater Infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.16 Waste self-sufficiency
- Policy 5.17 Waste capacity
- Policy 5.18 Construction, excavation and demolition waste
- Policy 5.21 Contaminated land
- Policy 6.1 Strategic approach
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture

- Policy 7.8 Heritage assets and archaeology
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting local open space and addressing local deficiency
- Policy 7.19 Biodiversity and access to nature
- Policy 7.30 London's canals and other rivers and water spaces
- Policy 8.1 Implementation
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy
- Policy 8.4 Monitoring and review for London

Harrow Core Strategy (February 2012)

- Core Policy CS1 Overarching Principles
- Core Policy CS9 Kingsbury and Queensbury

Harrow Development Management Policies (July 2013)

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM 3 Protected Views and Vistas
- Policy DM 6 Areas of Special Character
- Policy DM 7 Heritage Assets
- Policy DM 9 Managing Flood Risk
- Policy DM 10 On Site Water Management and Surface Water Attenuation
- Policy DM 12 Sustainable Design and Layout
- Policy DM 13 Decentralised Energy Systems
- Policy DM 14 Renewable Energy Technology
- Policy DM 15 Prevention and Remediation of Contaminated Land
- Policy DM18 Protecting Open Space
- Policy DM 19 Provision of New Open Space
- Policy DM 20 Protection of Biodiversity and Access to Nature
- Policy DM 21 Enhancement of Biodiversity and Access to Nature
- Policy DM 22 Trees and Landscaping
- Policy DM 31 Supporting Economic Activity and Development
- Policy DM 41 Evening Economy
- Policy DM 42 Parking Standards
- Policy DM 43 Transport Assessments and Travel Plans
- Policy DM 44 Servicing
- Policy DM 45 Waste Management
- Policy DM 46 New Community, Sport and Education Facilities
- Policy DM 47 Retention of Existing Community, Sport and Education Facilities
- Policy DM48 Enhancing Outdoor Sports Facilities
- Policy DM50 Planning Obligations

Harrow Site Allocations Local Plan

- Policy MOS5 Prince Edward Playing Fields

Other Guidance

Mayor of London Guidance

- Social Infrastructure (May 2015)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- Town centres (July 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- Sustainable Design and Construction (April 2014)
- Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
- All London Green Grid (March 2012)
- Planning for Equality and Diversity in London (October 2007)

LB Harrow Guidance

- Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (February 2016)
- Planning Obligations & Affordable Housing SPD (October 2013)
- Access for All SPD (April 2006)

2 INFORMATIVE: MAYORAL CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract an approximate liability payment of **£555,414** of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

You are advised to visit the planningportal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

3 INFORMATIVE: CONSIDERATE CONTRACTOR CODE OF PRACTICE

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 ACT

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: IMPORTANT: COMPLIANCE WITH PLANNING CONDITIONS

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

Beginning development in breach of a planning condition will invalidate your planning permission. If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

6 INFORMATIVE: PRE APPLICATION ADVICE

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Whilst no pre-application advice was sought by the applicant, the Local Planning Authority worked pro-actively with the applicant to overcome potential obstacles to planning permission being granted.

7 SPORT ENGLAND

The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.

The applicant is advised that for any football match play to take place the pitch should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS) as a minimum.

The applicant is advised that pitches to be used for Step 1 and Step 2 level football matches should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality Pro and Steps 3 to 6 should be built in accordance with FIFA Quality

as a minimum and tested annually as per league rules.

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association and Football Foundation on pitch construction when determining the community use hours the artificial pitch can accommodate.

8 RIVER CORRIDOR ENHANCEMENT OPPORTUNITIES

Whilst the Edgware Brook is integral to maintaining Flood Risk Management schemes, bankside habitat and in channel enhancements should be further investigated in discussion with the Environment Agency (Fisheries Biodiversity and Geomorphology teams) to test the feasibility of potential options. This would count towards effective mitigation for the proposed level of development and the range of impacts perceived unto the river corridor.

9 JAPANESE KNOTWEED RECORDS AND BIOSECURITY AWARENESS FOR OPERATIONS

There are local records of Japanese Knotweed presence, which is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Local knowledge implies that a precautionary approach is recommended for this site and development.

Care should be taken to prevent its spread during any operations relating to the proposal. Any soils removed from the applicant's site/or brought in - should be free of the seeds/roots/stem of any invasive plant, covered by the Wildlife and Countryside Act 1981.

10 PRESENCE OF INVASIVE PLANT GOATS RUE ON SITE

This non-native plant is not currently listed within UK legislation, however it is known to be invasive causing equal detriment to plant community diversity and meadow habitats if allowed to establish and freely spread. Monitoring and control measures are recommended.

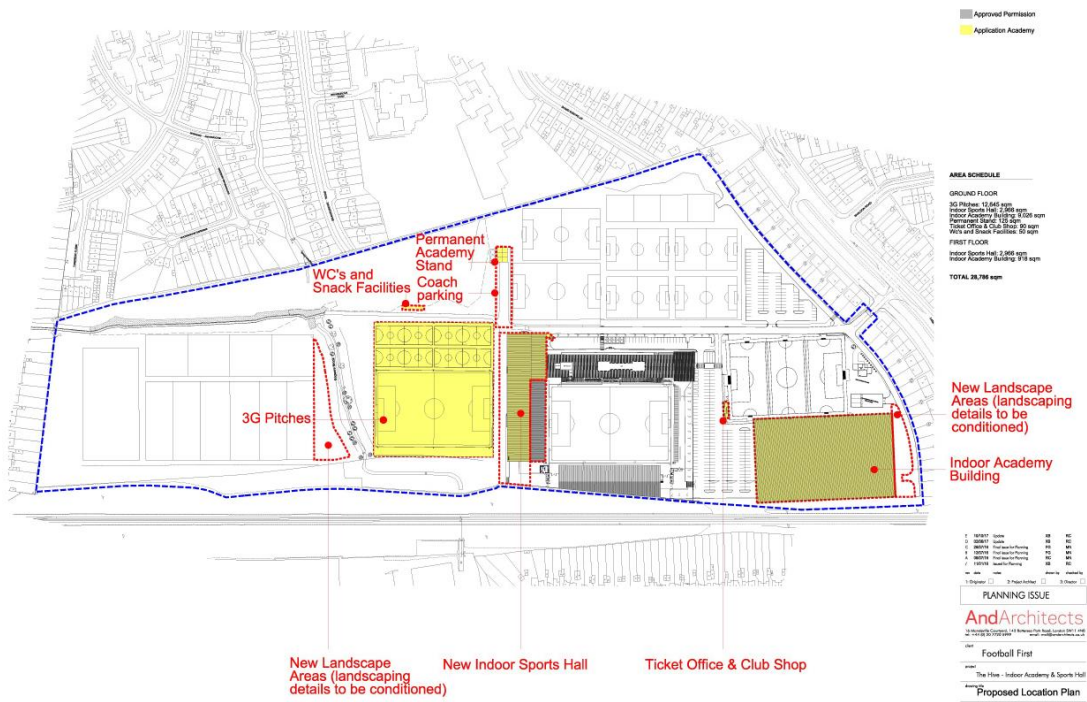
11 NORTH STAND

For the avoidance of doubt, this planning permission does not grant consent for any increase in height or scale to the north stand at the site. The approved sports hall has been assessed in the context of the approved, rather than as-built north stand.

Approved plans and documents

462PL(0)100 rev E, 462PL(0)101 rev E, 462PL(0)103 rev E, 462PL(0)103 rev C, 462PL(0)104 rev E, 462PL(0)105 rev E, 462PL(0)106 rev C, 462PL(0)107 rev B, 462PL(0)108, 462/PL(0)111 rev F, 462PL(0)120 rev E, 462(0)121 rev F, 462PL(0)122 rev F, 462PL(0)123, 462PL(0)501 rev A, 462PL(0)502 rev A, 462PL(0)503, 462PL(0)511 rev A, 462PL(0)512, 462PL(0)513, 462PL(0)521 rev A, Energy Strategy reference HA-HYD-XX-00-REP-0001 dated 08th November 2017, Sustainability Statement reference HA-HYD-XX-00-REP-0002 dated 08th November 2017, Flood Risk Assessment dated 04.07.2016, Flood Risk Assessment Addendum dated April 2018, SK3 rev P1, Micro Drainage storage calculations, Planning Statement dated June 2017, Design Development document dated June 2017, Transport Assessment reference 117682/LP/170614 rev C, Preliminary Academy Investigation Report dated 20th October 2017, Lighting Technical Report dated 15th June 2017, Ecological Report dated September 2017, Open Space Assessment dated September 2017, Waste Management Plan dated September 2017

APPENDIX 2: SITE PLAN



APPENDIX 3: PHOTOGRAPHS

View from northern entrance to the site looking towards the football ground



Existing porta cabins to be replaced by permanent WC/snack structures



Existing north stand



Existing north and east stands



Existing temporary academy spectator stand



Road between Camrose Avenue gardens and bund/existing Astroturf pitches



Looking northwards towards existing bund



View of Camrose Avenue houses and gardens from top of existing bund

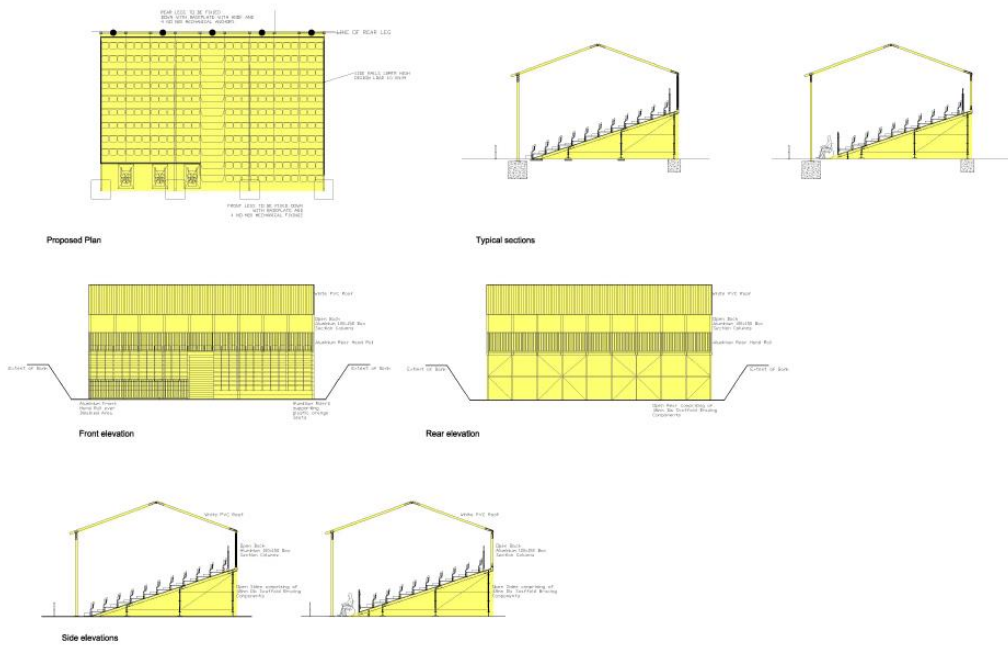


Existing Astroturf pitch to be enclosed by Academy building

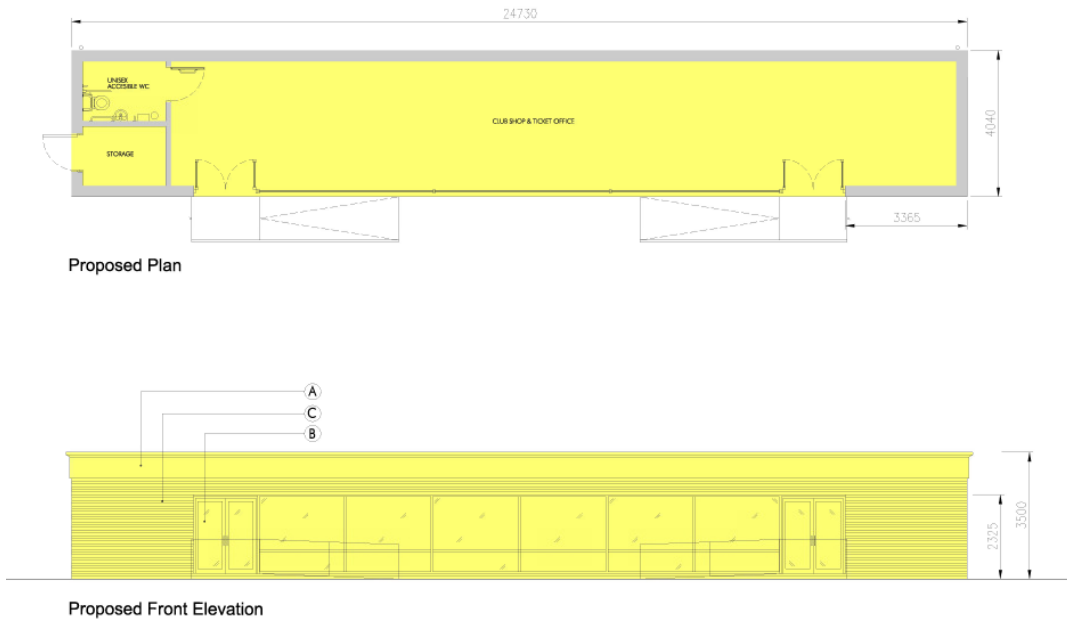


APPENDIX 4: PLANS AND ELEVATIONS

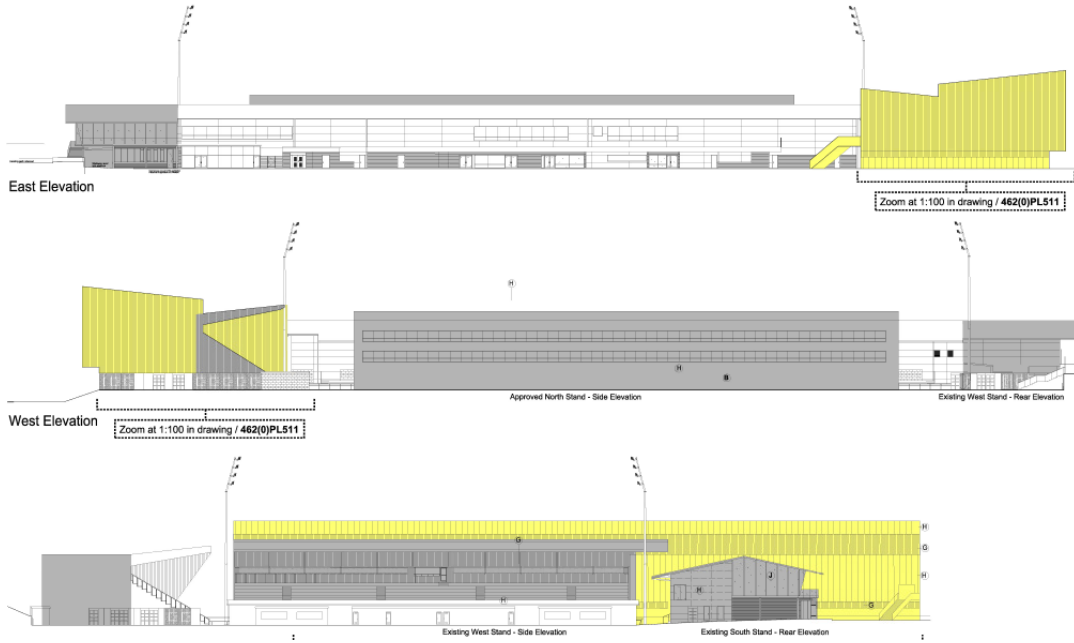
Proposed permanent academy spectator stand



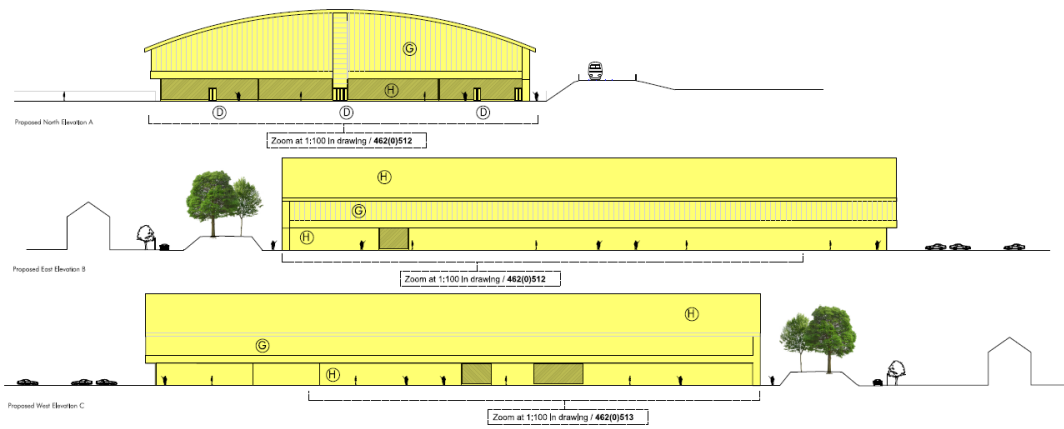
Proposed clubshop/ticket office

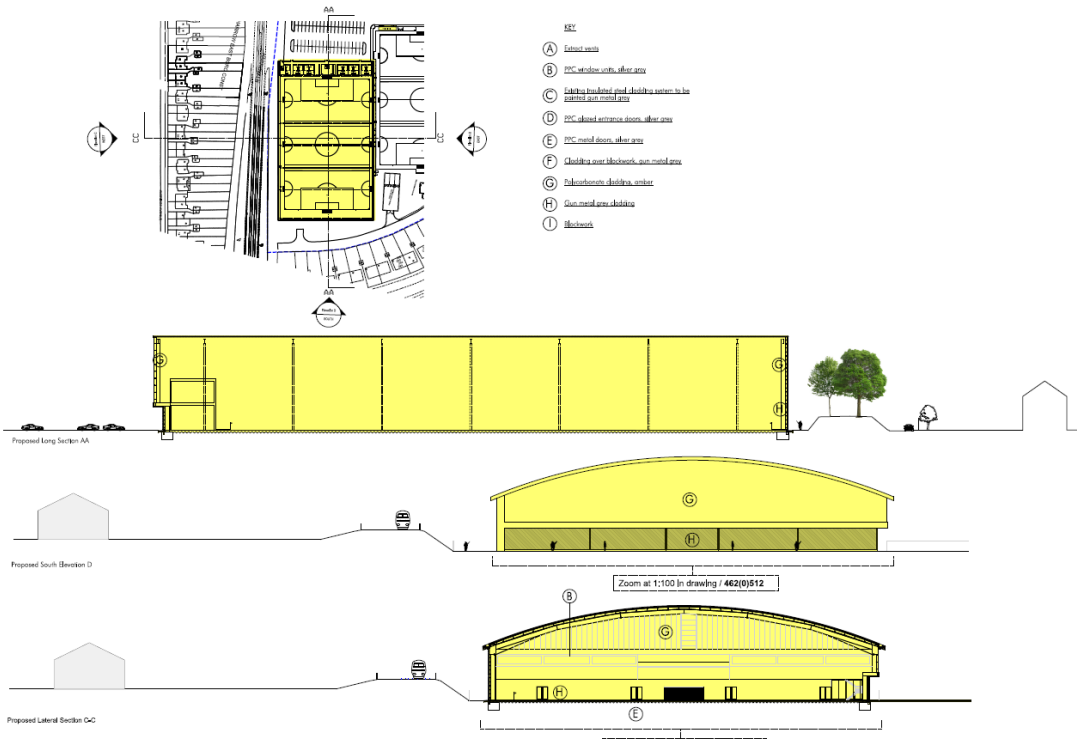


Proposed sports hall behind north stand



Proposed Academy building

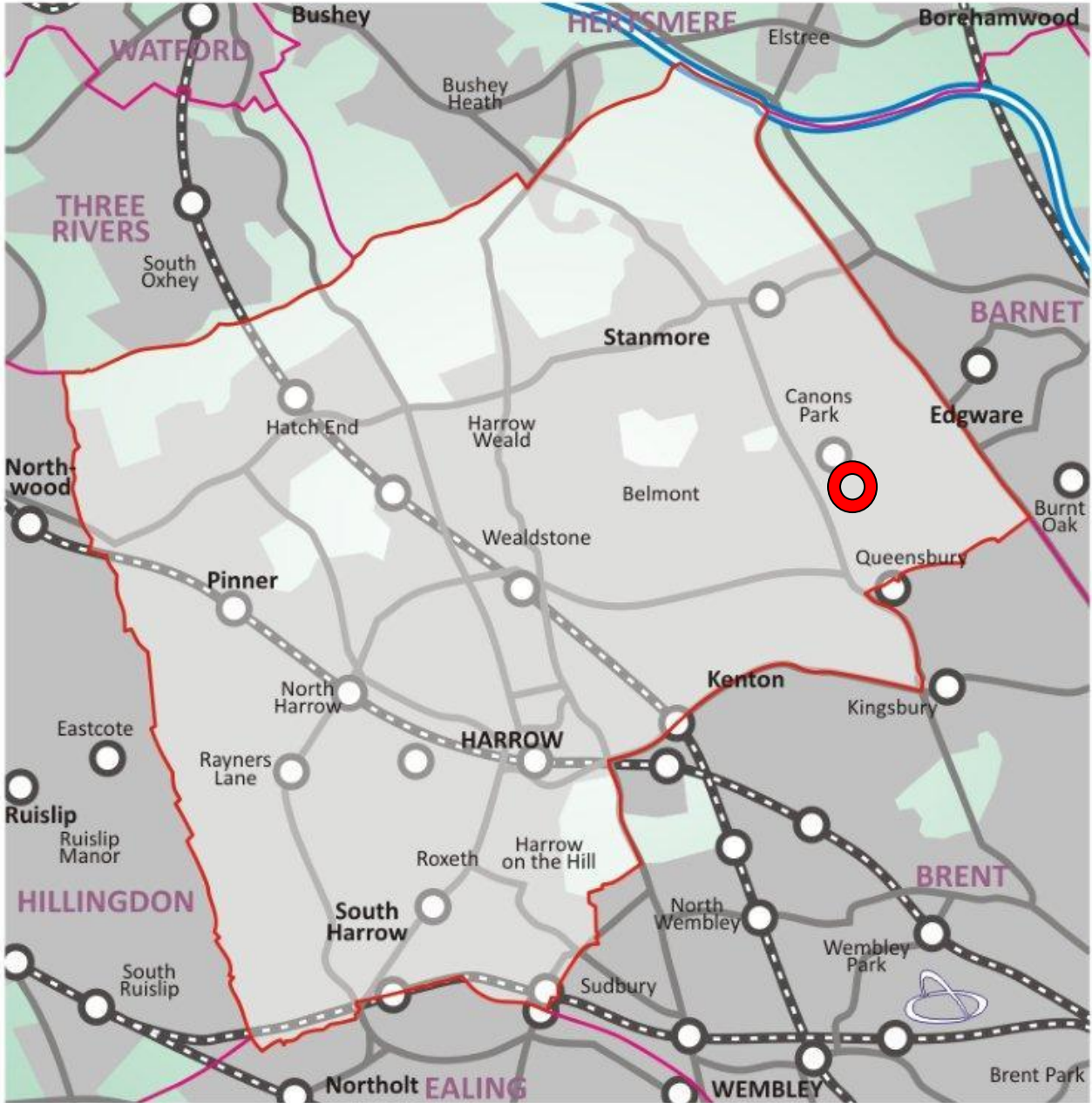




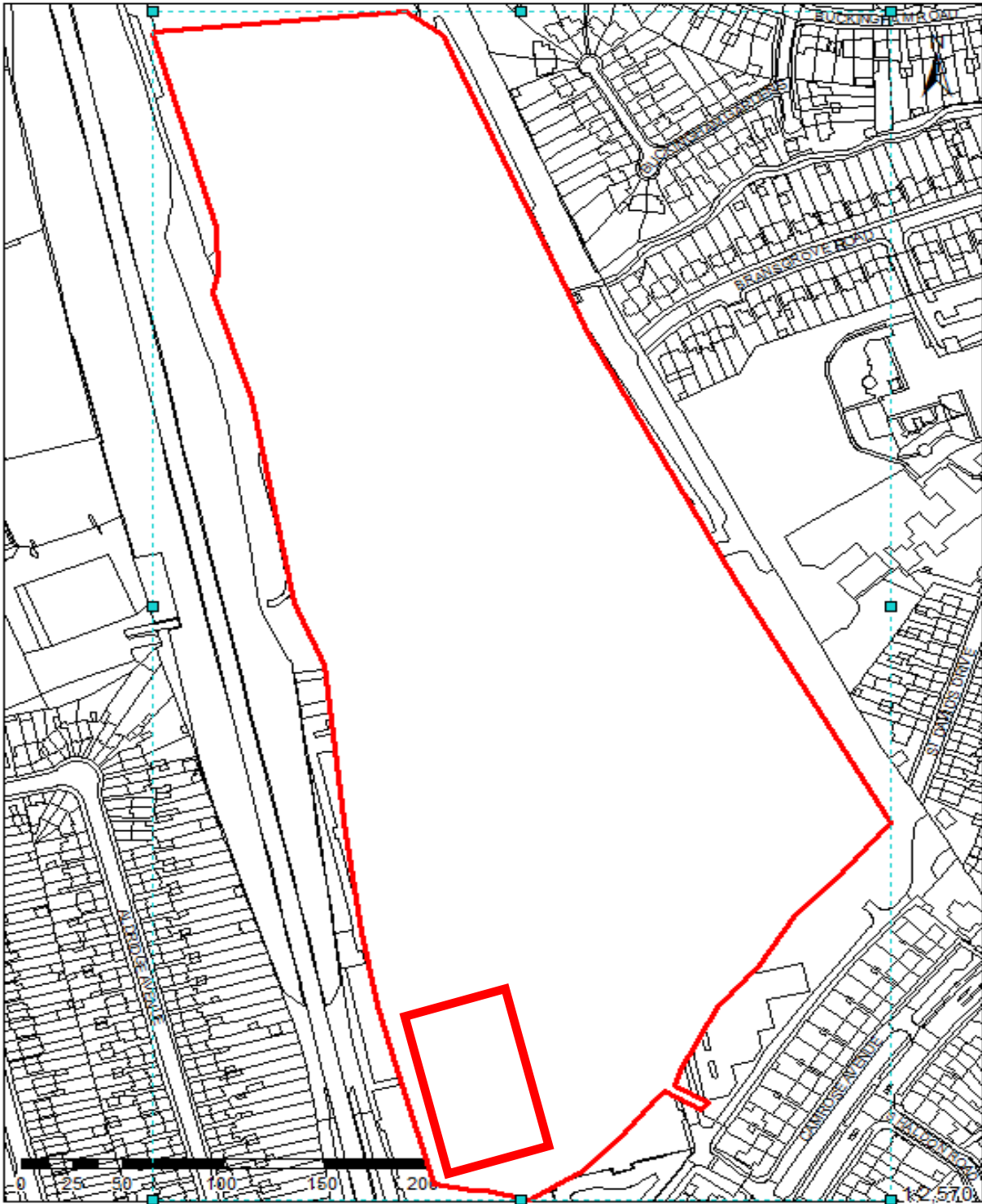
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 = application site



The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware	P/2764/17
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<p>The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware</p>	<p>P/2764/17</p>
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/2764/17
VALIDATE DATE: 20TH OCTOBER 2017
LOCATION: THE HIVE FOOTBALL CENTRE, PRINCE EDWARDS
PLAYING FIELDS, CAMROSE AVENUE, EDGWARE
WARD: QUEENSBURY
POSTCODE: HA8 6AG
APPLICANT: THE HIVE FOUNDATION
AGENT: INDIGO PLANNING
CASE OFFICER: NIK SMITH
EXPIRY DATE: EXTENSION OF TIME FOR DETERMINATION AGREED
TO 10TH APRIL 2018

PURPOSE OF REPORT

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal:

Erection of a new south stand with supporting leisure and hospitality facilities to the rear of the stand, replacement of seating within the east stand with terraces and an increase in the total capacity of the stadium from 5,176 to 8,500.

RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) delegate authority to the Divisional Director of Regeneration, Enterprise and Planning to issue the planning permission subject to minor amendments to the conditions (set out in Appendix 1 of this report) and/or the Committee resolutions.

Planning Obligations

The committee resolutions would cover the following planning obligations:

1. A Full Travel Plan based on the approved Framework Travel Plan including detailed Actions and review controls and a £10,000 monitoring fee the event that attendances at the stadium reach 4,000 three times in any one season
2. A bond of £60,000 to ensure that the Actions set out in the Full Travel Plan are delivered in
3. An On-site Car Parking Scheme to ensure that only those who pre-book car parking spaces visit the site by car including monitoring and review
4. A contribution of £50,000 plus £2,000 maintenance contributions (for three years

subject to review) for the implementation of a match day parking scheme in the local area and/or highways/junction improvements in the event that attendances at the stadium reach 4,000 three times in any one season

Recommendation B

To delegate authority to the Divisional Director of Regeneration, Enterprise and Planning to refuse planning permission in the event that a s106 agreement reflecting the planning obligations set out above is not completed within three months (or an extended period agreed by the Local Planning Authority).

REASON FOR THE RECOMMENDATION

The proposed south stand and ancillary uses, whilst within designated Open Space, would cause no serious harm to the openness of that space because of its siting and relationship with the existing stadium building. It would constitute the type of ancillary development supported in locations like this one. Traffic and parking impacts associated with the proposed increase in capacity could be adequately controlled and mitigated through the use of planning obligations.

INFORMATION

This application is reported to Planning Committee because of its association with application reference P/2763/17.

Statutory Return Type:	Major Development
Council Interest:	None
GLA Community	£242,400
Infrastructure Levy (CIL)	
Contribution (provisional):	
Local CIL requirement:	Nil

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has had regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan (2016) and Draft London Plan (2017) Policy D10 require that development proposals should maximise building resilience and minimise potential physical risks including measures to deter terrorism. Local Plan Policy DM1 of the Harrow Development Management Policies (2013) requires all new

developments to have regard to safety and the measures to reduce crime in the design of development proposal.

These development proposals have been considered in the context of the requirements of those relevant policies. They have not been found to raise issues that are unacceptable or that cannot be managed through the use of planning conditions.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

ENVIRONMENTAL IMPACT ASSESSMENT

Whilst no Screening Opinion from the Local Planning Authority has been sought in respect of the proposed development, it has been considered in the context of the Environmental Impact Assessment Regulations (2017) and found not to constitute EIA development.

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	The Hive Football Centre, Prince Edwards Playing Fields, Camrose Avenue, Edgware, HA8 6AG
Applicant	The Hive Foundation
Ward	Queensbury
Local Plan allocation	MOS5: Prince Edwards Playing Fields
Conservation Area	n/a
Listed Building	n/a
Setting of Listed Building	n/a
Building of Local Interest	n/a
Tree Preservation Order	n/a
Other	<ul style="list-style-type: none"> • Designated Open Space • RAF Northolt Safeguarding Area • Flood Zones 2 and 3a • Critical Drainage Area • Core Strategy Sub-Area: Kingsbury and Queensbury • Site of Nature Importance • PTAL 2 and 3

Uses		
Existing Use(s)	Existing Use / Operator	The Hive Football Centre
	Existing Use Class(es) sqm	D2 (Assembly and Leisure)
Proposed Use(s)	Proposed Use / Operator	The Hive Football Centre
	Proposed Use Class(es) sqm	D2 (Assembly and Leisure)

Transportation		
Car parking	No. Existing Car Parking spaces	326
	No. Proposed Car Parking spaces	326
Public Transport	PTAL Rating	2 and 3
	Closest Rail Stations	Canons Park and Queensbury underground stations
	Bus Routes	79, 186 and 340

Parking Controls	Controlled Parking Zone?	CS (Canons Park Station), DA (Donnefield Avenue), TC (Torbridge Close), BG (Buckingham Gardens) and Q4 (Turner Road) within the vicinity of the site
	CPZ Hours	CS: 0800 – 1830 Mon - Sat DA: 0800 – 1830 Mon – Sat TC: 1400 – 1500 Mon - Fri BG: 1400 – 1500 Mon - Fri Q4: 1100 – 1200 and 1500 – 1600 Mon - Fri
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Privately managed

Sustainability / Energy	
Development complies with Part L 2013?	Yes
Renewable Energy Source	Air source heat pumps

PART 2: Assessment

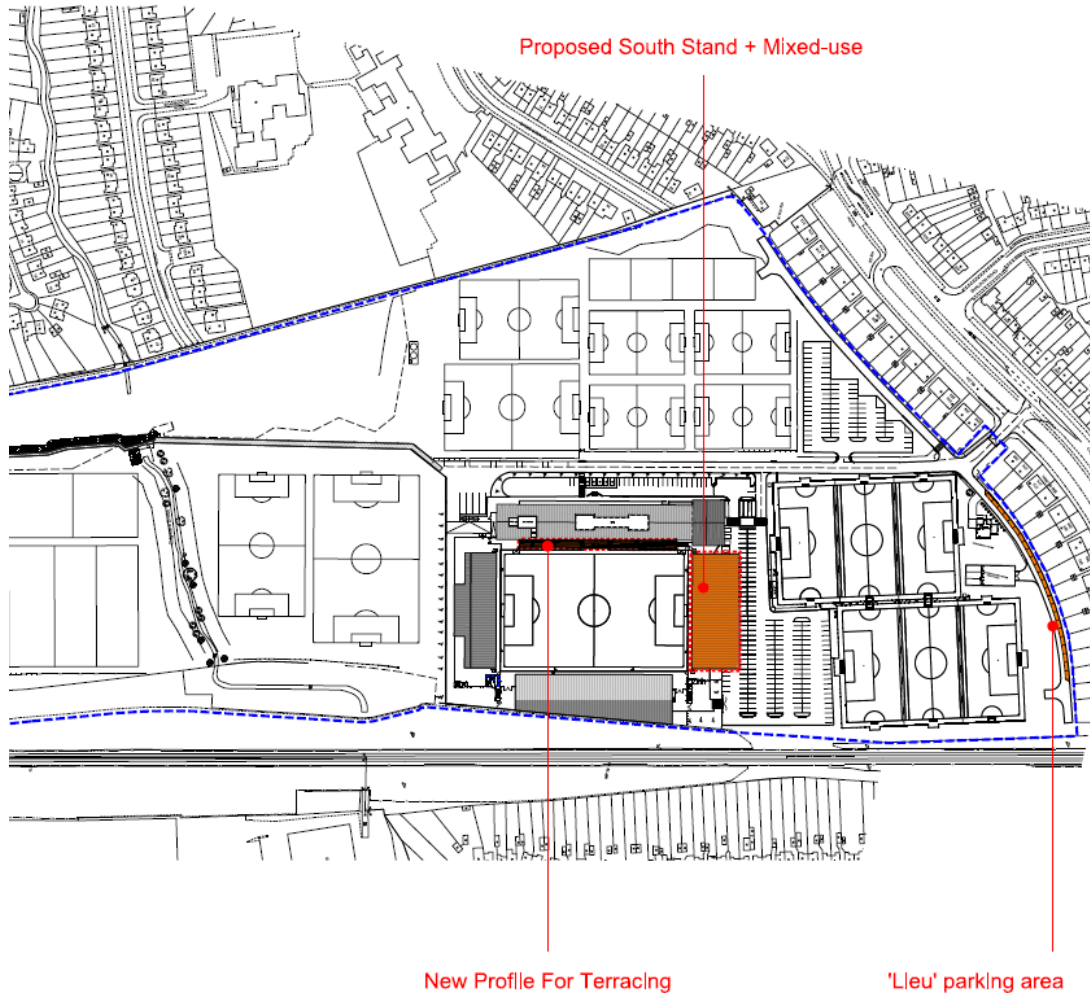
1.0 SITE DESCRIPTION

- 1.1 The Hive Football Centre (formerly Prince Edward Playing Fields) comprises former educational sports grounds, designated as Open Space and allocated for Community Outdoor Sports Use. It is now occupied by a football stadium with ancillary facilities and open-air grass and synthetic football pitches. Planning permission has recently been granted for a temporary spectator stand to serve academy pitches at the east of the site. There are two porta cabins at about the mid-point on the east side of a central pathway that runs north to south through the site.
- 1.2 The site is bound by the Jubilee Line railway to the west, with residential properties fronting Aldridge Avenue on the other side of the embankment, residential properties fronting Whitchurch Lane to the north and those on Camrose Avenue to the south. Those properties on Camrose Avenue have gardens that adjoin the site, the majority of which have chain mesh means of enclosure. To the south of those gardens, on the other side of a road is a large bund, which limits views into the site and the existing artificial floodlit pitches beyond it. To the east, the site adjoins residential properties along Buckingham Gardens and St David's Drive and Little Stanmore Nursery, First and Middle Schools.
- 1.3 The section of railway embankment that adjoins the western site boundary is identified as a Site of Nature Conservation Importance.
- 1.4 Levels at the site fall from the north to the Edgware Brook, which crosses the site, and then rises again to Camrose Avenue.
- 1.5 The part of the site adjacent to the Brook is in Flood Zone 3a/3b (including an Environment Agency flood defence bund), with other parts of the site within Flood Zone 2.
- 1.6 The main vehicular access to the site is from Camrose Avenue, with secondary access (pedestrian only) from Whitchurch Lane.
- 1.7 The football stadium at the site is used by Barnet Football Club, a Football League side. A condition attached to a previous planning consent limits attendance on match days to 5,176.
- 1.8 There are 326 car parking spaces at the site space to park ten coaches.
- 1.9 The total area of the site is around 17ha.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for:

- The erection of a south stand at the football stadium with ancillary supporting floorspace to the rear (a total of 3,700m²). It would be approximately 66m wide, a maximum of 27m deep and up to 17m tall.
- Amendments to the seating in the existing east stand to introduce terraces
- An increase in the consented capacity of the stadium from 5,176 to 8,500 (and increase of 3,324).



3.0 RELEVANT PLANNING HISTORY

3.1 A summary of the relevant planning application history for the site is set out in the table below:

Reference	Description	Decision
EAST/148/01/OUT	Outline: football stadium, terraces, stand & clubhouse, floodlights to ground, artificial pitch & tennis courts, health & fitness facilities, parking, vehicular access from Camrose Avenue	Approved: 11 th April 2003

P/1087/03/DVA	Variation of condition 13 of planning permission East/148/01/OUT to provide revised parking layout	Approved: 29 th July 2003
P/898/03/CDP	Details of design and appearance of building and landscaping pursuant to condition 2 of outline planning perm. East/148/01/OUT for football stadium associated works	Approved: 04 th August 2003
P/0002/07	Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking	Approved: 08 th April 2008
P/1321/08	Alterations and internal changes to east stand and change of use of part of first floor of east stand from D2 (assembly and leisure) to primary care trust premises	Approved: 06 th October 2008
P/1226/09	S.73 application to vary condition 27 (development within the area liable to flood) attached to planning permission P/0002/07	Approved: 25 th August 2009
P/2022/09	Variation of condition 18 (external lighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to 'All exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road and car park level that shall be extinguished not more than 60 minutes after the end of any match or event.'	Approved: 06 th November 2009

P/2257/09	Variation of condition 17 (floodlighting) pursuant to planning permission ref: P/0002/07/CFU dated 8 April 2008 from 'The floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2200 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 2300 hours' to 'The floodlighting hereby permitted for playing surfaces shall only be used on any day up to 2300 hours, until commencement of use of the playing surface of the main stadium, at which time floodlighting for the main stadium shall only be used on any day up to 2300 hours, and any other floodlighting within the site hereby permitted for playing surfaces shall only be used on any day up to 2230 hours'.	Refused: 29 th December 2009
P/2912/09	Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours' to 'the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'; variation of condition 18 (external lighting) from 'all exterior lighting other than floodlighting shall be extinguished on any day not later than 22:30 hours, except lighting not more than 1m above the finished road or car park level that shall be	Approved: 15 th June 2010

	<p>extinguished not more than 60 minutes after the end of any match or event' to ` exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished not later than 23.30 hours. when holding a match or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'</p>	
<p>P/1693/12</p>	<p>Variation of condition 17 (floodlighting) of planning permission ref: P/0002/07 dated 8 April 2008 from `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.00 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours' to `the floodlighting hereby permitted for playing surfaces shall only be used on any day up to 22.30 hours except when evening matches are being played at the main stadium when floodlighting shall only be used up to 23.00 hours'</p> <p>Variation of condition 18 (external lighting) from `all exterior lighting other than floodlighting shall be extinguished on any day not later than 2230 hours, except lighting not more than 1m above the finished road or car park level that shall be extinguished not more than 60 minutes after the end of any match or event' to `exterior lighting other than floodlighting shall be extinguished on any day not later than 23.00 hours except lighting in the main car park which shall be extinguished not later than 23.30 hours. when holding a match</p>	<p>Approved: 10th September 2012</p>

	or event, lighting not more than 1m above the finished road and car park lighting shall be extinguished not more than 60 minutes after the end of such match or event'	
P/2807/12	Non-material amendment to add a condition detailing approved plans to planning permission P/0002/07 dated 08/04/2008 for redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking	Approved: 27 th November 2012
P/0665/13	Variation of condition 29 (approved plans - added through application P/2807/12) attached to P/0002/07 dated 08/04/2008 for 'Redevelopment for enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking' to allow minor amendments to the stadium comprising: Phase 1: internal and external alterations to east stand including additional row of seats; increase in height, depth and capacity of west stand including camera position; reduction in capacity of standing areas; increase in height of floodlights and re-siting of southern floodlights; additional turnstiles, spectator circulation, fencing, food kiosks and toilets; alterations to parking areas. Phase 2: replace north stand with seated stand; reduction in capacity of standing area in southern stand; extension to rear of west stand to provide indoor spectator space (total stadium capacity not to exceed 5176 as previously approved)	Refused: 11 th September 2013 Appeal allowed: 19 th December 2014
P/4092/14	Single storey side to rear extension	Approved: 23 rd March

	to the east stand to create an enlarged medical centre and box office security; provision of two internal chiller units and three internal air conditioning units	2015
P/4096/14	First floor side extension to the east stand to create an enlarged banqueting suite and provision of a new entrance	Approved: 13 th April 2015
P/2004/15	Display one internally illuminated free standing sign	Approved: 02 nd July 2015
P/2191/15	Variation of condition 1 (drawing numbers) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand and associated facilities than that approved by the original consent for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involves internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involves the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space	Approved: 20 th July 2015
P/3255/16	Erection of temporary spectator	Appeal allowed: 23 rd

	stand adjacent to the academy pitch (training area a); footpath to provide pedestrian access to the temporary stand	December 2016
P/5204/16	Variation of condition 1 (drawing numbers) attached to planning application P/0665/13 allowed on appeal under reference APP/M5450/A/14/2215248 dated 19/12/2014 to allow for a larger North Stand (increased height and depth, and larger bar area) and the provision of a building to facilitate a ticket office and turnstiles. The scheme allowed on appeal was for an enlarged football stadium and clubhouse, floodlights, games pitches, banqueting facilities, health and fitness facility, internal roads and parking. Phase 1 involved internal and external alterations to the East Stand including an additional row of seats, an increase in the height, depth and capacity of the West Stand, including camera position, reduction in capacity of standing areas, increase in the height of floodlights, additional turnstiles, spectator circulation, fencing, food kiosks and toilets and alterations to the parking areas. Phase 2 involved the replacement of the North Stand with a seated stand, reduction in the capacity of the standing area in the South Stand and an extension to the rear of the West Stand to provide indoor spectator space extension.	Refused: 23 rd June 2017 Appeal lodged and decision pending
P/3352/16	Non-material amendment to planning permission reference P/2191/15 dated 17/07/15 to increase the depth of the north stand at ground floor level, increase the height of the north stand and increase the width of the north stand	Refused: 25 th August 2016

P/2763/17	Erection Of An Indoor Academy Building With An Indoor 3G Pitch; New 11 A-Side 3G Pitch And Eight Five A-Side Pitches; New Indoor Sports Hall; Permanent Ticket Office And Club Shop; Permanent Academy Spectator Stand And Erection Of W.C. And Snack Shop Portacabins	Decision pending
P/4485/17	Variation of Condition 1 (Approved plans) attached to planning permission P/0665/13 allowed on appeal reference APP/M5450/A/14/2215248 dated 19/12/14 to allow for a larger north stand and associated facilities than approved by the original consent	Decision pending

4.0 **CONSULTATION**

- 4.1 Site Notices were displayed at the Whitchurch Lane and Camrose Avenue entrances to the site on 28th November 2017 and 25th January 2018.
- 4.2 Press Notices were displayed in the Harrow Times and the Harrow Observer on the 9th November 2017.
- 4.3 The application was advertised as a major application and a departure from the Development Plan (at that time, it included development that if approved, would have represented a departure from the development plan).
- 4.4 A total of 2,527 consultation letters were sent to neighbouring properties and Resident's Associations regarding this application.
- 4.5 The overall public consultation period expired on 15th February 2018.

Neighbours of the site

Number of letters Sent	2,527
Number of Responses Received	21
Number in Support	0
Number of Objections	21
Number of other Representations (neither objecting or supporting)	0

4.6 Representations received can be summarised as follows:

- The proposed car park extension would result in noise, disturbance, pollution and harm to visual amenity
- The bulk of the south stand would not be appropriate
- The stadium is already very noisy
- Construction would be disruptive
- There would be more buildings at the site and more people using it
- There would be more traffic to and from the site and bigger local parking problems
- The beauty of the field has been taken away
- There could be anti-social behaviour
- There would be road safety concerns
- There would be noise pollution
- The area is at risk of flooding and the development would make that worse
- There would be increased footfall to the site
- There would be light and air pollution
- The site was supposed to be for a training ground
- There is no benefit to the Council
- There is an increased police presence on match-days
- This would be a gross overdevelopment of the site
- The existing pitches make it difficult to enjoy time in the garden
- Too many planning applications are submitted at the site
- The Council should have taken enforcement action previously
- There should not be a football stadium in a residential area
- There would be an impact on house prices
- Infrastructure cannot cope with further expansion at the site
- Local parking is already problematic

4.7 These comments are addressed in the main body of this report (other than where they relate to non-planning matters, like potential impact on house prices). Please note that an extension to the car park is no longer proposed.

4.8 The applicant has provided further information to the Council throughout the application process. These have provided clarification and have not materially increased the scale or the nature of the proposed development. As a result, additional consultation in response to their submission has not been undertaken.

Statutory and Non Statutory Consultees

4.9 The following consultees were written to by the Planning Authority:

- Metropolitan Police
- Sport England
- London Underground
- Natural England
- Ministry of Defence
- Transport for London

- Historic England
- LBH Environmental Health
- LBH Building Control
- LBH Highways
- LBH Biodiversity
- LBH Street Lighting
- LBH Drainage

4.10 A summary of responses received along with the comments are set out in the Table below:

Consultee	Response	Comments
Sport England	No objection	Noted
London Underground	No objection	Noted
TfL	No objection	Noted
Natural England	No comment	Noted
Historic England (Archaeology)	No archaeological requirement	Noted
LBH Highways	No objection subject to planning obligations set out in this report	Noted
LBH Drainage	No objections subject to conditions	Conditions attached
LBH Building Control	No objection	Noted

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The Government has issued the National Planning Policy Framework (2012) (NPPF) which consolidates national planning policy and is a material consideration in the determination of this application. The National Planning Practice Guidance (NPPG) provides clarification on interpretation of the policies contained within the NPPF. A draft Emerging replacement National Planning Policy Framework is currently being consulted upon. The weight that should be attached to it is currently very limited.
- 5.3 The Development Plan is made up of the London Plan (2016) and the Local Development Framework (LDF). The LDF comprises The Harrow Core Strategy (2012), the Harrow and Wealdstone Area Action Plan (2013), the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and Harrow Local Area Map (2013).

- 5.4 The emerging Draft London Plan was published on 29th November 2017. The current Plan still forms part of the Development Plan. The Draft London Plan is a material consideration in planning decisions. It will gain weight as it moves through the process to adoption and the weight given to policies within it is a matter for the decision maker. The Draft London Plan consultation has now closed, with Examination in Public expected in autumn 2018.
- 5.5 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

- The main issues are:
- Principle of the Development
- Character and Appearance of the Area
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage
- Accessibility, Inclusive Design and Lifetime Neighbourhoods
- Trees and Biodiversity
- Energy and Sustainability
- Infrastructure and Planning Obligations

Principle of Development

- 6.1 The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.
- 6.2 The NPPF acknowledges the importance of providing access to communities to new sporting facilities and of protecting open space from harmful development.
- 6.3 Paragraph 73 sets out that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 6.4 London Plan Policy 7.18 (Protecting Open Space and Addressing Deficiency) states that the loss of protected open spaces must be resisted unless equivalent or better-quality provision is made within the local catchment area.

- 6.5 Policy DM18 (Protection of Open Space) of the Development Management Policies states that land identified as open space on the Harrow Policies Map will not be released for development. Proposals for ancillary development on land identified as open space on the Harrow Policies Map will be supported where:
- It is necessary to or would facilitate the proper functioning of the open space;
 - It is ancillary to the use(s) of the open space;
 - It would be appropriate in scale;
 - It would not detract from the open character of the site or surroundings;
 - It would not be detrimental to any other function that the open space performs; and
 - There would be no harm to the quality or proper functioning of the open space as a result of the proposal.
- 6.6 London Plan Policy 3.19 (Sports Facilities) states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Where sports facilities developments are proposed on existing open space, they will need to be considered carefully in light of policies on protecting open space.
- 6.7 Policy MOS5 of the Site Allocations Local Plan allocates the site for community outdoor sports use. The commentary to that policy states that this allocation supports such further outdoor sport development as may be required to enable the success of this important community facility.
- 6.8 The site is designated by the Core Strategy is falling within the Kingsbury and Queensbury Sub-Area. Two of the area objectives for that sub-area are to:
- Continue to promote Prince Edward playing fields as a centre of sports excellence; and
 - Maintain community access to sport and recreation facilities and encourage enhancement
- 6.9 Policy DM46 (New Community, Sport and Education Facilities) states that proposals for the provision of new community, sport and educational facilities will be supported where:
- They are located within the community that they are intended to serve;
 - They are safe and located in an area of good public transport accessibility or in town centres;
 - There would be no adverse impact on residential amenity.
- 6.10 It states that new indoor sport development should make provision for community access to the facilities provided.
- 6.11 Policy DM48 (Enhancing Outdoor Sport Facilities) states that proposals that would increase the capacity and quality of outdoor sport facilities, and those that would secure community access to private facilities, will be supported provided that:
- There would be no conflict with Green Belt, Metropolitan Open Land and open space policies;

- The proposal would not be detrimental to any heritage or biodiversity assets within or surrounding the site;
 - There would be no adverse impact on residential amenity or highways safety
- 6.12 Proposals for floodlighting will be supported where it would enhance sport facilities and would not be detrimental to the character of the open land, the amenity of neighbouring occupiers nor harmful to biodiversity.
- 6.13 The site is designated as Open Space and the erection of the south stand structure would result in the loss of an element of that space (albeit hardstanding currently used for parking). Policy DM18 does allow for new development on Open Space providing that it meets relevant criteria.
- 6.14 In this case, a new south stand would facilitate the proper functioning of the Open Space in its use as a football stadium, it would be ancillary to that use, it would be appropriate in scale and would not detract from the open character of the site (it would be viewed in the context of the stadium as a whole which is a substantial structure) would not undermine the other use of the Open Space for community outdoor sport and would not harm the quality or proper functioning of the open space.
- 6.15 As a result, the introduction of the south stand would be acceptable in principle. It is important that the proposed supporting floorspace associated with the stand was ancillary to the use of the site as a football stadium. Otherwise, the development would likely not comply with Policy DM18 and other land planning uses could be raised. As a result, a condition controlling the use of that floorspace is recommended.
- 6.16 The increase in capacity at the stadium to 8,500 would be acceptable in principle, given the use of the site as a football stadium. Other potential implications of that proposed increase are described elsewhere in this report.
- 6.17 The replacement of seating with terracing in the existing east stand does not raise any planning issues (beyond those relating to an increased capacity). The applicant will need to ensure that all other necessary consents are sought relating to this aspect of the proposal.

Character and Appearance of the Area

- 6.18 The NPPF states that good quality design is an integral part of sustainable development and that decision takers should always seek high quality design. It states that achieving good design is about creating places, buildings or spaces that work well for everyone, look good, will last well, and adapt to the needs of future generations, with good design responding in a practical and creative way to both the function and identity of a place, putting land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use. The NPPF also says permission should be refused for development of poor design that fails to take the opportunities available for improving the character and

quality of an area and the way it functions. It is proper to seek to promote or reinforce local distinctiveness.

- 6.19 Planning permission should not be refused for buildings and infrastructure that promote high levels of sustainability because of concern about incompatibility with an existing townscape, if mitigated by good design.
- 6.20 The degree to which new development reflects and responds to the character and history of its surrounds is a key element of good design as defined within the NPPF. This relationship should be considered throughout the design process, and should inform the positioning, massing, height, and materiality of development proposals. Developing a design solution that works with its surrounding context should not prevent or discourage appropriate innovation.
- 6.21 The London Plan requires all large scale proposals to be of the highest quality design especially in terms of impact on views, the wider and local townscape context and local environmental impact. The achievement of high quality urban design is also highlighted as a key factor in achieving a more attractive and green city.
- 6.22 London Plan Policy 7.4 (Local Character) sets out that buildings should provide a high quality design response to the urban grain, street pattern, natural features, human scale and the historic environment and is supported by Policy 7.6 (Architecture) which seeks to promote high architectural and design quality appropriate to its context.
- 6.23 Policy 7.6 (Architecture) states that buildings and structures should:
- a) be of the highest architectural quality
 - b) be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
 - c) comprise details and materials that complement, not necessarily replicate, the local architectural character
 - d) not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
 - e) incorporate best practice in resource management and climate change mitigation and adaptation
 - f) provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
 - g) be adaptable to different activities and land uses, particularly at ground level
 - h) meet the principles of inclusive design
 - i) optimise the potential of sites
- 6.24 Policy CS1 of the Council's Core Strategy states that all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness.

- 6.25 Policy DM1 states that all development must achieve a high standard of design and layout. Proposals which fail to achieve this, or which are detrimental to local character and appearance will be resisted.
- 6.26 The assessment of the design and layout of proposals will have regard to:
- a) The massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring properties
 - b) The appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services
 - c) The context provided by neighbouring buildings and the local character and pattern of development
 - d) The provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
 - e) The need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit
 - f) The functionality of the development including but not limited to the convenience and safety of internal circulation, parking and servicing (without dominating the appearance of the development) and the appearance, capacity, convenience, logistics and potential nuisance of arrangements for waste, recycling and composting
 - g) The arrangements for safe, sustainable and inclusive access and movement to and within the site.
- 6.27 The Council's Residential Design Guide SPD (2010) provides further guidance on how developments can achieve good design.
- 6.28 The south stand, although a large structure (and larger than the existing stands at the site) would be broadly proportionate in terms of its scale and design in the context of the stadium as a whole, against which it would be viewed. Materials would be controlled by condition.

Residential Amenity

- 6.29 The NPPF sets out as one of its core planning principles at paragraph 17 that planning should always seek to secure a good standard of amenity for existing occupants.
- 6.30 London Plan policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 6.31 Policy DM1 states that proposals that would be detrimental to the privacy and amenity of neighbouring occupiers will be resisted. The assessment of privacy and amenity considerations will have regard to:
- a) The prevailing character of privacy and amenity in the area and the need to make effective use of land;
 - b) The overlooking relationship between windows and outdoor spaces;
 - c) The distances between facing windows to habitable rooms and kitchens

- d) The relationship between buildings and site boundaries
- e) The visual impact of development when viewed from within buildings and outdoor spaces
- f) The adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces
- g) The adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers
- h) The impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution
- i) The need to provide a satisfactory quantum and form of amenity space for future occupiers of residential development

6.32 The Council's Residential Design Guide SPD (2010) (at NS17) is a material planning consideration. It states that the size and siting of buildings must avoid unreasonable loss of light to, or overshadowing of, adjoining buildings and spaces. Developments which have an overbearing visual impact will not be acceptable.

6.33 It says that the relationship between buildings is a significant determinant of the amenity enjoyed by residents. The proximity, orientation and size of one building can impact upon the light, outlook and visual environment of occupiers of an adjoining building.

6.34 Policy DM 41(Evening Economy) includes criteria requiring the consideration of impacts of uses proposed upon neighbouring residential occupiers. Policy DM 1 (Achieving a High Standard of Development) requires consideration of the amenity impact of a proposed use/activity in terms noise (including hours of operation), vibration, dust, air quality and light pollution.

6.35 The proposed south stand structure would be no nearer to existing neighbours of the site than existing structures there and so would not be overbearing and would not result in a loss of outlook or daylight or sunlight.

6.36 The application is supported by a Noise Assessment that concludes that owing to the screening effect that would be provided by the introduction of the south stand, an increase in the capacity of the stadium would not increase ambient sound levels at the housing nearest to the site.

6.37 No additional floodlighting is proposed.

Transport and Parking

6.38 The NPPF emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use. It says that development proposals should not be refused on transport grounds unless the impacts of a development would be severe.

6.39 London Plan policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel.

- 6.40 Policy DM42 (Parking Standards) prescribes the amount of car parking that should be provided at a site, depending on its use.
- 6.41 A number of local residents have raised concerns relating to existing parking difficulties associated with the use of the site as a football stadium. The Local Highways Authority is aware of these concerns.
- 6.42 In order than an increase in capacity at the stadium can be found acceptable, suitable mitigation measures will need to be in place to control problematic parking on match days. The following mitigation measures would be secured:
- The applicant has submitted a comprehensive Framework Travel Plan. A planning obligation would secure a Full Travel Plan for approval by the Council. This would secure a range of measures to promote visits to the site by means other than the private car. In the event that 4,000 or more people attended the site (less than for which planning permission currently exists) on three or more occasions in any one season, a financial bond would be secured. This could be used by the Council to implement Travel Plan measures themselves in the event that those prescribed in the approved Travel Plan were not satisfactorily being carried out.
 - In the event that 4,000 or more people attended the site (less than for which planning permission currently exists) on three or more occasions in any one season, a financial contribution would be secured. This would be used by the Highways Authority to implement a match day car parking scheme within the local area to prevent problematic car parking on local roads, or for junction improvements to address identified problems.
 - An on-site car parking scheme would be secured. This would ensure that visitors to the site were not arriving at the site to see whether a parking space was available for them. They would need to pre-book a space at the site and then should only drive to the site if they know that one is available for them. This would aim to alleviate pressure on local roads by reducing the number of car trips to the site.
- 6.43 Together, these measures satisfy the Local Highways Authority that traffic and parking impacts associated with an increase in allowed capacity at the site could be mitigated satisfactorily.
- 6.44 Existing car parking that would be lost as a result of the south stand development (around 20 spaces) would be re-provided elsewhere at the site on existing hardstanding. This would be controlled by condition.

Flood Risk and Drainage

- 6.45 London Plan Policy 5.12 (Flood Risk Management) states that development proposals must have regard to measures proposed in Catchment Flood Management Plans. The Environment Agency Thames Catchment Flood Management Plan (2009) focuses on the adaptation of the urban environment to increase resistance and resilience to flood water. This objective informed the preparation of Harrow's Local Plan policies on flood risk management.

- 6.46 Core Strategy Policy CS1 U undertakes to manage development to achieve an overall reduction in flood risk and increased resilience to flood events.
- 6.47 London Plan Policy 5.13 states that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates.
- 6.48 Policies DM9 (Sustainable Flood Risk Management) and DM10 (On-Site Water Management and Surface Water Attenuation) call for major development to reduce surface water run-off; utilise sustainable drainage systems; ensure adequate arrangements for management and maintenance of on-site infrastructure; use appropriate measures to prevent water pollution; and where appropriate, demonstrate that the proposal would be resistant and resilient to flooding from all sources.
- 6.49 The application is supported by a Flood Risk Assessment. It describes that the Environment Agency Flood Zone mapping and modelled flood data for the Edgware Brook shows that areas at the site are located across all three flood zones. The proposed uses of each area of the site have been assessed against the land uses allowed in each flood zone and have been found to be acceptable. Other forms of flooding been assessed to present risk of flooding to the site and so mitigation measures are proposed to reduce these risks.
- 6.50 Existing drainage systems relating to earlier developments at the site have been approved by the Council and the Environment Agency. The proposed development would not result in flow rates above those previously agreed. Appropriate surface water attenuation storage would be provided at the site and that would be controlled by planning condition.
- 6.51 The Council's Drainage Team is satisfied that subject to planning conditions, the flood risk and drainage implications of the development would be acceptable.

Accessibility, Inclusive Design and Lifetime Neighbourhoods

- 6.52 London Plan Policy 7.1 (Lifetime Neighbourhoods) requires development to improve people's access to social and community infrastructure, shops, services, employment opportunities and public transport; contribute to healthy, active lives, social inclusion and cohesion, and people's sense of place, safety and security; and reinforce the character, legibility, permeability and accessibility of the neighbourhood.
- 6.53 Policy DM2 (Achieving Lifetime Neighbourhoods) requires the location, design and layout of development, and any associated improvements to the public realm, transport and other infrastructure, to contribute to the creation of lifetime neighbourhoods. In particular it calls for:
- non-residential development to be located to sustain town centres and local employment opportunities, and to be accessible to all;
 - new residential development to ensure good access to services and facilities, and to provide accessible homes;

- all proposals to be safe and secure in accordance with Secured by Design principles; major proposals to demonstrate how they contribute to lifetime neighbourhoods within and beyond the site boundary;
- improvements to the public realm must achieve an inclusive, legible pedestrian and cycling environment; and
- accessible bus stops and provision of car parking for disabled people;
- major development within town centres to make provision for the comfort and convenience of all users.

6.54 Policy DM1 (Achieving a High Standard of Development) calls for all proposals to achieve a high standard of design and layout and sets out a range of relevant criteria, including (g) arrangements for safe, sustainable and inclusive access and movement to and within the site.

6.55 Policy DM2 (Achieving Lifetime Neighbourhoods) requires the location, design and layout of development, and any associated improvements to the public realm, transport and other infrastructure, to contribute to the creation of lifetime neighbourhoods. This policy is supported by guidance in the Access for All Supplementary Planning Document.

6.56 The site is in an accessible location and provides a useful community facility to supporters of the football club and visitors. The development would need to comply with Building Regulations requirements relating to universal access.

Trees, landscaping and Biodiversity

Trees and landscaping

6.57 London Plan Policy 7.21 (Trees and Woodland) states that existing trees of value should be retained and that, wherever appropriate, additional trees should be planted in new development.

6.58 Policy DM22 Trees and Landscaping requires development proposals to include hard and soft landscaping and calls for retained trees to be protected during construction.

6.59 None of the trees on the site are subject to a Tree Preservation Order (TPOs) or Conservation Area designations. It is not proposed to remove any trees from the site.

6.60 A condition is recommended that would seek to protect existing trees at the site during construction.

6.61 A condition would also secure a landscaping scheme for the site to help mitigate the introduction of substantial built development there.

Biodiversity

6.62 The NPPF sets out the principles for conserving and enhancing biodiversity, which include resisting development that would:

- cause significant harm that cannot be avoided, mitigated or compensated-for; or
- have an adverse effect on a Site of Special Scientific Interest (SSSI). Opportunities to incorporate biodiversity in and around developments are encouraged.

6.63 London Plan Policies 5.10 (Urban Greening) and 5.11 (Green Roofs and Development Site Environs) call for the provision of green infrastructure on site, including planting, green roofs and green walls.

6.64 London Plan Policy 7.19 Biodiversity and Access to Nature echoes the need for development proposals to make a positive contribution to biodiversity, to protect statutory sites, species and habitats, and to help achieve Biodiversity Action Plan targets.

6.65 Policy DM20 (Protection of Biodiversity and Access to Nature) makes clear that proposals that would be detrimental to locally important biodiversity or that would increase local deficiencies will be resisted.

6.66 Policy DM 21 (Enhancement of biodiversity and access to nature) encourages improvements to biodiversity, including the incorporation of techniques to enhance biodiversity – such as green roofs and green walls.

6.67 A condition is recommended that would seek to protect existing biodiversity at the site and to deliver a net-gain in value.

Energy and Sustainability

6.68 Section 10 of the NPPF seeks to promote low carbon and renewable energy, including decentralised energy. This includes requiring local planning authorities to have a positive strategy to delivery low carbon and renewable energy infrastructure and for these matters to be considered as part of any planning application.

6.69 London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires new development to minimise carbon emissions in accordance with the energy hierarchy of be lean (use less energy), be clean (supply energy efficiently) and be green (use renewable energy). The policy sets targets for carbon emission reductions, with a 40% reduction required relative to the 2010 Building Regulations for both residential and non-residential development (this is equivalent to a 35% reduction over the more recent 2013 Building Regulations). The policy outlines the requirements for energy statements and indicates that the carbon reduction targets should be met on-site.

6.70 London Plan Policy 5.3 requires that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. It outlines broad considerations that developments should address, including minimising carbon emissions, avoiding overheating, making the efficient use of resources, minimising pollution and the generation of waste, avoiding the impacts from natural hazards, ensuring developments are

comfortable and secure, using sustainable materials and promoting and protecting biodiversity and green infrastructure. The Policy notes that all aspects of the London Plan contribute to the sustainability of developments.

- 6.71 London Plan Policy 5.7 (Renewable Energy) requires new development to provide a reduction in expected carbon emissions through on-site renewable energy, where feasible. The supporting text to the policy indicates there is a presumption that the reduction achieved through on-site renewable energy will be at least 20%.
- 6.72 Policies CS1 and DM12 (Sustainable Design and Layout) reflect these objectives in local planning policy.
- 6.73 The application is supported by an Energy Statement. It demonstrates that the south stand has been designed to include passive design measures to reduce the demands for energy. Solar gains into the space would be mitigated through the use of translucent polycarbonate cladding. This would allow daylight to penetrate into the space to reducing the need for artificial lighting whilst reducing solar gain and an overheating risk.
- 6.74 There are no existing or proposed district heating networks in the area that the development could connect to.
- 6.75 Air source heat pumps are proposed to provide heating and hot water across the site.
- 6.76 The development would achieve a 39% reduction in carbon emissions when compared to the Part 2LA gas baseline, in accordance with relevant policy expectations.
- 6.77 The application is supported by a Sustainability Statement which describes the sustainability credentials of the development with reference to policy and guidance on resource management, adapting to climate change and greening the city and pollution management.
- 6.78 It concludes that a holistic approach to sustainability has been taken whereby sustainable design principles have been integrated into the scheme from the outset and implemented throughout design and operation stages. This would ensure that the development would minimise any negative environmental impacts associated with energy and resource consumption, waste, noise, air and light pollution. The scheme would promote sustainability principles through the provision of a comfortable and safe development, maximising the use of sustainable design techniques, such as passive design and low environmental impact materials.
- 6.79 The energy and suitability credentials of the development would be acceptable.

Waste and Recycling

- 6.80 London Plan Policy 5.17(Waste Capacity) requires adequate provision for waste and recycling storage and collection and Policy 5.18 (Construction, Excavation

and Demolition Waste) requires developers to produce Site Waste Management Plans to arrange for the efficient handling of construction, excavation and demolition waste and materials.

- 6.81 London Plan Policy 5.3 (Sustainable Design and Construction) and Policy CS1 X require development to minimise the generation of waste and maximise reuse or recycling.
- 6.82 Policy DM45 states that: all proposals will be required to make on-site provisions for general waste, the separation of recyclable materials and the collection of organic material for composting. The on-site provisions must:
- a) provide satisfactory storage volume to meet the general recycling and organic waste material arising from the site;
 - b) ensure satisfactory access for collectors and, where relevant, collection vehicles; and
 - c) be located and screened to avoid nuisance to occupiers and adverse visual impact.
- 6.83 The Joint West London Waste Local Plan (July 2015) outlines the vision and strategy for managing waste in the West London area until 2031. It identifies the following targets to be achieved by 2020:
- 95% recycling and re-use of construction, demolition and excavation (CD&E) waste and 80% recycling of that was as aggregates;
 - 50% recycling/composting/re-use of municipal solid waste (MSW); and
 - 70% recycling/composting/re-use of commercial and industrial waste.
- 6.84 A condition is recommended to secure a detailed site waste management plan to ensure the above objectives are met and subject to this the proposal would accord with the policies of development plan.

Community Infrastructure Levy

- 6.85 On 1st April 2012 the Mayor of London's Community Infrastructure Levy (CIL) came into force and applies to all development except medical and educational uses. In Harrow, the Mayor's CIL is charged at a rate of £35.00 per square metre. It used to help fund the Crossrail infrastructure project. It is calculated that the proposal would generate an estimated liability of £232,400 under the Mayor's CIL.
- 6.86 Harrow adopted its CIL on 16 September 2013 and it applies Borough wide for certain uses of over 100sqm gross internal floor space. The CIL was examined by the Planning Inspectorate and found to be legally compliant. It has been charged from the 1st October 2013. However the CIL does not apply to D2 uses and there is no charge in this case.

Planning Obligations

- 6.87 London Plan Policy 8.2 Planning Obligations states that planning obligations should address strategic as well as local priorities and that affordable housing and public transport improvements should be given the highest importance.

- 6.88 Policy CS1 AA requires all development to contribute to the delivery of strategic infrastructure identified in Harrow's Infrastructure Delivery Plan. Policy DM 50 (Planning Obligations) undertakes to seek s.106 planning obligations to secure the provision of infrastructure needed to mitigate site specific impacts of the proposed development.
- 6.89 The Council has published a Planning Obligations Supplementary Planning Document.
- 6.90 The SPD makes it clear that whilst general improvements to transport infrastructure are to be funded by the CIL and other sources, additional works required to accommodate or mitigate the impact of a proposed development should be funded by the developer.
- 6.91 Planning obligations necessary to bring forward this development are identified in the relevant section of this report.

7.0 CONCLUSION

- 7.1 The proposed introduction of a south stand with supporting floorspace would meet the objectives of policies that seek to protect Open Space in that it would provide an ancillary function to the use of the site as a football stadium. No serious harm would be caused by the development to the openness of the site. Whilst no planning issues are raised by introducing terracing instead of seating in the east stand, the applicant will need to secure all necessary consents. Concern by local residents about problematic car parking in the area is acknowledged. The range of measures that would be secured through planning obligations would help to ensure that any impacts of an increase in capacity at the site on the local highways network could be mitigated. All other aspects of the proposal are acceptable.
- 7.2 Planning permission, subject to conditions is recommended.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1 Timing

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

REASON: To comply with the provisions of section 91 of the Town and Country Planning Act 1990.

2 Approved Plans and Documents

Save where varied by other planning conditions attached to this permission and unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the following approved drawings and documents:

462PL(1)000, 462PL(1)001, 462PL(1)002, 462PL(1)010, 462PL(1)011, 462PL(1)020, 462PL(1)100 rev D, 462PL(1)102 rev D, 462PL(1)104 rev D, 462PL(1)105 rev D, 462PL(1)106, 462PL(1)111 rev D, 462PL(1) 120 rev D, 462PL(1)501 rev A, 462PL(1)502, 462PL(1)503, 462PL(1)511, 462PL(1)521, Travel Plan reference 117682/MSG/180501 dated 11th May 2018, Flood Risk Assessment Addendum dated April 2018, SK2 P1, Storage Calculations, Flood Risk Assessment dated 13th September 2016, Design Development Document dated June 2017, Planning Statement dated June 2017, Transport Assessment reference 117682/LP/170313 rev B dated 13th March 2017, Preliminary Stadium Investigation Report dated 17th October 2017, Ecological Report dated September 2017, Waste Management Plan dated September 2017, Energy Statement reference HS-HYD-00-XX-REP-ME-0001 dated 08th November 2011, Sustainability Statement reference HS-HYD-00-XX-REP-ME-0002 dated 08th November 2017

REASON: For the avoidance of doubt and in the interest of proper planning.

3 Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to

controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 5.21 of the London Plan 2016 and Policy DM 15 of the Harrow Development.

4 Non-Road Mobile Machinery

No development shall commence at the site, including any works of demolition, until details have been submitted and approved in writing by the local planning authority for all Non-Road Mobile Machinery (NRMM) to be used on the development site. All NRMM should meet as minimum the Stage IIIB emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIB equipment is not available. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development would not result in a deterioration of air quality in accordance with, Local Plan Policies AAP 4 and DM1 and Policy 7.14 of the London Plan (2016) to ensure that suitable vehicles would be used during the construction process, this is a PRE-COMMENCEMENT condition.

5 Construction and Site Waste Management Plan

No development shall commence at the site, including any works of demolition, until a Construction and Site Waste Management Plan, setting out arrangements for the handling of excavation, demolition and construction waste arising from the development, and to make provision for the recovery and re-use of salvaged materials wherever possible, has been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved Plan.

REASON: To ensure that waste management on the site is addressed from construction stage and to promote waste as a resource, in accordance with Policy CS1 X of the Core Strategy (2012). To ensure that measures are agreed and in place to manage and re-use waste arising during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

6 Ecological Mitigation, Enhancement and Management Plan

No development shall commence at the site before an Ecological Mitigation, Enhancement and Management Plan has been submitted to and approved in writing by the local planning authority. The Plan shall set out measures to help mitigate the impacts of the development on ecology at the site, secure a net-gain in the biodiversity value of the site and shall secure the long-term

management of those measures. The development shall be carried out in accordance with the approved Plan.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity in accordance Local Plan Policy DM 21. This is a PRE-COMMENCEMENT condition.

7 External Materials

Notwithstanding the details shown on the approved drawings, no development shall commence at the site before details of all materials to be used in the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policy DM1 of the Local Plan (2012). This is a PRE-COMMENCEMENT condition.

8 Noise – Mechanical Plant

The rating level of noise emitted from any plant, machinery and equipment on the site shall be lower than the existing background level by at least 10 dB(A). Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation.

Before any plant is used, measurements of the noise from the plant must be taken and a report / impact assessment demonstrating that the plant (as installed) meets these design requirements, shall be submitted to be approved in writing by the Local Planning Authority.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighboring buildings, in accordance with Local Plan Policy DM1 and Policy 7.6 of the London Plan (2016).

9 Levels

Notwithstanding the details shown on the approved drawings, no development shall commence at the site (other than demolition works) until details of the proposed levels of the building(s), road(s) and footpath(s) relative to those at adjoining land and highway(s) to the site, have been submitted to, and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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 in accordance with Policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013). To ensure that appropriate site levels are agreed before the superstructure commences on site, this condition is a PRE-COMMENCEMENT condition.

10 Tree Protection

No development shall commence at the site before a Tree Protection Plan (TPP) in respect of the existing trees to be retained on the site has been submitted to and approved in writing by the local planning authority.

The TPP shall follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP shall also clearly indicate on a dimensioned plan superimposed on the building layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

The development shall be carried out in accordance with the approved Plan.

REASON: To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Local Plan Policy DM22 and Policy 7.21 of the London Plan (2016). This is a PRE-COMMENCEMENT condition.

11 Demolition and Construction Logistics and Management Plan

No development shall commence at the site, including any works of demolition, until a Demolition and Construction Logistics Plan has first been submitted to, and agreed in writing by, the local planning authority. The plan shall detail the arrangements for:

- a) detailed timeline for the phases and implementation of the development
- b) The parking of vehicles of site operatives and visitors;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in construction the development;
- e) The erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- f) Wheel washing facilities;
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) Measures for the control and reduction of dust;

- i) Measures for the control and reduction of noise and vibration; and

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Local Plan Policies DM1 and DM43 and Policies 7.14 and 7.15 of the London Plan (2016) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2016), this condition is a PRE-COMMENCEMENT condition.

12 TfL

No development shall commence at the site before detailed design and method statements relating to all foundations, basements and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent) which:

- Provides detail on all structures
- Provides details on the use of tall plant/scaffolding
- Accommodate the location of the existing London Underground structures
- Shows that there would be no opening windows or balconies facing the LU elevation
- Demonstrates access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering LU land
- Demonstrates that there will at no time be any potential security risk to the railway, property or structures
- Accommodates ground movement arising from the construction thereof
- Mitigates the effects of noise and vibration arising from the adjoining operations within the structures

have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London)

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in this condition shall be completed, in their entirety, before any part of the buildings hereby permitted are occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan (2016) and 'Land for Industry and Transport' SPG 2012. This is a PRE-

COMMENCEMENT condition.

13 Sewage

No development shall commence at the site before 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 development shall be carried out in accordance with the approved details.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption. This is a PRE-COMMENCEMENT condition.

14 Surface Water Drainage

No development shall be commenced at the site before details of works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework. This is a PRE-COMMENCEMENT CONDITION.

15 Surface Water Attenuation and Storage Works

No development shall commence at the site before details of surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework. This is a PRE-COMMENCEMENT CONDITION.

16 Ancillary Concourse Bar and Hospitality Hours

The ancillary concourse bar and hospitality facilities at the site shall not be used before 0600 or after 2230 on any day unless otherwise agreed beforehand in writing by the Local Planning Authority.

REASON: To protect neighbours of the building from noise and disruption at unsociable hours.

17 Landscaping

Notwithstanding the submitted details, no development shall commence at the site before details of a landscaping scheme for the site, together with a timetable for its implementation and a schedule for its ongoing maintenance has been submitted to and approved in writing by the local planning authority.

The development shall be carried out in accordance with the approved details, timetable and maintenance scheme.

REASON: To help mitigate the impacts of the development on the appearance of the site and the view of the Academy building from neighbouring properties. This is a PRE-COMMENCEMENT condition.

18 Car parking

The approved replacement car parking spaces shall be provided and made available for use within 30 days of the existing car parking spaces at the site being unavailable for the parking of cars.

REASON: To ensure that adequate coach parking is provided at the site.

19 Uses at the site

The approved floorspace in and to the rear of the south stand (3,700m²) shall only be used for purposes ancillary to the use of the site as a football stadium and shall be used for no other purpose without planning permission first having been sought and obtained.

REASON: To ensure that the uses operating from the site are appropriate and in the interests of living conditions at neighbouring properties, the safe and free flow of traffic.

20 Capacity

No more than 8,500 people shall attend the stadium at any one time.

Reason: for the avoidance of doubt.

Informatives

1 Policies

The decision to grant permission has been taken having regard to the policies and proposals in the London Plan and, or the Harrow Local 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 (2016)

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.2 Improving health and addressing health inequalities
- Policy 3.19 Sports facilities
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 4.1 Developing London's economy
- Policy 4.12 Improving opportunities for all
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy
- Policy 5.8 Innovative energy technologies
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater Infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.16 Waste self-sufficiency
- Policy 5.17 Waste capacity
- Policy 5.18 Construction, excavation and demolition waste
- Policy 5.21 Contaminated land
- Policy 6.1 Strategic approach
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology

- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting local open space and addressing local deficiency
- Policy 7.19 Biodiversity and access to nature
- Policy 7.30 London's canals and other rivers and water spaces
- Policy 8.1 Implementation
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy
- Policy 8.4 Monitoring and review for London

Harrow Core Strategy (February 2012)

- Core Policy CS1 Overarching Principles
- Core Policy CS9 Kingsbury and Queensbury

Harrow Development Management Policies (July 2013)

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM 3 Protected Views and Vistas
- Policy DM 6 Areas of Special Character
- Policy DM 7 Heritage Assets
- Policy DM 9 Managing Flood Risk
- Policy DM 10 On Site Water Management and Surface Water Attenuation
- Policy DM 12 Sustainable Design and Layout
- Policy DM 13 Decentralised Energy Systems
- Policy DM 14 Renewable Energy Technology
- Policy DM 15 Prevention and Remediation of Contaminated Land
- Policy DM18 Protecting Open Space
- Policy DM 19 Provision of New Open Space
- Policy DM 20 Protection of Biodiversity and Access to Nature
- Policy DM 21 Enhancement of Biodiversity and Access to Nature
- Policy DM 22 Trees and Landscaping
- Policy DM 31 Supporting Economic Activity and Development
- Policy DM 41 Evening Economy
- Policy DM 42 Parking Standards
- Policy DM 43 Transport Assessments and Travel Plans
- Policy DM 44 Servicing
- Policy DM 45 Waste Management
- Policy DM 46 New Community, Sport and Education Facilities
- Policy DM 47 Retention of Existing Community, Sport and Education Facilities
- Policy DM48 Enhancing Outdoor Sports Facilities
- Policy DM50 Planning Obligations

Harrow Site Allocations Local Plan

- Policy MOS5 Prince Edward Playing Fields

Other Guidance

Mayor of London Guidance

- Social Infrastructure (May 2015)

- Accessible London: Achieving an Inclusive Environment (October 2014)
- Town centres (July 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- Sustainable Design and Construction (April 2014)
- Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
- All London Green Grid (March 2012)
- Planning for Equality and Diversity in London (October 2007)

LB Harrow Guidance

- Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (February 2016)
- Planning Obligations & Affordable Housing SPD (October 2013)
- Access for All SPD (April 2006)

2 INFORMATIVE: MAYORAL CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract an approximate liability payment of **£232,400** of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

You are advised to visit the [planningportal](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

3 INFORMATIVE: CONSIDERDATE CONTRACTOR CODE OF PRACTICE

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 ACT

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: IMPORTANT: COMPLIANCE WITH PLANNING CONDITIONS

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

Beginning development in breach of a planning condition will invalidate your planning permission. If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

6 INFORMATIVE: PRE APPLICATION ADVICE

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Whilst no pre-application advice was sought by the applicant, the Local Planning Authority worked pro-actively with the applicant to overcome potential obstacles to planning permission being granted.

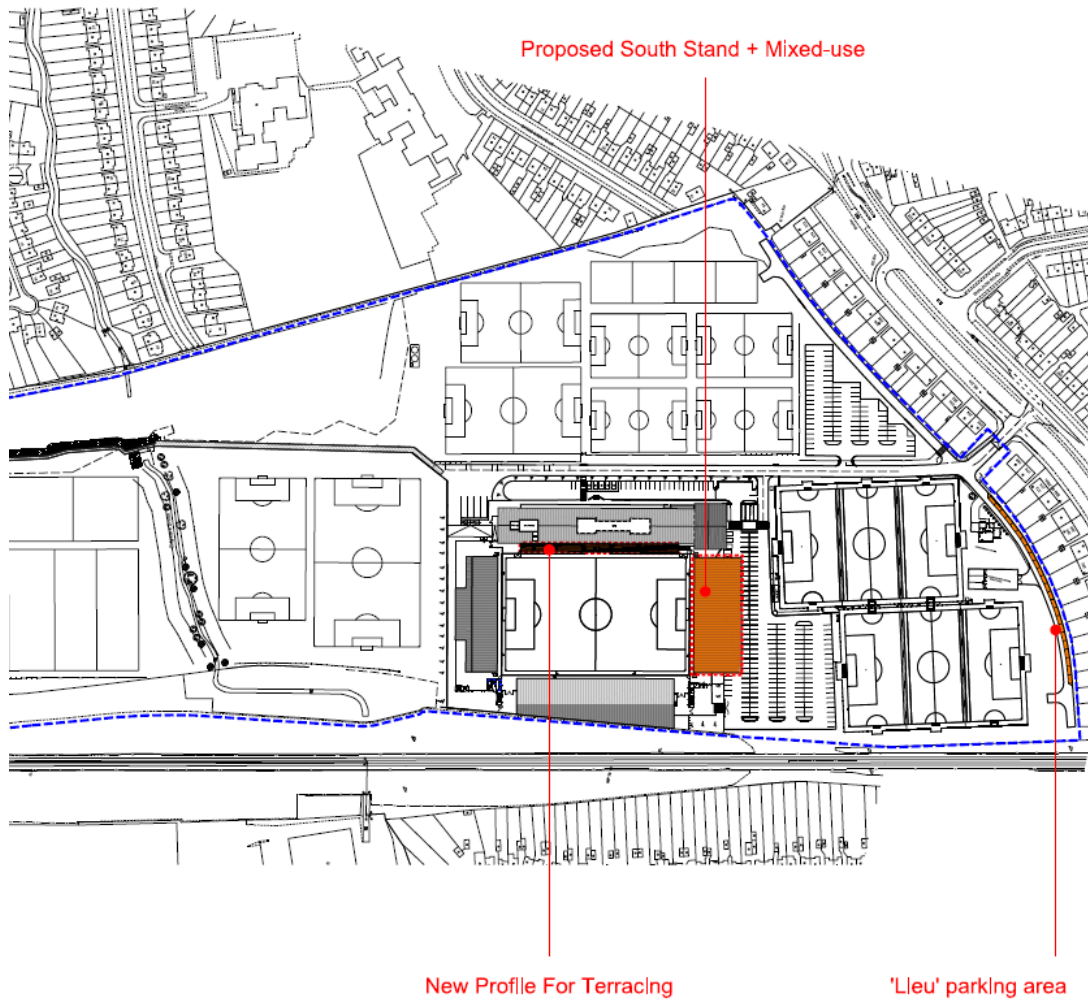
7 NORTH STAND

For the avoidance of doubt, this planning permission does not grant consent for any increase in height or scale to the north stand at the site. The approved development has been assessed in the context of the approved, rather than as-built north stand.

Approved plans and documents

462PL(1)000, 462PL(1)001, 462PL(1)002, 462PL(1)010, 462PL(1)011, 462PL(1)020, 462PL(1)100 rev D, 462PL(1)102 rev D, 462PL(1)104 rev D, 462PL(1)105 rev D, 462PL(1)106, 462PL(1)111 rev D, 462PL(1) 120 rev D, 462PL(1)501 rev A, 462PL(1)502, 462PL(1)503, 462PL(1)511, 462PL(1)521, Travel Plan reference 117682/MSG/180501 dated 11th May 2018, Flood Risk Assessment Addendum dated April 2018, SK2 P1, Storage Calculations, Floor Document dated June 2017, Planning Statement dated June 2017, Transport Assessment reference 117682/LP/170313 rev B dated 13th March 2017, Preliminary Stadium Investigation Report dated 17th October 2017, Ecological Report dated September 2017, Waste Management Plan dated September 2017, Energy Statement reference HS-HYD-00-XX-REP-ME-0001 dated 08th November 2011, Sustainability Statement reference HS-HYD-00-XX-REP-ME-0002 dated 08th November 2017

APPENDIX 2: SITE PLAN



APPENDIX 3: PHOTOGRAPHS

View from northern entrance to the site looking towards the football ground



Existing north stand



Existing north and east stands



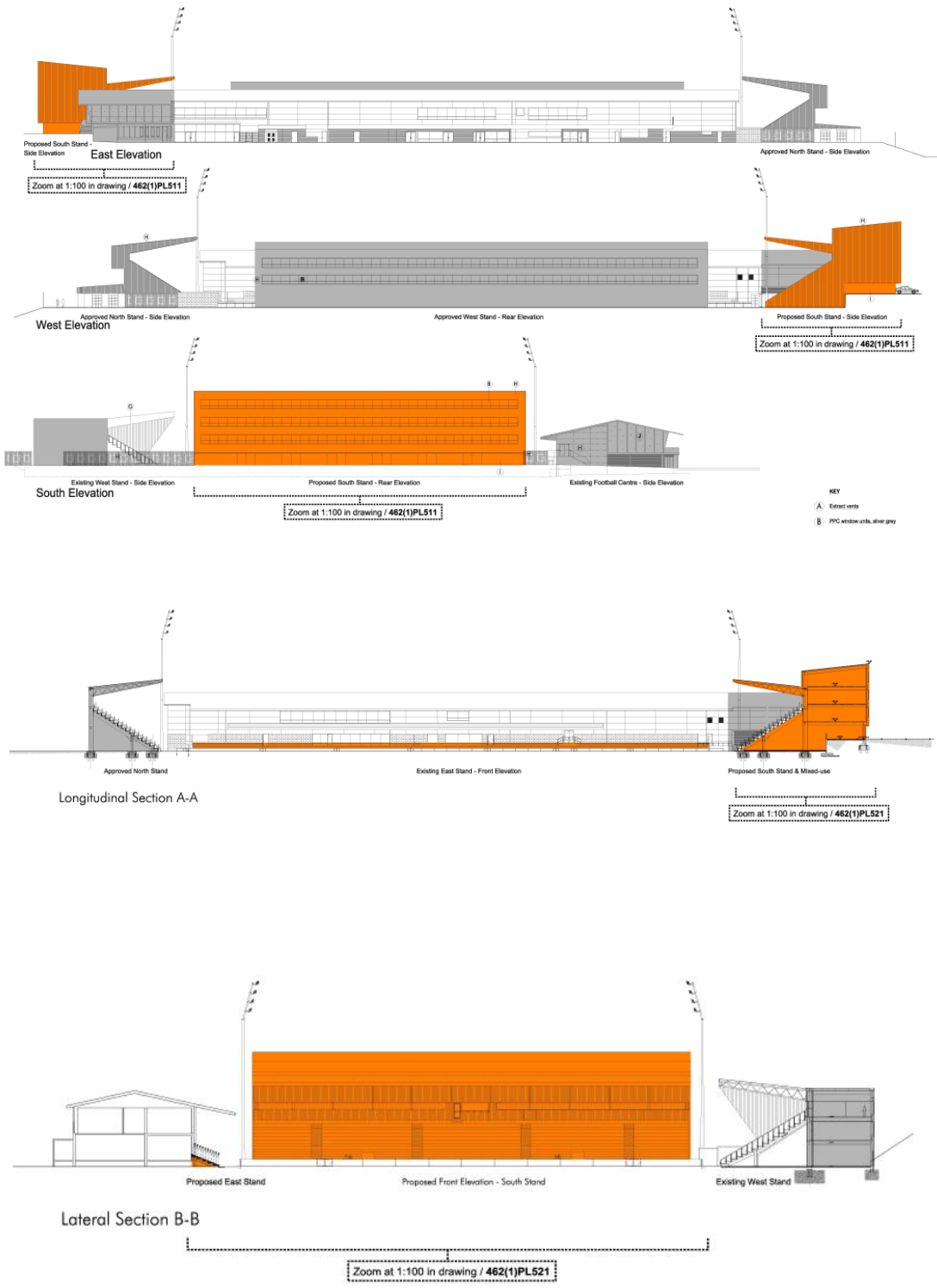
Replacement car parking spaces



View towards south stand location



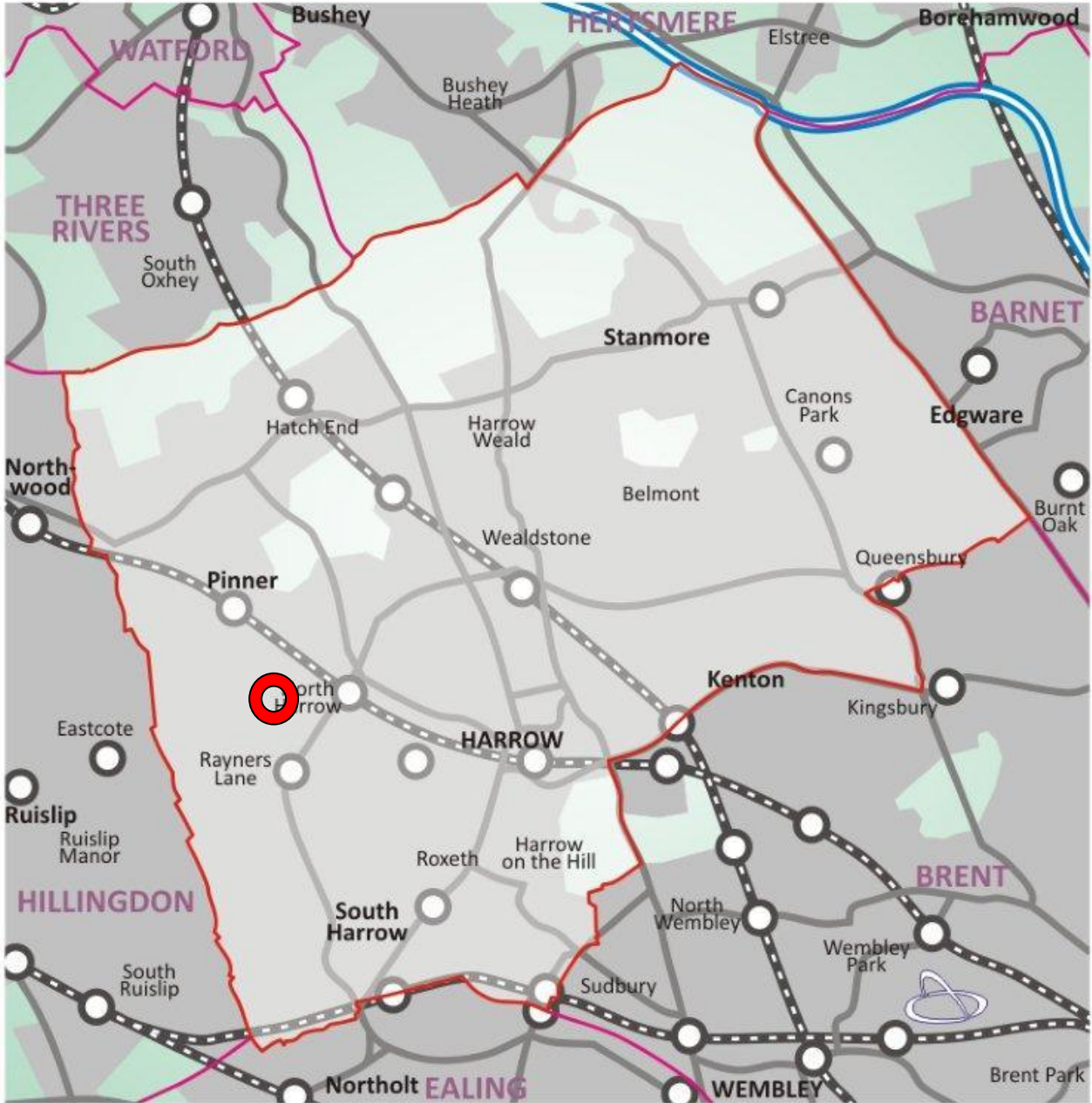
APPENDIX 4: PLANS AND ELEVATIONS



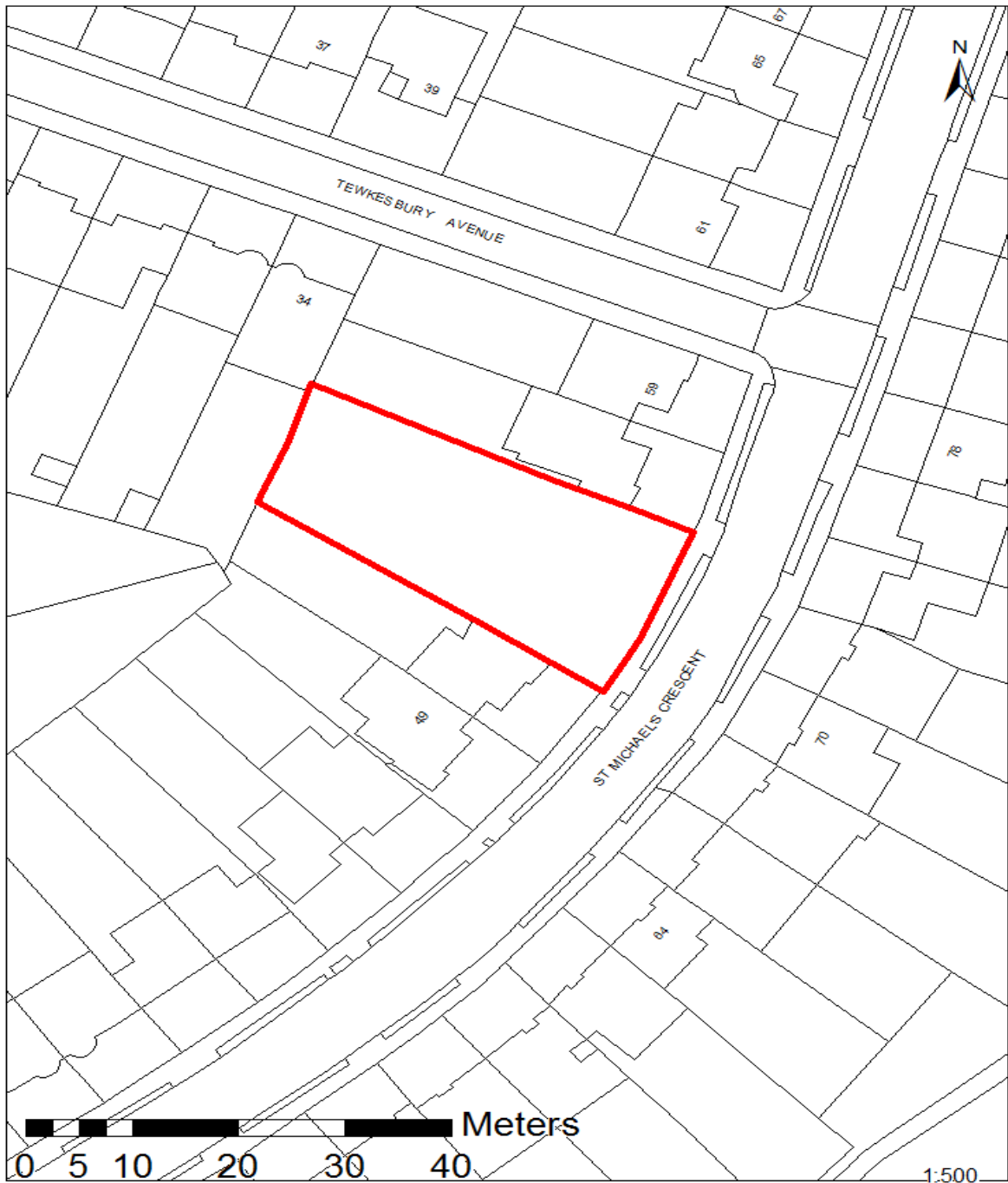
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 = application site



53 & 55 St Michael's Crescent, Pinner	P/0289/18
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53 & 55 St Michael's Crescent, Pinner	P/0289/18
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/0289/18
VALIDATE DATE: 12/03/2018
LOCATION: 53 & 55 ST. MICHAEL'S CRESCENT, PINNER.
WARD: PINNER SOUTH
POSTCODE: HA5 5LE
APPLICANT: MR & MRS PAL AND MR & MRS YAKEEN PATEL
AGENT: GREENFIELDS ARCHITECTURAL SERVICES
CASE OFFICER: GRAHAM MANSFIELD
EXPIRY DATE: 30/04/2018 (EXTENDED EXPIRY: 01/06/2018)

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Single storey side to rear extensions and conversion of garages to habitable rooms to both no. 53 and 55 St. Michael's Crescent; associated external alterations to both properties.

RECOMMENDATION

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out this report; and
- 2) grant planning permission subject to the Conditions listed in Appendix 1 of this report

REASON FOR THE RECOMMENDATIONS

The proposed conversion of garages to habitable rooms with installation of windows to the front and single storey side to rear extensions would accord with relevant policy and would not harm the character or appearance of the area or harm the residential amenities of the neighbouring occupiers.

For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation, this application is recommended for grant.

INFORMATION

This application is reported to Planning Committee due to the applicant being a member of staff employed by Harrow Council.

Statutory Return Type:	E21: Householder Development
Council Interest:	None
Additional Floor Area:	Approx. 82sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application, the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 **BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1 : Planning Application Fact Sheet

The Site	
Address	53 & 55 St. Michael's Crescent, Pinner. HA5 5LE
Applicant	Mr & Mrs Pal and Mr & Mrs Yakeen Patel
Ward	Pinner South
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	Critical Drainage Area

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The subject properties consist of a pair of two storey detached dwellinghouses located on the north east side of St. Michael's Crescent.
- 1.2 The properties are of a typical 1930's Metroland style and both dwellinghouses have non original garages attached to the side elevations
- 1.3 Located to the south west of no. 53 is the non-attached semi no. 51 St. Michaels Crescent. This property sits back from the front elevation of no. 53 owing to the bend in the road.
- 1.4 No. 51 has not been extended to the rear, but has a lean-to extension attached to its north east flank elevation.
- 1.5 Located to the north west of no. 55 is non-attached semi no. 57 St Michaels Crescent. This property sits at a higher ground level and owing to the bend in the road, sits behind that of the application property.
- 1.6 No. 57 benefits from a single storey side to rear extension and retains a garage adjacent to the application site.
- 1.6 No. 55 has had previous permissions for a single storey rear extension and two storey side/rear extensions. However, neither of these permissions was ever implemented.
- 1.7 The rear gardens of both no. 53 and 55 rises in gradient to the rear with the side boundary of no. 34 Tewkesbury Drive abutting the rear boundary of no. 53 and 55.
- 1.8 The site is located in a critical drainage area and there are no other site constraints.

2.0 PROPOSED DETAILS

- 2.1 The proposal is to convert the existing garages on both 53 and 55 into a habitable rooms and insert a window on the front elevation of each property. The proposal would also include a single storey side to rear extension to both no. 53 and 55 St. Michaels Crescent
- 2.2 The proposed single storey side to rear extension would be attached to the previously extended rear kitchen, with a small infill element adjacent to the common boundary with no. 57.

- 2.3 The proposed single storey rear elements on each property would be 4.3m in depth from the existing rear wall and would feature a flat roof at a maximum height of 3.0m
- 2.4 It is proposed to insert a glazed window and bi-folding doors into the rear elevations of no. 53 and 55, together with the insertion of roof lanterns into each roof.
- 2.5 It is proposed to make some external alterations to the garage roofs on both no. 53 and 55 by attaching a false pitch roofs above the former garages.

3.0 HISTORY – NO. 53 ST. MICHAEL’S CRESCENT

- 3.1 HAR/3179; Erect Domestic Garage
Granted; 12/05/1950
- 3.2 LBH/11875;
Erection of Single Storey Kitchen Extension at Rear of Garage
Granted; 28/05/1976
- 3.3 LBH/34695
Single Storey Rear Extension
Granted; 26/04/1988
- 3.4 P/1062/05/DFU
Single and Two Storey Side and Rear Extension
Granted; 28/06/2005

3.5 HISTORY – NO. 55 ST. MICHAEL’S CRESCENT

- 3.6 P/1756/17
Single Storey Side to Rear Extension; Conversion of Garage to Room with Installation of window to front; Alterations to the roof to form end gable; Rear Dormer with Juliette balcony and two rooflights in front roofslope.
Refused: 13/07/2017
Reasons for Refusal:

1. *The proposed rear dormer by reason of its excessive scale and lack of containment within the rear roofslope would add excessive mass and bulk to the existing roof resulting in a disproportionate and overbearing addition to the original dwellinghouse which would be harmful to the character and appearance of the host dwellinghouse and the visual amenities of the area contrary to policy 7.4.B of The London Plan 2016, policy CS1.B of the Harrow Core Strategy 2012 and policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document: Residential Design Guide (2010).*
2. *The proposed Juliette balcony by reason of its siting and proximity to the neighbouring properties would result in a development that would give rise to direct, perceived overlooking and general disturbance to neighbouring*

properties. The proposal would be detrimental to the privacy of no's 51 and 55 St. Michael's Crescent. The proposal is contrary to policies 7.6.B of The London Plan (2016), policy CS1.B of The Harrow Core Strategy 2012, policies DM1 of the Development Management Policies Local Plan 2013 and paragraph 6.73 of the adopted Supplementary Planning Document: Residential Design Guide 2010.

3. *The proposed single storey rear extension by reason of its excessive rearward projection would result in a disproportionate development which would appear visually obtrusive, and would give rise to a loss of outlook, overbearing impacts, and overshadowing to the rear of no. 55 St Michael's Crescent which would be harmful to the residential amenities of the occupiers of this neighbouring property. The proposal is contrary to policies 7.4B and 7.6.B of The London Plan 2016, policy CS1. B of the Harrow Development Management Policies Local Plan, policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document: Residential Design Guide 2010.*

- 3.7 P/3541/17
Certificate Of Lawful Development (Proposed): Alterations To Roof To Form End Gable, Rear Dormer with Juliette Balcony; Two Rooflights In Front Roofslope
Granted: 31/10/2017

4.0 CONSULTATION

- 4.1 A total of 3 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 27th April 2018.

4.2 Adjoining Properties

Number of Letters Sent	3
Number of Responses Received	0
Number in Support	0
Number of Objections	0

4.6 Statutory and Non Statutory Consultation

- 4.7 The following consultations have been undertaken:

- Pinner Association.

4.8 External Consultation

- 4.9 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
Pinner Association.	No Response Received	Noted

4.10 Internal Consultation

4.11 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
LBH Drainage Authority	No objections. The application is not within a flood risk area, and as such would not lead to exacerbate potential flood risk on the site or wider area. A Sustainable Urban Drainage informative is recommended.	Noted

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.

Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 APPRAISAL

6.1 The main issues are;
Character and Appearance
Residential Amenity – Neighbouring occupiers
Development and Flood Risk
Highways & Parking

6.2 Character and Appearance

6.2.1 Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass.

6.2.2 Core Policy CS1.B specifies that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’

6.2.3 Policy DM1 of the DMP gives advice that “all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted.” The Council has adopted a Supplementary Planning Document (SPD) on Residential Design (2010), which gives design guidance and requires extensions to harmonise with the scale and architectural style of the original dwellinghouse. Substantial weight is accorded to the SPD as a material planning consideration.

6.2.4 The proposed garage conversions would result in the removal of the existing garage doors and a replacement with a casement window. The subject properties are not in a conservation area and the new window would match the fenestration of the existing houses. The overall street scene is varied and does not have a prevailing pattern of built in garages. Therefore, the impact on the street scene and the host pair of semi-detached houses would be acceptable.

6.2.5 It is proposed to make external changes to the roofs as part of the garage conversions. It is proposed to attach a false pitched roof to the front of the existing garage at both no. 53 and 55. Paragraph 6.16 states that false-pitched roofs should be avoided where they would be intrusive on the streetscene. However, in this instance the proposed roof alterations would be effectively screened by the neighbouring garages at no’s 51 and 57 St. Michaels’ Crescent respectively. Therefore the impact of this element of the proposal would have an acceptable impact on the character of the streetscene.

- 6.2.6 The proposed side element at no. 55 would effectively fill in the area between the existing kitchen and the common boundary with no. 57, at a depth of 3.0m and width of 1.0m. Therefore it is considered that the proposed side element would be a modest and proportionate addition to the existing dwellinghouse.
- 6.2.7 The proposed side element at no. 53 would effectively infill an area between the existing kitchen and the common boundary with no. 51, at an area of approx. 1.5m. Therefore it is considered that the proposed side element would be a modest and proportionate addition to the existing dwellinghouse.
- 6.2.8 The existing properties are un-extended at the rear. In terms of character, at a depth of 4.3m, the proposed single storey rear extensions would not comply with paragraph 6.59 of the adopted residential design guide, which recommends a maximum depth of 3.0m for single storey rear extensions on semi-detached properties. However, it is considered that the proposed single storey rear extension due to its acceptable height and flat roof design would not appear as a disproportionate or bulky addition to the existing dwellinghouse. Overall, it is considered that the proposed single storey rear extensions would appear as subservient additions to the pair of semi-detached dwellinghouses.
- 6.2.9 Condition 3 of this permission requires that all materials match the existing building to ensure harmonious extensions.
- 6.2.10 Subject to this condition, the development would accord with the relevant policies of the development plan and the Council's adopted SPD: Residential Design Guide 2010.
- 6.3 Residential Amenity – Neighbouring Occupiers
- 6.3.1 Policy DM1 of the Development Management Policies Local Plan states that 'all development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted
- 6.3.2 In terms of the proposed conversion of the garage, the replacement of the garage doors with casement windows would offer views of the public domain and would not therefore harm neighbouring amenity. The development would therefore accord with development plan policies in respect of amenity.
- 6.3.3 The proposed single storey side infill extension would be adjacent to the common boundary with no. 57 St. Michaels Crescent. The application site is at a lower ground level than no. 57, considering this and the fact that no. 57 also has a side extension adjacent to the boundary with no. 55 would ensure no undue impacts would occur to the occupants of no. 57 in terms of residential amenity.

- 6.3.4 It is noted that there is a flank window on the facing flank of no. 57. However, this window serves a utility room and would not be protected source of light. As such it is considered that the proposed single storey side element of the proposal would have an acceptable impact on the occupiers of no. 57 in terms of light, overshadowing and outlook.
- 6.3.5 As stated in section one of the report, the proposed single storey rear element would be 1.3m over that recommended by paragraph 6.59 of the Residential Design Guide. However, due to the fact that no. 55 is set at a lower ground level and that there is a staggered building line between no. 55 and 57, the proposed 4.3m deep single storey rear extension would not be visible from the extended rear of no. 57.
- 6.3.6 In terms of the proposed single storey rear element at no. 53, the proposed single storey rear extension would extend 4.3m in depth adjacent to the common boundary with no. 51 St Michaels' Crescent. No. 51 is not extended at the rear, however, there is a staggered building line between the two properties. The original rear elevation of no. 51 is set back from the application property by approximately 1.5m. As such the exposed 2.8m south west flank wall of the proposed single storey rear extension is considered not to unduly harm the occupants of no. 51 in terms of outlook, daylight and overshadowing.
- 6.3.7 The proposed single storey side to rear extension does not seek any flank windows facing No. 53 or 57 St. Michael Crescent. It is considered reasonable that a condition be attached to ensure that no windows are able to be inserted into this flank elevation without the prior approval from the Local Planning Authority. This is secured by condition 5.
- 6.3.8 The proposed single storey side to rear extension does not seek any flank windows facing No. 51 or 57 St. Michael Crescent. It is considered reasonable that a condition be attached to ensure that no windows are able to be inserted into this flank elevation without the prior approval from the Local Planning Authority. This is secured by condition 5.
- 6.3.9 To the rear of the application properties at 53 and 55 is the southern boundary of no.34 Tewkesbury Avenue. The proposed single storey rear extensions would be over 20.0m from this property. As such, it is considered that the proposed extensions would not give rise to any harm to the occupants of no. 34 Tewkesbury Avenue to the rear of the site.
- 6.3.10 Subject to conditions ensuring that the roofs of the proposed extensions are not used as a balconies (Condition 4) and that no further flank windows would be inserted (Condition 5) to ensure the privacy of neighbouring occupiers is maintained, the development would therefore accord with development plan policies in respect of amenity.

6.4 Development and Flood Risk

- 6.4.1 It is noted that both sites are not located within a known flood risk area, other than the critical drainage area. The Engineering Drainage Section in their response has no objection to the scheme, notwithstanding the objection received. However, they have recommended that an informative be added regarding Sustainable Urban Drainage for the site. Subject to this informative, the proposed development would accord with relevant policy and be therefore acceptable.

6.5 Highways & Parking

- 6.5.1 The proposal would result in the loss of the existing garages at both properties. The Council's SPD recommends when considering proposals for front extensions a minimum driveway depth of 4.8m should be retained to allow sufficient parking space (paragraph 6.35). The forecourts of no. 53 and 55 would retain parking space for one vehicle. The number of parking spaces that would be retained would be in accordance with the maximum parking standards set out under policy 6.13 of the London Plan (2016). On this basis, the proposal would give rise to no conflicts with policy DM 42 of the DMP or the London Plan policy 6.13.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed conversion of garages into habitable rooms, single storey side to rear extensions and associated external alterations would accord with relevant policy and would not harm the character or appearance of the area or harm the residential amenities of neighbouring occupiers.
- 7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation, this application is recommended for grant.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1 Timing

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 Approved Plans and documents

The development hereby permitted shall be carried out and retained in accordance and with the following approved plans and documents: Site Plan; ST MICHAELS/01; ST MICHAELS/02; ST MICHAELS/03; ST MICHAELS/04 REVISION A; ST MICHAELS/05

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Materials to Match Existing

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 character and appearance of the area

4 No Balcony

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

REASON: To safeguard the residential amenities of neighbouring residents

5 Flank Windows and Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no windows, doors or other openings shall be installed in the flank walls of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents

Informatives

1 Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2012)

The Draft London Plan 2017:

D1, D2, D3

The London Plan 2016:

7.4.B Local Character

7.6.B Architecture

The Harrow Core Strategy 2012:

CS1.B Local Character

Harrow Development Management Policies Local Plan 2013:

DM1 Achieving a High Standard of Development

DM10 On Site Water Management and Surface Water Attenuation

DM22 Trees and Landscaping

Supplementary Planning Document - Residential Design Guide 2010

2 Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:

0800-1800 hours Monday - Friday (not including Bank Holidays)

0800-1300 hours Saturday

3 The Party Wall etc. Act

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 Portal website:
<https://www.gov.uk/party-wall-etc-act-1996-guidance>

4 Granted without Pre-app

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

5 Liability of damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

6 Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as

closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

7 Surface & Foul Water

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

APPENDIX 2: SITE PLAN

H. M. LAND REGISTRY GENERAL MAP

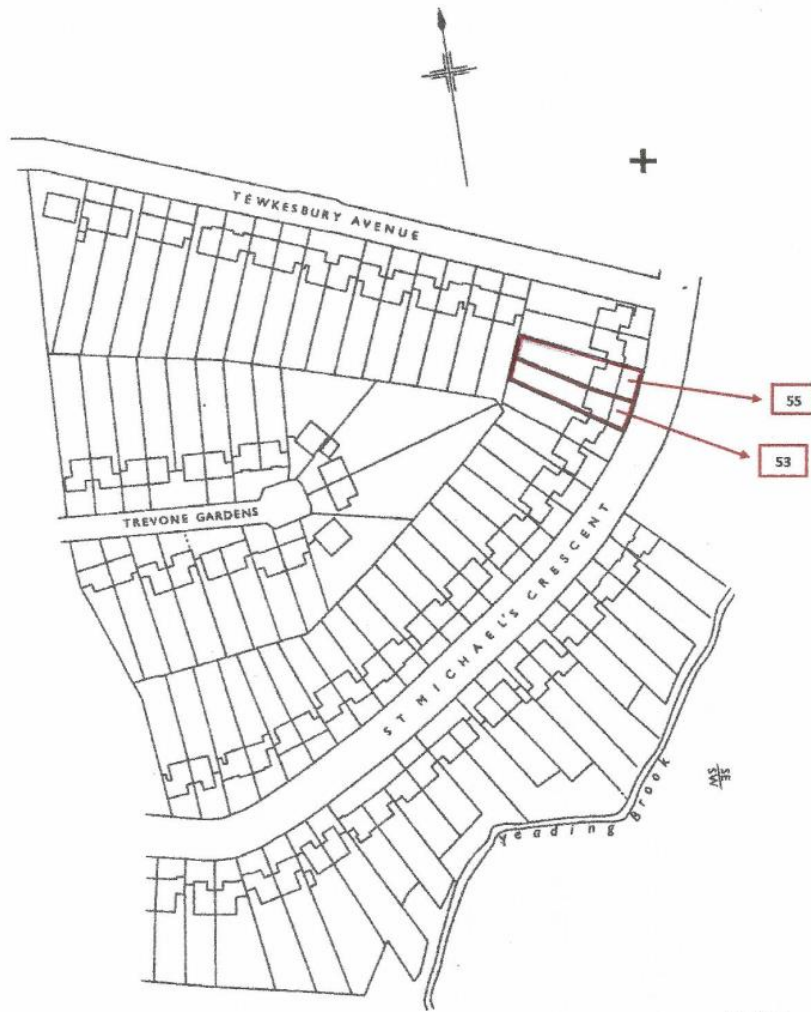
NATIONAL GRID PLAN SHEET
GREATER LONDON

TQ1288

SECTION A B

Scale 1/1250

BOROUGH or HARROW



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APPENDIX 3: SITE PHOTOGRAPHS



Front Elevation of 53 and 55



Looking towards front of 57 (right) and 55 (left, blue garage)



Looking towards side of 57



Looking towards rear of 53



Rear garden



Rear of 57-53 (left to right)



Rear of 53 – no. 51 to the right



Looking towards rear of 51



Staggered building line between no. 53 and 51



APPENDIX 4: PLANS AND ELEVATIONS



Proposed Ground Floor



Proposed Front and Rear



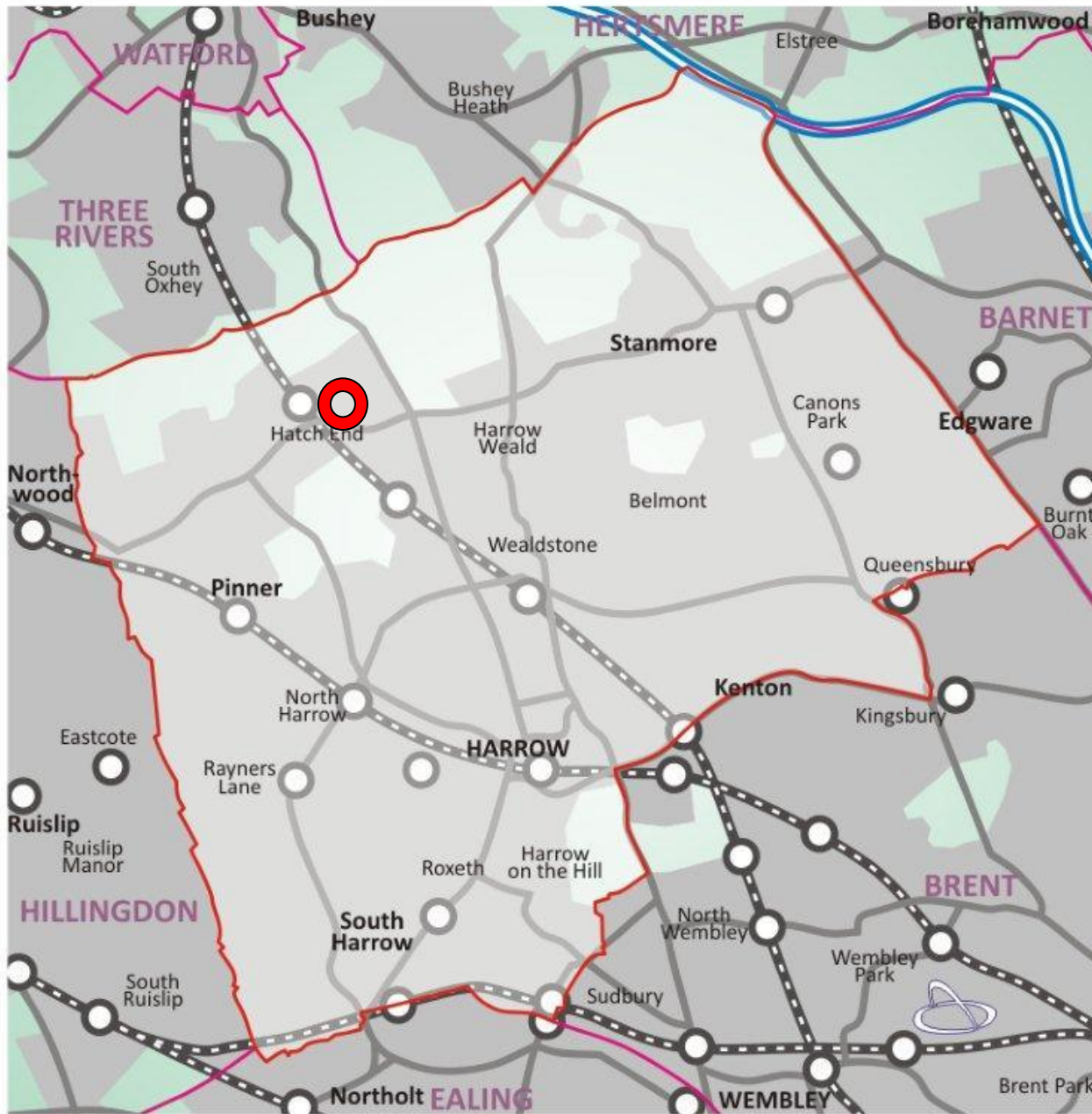
Proposed sides

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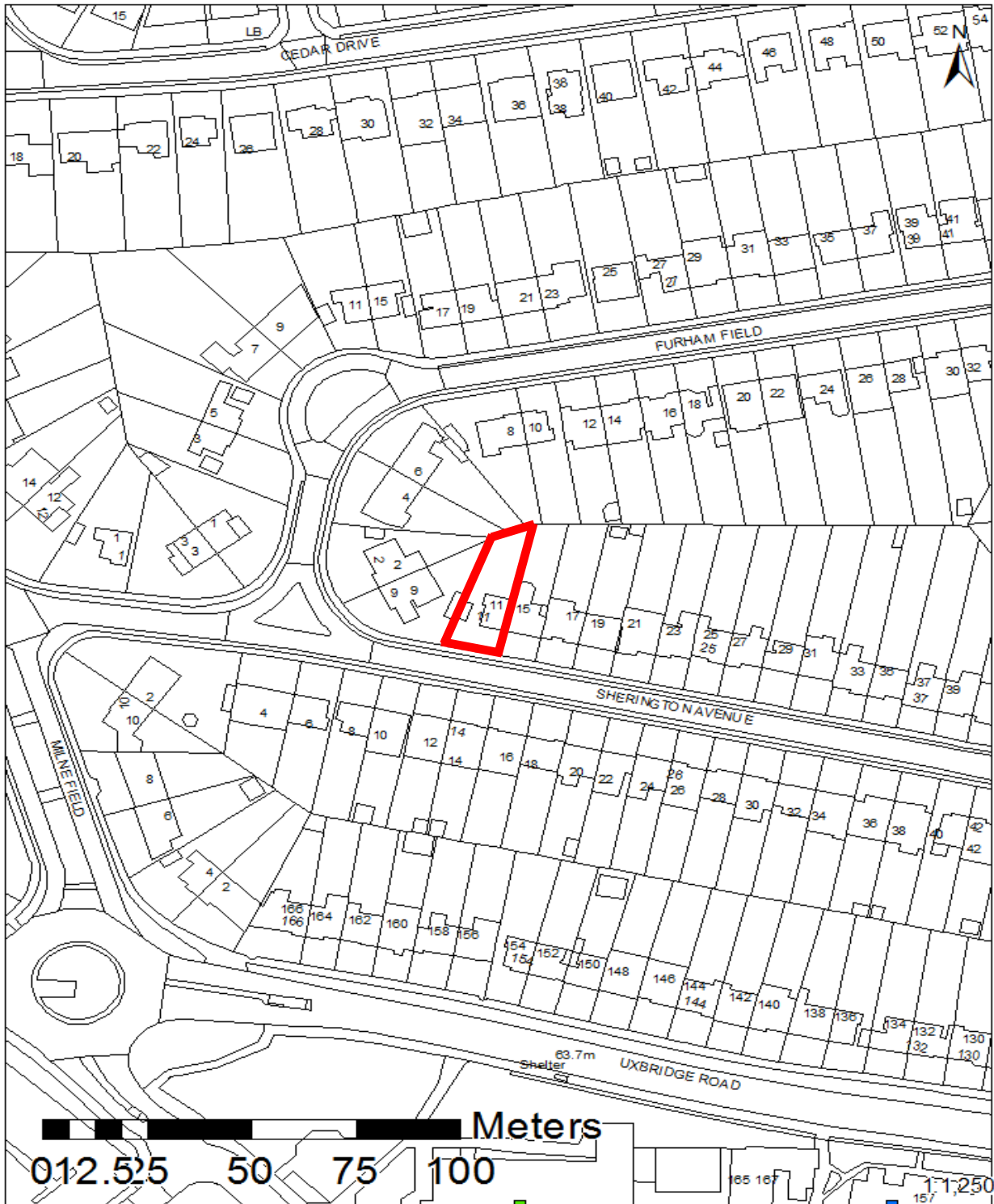
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Agenda Item : 2/02

 = application site



11 Sherington Avenue, Pinner	P/0999/18
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11 Sherington Avenue, Pinner	P/0999/18
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/0999/18
VALIDATE DATE: 26/03/2018
LOCATION: 11 SHERINGTON AVENUE, PINNER
WARD: HATCH END
POSTCODE: HA5 4DU
APPLICANT: MR MOHAMED DEEN
AGENT: N/A
CASE OFFICER: KATIE PARKINS
EXPIRY DATE: 06/04/2018

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for non-material amendment as follows:

Non-material amendment to planning permission P/5427/17 decision date 21/02/2018 to allow the addition of a rooflight on single storey rear extension.

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) **APPROVE** the non-material amendment.

REASON FOR THE RECOMMENDATIONS

Within the context of the planning permission P/5427/17 granted permission on 21/02/2018, the proposed alterations and amendments identified in the above schedule would be non-material amendments. Accordingly, it is considered that the application for non-material amendments to the approved planning permission P/5427/17 should be approved.

INFORMATION

This application is reported to Planning Committee as the applicant is related to a member and therefore falls outside Part 1 (C.iii) of the Scheme of Delegation.

The Planning Committee granted planning permission subject to conditions (P/5427/17) on the 21st February 2018 for a: *two storey side to rear extension; single storey rear extension; rear dormer; two rooflights to the front roofslope to create habitable roofspace (demolition of existing garage).*

Statutory Return Type:	21 Householder
Council Interest:	None
GLA Community	Not applicable
Infrastructure Levy (CIL)	Not applicable
Contribution (provisional):	Not applicable
Local CIL requirement:	Not applicable

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

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 Appendix 3– Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	11 Sherington Avenue, Pinner, HA5 4DU
Applicant	Mr Shaharan Deen
Ward	Hatch End
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	Critical Drainage Area.

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application property is No 11 Sherington Avenue, a two-storey semi-detached dwellinghouse. The site has a prominent position within the streetscene due to its location on the corner of Sherington Avenue and Furham Feild. The application site has a staggered building line with the neighbouring property No.9 Furham Feild, and as such there are direct views of the flank wall of the host dwelling.
- 1.2 The adjoining property, No.15 Sherington Avenue has been previously extended by a single storey rear extension with a depth of approximately 3.3m and a rear dormer.

2.0 PROPOSAL

- 2.1 Planning permission was granted for a two storey side to rear extension, rear dormer, two rooflights to front roofslope to create habitable roofspace (demolition of existing garage).
- 2.2 The applicant has applied for a non-material amendment to insert a rooflight in the approved single storey rear extension. The rooflight would be 2m x 1m and would have a maximum upstand of 150mm above the plane of the roof.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
P/5427/17	Two storey side to rear extension; single storey rear extension; rear dormer; two rooflights to the front roofslope to create habitable roofspace (demolition of existing garage).	Granted 21 st February 2018

4.0 CONSULTATION

- 4.1 As an application under Section 96A of the Town and country Planning Act 1990 is not an application for planning permission, the existing provisions under the Town and Country (General Development Procedure) Order 2015 (as amended) in respect of planning applications do not apply. No consultation has therefore been undertaken as part of this application.

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.3 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.4 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.

5.5 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

- Materiality

6.2 Materiality

6.2.1 In this instance, the applicant seeks to make alterations to the granted development under planning application reference P/1759/17. The question in this instance is whether the alterations proposed would have a material impact on the development. Departmental guidance advises that there is no statutory definition of ‘non-material’. This is because it is so dependent on the context of the overall scheme – what may be non-material in one context may be material in another. For a change to be material, it is considered that it must be of significance, of substance and of consequence

6.2.2 The proposed amendment to insert a rooflight in the single storey rear extension would not alter the overall appearance of the proposed extension nor result in a

detrimental impact to the residential amenities of neighbouring properties. It is therefore considered that the proposed alterations would not substantially alter the approved development granted under planning permission P/1759/17 within the overall context of the development.

- 6.2.3 Accordingly, it is considered that the proposed alteration would not materially alter the original development that was granted planning permission.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 Within the context of the planning permission P/5427/17 granted permission on 21/02/2018, the proposed alterations and amendments identified in the above schedule would be non-material amendments. Accordingly, it is considered that the application for non-material amendments to the approved planning permission P/5427/17 should be approved.

Plan Nos: B-05 Rev:B, B-01 Rev:A, 1:500 Block Plan, 1:1250 Location Plan

APPENDIX 1: SITE PLAN



APPENDIX 2: SITE PHOTOGRAPHS





Rear elevation of 11 Sherington Avenue



Rear elevation of the adjoining property No.15 Sherington Avenue



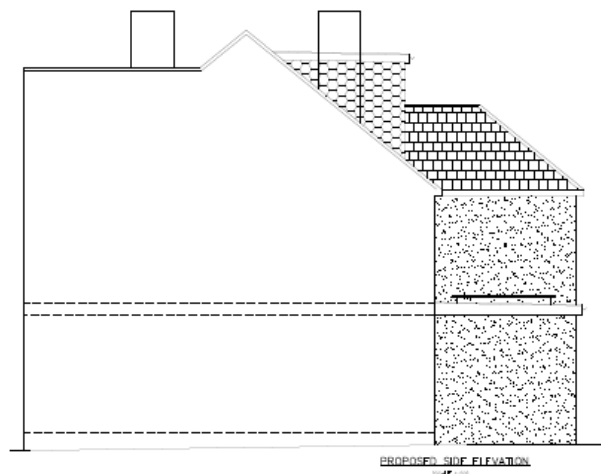
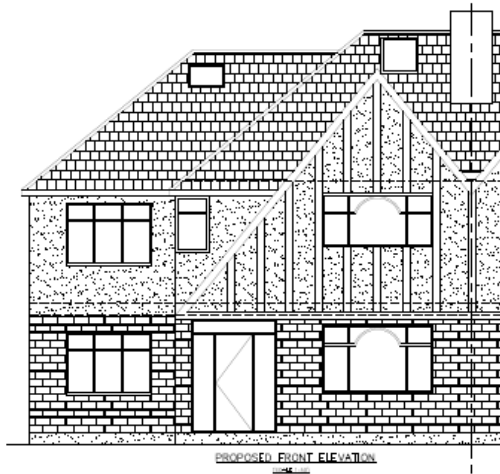
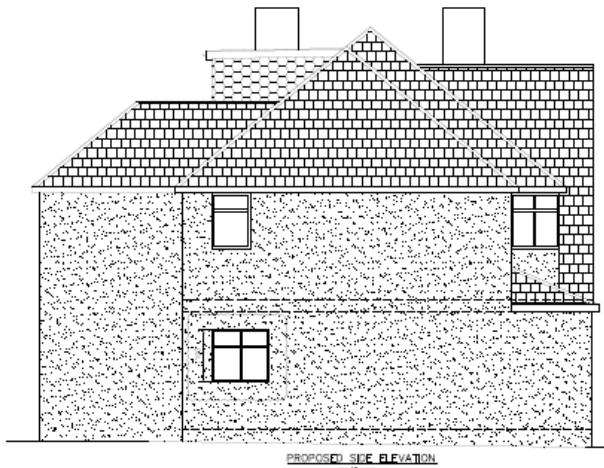
Rear elevation of neighbouring properties No.9 Sherington Avenue and the adjoining property No.2 Furham Feild.



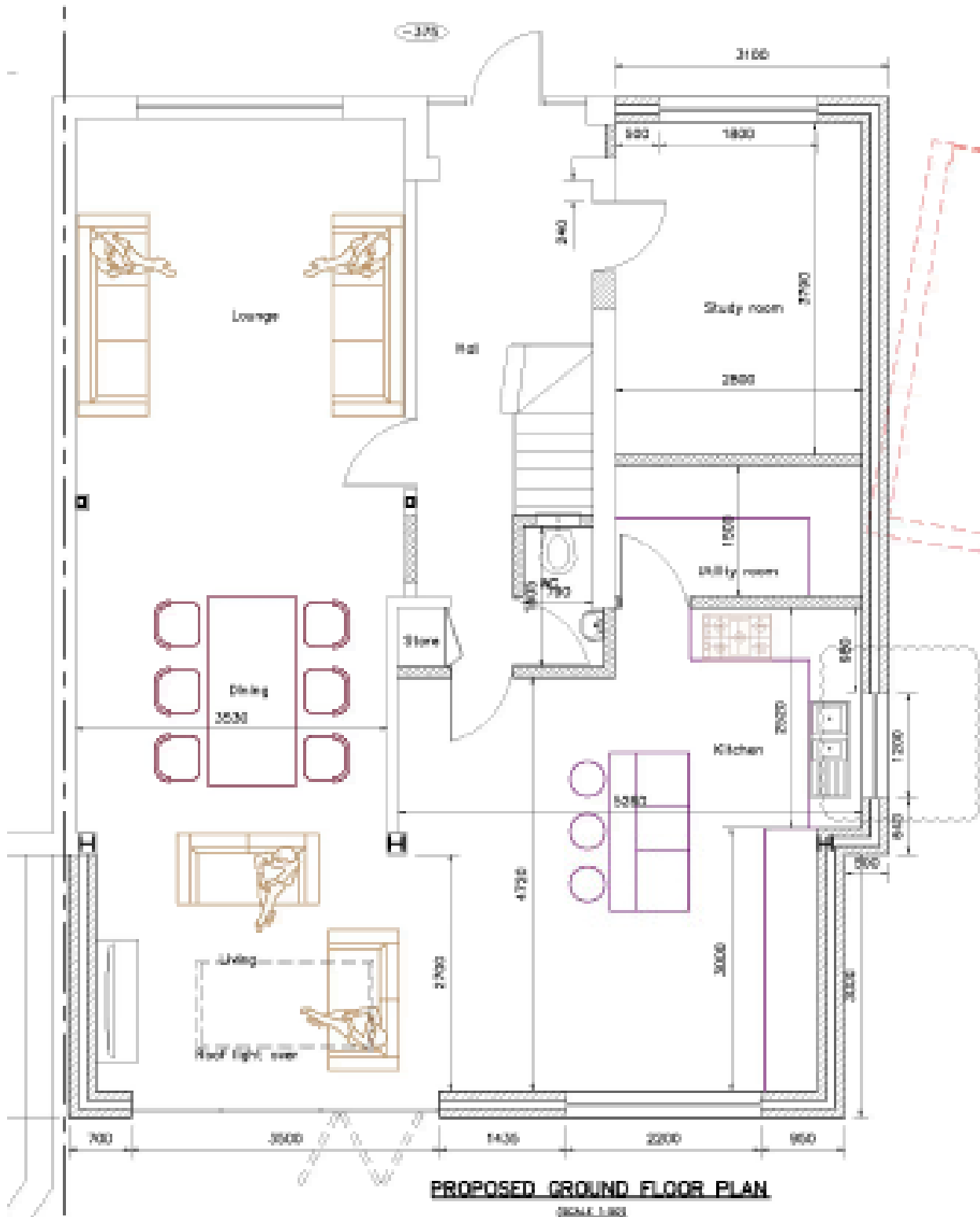
Front/side elevation of host dwelling when viewed from Furham Feild

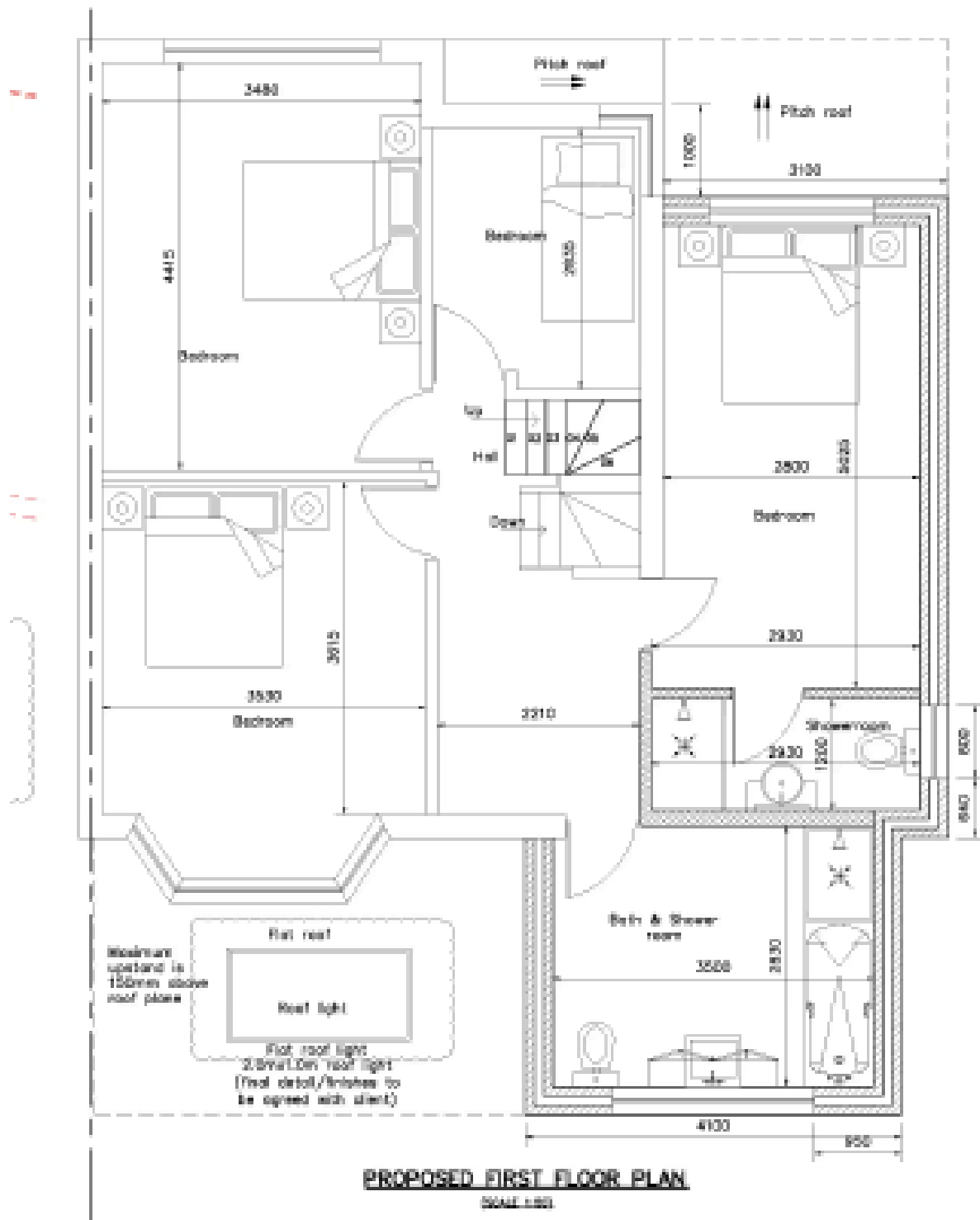
APPENDIX 3: PLANS AND ELEVATIONS

Proposed Elevations



Proposed Floorplans

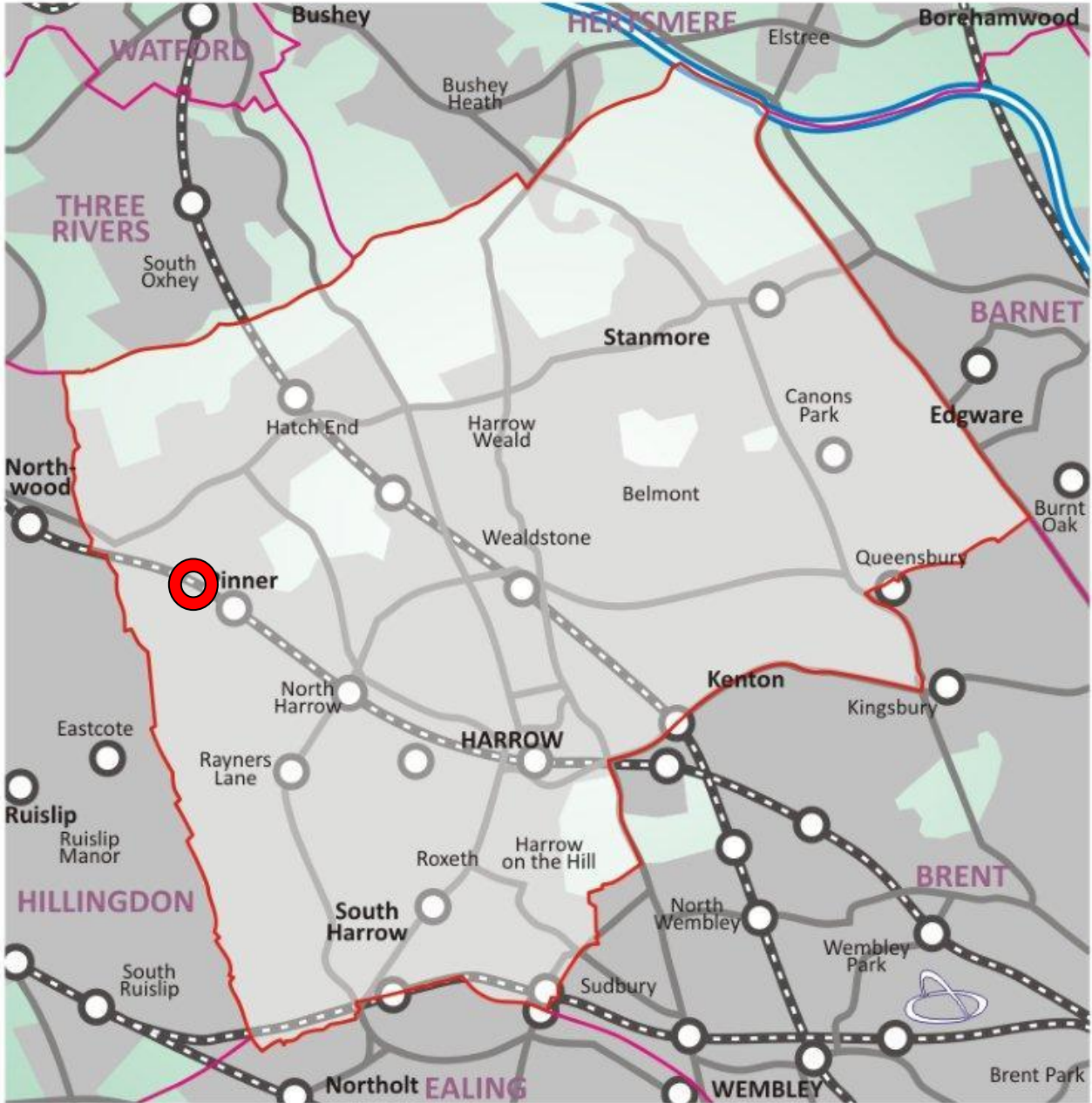




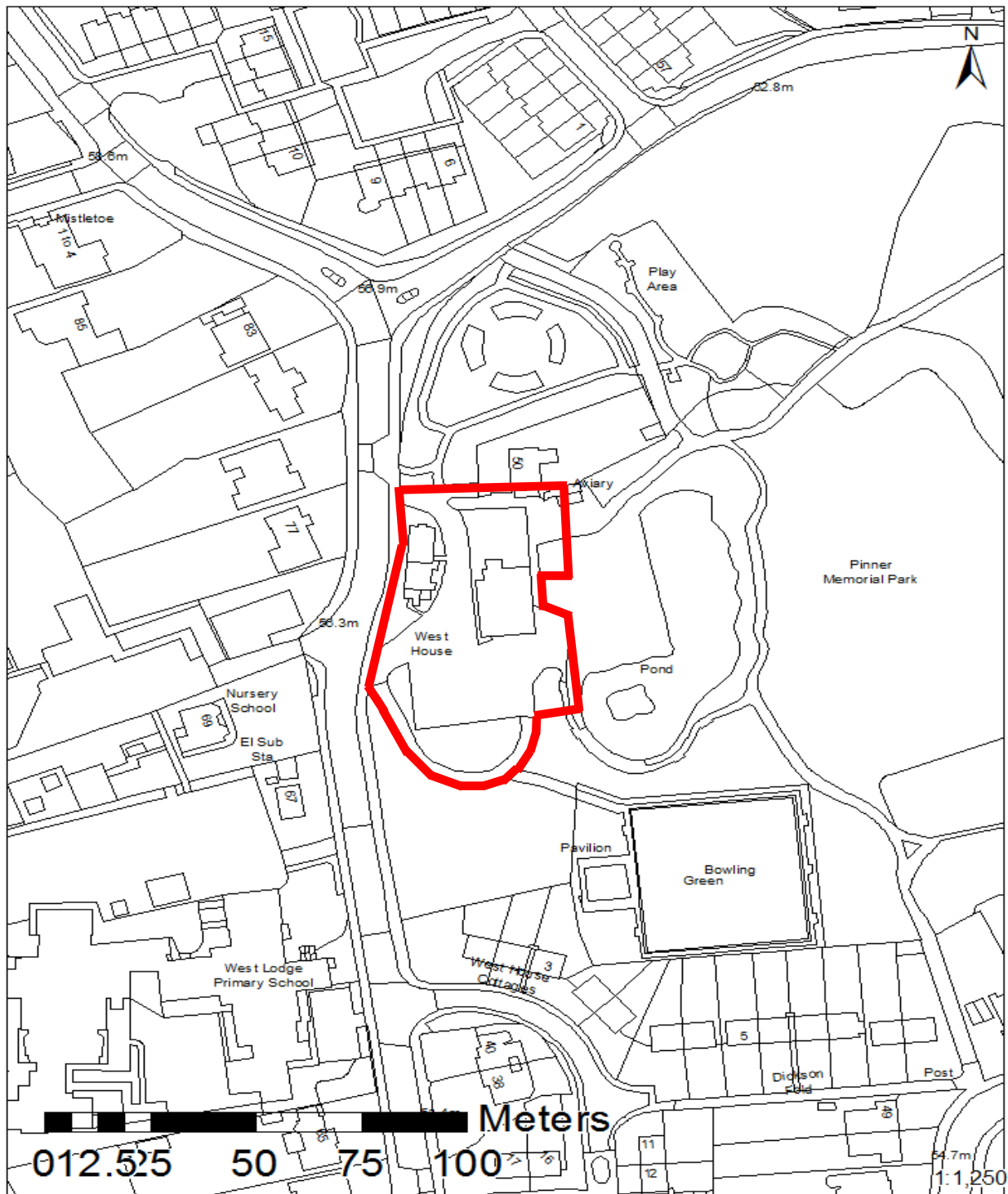
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 = application site



West House Gallery Café, West House Gallery, West End Lane, Pinner	P/5747/17
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<p>West House Gallery Café, West House Gallery, West End Lane, Pinner</p>	<p>P/5747/17</p>
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/5747/17
VALIDATE DATE: 07/02/2018
LOCATION: WEST HOUSE GALLERY CAFÉ, PINNER MEMORIAL PARK, WEST END LANE, PINNER
WARD: PINNER
POSTCODE: HA5 1AE
APPLICANT: MRS CYNTHIA WELLS
AGENT: ORCHARD ASSOCIATES
CASE OFFICER: GRAHAM MANSFIELD
EXPIRY DATE: 27/03/2018 (EXTENDED EXPIRY: 01/06/2018).

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Single Storey Rear Extension; Canopy Over Terrace; Extension to Terrace and Extended Brick Wall; Re-location of Bin Storage; Reconfiguration of Car Park

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATIONS

The proposed development would involve development on designated Open Space and as such would represent a departure from the development Plan. It is considered that the moderate environmental impact on the open space and the modest scale of the development would be offset by the acceptable design of the development proposed. The proposed development would have a positive impact on social and economic impacts in enhancing the quality and value of open space, enhancing cultural quality and access to culture in the area and potentially attracting tourism and investment to the locality.

INFORMATION

This application is being reported to Planning Committee as Harrow Council is the landowner of the application site and the development would be located within a site which is greater than 0.1 hectares. The application also represents a departure from the development plan as the proposed development is on designated Open Space. The application is therefore referred to the Planning Committee as it is excluded by Category 1(h) of Part 1 and Proviso D of the Scheme of Delegation dated 29 May 2013 respectively.

Statutory Return Type:	Minor
Council Interest:	Harrow Council owns the freehold of the site.
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	West House Gallery Café; West House Gallery; West End Lane
Applicant	Mrs Cynthia Wells
Ward	Pinner
Local Plan allocation	Designated Open Space; Site of Importance for Nature Conservation
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	Yes
Tree Preservation Order	All Trees on Council Land are deemed protected
Other	Critical Drainage Area

Development		
Outside Terrace (sqm)	Existing (Terrace) – 60sqm	Extension to terrace – 19sqm
Café Floor space (sqm)	Existing Café 95 Sqm	Single Storey Rear (Kitchen) Extension – 30sqm

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The site comprises the grounds of West House, a locally listed building, which houses a café on the ground floor.
- 1.2 A small car park is located to the rear (west) elevation of West House. To the front (east) elevation is Pinner Memorial Park.
- 1.3 The wider expanse of the Pinner Memorial Park, a locally listed garden, comprise a bowling green and mature tree cover to the south, an ornamental lake and large expanses of open space to the east and north and a dwellinghouse, Heath Robinson Museum and West House Lodge, immediately to the north of the site.
- 1.4 Planning permission was recently granted for the retention and extension of the paved terrace to the front of West House under planning references P/1792/16 & P/1796/16. The proposal under planning reference P/1792/16 has not yet been implemented.
- 1.5 The site is located in designated open space, located in a site of importance for nature conservation and a critical drainage area of Harrow.

2.0 PROPOSAL

- 2.1 It is proposed to attach a single storey rear extension to the south west corner of West House. The proposed single storey rear extension would serve expanded kitchen facilities and would be 3.5m in depth and 8.5m in width.
- 2.2 The proposed single storey rear extension would be finished in brick, similar to that of the existing premises and would feature a flat roof with brick-on-edge parapet at a maximum height of 3.5m
- 2.3 It is proposed to enlarge the current paved terrace to the south of West House, adjacent to the car park. This extended terrace would result in an additional 19.0sqm, with the current brick wall surround extended eastward by 3.6m
- 2.4 An open-framed canopy is proposed to be attached to the south elevation of West House. This element would supported by two posts and would feature a louvered roof over. The proposed canopy structure would be 3.0m in height, 6.9m in width and 6.5m in depth.
- 2.5 To facilitate the above elements it is proposed to re-configure the existing car parking and cycle spaces and bin storage. There would be no loss of parking as a result of the proposed development.

3.0 RELEVANT PLANNING HISTORY

3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
P/2412/06	Partial Demolition And Part Single And Part Two Storey Extension On South Side To Provide Cafe Exhibition And Function Rooms New Pitched Roof Incorporating Dormers Over The Building To Provide Office Accommodation At Loft Level And External Alterations	Granted: 03/11/06
P/2618/13	New Two Storey Museum Building With Covered Link To Existing West House Building	Granted: 18/10/2013
P/1792/16	Extension of Paved Terrace with Low Timber Post and Rail Fence	Granted: 12/09/2016
P/1796/16	Retention of Existing Terrace	Granted: 12/09/2016
P/5106/16	Details Pursuant to Condition 9 (Management Strategy) of Planning Permission P/1792/16 dated 09.09.16	Approved: 20/12/2016
P/5107/16	Details Pursuant to Condition 6 (Management Strategy) of Planning Permission P/1796/16 dated 09.09.16	Approved: 20/12/2016

4.0 CONSULTATION

4.1 A total of 13 consultation letters were regarding this application.

4.2 Four site notices were erected on 27th February 2018 and a press notice advertised on 1st March 2018. The application was advertised as 'Departure from the Development Plan'.

4.3 The application was re-advertised and consultation letters re-sent due to an amendment of the description (single storey side changed to single storey rear). Site notices were erected on 16th April 2018 and press notice advertised on 19th April 2018.

4.4 The consultation period ended on 10th May 2018.

4.5 Adjoining Properties

Number of letters Sent	13
Number of Responses Received	5
Number in Support	0
Number of Objections	5
Number of other Representations (neither objecting or supporting)	0

4.6 5 objections were received from adjoining residents as summarised in the table below:

Details of Representation	Summary of Comments	Officer Comments
E Webster	<ul style="list-style-type: none"> • The café already encroaches into the park. • Impact on views across the park • Tables and Chairs obstructing the public path 	<p>The proposed terrace extension is limited to the south and west side of the building adjacent to the car park.</p> <p>Access issues are assessed within section 6.4 of the report.</p>
J Lawder	<ul style="list-style-type: none"> • Objection to terrace expansion • Café has reached maximum size • Current terrace acts as a barrier to views across lake • Reference to existing terrace around the tree • Extra footfall could lead to degrade the ground further • Council need to fulfil the covenants of the land • Proposal is disproportionate 	<p>The impact of the proposal in terms of views and size is addressed in sections 6.2 and 6.4 respectively.</p> <p>The existing terrace and impact on the tree was addressed under the previously grated applications P/1792/16 and P/1796/16.</p> <p>Issues relating to the covenants are legal matters and not a material planning consideration</p>

M. Morley	<ul style="list-style-type: none"> • Café has encroached too much into the existing path around the lake • Table and chairs impacting the views • Suggestion for alternative path around the lake 	<p>Proposal would not be expanding further into the green space and would be located on previously developed hard standing. Impacts on views are addressed in section 6.2.</p>
J. Lindop	<ul style="list-style-type: none"> • No further applications should be considered until all the needs of the users of the park are recognised and addressed • Design and access statement is misleading and relegates park users other than Daisy's customers to other side of lake • Reference to covenants • Options to re-design the terraces for the benefit of all park users 	<p>The Council has a duty to assess all planning applications and on their own merits. Issues relating to covenants are a legal matter and not a material planning consideration</p>
Mr & Mrs N Dalgliesh	<ul style="list-style-type: none"> • Considerable increase in size of the development would materially impact appearance and environment of the park • Impacts on Health & Safety • Proposal does not meet need of all users of the park • Contrary to LBH Harrow policy that the park should be managed as one entity • Council has refused similar applications 	<p>The impact of the proposal in terms of views and size is addressed in sections 6.2 and 6.4 respectively.</p> <p>A management strategy condition has been attached to deal with obstruction and potential Health & Safety issues</p> <p>Proposal has been assessed against Harrow Council planning policies as highlighted in report below.</p> <p>Each proposal is assessed on its own merits. The current application does not encroach to the east of West</p>

	<ul style="list-style-type: none"> • Reference to previous applications under P/1796/16 and P/1792/16, impact on the swamp cypress tree and ground conditions • Developments within the park should be subservient. • Reference to the approved management plan for the pathway adjacent to the existing terrace • Reference to similar proposal which was refused under P/5561/15 and P/5563/15 at 20 Bentley Priory Mansion House Drive • Suggestions on re-designing the access paths and existing terraces 	<p>House. All issues relation to reference P/1792/16 and P/1796/16 have already been assessed.</p> <p>Each scheme is assessed under its own site circumstances. The scheme at 20 Bentley Priory Mansion House Drive is materially different to the scheme assessed here at West House.</p>
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4.7 Statutory and Non Statutory Consultation

4.8 The following consultations have been undertaken, together with the responses received and officer comments:

Consultee	Summary of Comments	Officer Comments
LBH Waste	No Comments received.	Noted.
LBH Planning Policy & Biodiversity	Proposed extension would be located on previously developed land and canopy due to its open nature would not unduly impact on open space. Proposal would need to satisfy all other material planning	Noted, suitable conditions attached.

	<p>considerations.</p> <p>There isn't any threshold level. Under the NPPF, all development is required to provide net gain, where possible (So <u>any</u> house extension ought to be coming forward with proposals for bat, bird roosts or with agreement to contribute to some wider enhancement within the local area/borough as appropriate if that would provide a better outcome.</p> <p>In terms of biodiversity if the proposals is for a flat or gently sloping roof then, making this a green/brown roof would contribute biodiversity gain (in accordance with DM21). An appropriate living roof would make up for this and provide net gain, as well as helping to reduce noise within the extended dwelling.</p>	
LBH Drainage	No objections subject to standard informatives relating to surface water and waste water.	Noted and attached.
LBH Highways	We have no objection to the principle of the application as there is no change in parking numbers. The cycle storage was better	Noted. There is no change to the current situation in terms of cycle parking.

	<p>positioned at the entrance to the park, close to the café/museum as this was closer to the destination and offered good natural surveillance. It also meant that anyone who cycle through the park to the destination would not have to enter the main car park area to access the cycle storage.</p> <p>Alterations to the car park would also need to be considered by Estates and the car parks team if they haven't already been consulted.</p>	
LBH Conservation	<p>This property is sited in the locally listed Pinner Memorial Park and West House is locally listed.</p> <p>As long as materials and details were conditioned to match, this proposal would preserve the special interest affected given the scale and sympathetic design.</p>	Noted. Conditions attached.
LBH Car Parks	West House car park is not a Harrow asset we just manage it for the owners and retain a share of the revenue.	Noted.
LBH Estates	The Council would need to grant a Licence for Alterations to allow any works to take place. The Trustees have spoken	Noted – Informative attached

	to me about the plan. From a property perspective I don't have any strong views, it just needs to satisfy planning requirements.	
Pinner Association	No Comments Received	Noted

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

5.2 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.

5.6 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 **ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Regeneration
- Character of the Area
- Amenity & Access
- Traffic and Parking
- Drainage
- Ecology

6.2 Principle of Development

6.2.1 Pinner Memorial Park is designated as Open Space within the local plan. The Open Space has some built development on it at the western end including West House Lodge, a residential dwellinghouse, West House and the recently built Heath Robinson Museum.

6.2.2 Policy 7.18 of The London Plan seeks to resist the loss of London's protected open spaces and Policy CS1F of the Harrow Core Strategy seeks to protect it from inappropriate or insensitive development.

6.2.3 Policy DM18 (Protection of Open Space) of the Harrow Development Management Policies acknowledges that open spaces are of great value as places for people to participate in organised sport, play, informal recreational activity and appreciation of the natural environment. It is noted that objections have been received in relation to expansion of the café and the impact of the proposal on the open space.

6.2.4 Part C of DM18 states that proposals for ancillary development on land identified as open space on the Harrow Policies Map will be supported where:

- a. It is necessary to or would facilitate the proper functioning of the open space;
- b. It is ancillary to the use of the open space;
- c. It would be appropriate in scale;
- d. It would not detract from the open character of the site or surroundings.

These points are considered in turn below:

6.2.5 *The functioning of the open space*

Whilst the proposed extension to West House would not be necessary for the proper functioning of the open space, it would facilitate it. The proposed development would be considered to be a modest scale, and in the proposed location on the previously developed car park would not overall have undue impacts on the function of the wider open space. The proposals would support the business which provides a service to the users of the park and therefore would be compatible with and complimentary to the wider recreational uses of Pinner Memorial Park.

6.2.6 *An ancillary use*

The café and proposed extension to the terrace would be located next to the existing car parking area and adjacent to the existing path leading into Pinner Memorial Park. As such they are likely to be used by members of the public who already use the park for existing leisure activities. As such, the alterations associated with the existing café is considered to be an ancillary use.

6.2.7 *The open character of the surroundings*

The proposed single storey rear extension to facilitate expanded kitchen facilities would be sited on the western edge of the site, within the car park and therefore would not be visually prominent when viewed from the wider park towards West House itself. Similarly the extension to the terrace would be located towards the rear, adjacent to the car park. The proposed canopy would be an open structure, allowing views through it. However, these elements would be set to the south side of West House within the existing building envelope and would not encroach into the park itself. Given these circumstances, it is considered that there would be no significant reduction in the open character of the area.

6.2.8 The Development Management Policies Local Plan recognises that the survival of local open space relies on the use and value attributed to them by the community. The Core Strategy recognises that small scale ancillary facilities on open land can enable users of the space to continue to use and enjoy the space. The Council's policy officer has commented on the application and notes that the proposal, due to its scale and the open nature of the proposed canopy would not unduly impact on the designated open space, subject to other material planning considerations.

6.2.9 Noting the above, and the objections received, the proposal would meet the tests of Policy 7.18 (Protecting open space and addressing deficiency) of the London Plan, Policy CS1F of the Harrow Core Strategy and Policy DM18 (Protection of Open Space) and would be acceptable in principle.

6.3 Regeneration

6.3.1 It is considered that the proposed development supports the ongoing vitality of the West House Gallery Café. The proposal at the West House Gallery Café would contribute to the vibrancy of Pinner Memorial Park and the wider community and would continue to strengthen the vitality of this local business.

6.4 Character and Appearance of the Area and Impact on Open Space, Locally Listed Buildings and Gardens

6.4.1 Policy DM1 of the DMP requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. This policy broadly reflect policies 7.4.B and 7.6.B of The London Plan 2016 and gives effect to policy CS1.B of the Harrow Core Strategy 2012, policies which seek to ensure that development respects local character and provide architecture of proportion, composition and scale that enhances the public realm. Criteria c, d, and f of policy DM18.C are also relevant to this application given the nature of the proposal within designated Open Space.

6.4.2 Policy CS1.D of the Harrow Core Strategy 2012 and policy DM7 of the DMP are also relevant given the location of the site within a locally listed historic garden and adjacent to the locally listed West House. These policies seek to ensure that the historic environment would not be compromised by development. The NPPF and policy 7.8.C/D/E of The London Plan 2016 set out similar aims.

- 6.4.3 The application site is partly defined by its open and spacious setting within the designated Open Space of Pinner Memorial Park but also within the more suburban environment of the locally listed West House and West End Lane and the buildings to the north, Heath Robinson Museum & West End Lodge.
- 6.4.4 it is noted that objections have been received which highlight that the proposals would be disproportionate. However, it is considered that the scale of the proposed rear extension would successfully relate to the surrounding environment, whilst also ensuring that important views of the locally listed West House are not adversely affected. The proposed extension would be located on existing hard standing to the rear of West House and therefore would not be visually prominent from the wider Pinner Memorial Park.
- 6.4.5 The host building, West House is a locally listed building and therefore any alteration to the property should not adversely affect the character of the site. The Council's Conservation officer has commented on the application and notes that the proposed single storey rear extension would preserve the special interest affected given the scale and sympathetic design. A condition has been attached to this permission to ensure that the proposed materials match that of the existing building.
- 6.4.6 Similarly, the proposed canopy, located on the south side elevation of West House would be a lightweight addition to the property. Due to its open nature, it is considered that the proposed canopy would not (a) add significant bulk to the existing building, and (b) detract from views of the locally listed building from park area to the east of the building.
- 6.4.7 The proposed increase of the paved area to the south of the building of approximately 19sqm, is considered not to unduly impact on the character or the openness of the area. The area in question is previously developed land. In this instance the area is utilised as a parking area. It is proposed to re-configure the parking area to accommodate the small increase in the southern terrace. It is considered that these modest alterations would not unduly impact on the wider character of the West House or surrounding park.
- 6.4.8 For these reasons, and noting the objections received, it is considered that the existing and proposed development would accord with policies 7.4.B, 7.6.B and 7.8.C/D/E of the LP and policies DM1, DM7 and DM18 of the DMP, in providing high quality architecture that would enhance the visual and cultural qualities of the locality whilst respecting the scale and siting of the surrounding context.

6.5 Residential Amenity & Access

- 6.5.1 Policy 7.6.B of The London Plan (2016) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Policy DM1 of the DMP similarly seeks to ensure that the amenities and privacy of neighbouring occupiers is not adversely affect by development.

- 6.5.2 As stated in the previous section of the report the proposed kitchen extension would be located to the rear of West House and would be of small scale on previously developed land. Due to the size and location of the rear extension, it is considered that no undue impact would occur in terms of neighbouring residential amenity.
- 6.5.3 Similarly, due to the open nature of the proposed canopy, it is considered that no undue impacts would result on neighbouring residential properties. The nearest residential properties being located 50m to the east on the opposite side of West End Lane and 70m to the south at West House Cottages.
- 6.5.4 Given the nature of the development, the extension to the southern paved terrace would not impact on any of the adjacent properties in terms of residential amenity. Notwithstanding this, it has been necessary to attach conditions to this permission restricting the times of use of the terrace and to prevent undue noise impacting on neighbouring residents.
- 6.5.5 Subject to these conditions, the development therefore accords with policy 7.6.B and policy DM1 of the DMP in ensuring that the amenities of the neighbouring occupiers are not adversely affected.
- 6.5.6 A number of objections have been raised in relation to access in front of West House. However, these issues were dealt with under the previously approved applications under P/1792/16 and P/1796/16. The proposed extension and alterations to the terrace on the south side of the building would not result in alterations to the existing pedestrian access or paths into Pinner Memorial Park.
- 6.5.7 In addition, the proposed increase to the customer seating area to the south would be located on an area used by parking spaces and would be further contained by the extension of the existing low brick wall. The proposed extension of the brick wall would not interfere with any existing access or footpaths.
- 6.5.8 Notwithstanding the above, the previously granted applications were subject to the approval of a management strategy (which was subsequently approved). However, the proposed development under the current application would supersede elements of the previous scheme. As such a condition has been attached which would require the submission of a revised management strategy for all expanded areas of the café including those previously granted and those subject to this application.

6.6 Development & Flood Risk

- 6.6.1 The site is not located within a flood zone. However, given the potential for the site to result in higher levels of water discharge into the surrounding drains which could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall. With regards to surface water run-off and surface water attenuation, it has been necessary to attach informatives to this permission. Subject to these, the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D and policy DM9 of the DMP.

6.7 Traffic, Parking and Servicing

6.7.1 Policy DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

6.7.2 The proposals to extend the café and terrace would result in re-configuration of the car park and relocation of the bin stores. The Council's Highway team have not raised any objection to the scheme as there would be no loss of car parking spaces. Furthermore the relocation of the bin store would still provide the site with a serviceable and accessible bin storage area.

6.7.3 It is noted that reference has been made by highway officers in regards to the relocation of cycle parking. However, the existing and proposed plans demonstrate that the cycle storage on site would remain in its current location with no changes.

6.7.4 However, in addition to the above, the proposed works would be subject to a works licence from the Harrow Council Estates department. Such a licence falls outside the remit of planning considerations and therefore an informative has been attached to this permission.

6.8 Ecology

6.8.1 The site is located within a Site of Nature Conservation Importance (SINC) and as such, development should ensure the protection of ecology and biodiversity on the site as well as taking opportunities to enhance biodiversity on the site.

6.8.2 The Council's Biodiversity Officer has commented on the application and has not raised any objections due to the fact that the single storey rear extension would be located on a current parking area which is previously developed land.

6.8.3 Notwithstanding the above, there would be the opportunities for the betterment of biodiversity. Therefore to enhance biodiversity on the site, conditions are suggested to ensure the provision of bird and bat boxes in the extended building.

6.8.4 In terms of impacts on trees, as previously highlighted, the proposed development including the kitchen extension, extension of southern terrace and canopy over would be on previously developed land, away from any significant trees. Therefore no mitigation work would be required in this regard.

6.8.4 Subject to conditions, the development would accord with policy 7.19 and 7.21 of the London Plan (2016) and policies DM20 and DM22 of the DMP.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 As the proposal would involve development on designated Open Space, the proposal would represent a departure from the development plan. However, it is considered that the moderately adverse environmental impacts of development on Open Space would be offset by the satisfactory design of the proposed development. The proposed development would have a positive impact on social and economic impacts in enhancing the quality and value of the Open Space, enhancing cultural quality and access to culture in the area and potentially attracting tourism and investment in a local business.
- 7.2 For these reasons, 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, it is considered that a departure from the development is justified in this instance and the application is recommended for grant.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Design & Access Statement; 562 20; 562 21; 562 22; 562 23; 562 24 Rev C; 562 25 Rev C; 562 26 Rev C; 562 27 Rev B

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Materials

Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been made available to view on site, and approved in writing by, the local planning authority:

- a: facing materials for the single storey rear extension;
- b. material details for the canopy;
- c. boundary wall;
- d. ground surfacing;

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

REASON: To safeguard the appearance of the locality and to ensure a satisfactory form of development, this condition is a PRE-COMMENCEMENT condition.

4 Use

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

8am – 9pm Monday – Sunday inclusive without the prior permission in writing by the local planning authority.

REASON: To safeguard the residential amenities of nearby residents.

5 Audible Noise

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.

6 Construction Management Plan

No development shall take place, including any works of demolition, until a Construction Method and Logistics Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works
- vi. details in relation to safeguarding the adjacent properties during demolition and construction phases.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers and to ensure that the transport network impact of demolition and construction work associated with the development is managed and that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development, this condition is a PRE-COMMENCEMENT condition.

7 Flues & Pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

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

8 Bio-diversity

Prior to first occupation of the development hereby approved, details for bio-diversity enhancements including the provision of

- i) bat and nest boxes on the external walls of West House, and
- ii) re-provision of shrubs and planting which exist on the west elevation of West House shall be submitted to, and approved in writing by the Local Planning

Authority. The bat roosts and nest boxes and planting shall be installed in accordance with the approved details, and shall be retained as such thereafter.

REASON: To mitigate and enhance the impact of development on local ecology and in the interests of site ecology, in accordance with policy 7.19 of The London Plan and policy DM20 of the Development Management Policies Local Plan 2013

9 Management Strategy

Within 1 month of the grant of this permission a Management Strategy shall be submitted to the Local Planning Authority for approval. Details shall include;

- 1) Management and exact location of tables and seating areas (and their storage areas when not in use) in front of West House
- 2) Which areas will be kept clear of any tables and seating, and storage of unused chairs and tables and other equipment
- 3) A strategy for clearing up rubbish and other debris associated with the use of the cafe.
- 4) Directional signage for pathways adjacent to the proposed terrace.

The use shall only operate in accordance with any approval by the Local Planning Authority.

REASON: To safeguard the appearance of the locality, maintain the access of adjacent footpaths and ensure that the use does not contribute to litter accumulation and untidiness of the Park

10 Café Furniture

All tables, chairs and furniture relating to the use of the terrace shall be removed from the terrace and stored away when not in use (9pm - 8am the following day).

REASON: To ensure the openness of the site is retained when not in use.

INFORMATIVES

1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2012)

The London Plan (2016):

5.3.B, 6.3.A/B/C, 6.9; 6.10.B, 6.13.C/D/E, 7.4.B, 7.6.B, 7.8.C/D/E, 7.18.B, 7.19.C/D/E, 7.21.B

Draft London Plan (2017):

D1; D2; D3; HC1; H2; G4; G6

Local Development Framework

Harrow Core Strategy 2012

CS1 Overarching Policy

Development Management Policies Local Plan 2013

DM1; DM7; DM18; DM20; DM22; DM42

Supplementary Planning Documents

Mayors Supplementary Planning Guidance: Housing (2016)

Harrow Supplementary Planning Document: Residential Design Guide 2010

2 Pre-application engagement

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3 Considerate Contractor Code of Practice

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 Party Wall Act

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 Compliance with Planning Conditions

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

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

6 Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

7 SUDS

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

8 Surface & Foul Water

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

9 Consent for Works

Notwithstanding the planning permission hereby permitted, further consent is required for the proposed works from Harrow Council Estates department. The applicant is advised to contact Harrow Council Estates to obtain a licence for the approved development.

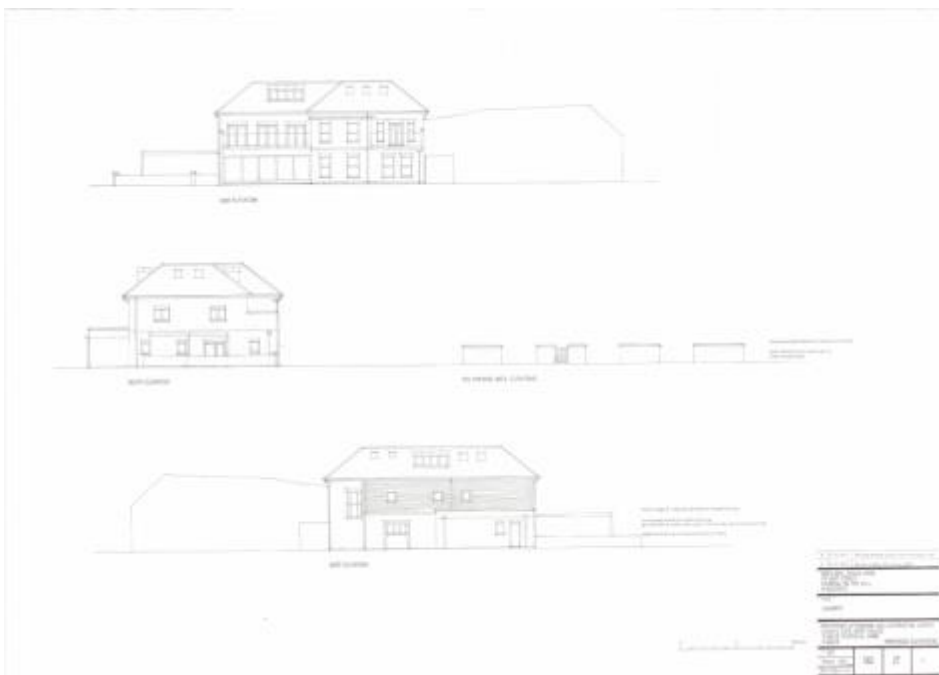
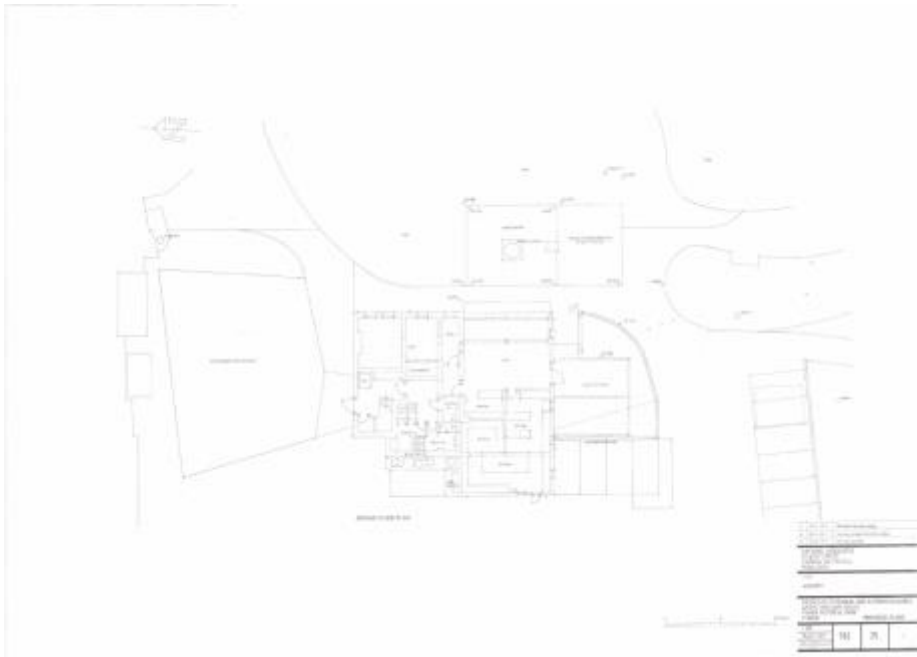
APPENDIX 3: SITE PHOTOGRAPHS





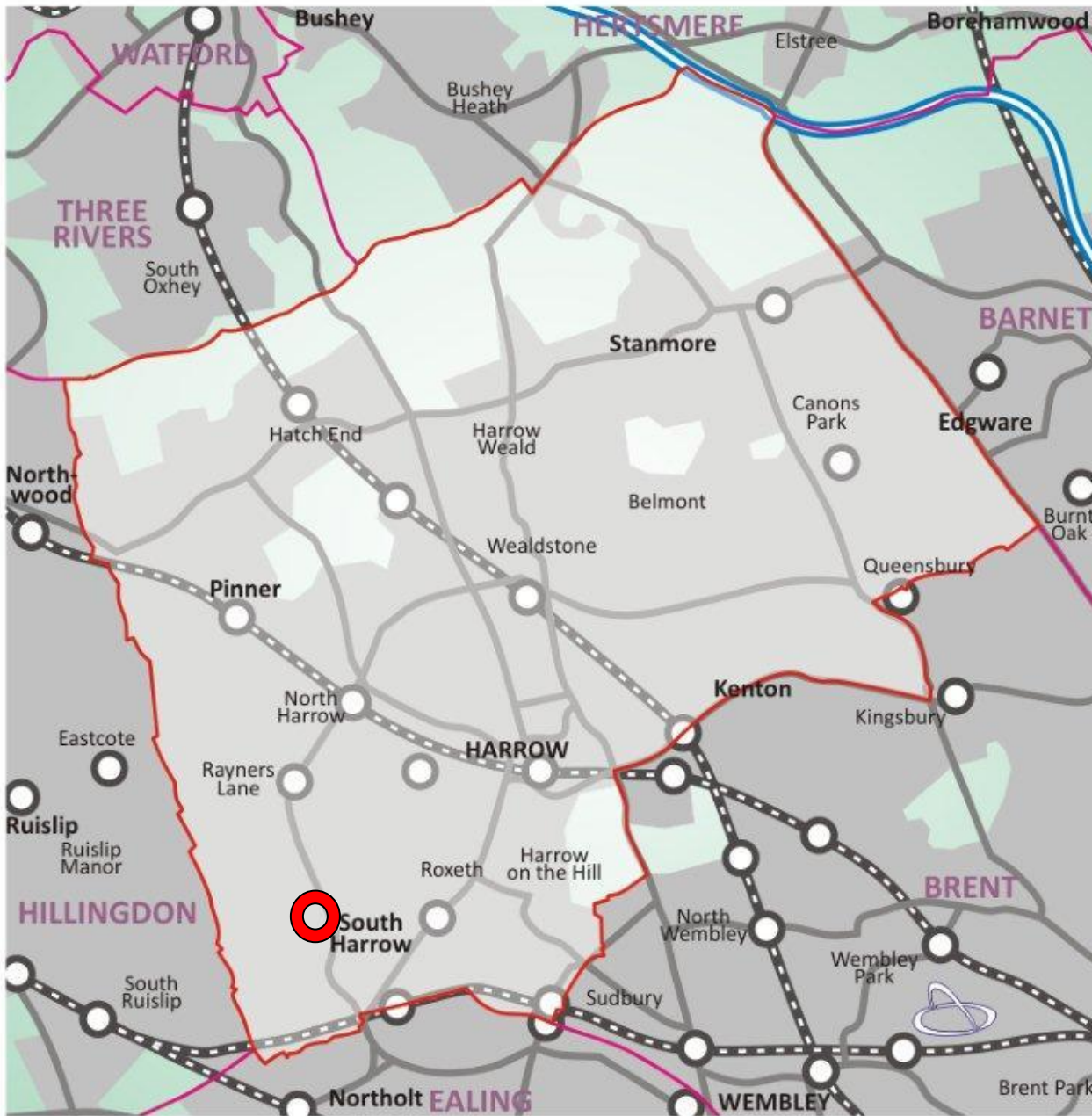


APPENDIX 4: PLANS AND ELEVATIONS

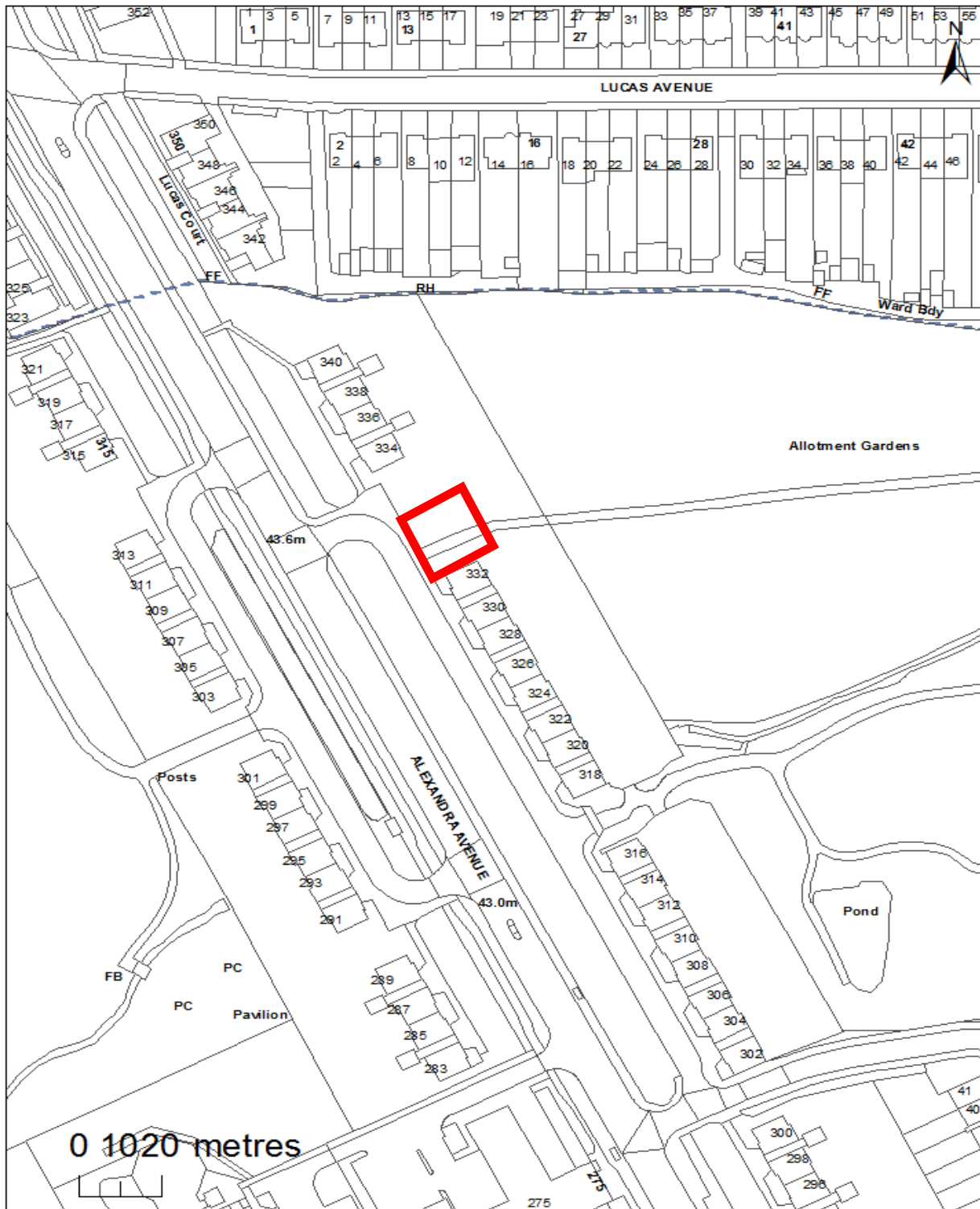


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 = application site



Flats 330 to 332B Alexandra Avenue, Harrow	P/5563/16
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Flats 330 to 332B Alexandra Avenue, Harrow	P/5563/16
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/5563/16
VALIDATE DATE: 17/01/2017
LOCATION: 330 TO 332B ALEXANDRA AVENUE, HARROW
WARD: ROXBOURNE
POSTCODE: HA2 9DX
APPLICANT: HARROW COUNCIL
AGENT: LBA
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 01/03/2017

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Construction of a three storey block of six flats attached to the existing building

The Planning Committee is asked to:

RECOMMENDATION A

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to the conditions listed in Appendix 1 of this report.

REASON FOR RECOMMENDATION

The proposed development would make a more efficient use of this previously developed site and would make a welcome contribution to the supply of new housing to the Council Housing Stock. It would accord with the Borough's spatial vision and strategy as set out in the Harrow Core Strategy. The development of the site is therefore considered to be acceptable in principle.

INFORMATION

The application is reported to the Planning Committee as the subject site is owned by the Council and is over 100sqm in area and the proposal relates to the construction of 6 dwellings. As such, it falls outside the scope of the exception criteria set out at Part 1(h) of the Scheme of Delegation dated 29th May 2013.

Statutory Return Type: E13 Minor Dwellings

Council Interest:	The land is owned by the Council
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£16,065
Local CIL requirement:	£50,490

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:
 Part 1: Planning Application Fact Sheet
 Part 2: Officer Assessment
 Appendix 1 – Conditions and Informatives
 Appendix 2 – Site Plan
 Appendix 3 – Site Photographs
 Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	330 TO 332B ALEXANDRA AVENUE, HARROW
Applicant	Harrow Council
Ward	Roxbourne
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	

Housing		
Density	Proposed Density hr/ha	449
	Proposed Density u/ph	168
	PTAL	3
	London Plan Density Range	70-170 u/HA
Dwelling Mix	Studio (no. / %)	
	1 bed (no. / %)	1/17%
	2 bed (no. / %)	5/83%
	3 bed (no. / %)	
	4 bed (no. / %)	
	Overall % of Affordable Housing	100%
	Social Rent (no. / %)	
	Intermediate (no. / %)	
	Private (no. / %)	
	Commuted Sum	
	Comply with London Housing SPG?	Yes
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Yes	

Transportation		
Car parking	No. Existing Car Parking spaces	50
	No. Proposed Car Parking spaces	58
	Proposed Parking Ratio	1:1.1
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	12
	Cycle Parking Ratio	1:2
Public Transport	PTAL Rating	3
	Closest Rail Station / Distance (m)	740m
	Bus Routes	
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	
	Previous CPZ Consultation (if not in a CPZ)	
	Other on-street controls	
Parking Stress	Area/streets of parking stress survey	
	Dates/times of parking stress survey	
	Summary of results of survey	
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Binstore and recycling within block. Collection by Council Service

PART 2: ASSESSMENT

1.0 SITE DESCRIPTION

- 1.1 Vacant land adjacent to an existing block of flats at 330 to 332 Alexandra Avenue.
- 1.2 This section of Alexandra Avenue is characterised by three storey blocks of flats.
- 1.3 Allotments adjoin the rear boundary of the site.
- 1.4 The site is located within Flood Zone 3B. There are no other site specific constraints on the site.

2.0 PROPOSAL

- 2.1 19.5 m wide three storey extension to 330 to 332 Alexandra Avenue to create a one bedroom, two person flat and a one two bedroom three person flat on the ground floor and two, two bedroom four person flats on the first and second floors with a bin store and cycle store within the ground floor
- 2.2 The proposed extension would be to the same depth as the existing block but would have a ridge height 0.5m higher than the existing.
- 2.3 The proposed flats would each have a balcony to a similar scale as the balconies of the existing flats.
- 2.2 Reconfiguration of existing parking provision with the introduction of echelon spaces resulting in an increase in parking provision of 8 spaces.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning application history for this site.

4.0 CONSULTATION

- 4.1 A total of 9 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 07/02/2017

4.3 Adjoining Properties

Number of letters Sent	9
Number of Responses Received	0
Number in Support	0
Number of Objections	3
Number of other Representations (neither objecting or supporting)	0

4.4 Three letters of objections were received from the adjoining residents.

4.5 A summary of the responses received along with the Officer comments are set out below:

Details of Representation	Summary of Comments	Officer Comments
Mr Goodchild 334B Alexandra Avenue	Insufficient Parking	
Mr Mulji 334A Alexandra Avenue	Loss of daylight Insufficient Parking Drive to allotment would be narrow.	
Ms Loscombe 321B Alexandra Avenue	Reduction in communal garden Insufficient parking	

4.6 Statutory and Non Statutory Consultation

4.7 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
LBH Highways	The proposal to introduce further housing units into this location would be likely to increase pressure on the already congested service roads. The roads are narrow and heavily parked throughout the day and night. Access to public transport is limited at this location but various options	Noted.

	<p>are available within a reasonable walking distance. We would consider that mitigation is required to make this application acceptable.</p> <p>The proposals to improve the parking layout at this location will allow for some extra parking to take place which can be considered a benefit. A one-way system on both sides would also help by removing conflict and will make accessing the new echelon bays safer.</p> <p>As this affects adopted highway, we would not be seeking to introduce disabled parking spaces but the proposed larger bays for future provision are acceptable and neither would we be seeking the introduction of electric vehicle charging points as we already have a programme to provide EV charging at key locations on highway.</p>	
LBH Policy	<p>The proposal would technically sit within the garden of the block of flats already located on the site, as set out within paragraph 3.1 of the Garden Land SPD (2013). However, it is noted that it would not conflict with the criteria as set out under paragraph 3.5 (a, b, c) in terms of 'what is garden land development'. Given that the proposal does not explicitly conflict with what is detailed within the SPD, and the benefits that it would offer in terms of extra housing, there would be no objection in principle.</p> <p>It is noted that the development would result in the realignment of the access to the allotments to the rear of the property. It would be worthwhile securing that this be re-</p>	Noted.

	provided in a timely fashion to continue access to the allotments, and compliance with policy DM2 (Lifetime Neighbourhoods) of the Harrow Development Management Policies Local Plan (2013).	
LBH Drainage	No objection subject to conditions	Condition Recommended

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.3 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.4 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.

5.5 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 **ASSESSMENT**

6.1 The main issues are;
Principle of the Development
Regeneration
Character of the Area

Residential Amenity and Accessibility
Traffic, Parking and Drainage

6.2 Principle of Development

- 6.2.1 The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 should be taken as a whole. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality build environment that reflect the community needs and support its health, social and cultural well-being. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.
- 6.2.2 Paragraph 12 of the NPPF states that: 'This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.'
- 6.2.3 Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of residential dwellings here. The proposed development would not result in development on garden land and would therefore not conflict with Core Strategy policies CS1A and CS1B.
- 6.2.4 Policy 3.8 of The London Plan (2016) also encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy CS(I) states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities'.
- 6.2.5 The site is not allocated for development. The redevelopment of the site and the provision of new dwellings on the site are considered to represent a 'windfall development' as outlined in the Core Strategy. The use of the land for residential uses could therefore be supported in principle and would make an important contribution to the housing stock in the borough, including affordable housing, particularly having regard to the increased housing target identified within the London Plan (2016).
- 6.2.6 The principle of the re-development of the site is considered to be acceptable by officers, subject to consideration of further policy requirements as detailed below.

6.3 Regeneration

- 6.3.1 The proposal would redevelop a "windfall site" that would provide additional Council Housing Stock and create local jobs during the construction.

6.3.2 The London Borough of Harrow published a Regeneration Strategy for 2015 – 2026. The objective of this document is to deliver three core objectives over the plans life, which include;

- Place; Providing the homes, schools and infrastructure needed to meet the demands of our growing population and business base, with high quality town and district centres that attract business investment and foster community engagement;
- Communities; Creating new jobs, breaking down barriers to employment, tackling overcrowding and fuel poverty in our homes and working alongside other services to address health and welfare issues;
- Business; Reinforcing our commercial centres, promoting Harrow as an investment location, addressing skills shortages, and supporting new business start-ups, developing local supply chains through procurement.

6.3.3 The proposed scheme would help to generate new jobs and in turn the new occupiers would help the existing businesses to thrive, it would achieve the overall aspiration of regeneration of the Borough by helping to meet the demands of a growing population. Furthermore, the proposed development would aid in the regeneration of the Borough as it would result in new residential accommodation within the neighbourhood, and would help to promote housing choice, meet local needs, and to maintain mixed and sustainable communities.

6.4 Character of the Area

6.4.1 The NPPF makes it very clear that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making better places for people.

6.4.2 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all Boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.

6.4.3 Core Policy CS(B) states that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.’

6.4.4 Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) reinforces the principles set out under The London Plan (2016) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building

layout and design, should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces.

- 6.4.5 The proposed development would read as a continuation of the existing block of flats. While the proposed extension would be 0.5m higher than the existing flats it is considered that it would maintain a sympathetic relationship with the existing built form.
- 6.4.6 The design and appearance of the proposed extension would include balconies to a similar scale as the existing and would read as a sympathetic addition to the built form and, subject to a condition to secure final details of proposed materials, would secure a high quality of design.

6.5 Residential Amenity

- 6.5.1 Policy 7.6 of The London Plan (2016) states that “Buildings and structures should not cause unacceptable harm to the amenity of the surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”.
- 6.5.2 Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) requires that: “All development and change of use proposals must achieve a high standard of privacy and amenity of neighbouring occupiers”. “The assessment of the design and layout of proposals will have regard to: “the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers”.

Amenity of future occupiers

- 6.5.3 Policy DM 27 of the Harrow DMP LP (2013) states that: “Residential development proposals that provide appropriate amenity space will be supported. The appropriate form and amount of amenity space should be informed by:
- a. the location and dwelling mix;
 - b. the likely needs of future occupiers of the development;
 - c. the character and pattern of existing development in the area;
 - d. the need to safeguard the privacy and amenity of neighbouring occupiers; and
 - e. the quality of the space proposed including landscaping (see Policy DM22 Trees and Landscaping).”
- 6.5.4 The first and second floor flats would benefit from 7 sqm balconies. The ground floor flats would not have private amenity space but would have access to a communal amenity space. On balance, the amenity space is considered to be appropriate and would accord within the minimum standards set out in the Mayoral Housing SPG (2016).
- 6.5.5 Table 3.3 of the adopted London Plan (2016) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan (2016) specifies that these are minimum sizes and should be exceeded where possible.

6.5.6 In addition, paragraph 59 of the National Planning Policy Framework (2012) (NPPF) states that local planning authorities should consider using design codes where they could help deliver high quality outcomes. Policy 3.5C of The London Plan (2016) also specifies that Boroughs should ensure that, amongst other things, new dwellings have adequately sized rooms and convenient and efficient room layouts. In view of paragraph 59 of the NPPF and Policy 3.5C of The London Plan (2016), and when considering what is an appropriate standard of accommodation and quality of design, the Council has due regard to the Mayor of London's Housing Supplementary Planning Guidance (SPG) (May 2016).

6.5.7 The room sizes of the proposed flats are shown in the table below, along with the minimum floor areas for rooms as recommended by the Housing SPG (2016).

	Gross Internal Floor Area	Bedroom	Storage
Mayor of London Housing SPG (2016)	1 bedroom, 2 person (50 sqm)	Double 11.5sqm	1.5 sqm
	2 bedroom, 3 person (61sqm)	Single 7.5 sqm	2 sqm
	2 bedroom, 4 person (70sqm)		
Ground floor 1 Bed, 2 person	50 sqm	13.5 sqm	1.5 sqm
Ground floor 2 Bed, 3 person	68.3 sqm	13 sqm 8.6 sqm	2.9 sqm
First and second floor 2 bed, 4 person	70.2 sqm	12.5 sqm 12 sqm	2.9sqm

6.5.8 With reference to the above table. All proposed flats would comply with the minimum Gross Internal Floorspace of the Housing SPG (2016) and are therefore considered acceptable.

6.5.9 The flats would be double aspect and the floor to ceiling heights of the units would be 2.6m which would comply with minimum requirements of the London Plan.

Accessibility

6.5.9 The London Plan (2016) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Policy DM 2 of the Harrow DMLP (2013) seeks to ensure that buildings and public spaces are readily accessible to all

- 6.5.10 The submitted plans and accompanying Design and Access Statement indicates that the proposed ground floor unit would meet “accessible and adaptable” objectives. It is evident from the plans that external door widths and turning circles would be sufficient to accommodate wheelchair users and to meet these Standards. A condition is recommended to be attached to the permission, should approval be granted which would require the units to be built to these standards. Subject to this, the proposed dwellings would provide an acceptable level of accessibility in accordance with the above policies.

Amenity of Neighbouring Occupiers

- 6.5.11 Paragraph 61 of the NPPF states inter alia that planning decisions should address the integration of new development into the built environment. London Plan Policy 7.6 B states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings in relation inter alia to privacy and overshadowing. Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 C & D of the Development Management Policies Local Plan require development to achieve a high standard of design and layout and set out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers to this end. The Council has also produced a Residential Design Guide SPD.

Privacy, Outlook Visual Impact, Loss of Light

- 6.5.12 The proposed extension would respect the 45 degree code with the existing and neighbouring block. Therefore it is considered that there would be no undue impact on residential amenities of neighbouring properties.

Refuse

- 6.5.13 A refuse store is proposed on the ground floor which is considered to be of sufficient size to accommodate the proposed units. However, no details of the capacity of the proposed bins has been provided. Therefore a condition is recommended for details of refuse to be submitted prior to occupation of the development.
- 6.5.14 In summary, officers consider that the proposal would accord with the National Planning Policy Framework (2012), policies 3.5C and 7.6B of The London plan (2016), policies DM 1 and DM 27 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Guidance: Housing Design Guide (2012) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

6.6 Traffic, Parking and Drainage

- 6.6.1 The proposal would make provision for an additional 8 parking spaces, removing 10 kerbside parking spaces and introducing 18 echelon spaces. The slip road would also be changed from two way traffic to one way to alleviate congestion

and ensure safe use of the echelon spaces. A 7.5 sqm cycle store is provided on the ground floor which is considered acceptable. The Highways Authority have raised no objection on parking grounds.

Floodrisk

- 6.6.2 The site is in flood zone 3b. Harrow Drainage Authority have reviewed the submitted Flood Risk Assessment and found it to be sufficient. As such, the development would accord with policy DM9 of the Development Management Policies Local Plan 2013.

Secure by Design

- 6.6.3 All the flats would face onto the public highway and communal landscaped areas which would offer a level of natural surveillance of the site which go some way to designing out crime and seeking Secure By Design (SBD) accreditation. A condition has been attached to ensure that this new development seeks to achieve this.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would make a more efficient use of this previously developed site and would make a welcome contribution to the supply of new housing to the Council Housing Stock. It would accord with the Borough's spatial vision and strategy as set out in the Harrow Core Strategy. The development of the site is therefore considered to be acceptable in principle.

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1 Timing

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 Approved Plans and documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents `ALX PL 001; ALX PL 002 Rev A; ALX PL 003; ALX PL 004 Rev A; ALX PL 005; Rev F; ALX PL 006 Rev B; ALX PL 007 Rev B; ALX PL 008 Rev A; ALX PL 009 Rev A; ALX PL 010A; ALX PL 011 Rev C; Design and Access Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Foul Water Drainage

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

Reason: To ensure that there is adequate waste water infrastructure in place to serve the development and to ensure the separation of surface and foul water systems, in accordance with Policy 5.14 B of the London Plan (2016) and Policy DM 10 B of the Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a **PRE-COMMENCEMENT** condition.

4 Surface Water Drainage and Attenuation

The development hereby permitted shall not commence until details for the works for the attenuation, storage and disposal of surface water to be provided on site have been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the works so agreed and the works shall thereafter be retained.

Reason: To ensure that the development incorporates sustainable drainage systems and achieves greenfield run-off rates, and to ensure the separation of surface and foul water systems, in accordance with Policy 5.13 A of the London Plan (2016) and Policy DM 10 A & B of the Development Management Policies

Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a **PRE-COMMENCEMENT** condition

5 Landscaping 1

Notwithstanding the approved plans, a landscape management plan, including species numbers/locations, long term design objectives, management responsibilities and maintenance schedules for all communal landscape areas shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved. Details are required prior to occupation to ensure a satisfactory form of development.

Reason: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO THE OCCUPATION to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

6 Landscape 2

All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first 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 5 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 ensure that the development maintains appropriate provision for soft landscaping soft landscaping details (including planting appropriate to biodiversity enhancement), in accordance with Policies DM 1 A & B, DM 21 A and DM 22 B of the Development Management Policies Local Plan (2013).

7 Materials

The development hereby approved shall not progress beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been provided to view on site, and agreed in writing by, the local planning authority:

- a. the buildings;
- b. the ground surfacing; and
- c. the boundary treatment.

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

Reason: To ensure that the development achieves a high standard of design and layout and to ensure that the ground surfacing materials are permeable in accordance with Policy DM 1 A & B and DM 10 B of the Harrow Development

Management Policies Local Plan (2013).

8 Refuse

Notwithstanding the approved plans, the development hereby approved shall not progress beyond damp proof course level until further details relating to the bin storage capacity as shown on the approved plans and the suitability of the approved units has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall thereafter be retained.

Reason: To ensure that means of enclosure of the bin store achieve a high standard of design and layout, having regard to the character and appearance of the area, and that the development achieves a high standard of amenity for neighbouring occupiers of the site and future occupiers of the development, in accordance with Policy DM 1 A & B and C & D of the Harrow Development Management Policies Local Plan (2013).

9 Part M Dwellings

The ground floor units shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings'. All other residential units in this development, shall be built to Building Regulation Standard M4 (2) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

Reason: To ensure provision of 'Wheelchair and Accessible and adaptable' housing.

10 Part M Dwellings

The ground floor units shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings'. All other residential units in this development, shall be built to Building Regulation Standard M4 (2) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

Reason: To ensure provision of 'Wheelchair and Accessible and adaptable' housing.

11 Secure by Design Accreditation

Evidence of certification of Secure by Design Accreditation (silver or gold) for the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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.

12 Television Reception Equipment

The development hereby permitted shall not commence beyond damp proof course level until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

Reason: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

13 Flues & Pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

Reason: To enhance the appearance of the development and safeguard the character and appearance of the area.

14 Window and Door Reveals

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not commence beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations. In the event that the depth of the reveals is not shown to be sufficient, a modification showing deeper reveals shall be submitted for approval in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

Reason: To ensure a high quality finish to the external elevations of the building.

Informatives

1 **Policies**

The following policies are relevant to this decision:

National Planning Policy Framework (2012) (NPPF)

The London Plan (2016):

- 3.3 – Increasing Housing Supply
- 3.5 – Quality and Design of Housing Developments
- 3.8 – Housing Choice
- 5.2 – Minimising Carbon Dioxide Emissions
- 5.3 – Sustainable Design and Construction
- 5.12 – Flood Risk Management
- 5.13 – Sustainable Drainage
- 6.3 – Assessing Effects of Development on Transport Capacity
- 6.9 – Cycling
- 6.13 – Parking
- 7.1 – Building London’s Neighbourhoods and Communities
- 7.2 – An Inclusive Environment
- 7.3 – Designing Out Crime
- 7.4 – Local Character
- 7.6 – Architecture

Draft London Plan (2017)

- H1 Increasing Housing supply
- H12 Housing Size Mix
- D1 London’s form and characteristics
- D2 Delivering good design
- D10 Safety, security and resilience to emergency
- S112 Minimising greenhouse gas emissions
- S113 Sustainable Drainage
- T5 Cycling
- T6.1 Residential Parking

Harrow Core Strategy 2012

- Core Policy CS 1 – Overarching Policy Objectives
- Core Policy CS4 – South Harrow

Harrow Development Management Policies Local Plan (2013)

- Policy DM 1 - Achieving a High Standard of Development
- Policy DM 2 – Achieving Lifetime Neighbourhoods
- Policy DM 10 – On Site Water Management and Surface Water Attenuation
- Policy DM 12 – Sustainable Design and Layout
- Policy DM 14 – Renewable Energy Technology
- Policy DM 18 – Open Space
- Policy DM 20 – Protection of Biodiversity and Access to Nature
- Policy DM 21 – Enhancement of Biodiversity and Access to Nature

Policy DM 22 – Trees and Landscaping
Policy DM 23 – Streetside Greenness and Forecourt Greenery
Policy DM 24 – Housing Mix
Policy DM 27 – Amenity Space
Policy DM 42 – Parking Standards
Policy DM 44 - Servicing
Policy DM 45 – Waste Management

Relevant Supplementary Documents

Supplementary Planning Document – Residential Design Guide (2010)
Mayor Of London, Housing Supplementary Planning Guidance (2016)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

2 Considerate Contractor Code of Practice

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 Party Wall Act

PARTY WALL ACT:

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 Compliance With Conditions

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

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For

example, that a scheme or details of the development must first be approved by the Local Planning Authority.

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

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

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

5 Pre-application Engagement

Statement under Article 31 (1) (cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

6 GLA CIL

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £16,065 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £16,065 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 305 sqm

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

7 Local CIL

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class

A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

The Harrow CIL Liability for this development is: £50,490.

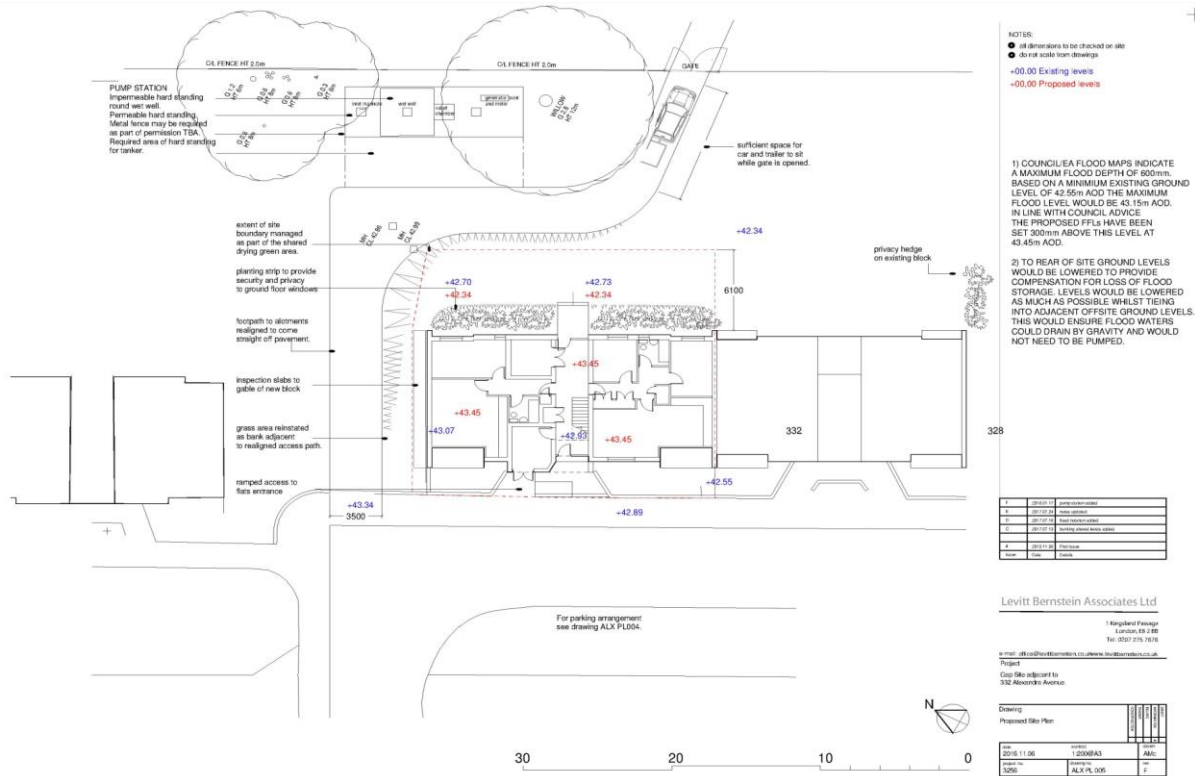
APPENDIX 2: SITE PLAN



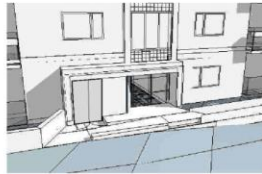
APPENDIX 3: PHOTOGRAPHS



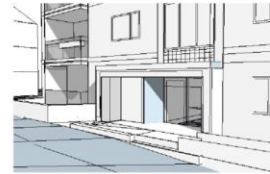
APPENDIX 4: PLANS AND ELEVATIONS



1:200 Elevation with shadows



Entrance with ramp



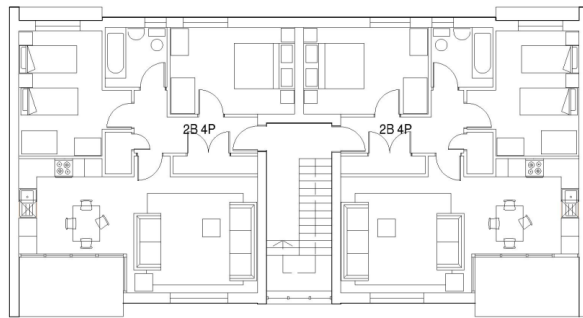
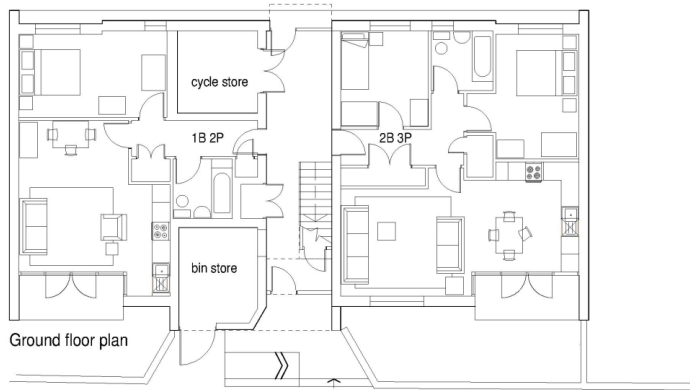
Entrance with ramp



View towards entrance to allotments



Levitt Bernstein
 Alexandra Avenue
 Revised proposal 3-D Views
 3265B ALX PL010A



NOTES:
 ● all dimensions to be checked on site
 ● do not scale from drawings

#	2018.07	Rev 0001
A	2018.07	Issue for tender
F	2018.07	Final issue
Rev	Date	Description

Levitt Bernstein Associates Ltd

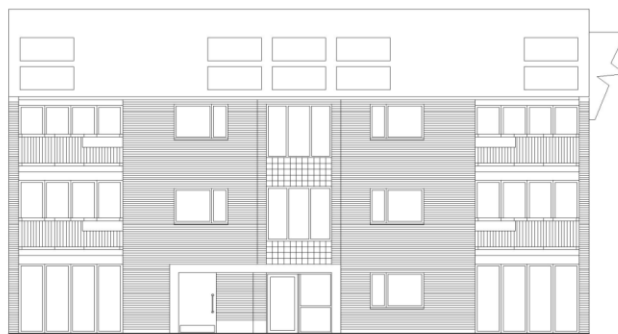
1 Kingsland Passage
 London, E8 2BE
 Tel: 0207 275 7876

e-mail: office@levittberstein.co.uk www.levittberstein.co.uk

Project

Clap Site adjacent to
 332 Alexandra Avenue

Drawing		Date		Scale	
Floor Plans		2018.05.23		1:100 (B3)	
		2018.05.23		AMC	
		2018.05.23		B	



NOTES:
 ● all dimensions to be checked on site
 ● do not scale from drawings

#	2018.07	Rev 0001
A	2018.07	Issue for tender
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Rev	Date	Description

Levitt Bernstein Associates Ltd

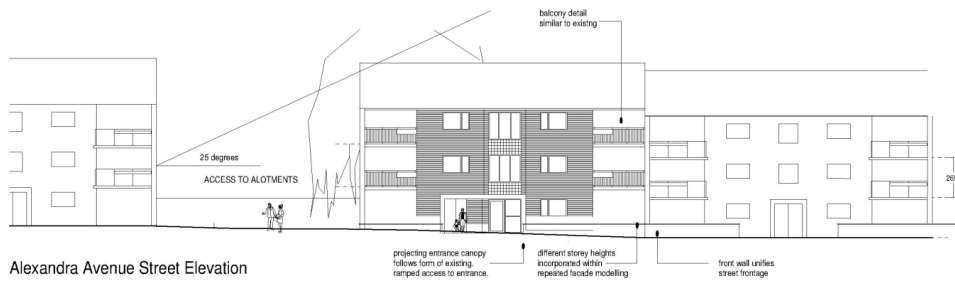
1 Kingsland Passage
 London, E8 2BE
 Tel: 0207 275 7876

e-mail: office@levittberstein.co.uk www.levittberstein.co.uk

Project

Clap Site adjacent to
 332 Alexandra Avenue

Drawing		Date		Scale	
Elevations		2018.05.23		1:100 (B3)	
		2018.05.23		AMC	
		2018.05.23		B	



Alexandra Avenue Street Elevation



Alexandra Avenue Rear Elevation

- NOTES:
- all dimensions to be checked on site
 - do not scale from drawings

#	2018/05/23	Revised elevation
#	2017/12/14	Submission to Planning Department & PA
#	2018/02/02	Scale for artist
#	2018/02/02	Finalise
Author	AKL	Drawn

Levitt Bernstein Associates Ltd

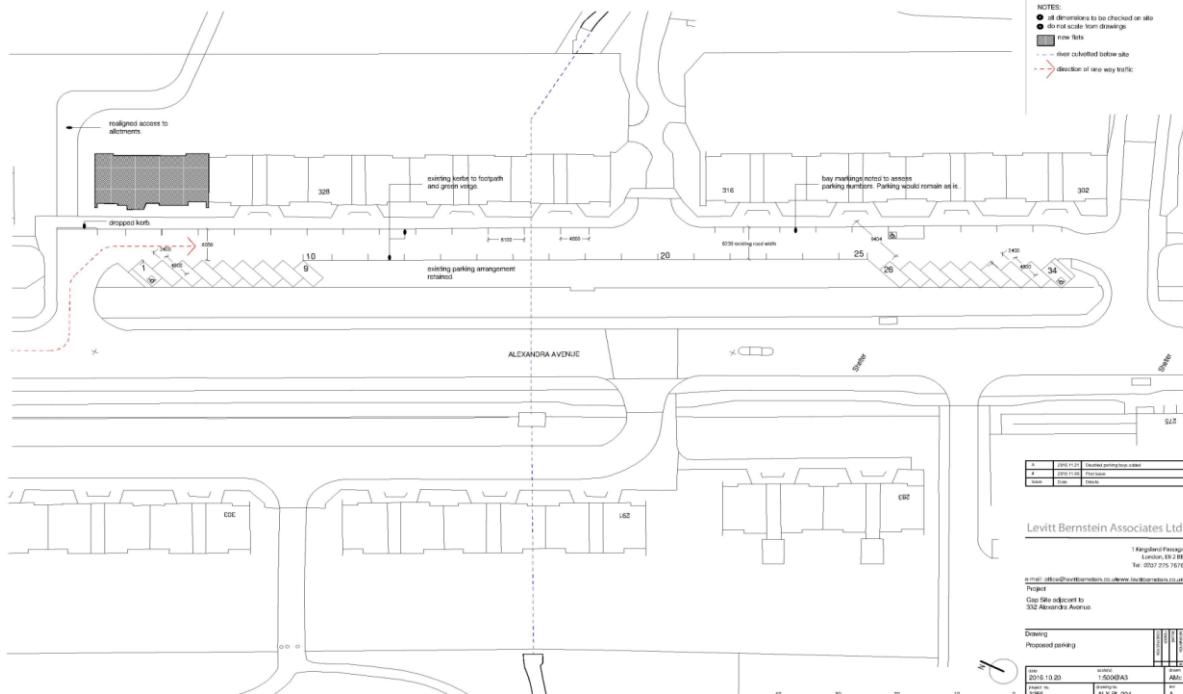
1 Kingsland Passage
London, E8 2RF
Tel: 0207 275 7876

e-mail: office@levittbernstina.co.uk www.levittbernstina.co.uk

Project
Gap Site adjacent to
332 Alexandra Avenue

Drawing		DATE	BY	CHECKED	SCALE
Current Elevations		2018/05/23	AKL	AKL	1:1

DATE	2018/05/23	PROJECT	1-200@BA3	SCALE	AKL
PROJECT NO.	5256	DRAWING NO.	ALX PL 011	SCALE	C



Levitt Bernstein Associates Ltd

1 Kingsland Passage
London, E8 2RF
Tel: 0207 275 7876

Project
Gap Site adjacent to
332 Alexandra Avenue

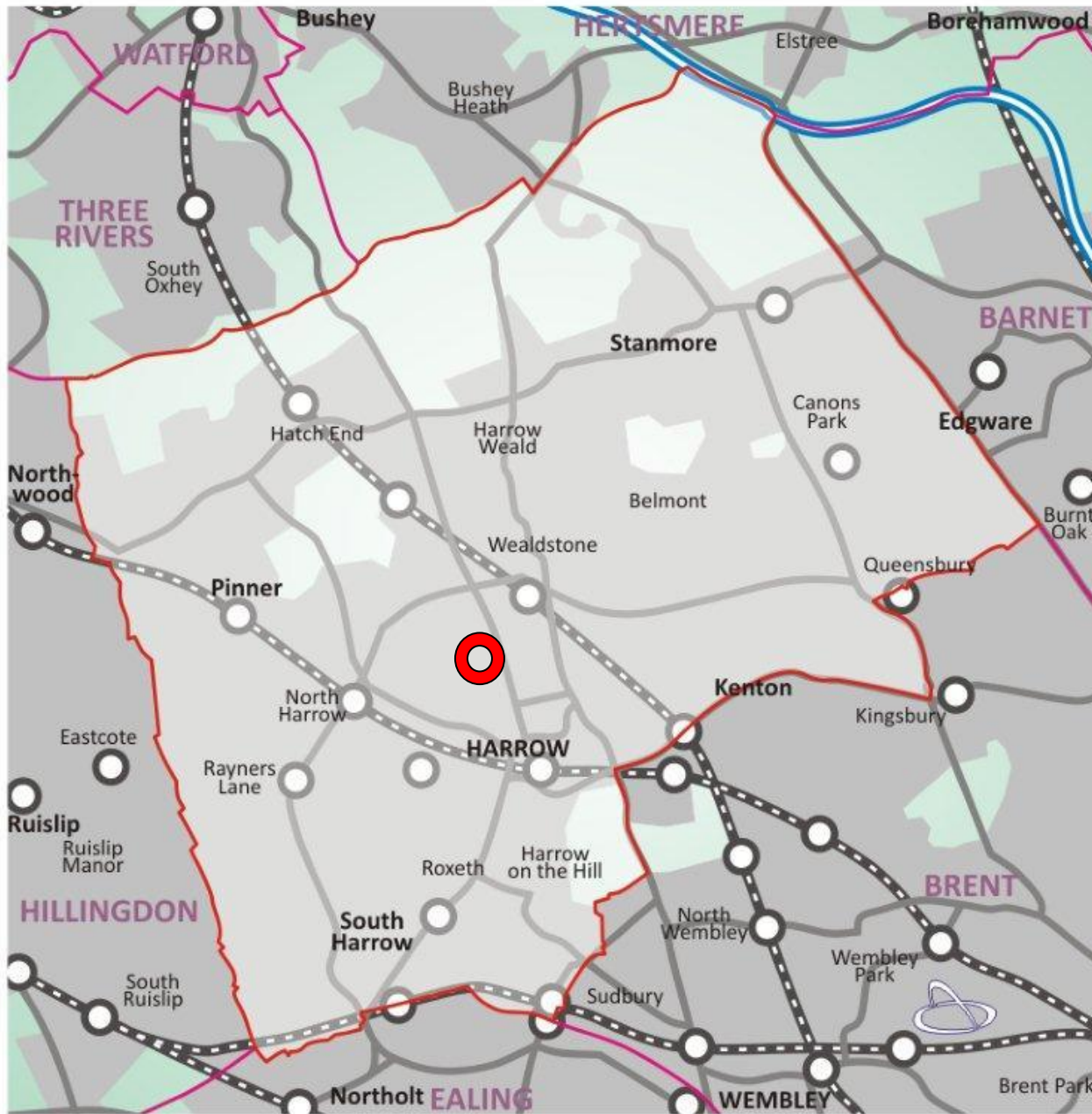
Drawing		DATE	BY	CHECKED	SCALE
Proposed parking		2018/10/20	AKL	AKL	1:1

DATE	2018/10/20	PROJECT	1-200@BA3	SCALE	AKL
PROJECT NO.	5256	DRAWING NO.	ALX PL 004	SCALE	A



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 = application site



1a Cunningham Park, Harrow	P/4427/17
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1a Cunnigham Park, Harrow	P/4427/17
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/4427/17
VALIDATE DATE: 18/10/2017
LOCATION: 1A CUNNINGHAM PARK, HARROW
WARD: HEADSTONE SOUTH
POSTCODE: HA1 4QW
APPLICANT: CUNNINGHAM PARK PROPERTY LTD
AGENT: HGH PLANNING
CASE OFFICER: RAPHAEL ADENEGAN
EXPIRY DATE: 04/12/2017

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Outline application for access, appearance, layout and scale: Demolition of existing dwellinghouse and erection of new building comprising 2 x 3 bedrooms and 7 x 2 bedroom flats; Amenity space; Parking; Cycle and Refuse Storage; New vehicle access

- 1) agree the reasons for approval as set out in this report, and
- 2) **grant** planning permission subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATIONS

The proposed scheme seeks to provide 9 residential units. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). Furthermore, the proposed development would improve the visual amenity of the site and surrounding area and would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

INFORMATION

This application is reported to Planning Committee as the proposed development creates more than six residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Minor
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£25,363.1
Local CIL requirement:	£71.466

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Draft London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:
 Part 1: Planning Application Fact Sheet
 Part 2: Officer Assessment
 Appendix 1 – Conditions and Informatives
 Appendix 2 – Site Plan
 Appendix 3 – Site Photographs
 Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	1A Cunningham Park, Harrow, HA1 4QW
Applicant	Cunningham Park Property Ltd
Ward	Headstone
Local Plan allocation	N/A
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	None
Other	N/A

Housing		
Density	Proposed Density hr/ha	292
	Proposed Density u/ph	69
	PTAL	1b
	London Plan Density Range	150-200
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / %)	7 / 78%
	3 bed (no. / %)	2 / 22%
	4 bed (no. / %)	0
	Overall % of Affordable Housing	N/A
	Comply with London Housing SPG?	Yes
	Comply with M4(2) of Building Regulations?	Condition attached

Transportation		
Car parking	No. Existing Car Parking spaces	2
	No. Proposed Car Parking spaces	11
	Proposed Parking Ratio	1:1.2
Cycle Parking	No. Existing Cycle Parking spaces	N/A
	No. Proposed Cycle Parking spaces	18
	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	1b
	Closest Rail Station / Distance (m)	Harrow on the Hill Station (800m to 1.5km) Metropolitan Line & Chiltern Railway Services, Harrow & Wealdstone (1.2km) Bakerloo Line & National Rail Station
	Bus Routes	Harrow View Bus Stop; H14 (80m) and H9 & H10 (200m)
Parking Controls	Controlled Parking Zone?	Yes
	CPZ Hours	N/A
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	N/A
Parking Stress	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
	Summary of results of survey	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Purpose built bin storage to rear

Sustainability / Energy	
BREEAM Rating	N/A
Development complies with Part L 2013?	Condition Added
Renewable Energy Source / %	N/A

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application comprises of a site located on the south side of Cunningham Park. This section of the street is on a higher ground to the rest of the street with the ground rising from north to south.
- 1.2 The current site contains a two-storey brick/rendered detached dwellinghouse with a timber framed detached garage on a spacious plot. The application property and the adjoining, No. 1 are on a higher ground level to the adjoining properties.
- 1.3 The existing house is set back approximately 13m from the edge of the highway and front boundary, 24m from the rear boundary, 10.5m from the eastern boundary and 5.6m from the western boundary.
- 1.4 The surrounding area is predominately residential and is characterised by buildings with varied designs and styles but predominantly semi-detached.
- 1.5 The site abuts 1 Cunningham Park, a detached Victorian House to the west; 1b Cunningham Park, a recently built backland detached house and Nos. 86, 88 and 90 Harrow View to the east.
- 1.6 To the rear are gardens of 84 Harrow View, Nos. 2, 4, 6 and Chiltern Court, Buckingham Road. Chiltern Court is a block of 12 flats.
- 1.8 There are no protected trees on site.
- 1.9 The application site is located in area with poor transport links and as such has a PTAL rating of 1b.
- 1.10 The site is not located in a critical drainage area of Harrow. There are no other constraints on site.

2.0 PROPOSAL

- 2.1 The application seeks Outline planning permission for the demolition of existing dwelling and the erection of two storey building with habitable roofspace contained under a crown roof for use as 2 x 3 bedroom and 7 x 2 bedroom self-contained flats. The dwellings would each comprise of three bedrooms in Flats 2 and 5 on the ground and first floors with a large living room/kitchen while 3 x 2 bedroom would be created within the roofspace.

- 2.2 The front elevation would contain 3 flat roof dormer windows, part gable end and matching end bays at two-storey height and central bay at ground floor. The rear elevation would contain 4 flat roof dormer windows
- 2.3 The new building would have a mid-outrigger and would have an overall depth of approximately 20m and approximately 17.4m in width.
- 2.4 Due to the sloping nature of the land the building would have varying heights of approximately 9.3m and 9.5m taken from ground level with the front elevation at 9.45m and the rear elevation at 9.3m with rear balconies at first floor level. The mid-first floor balcony would project approximately 1.45m from the rear wall and 4.15m wide. Another balcony serving Flat 6 is proposed in the recessed aspect of the rear elevation. This would be approximately 2.4m deep and 2.3m wide.
- 2.6 The building would be set approximately 2m from the side boundary with No. 1 at the front narrowing down to 1.6m at the rear and set a minimum 5.5m from the side boundary of No. 1d. The roof would contain six rooflights in the right side roof slope overlooking No. 1 and six rooflights in the left side roof slope overlooking No. 1d. The 50 degrees angle of pitch to the main roof would create a very large crown roof aspect.
- 2.7 The proposal would provide spaces (2.4m x 4.8m in size) for 11 cars/vehicles (including 1 disabled parking space) to park within the site in two parallel rows at the bottom rear of the garden. All vehicles would enter and leave the site via a new vehicular access in Cunningham Park. The existing access is proposed to be closed.
- 2.8 At the rear of the new dwellings, a communal garden area of approximately 191sq.m and 3m deep private patio for two ground floor flats would be laid out, with the existing 2m high perimeter wall/close-boarded fence retained along the rear and side boundaries.
- 2.9 The external appearance will feature facing brickwork and stone bands while plain roof tiles will be used for the roof.
- 2.10 The Outline application is for the consideration of access, appearance, layout and scale, with only landscape matters reserved.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
LBH/42962	Section 64 Determination: Detached Outbuilding for Use Ancillary to Dwelling	Withdrawn

HAR/13196	Erection of Detached House	Granted: 17/7/1957
P/2825/17/ PRIOR	Single Storey Rear Extension: extending 8 metres beyond the original rear wall, 3.15 metres maximum height, 3.15 metres high to the eaves	Granted: 7/8/2017
P/1488/17	Certificate of Lawful Development (Proposed): Single storey rear extension; Insertion of window in ground floor side elevation and insertion of door in other side elevation	Refuse: 1/6/2017 Reasons For Refusal: Prior Approval Notification of Intention has not been applied for prior to the submission of this certificate. The development is therefore not within the tolerances of Schedule 2, Part 1, Class A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
P/1490/17	Certificate of Lawful Development (Proposed): Single storey side extension; Replacement of window with door and window in ground floor rear elevation	Grant: 1/6/2017
P/1491/17	Certificate of Lawful Development (Proposed): Single storey side extension; Replacement of window with doors on ground floor rear elevation and removal of door in side elevation	Granted: 1/6/17

4.0 CONSULTATION

- 4.1 A second site notice was displayed on 1st February 2018.
- 4.2 A total of 40 consultation letters were sent to neighbouring properties regarding this application.

4.3 The overall public consultation period expired on 9th March 2018.

4.4 Adjoining Properties

Number of letters Sent	40
Number of Responses Received	9
Number in Support	0
Number of Objections	9
Number of other Representations (neither objecting or supporting)	0

4.5 A summary of the responses received along with the Officer comments are set out below:

Representation	Summary of Comments	Officer Comments
100 Harrow View	The proposal will exacerbate the parking problem currently experienced in the area. Will the site have on-site parking?	Refer to section 6
12 Cunningham Park	The developer is only interested in monetary value of the land. The proposal will have impact on the parking congestion and more important the privacy of nearby dwellings that will be overlooked. The proposal will be out of	Comments have been made in respect of the profiteering of the developer and effects on local property values. However, such matters are not material in officer's consideration of this application, which is based upon its planning merits, rather than on private interests. Refer to section 6 Refer to section 2

	character and only a semi or detached house be considered for this site	and 6.2
98 Harrow View	<p>The building of this size is disproportionate to the existing plot.</p> <p>It would create additional congestion to this end of Cunningham Park, which is already very dense, and a nightmare to drive through.</p>	<p>Refer to section 6</p> <p>Refer to section 6</p>
26 Carlyon Road	<p>I am considering buying one of the flats on Buckingham road which back onto the proposed development:</p> <p>The development would block daylight into adjoining flats at Buckingham Road flat and obscure view of the flats.</p> <p>The flats will be overlooked and we will have no privacy.</p>	Refer to section 6
110 Roxborough Road	The proposal will restrict view from 2 and 4 Buckingham Road and completely block light into the properties	Issue addressed in section 6
86a Harrow View	<p>The proposed building will extend rearward than the existing, much nearer the rear of my property, limiting privacy. I will be able to see into these flats, and vice versa.</p> <p>This proposal is out of proportion to the road and to the area and will limit our privacy and peace</p> <p>The development includes an access road and car park immediately to the rear of my garden, with the resultant increase in noise and possibly</p>	Addressed in the context of the report.

	<p>litter, and anti-social behaviour.</p> <p>The proposal will add to the existing parking problem in the area.</p>	
6 Cunningham Park	<p>The development will cause huge disturbance whilst being constructed</p> <p>There will be loss of light and impact on noise and traffic from eight additional households on an already congested part of Cunningham park (especially during peak times).</p>	<p>A condition and informative on construction method has been attached.</p> <p>Addressed in the context of the report.</p>
8 Cunningham Park	<p>The proposed development will have an high density and the over-development of the site will involve the significant loss of garden land and green space,</p> <p>There will be adverse impact on noise level resulting from high occupancy.</p> <p>There will strain on the limited parking spaces causing congestion;</p>	<p>Addressed in the context of the report.</p>
1d Cunningham Park	<p>A 9 flat building at this end of Cunningham Park is completely disproportionate to the previous building.</p> <p>Flats will overlook my house and my garden which is an invasion of my privacy.</p> <p>The proposal will exacerbate the parking problem currently experienced in the area</p> <p>The building work would cause me enormous stress due to the noise and dust</p>	<p>Addressed in the context of the report.</p> <p>A condition and informative on construction method has been attached.</p>

4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken, together with the responses received and officer comments:

Consultee	Summary of Comments	Officer Comments
LBH Design Advisor	The scale of the proposal is okay.	Noted
LBH Drainage	No objections, subject to conditions.	Noted; condition attached.
LBH Highways	No objection to the proposal	Noted
LBH Environmental Health	No objection to the proposal	Noted
LBH Landscape Architect	No Comments Received	Noted
LBH Waste	No Comments received.	Noted.

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

5.2 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

- 5.5 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.
- 5.6 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

- 6.1 The main issues are;

Principle of the Development
Character of the Area
Residential Amenity for Future Occupiers
Residential Amenity (Neighbouring Residents)
Traffic and Parking
Drainage
Trees

6.2 Principle of Development

- 6.2.1 London Plan and the Local Plan Policies encourages development to take place on previously used or developed land and directs new development towards existing towns and developed areas. This is in line with the National Planning Policy Framework 2012 (NPPF) which encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should encourage the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value.
- 6.2.2 The application site is situated within the developed area of Harrow as outlined in the Harrow Local Plan. This site has previously been developed and currently comprises a two storey detached dwelling with front and rear gardens. The site has not been allocated in the Local Plan for additional housing supply and as such comes forward as a windfall residential site where Policy CS1A of Harrow's Core Strategy 2012 [CS] applies. This policy undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites.
- 6.2.3 Whilst the Council have a five year housing supply, as outlined in the Annual Monitoring Report, the national situation has changed to the extent that it is considered that the country is not building sufficient housing to meet its needs.

It is therefore considered that the windfall residential development proposed at this particular site potentially could make a small but valuable contribution to both local and national housing land supply.

- 6.2.4 The application site is located within an existing residential area and as such the infrastructure has been developed to provide good transport links for existing residents. There are also services and facilities available within close proximity of the site. Furthermore, there are no known physical or environmental constraints at this site. The proposal would, therefore, not be in contradiction with London and Local Plans and national policy subject to an assessment of the scheme against the principles of sustainable development and policies governing residential development which are considered in detail below. According, the proposal to introduce residential units at the site is considered acceptable in principle.

Affordable Housing

- 6.2.5 The proposal to introduce 9 residential units to the site would be below the 10 unit threshold and as such would not trigger the requirement to provide any element of affordable housing.

6.2.6 Housing Mix

Policy DM24 (Housing Mix) of the Development Management Policies Local Plan document supports proposals that secure an appropriate mix of housing on the site. The development proposed here would contribute towards the housing stock and increase the choice of housing in the Borough and the opportunity area and would therefore find some support in policies 3.5 and 3.8 of The London Plan (2016).

- 6.2.9 London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. The proposal's 9 home contribution to housing supply ensures that this site makes an appropriate contribution to the Borough's housing need over the plan period to 2026.

- 6.2.10 The application site area is 0.13 hectares and it has a public transport accessibility level (PTAL) score of 1b indicating a low level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have a suburban setting. The proposal, taken as a whole, equates to a density of 69 units per hectare and of 292 habitable rooms per hectare. The densities fall well above the overall matrix ranges for a suburban setting sites with a PTAL 1b. However, as noted above, the matrix is only the starting point for considering the density of development proposals provided that the development will not have an adverse impact on the character of the surrounding area and satisfy the design policies of the Plan.

- 6.2.11 Notwithstanding the increase in size and the ensuing density of 69 dwellings per hectare, it is considered that the level of open space around the built form is

commensurate to the level of accommodation and size of the land in the context of its location which is close to public transport facilities and character of the area, and as such is not considered to be an overdevelopment of the site nor result in a detrimental effect on the character of the area. The proposal would comply with the other material considerations and these are discussed further in the report below.

6.2.12 Loss of Garden Land

The Council seeks to resist the loss of garden land as amplified in the Garden Land SPD. However, the SPD sets out certain exceptions which includes the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint, plus any appropriate enlargement(s). This proposal falls within this exception category and therefore does not constitute garden land development.

- 6.2.13 The existing building is detached and appears not to have been extended before. The existing property has been through the prior approval process and certificate of lawfulness for a proposed development with no objection. The ability of the applicant to implement these are therefore are a material consideration in terms of footprint able to be implemented on site as contained in the planning history section. And whilst the proposed development would lead to a larger footprint, this is not considered to constitute garden land development.

6.3 Character of the Area

- 6.3.1 Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass.
- 6.3.2 Core Policy CS1.B specifies that 'All Development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building. In addition to the above, the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 6.3.3 The current application has been amended in terms of scale, mass and design following the initial submission. .
- 6.3.4 Cunningham Park is an established residential location characterised by varying plot sizes containing dwellings, including detached, semis and flatted units, built in a variety of architectural styles and materials. There has been much redevelopment in the area, where large plots have been sub-divided or smaller dwellings have been extended or replaced by larger dwellings. As a result, architectural styles and materials vary but all with gabled façade and pitched roof. In terms of visual appearance, the variety present within the surrounding

streetscene allows some flexibility in the design of new additions. Small-sized front gardens with a mixture of soft and hard landscaping remain a principal feature of the streetscene where planting beds, hedges, shrubs and trees add to the character of the area and soften the appearance of the built development.

Design, Scale and Siting

- 6.3.5 This application seeks full planning permission for the demolition of the existing dwellinghouse and erection of a new building comprising 2 x 3 bedroom and 7 x 2 bedroom flats. The new building would be three storeys in height with the second floor accommodation provided within the roofspace. The application property has an 8m single-storey rear extension approved under the prior approval process and a single-storey side extension granted under permitted development. These schemes are referred to in the design statement as a 'fall back' position. Whilst the proposal would increase the scale and density of development within the application site, given the size of the plot and the space that would be retained around the building, the proposal would not result in overdevelopment of the site.
- 6.3.6 In terms of spacing, modest proportioned front gardens with element and some form of landscaping are a characteristic of the streetscene. This has the effect of softening the dense appearance of dwellings in close proximity to each other. The application dwelling is set back approximately 6.2m from the edge of the highway, similar to that found in the street, and the proposal would maintain the existing building line of the adjoining house, No. 1. Whereas the existing dwelling is set some 5.35m from the flank of No. 1, the proposed building would be set an average 1.8m from same boundary, 5.6m from the boundary (approximately 8m between their flanks) with No. 1d, as opposed the current distance of 10.7m. This arrangement is comparable to other properties within Cunningham Park and is in accordance with the Supplementary Planning Document (SPD) – Residential Design Guide.
- 6.3.7 The proposal which would be set back 6.2 from the edge of the road and on a higher ground to the street level, would feature a hipped roof design with a large crown which is an uncommon design feature within the surrounding streetscene. The height of the roof at approximately 9.5m would be 1.5m higher than the existing dwelling whilst the height of the eaves would be higher by approximately 1m. The building would be approximately 700mm lower in height than No 1 and approximately 2.4m higher than No. 1d when taken from the street level. The proposal reduces the rear of the building by approximately 2m when compared with the approved rear extension scheme under reference P/1488/17). The design of the front elevation also incorporates gable and bay features which are a characteristic of the existing dwelling and several neighbouring properties. Three flat roof dormers are proposed within the front roof slope in addition to flat roof wall dormers to the rear of the building. The adjoining houses, Nos. 1 and 3 feature a front dormer, and dormers are present on a number of other properties in the area, including Nos.15, 25 and 27 Cunningham Park, albeit at first floor level. The dormers would be subservient, set approximately 1.1m below the roof ridgeline and away from the edge of the roof in accordance with the SPD – Residential Design Guide.

6.3.8 Layout and Landscaping

Local Plan Policy DM22 which requires landscaping to form an integral part of the overall design, and in this respect the high quality design required by Policy DM1 would again be relevant. Landscaping matters is reserved. However, the proposed layout of the development shows removal of existing landscaping. Excessive removal of soft landscaping to accommodate off street parking can erode the character and visual amenity of the street scene. In this case, the application site already benefits from a carriage driveway and a relatively large gravel hardstanding and no property in the street has mainly landscaping in their frontage. The streetscene has a mixture of hard standing frontages with elements of landscaping. Drawing No.17/3446/7 Rev D shows an increase in the size of the hardstanding proposed with an area of soft landscaping maintained either side of the plot and along the site frontage. Again, the landscaping is only at Outline stage and the details landscaping of the site, which would include the provision of large areas of amenity space and networks of tree lined walkways linking the site together, would be finalised as part of a future reserved matters application.

6.3.9 In terms of quality of design and visual amenity, it is considered that the scheme would be adequately compatible with the maintenance of the character and context of the area. In this respect, subject to suggested planning conditions regarding materials and landscaping, no objections are raised with regard to the NPPF, London Plan and Local Plan Policies DM1 and DM22 and the SPD – Residential Design Guide.

6.3.10 Notwithstanding the above, the impact on character of the area resulting from the intensification of the use of the site is also a material consideration. There has been redevelopment within Cunningham Park and neighbouring streets, and there are other flatted developments which are considered to be within the context of the application site the closest being Cunningham Court, a purpose built blocks of 6 flats to the west of the application site; residential block at Nos. 32b, c and d Cunningham Park to the north west; Chiltern Court, a purpose built residential block of 12 flats to the south west of the site and other former single dwelling households that have been converted to flats. However, as this proposal is for 9 units involving demolition of a dwelling, there is the need to compare and contrast it with other approved schemes so as to establish any undue impact in the streetscene and adjoining area.

6.3.11 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment; as well as a an environmental role which includes the protecting and enhancing the built environment.

6.3.12 The Framework does not require development to jointly and simultaneously achieve planning gain in each of the three considerations. It is sufficient for all three to be considered and for a balance between benefit and adverse effects to be achieved across those three areas. In this instance, the location of the development would be accessible for local amenities and public transport, and would provide additional accommodation in the area to support local shops and services, all in line with Paragraphs 30, 37, 58 and 70 of the Framework. In addition, the development would have the potential to offer a greater range of accommodation which would have some social benefit and encourage diversification of community, as required by Paragraph 50 of the Framework.

6.3.13 The proposal would have an economic benefit during the construction phase and a limited social benefit through the provision of 8 windfall residential units making a small but valuable contribution to local housing supply; this is a clear benefit as it reduces pressure on housing land take elsewhere, albeit to a very limited degree. Consequently, it is considered that the proposal affords benefits in all areas of sustainability as defined by the Framework, the London and local plans, which would significantly outweigh the concern regarding future cumulative effect if the development were to be repeated. The proposal therefore accords with Policies 7.4 B of the London Plan 2016, CS1 B of the Harrow Core Strategy 2012, DM1 of the Harrow Development Management Policies 2013 and the National Planning Policy Framework.

6.5 Residential Amenity for Future Occupiers

6.5.1 London Plan Policy 3.5 *Quality and Design of Housing Developments* sets out a range of criteria for achieving good quality residential development. Part B of the policy deals with residential development at the neighbourhood scale; Part C addresses quality issues at the level of the individual dwelling.

6.5.2 Implementation of the policy is amplified by provisions within the Mayor’s Housing SPG (2016). The amplification is extremely comprehensive and overlaps significantly with matters that are dealt with separately elsewhere in this report, particularly Lifetime Neighbourhoods. In response to a request for clarification about the detail internal arrangements of the proposed flats and houses the applicant has advised that the development has been designed to accord with the London Housing Design Guide. Furthermore, the Housing Standards Minor Alterations to the London Plan have now been adopted as at March 2016. Where relevant these are addressed in the appraisal below.

6.5.3 The breakdown of the size of the units is as follows:

Ground floor:

Flat	Type	Area (sq m)
1	2 bedroom, 3 persons	67.5
2	2 bedroom, 4 persons	80.5
3	3 bedroom, 4 persons	85.5

First floor:

Flat	Type	Area (sq m)
4	2 bedroom, 4 persons	75.5
5	3 bedroom, 4 persons	85.5
6	2 bedroom, 4 persons	80.5

Second Floor:

Flat	Type	Area (sq m)
7	2 bedroom, 3 persons	69.5
8	2 bedroom, 4 persons	79
9	2 bedroom, 4 persons	73

- 6.5.4 The proposed flats in all instances exceed the required GIA for the respective occupancy levels. Furthermore, the majority of the units demonstrate that a level of dedicated storage space for future occupiers which would accord with the minimum requirements for their respective occupancy levels. The proposed units are therefore considered to provide an adequate level of accommodation for future occupiers that would not be cramped or contrived.
- 6.5.5 The London Plan Housing Standards (March 2016) calls for a minimum floor to ceiling height of 2.5 metres across 75% of the GIA of a dwelling. The proposed sections indicate that the proposal would achieve a floor to ceiling height of 2.5m. The proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers.
- 6.5.6 The SPG seeks to limit the transmission of noise from lifts and communal spaces to sensitive rooms through careful attention to the layout of dwellings and the location of lifts. The SPG also recognises the importance of layout in achieving acoustic privacy. Both of these points are picked up by Policy DM1 *Achieving a High Standard of Development* which undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on noise and internal layout.
- 6.5.7 It is noted that the proposed floor plans generally provide vertical stacking that is considered to be satisfactory. Notwithstanding this, any overlap is considered in this instance to be acceptable, as the proposed new build would be able to meet Building Regulation standards. Accordingly, it is considered that the vertical stacking of the proposed development is acceptable.
- 6.5.8 It is considered that the proposed flats would have an acceptable amount of daylight and outlook with windows either facing towards the highway of Cunningham Park or to the rear communal garden area. However, each of the units have a single aspect outlook.

6.5.9 Accessibility

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

6.5.10 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. The proposed floorplans demonstrate that there would be a ramp access for wheelchair users from a side entrance in addition to the main entrance with steps. Furthermore, the applicants design and access statement highlights that the lifts, communal area and the proposed residential units have been designed to meet the Housing Supplementary Guidance and Building Regulations Part M (3).

6.5.11 On the basis of the above, the proposed development would be satisfactory in terms of accessibility, subject to a condition to ensure compliance with Building Regulations M4 (3).

6.5.12 Amenity Space

Policy DM27 (Amenity Space) of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy.

6.5.13 For private amenity space, the SPG requires a minimum of 5m² per 1-2 person dwelling and an extra 1m² for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. An approximately 191m² of communal amenity space will be provided equating 21m² of amenity space per unit. In addition, two of the first floor rear facing flats would have an external balcony. The balconies would meet and exceed the minimum dimensions in terms of 1.5m x 1.5m and would provide a welcome additional component to the amenity afforded to future occupiers of the development. Level access onto the balconies would be secured as part of the proposed access conditions.

6.5.14 The proposed open space to the rear would offer an area of approximately 191sq.m. The SPG calls for adequate natural surveillance, wheelchair access and management of such areas. The proposed communal amenity space would be overlooked by the blocks that they serve. It is normal for the management of residents' communal areas in new development to be taken on by a private management company or the relevant registered provider; there is no reason to expect that these arrangements will not be on an adequate footing in respect of the proposed development.

6.6 Residential Amenity (Neighbouring Residents)

London Plan Policy 7.6 expects that development should minimise overlooking between dwellings, and should not cause loss of light or be unduly dominant from adjoining properties, as a result of the length of projection, height or proximity. Objections have been received from the occupiers of adjoining properties in respect of overlooking and overbearing impact.

- 6.6.1 In terms of visual impact, given that the new building would feature a hipped roof with its main eaves height of just 6.2m and that of the aspect closet to No. 1d at 5.7m; would be set back from the site boundary; seen above boundary screening and in the context of spacious plots, it is considered that the resulting development would not appear unduly dominant or overbearing when viewed from adjoining dwellings and their gardens
- 6.6.2 The impact of the proposals on sunlight and daylight would be limited given that the proposed building would have a similar footprint and building line as the existing dwelling. Whilst there would be an increase in bulk above ground floor level, there would be no increase in the height of the building and the separation distance between the building and the flank site boundaries would increase to 1m where no separation currently exists. The limited amount of overshadowing that would result would not be significantly harmful to the amenity of neighbouring occupiers. The rear elevations of the application dwelling and the adjacent properties face broadly north, therefore a limited degree of overshadowing would affect part of the garden serving No.9 early in the day and part of the garden and conservatory serving No.13 in the afternoon. However, given the limited change in footprint, height and bulk proposed over and above the present situation and the fact that neighbouring properties benefit from wide and spacious plots, it is considered that the impact on amenity would be acceptable.
- 6.6.3 In terms of private amenity, views from windows within the rear elevation of the dwellings would predominantly be to the rear garden of the application site. Whilst the first floor windows and dormer windows would also afford views across parts of the rear gardens of the neighbouring properties, overlooking of this type is a common characteristic of the relationship between residential buildings that are in built up areas. There is a significant separation distance of over 23m between rear windows of habitable rooms of adjoining properties on Harrow View and Buckingham Road and the proposed development. The extent of overlooking would be consistent with a neighbouring relationship generally expected between residential properties and comparable to the views from the existing first floor windows. There would be no direct views into habitable rooms of the new building or neighbouring properties from upper floors due to separation distance. Windows within the front elevation would look out to the front of the site which is open and visible from the highway and footpath, therefore, these windows would have minimal impact on privacy. To avoid overlooking from windows within the side of the proposed building, it is considered reasonable to attach a planning condition requiring any upper floor

window located within the flank wall to be obscure glazed and fixed below a height of 1.8m.

- 6.6.4 Two first floor balconies are proposed to the rear elevation which would serve a lounge and a bedroom. The further rear balcony would project approximately 1.45m in depth and would be a minimum of 9.3m from the site boundary while the near balcony would project approximately 2.4m in depth and would be a minimum of 4.67m from the site boundary with No. 1. Both balconies would be screened by a 1.8m high wall. No balcony is proposed at second floor level. By virtue of the oblique angles and separation distance, there would be no direct overlooking to the rear elevations of adjacent properties. Whilst there is potential for overlooking from the balcony towards parts of the rear gardens of neighbouring properties, the outlook would be similar to views from the windows within the rear of the building.
- 6.6.5 Notwithstanding the amendments described above, the proposed building would not interrupt a 45 degree line from either the front or rear elevation of Retlas Court. At the rear of the site the western rear projection of Retlas Court has habitable windows facing the application site. However, due to the separation distance of approximately 16.0m, this element of the proposal is considered to be acceptable in terms of residential amenity.
- 6.6.6 In addition to issues of privacy, the use of balconies may also cause harm to the amenities of neighbouring occupiers as a result of noise and disturbance. In this case, although the balconies would be large enough to sit out on, they are not so large so as to encourage a significantly large number of people to occupy the space at any one time. The balconies are therefore unlikely to cause harm to the amenities of neighbouring occupiers by reason of noise and disturbance.
- 6.6.7 The balconies are sufficient distance from the site boundary not to have a harmful overshadowing or overbearing impact on the amenities of neighbouring occupiers.
- 6.6.8 Giving consideration to the scale of the proposal, the siting of windows in the adjoining properties, the orientation of the building, the size of neighbouring plots, separation distance and boundary screening, it is considered that the proposal would not have an unreasonable impact on light amenity or the level of privacy afforded to the neighbouring residencies and would not appear visually overbearing. Overall, subject to a planning condition regarding fixed and obscure glazing, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. In this respect, no objections are raised with regard to London Plan Policy 7.6, Local Plan Policy DM1 and the SPD – Residential Design Guide

6.7 Traffic, Parking and Servicing

Paragraph 39 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission

vehicles. Policies DM26 and DM42 of the Development Management Policies Document give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

- 6.7.1 The proposal seeks to provide a parking space for each flat. The resultant parking ratio would be 1:1 for the whole development. 4 of which would provide electrical charging points and one being a disabled parking space all located to the rear of the building. Whilst the area has a PTAL of 1b (poor), the site is located outside the intensification area. The applicants have provided transport assessment to demonstrate accessibility of the site to public transport. For this reason, the Council's Highways Officer has indicated that the number of parking spaces is suitable and has raised no fundamental objection to the scheme.
- 6.7.3 Secure and readily accessible cycle parking is provided, at two spaces per unit, in line with the The London Plan (2016) requirements. This has been provided on site in the rear garden and is therefore considered acceptable. Moto cycle space is also provided in the parking area.
- 6.7.4 Waste storage has been provided on the flank elevation of the building, 10.6m from the site's frontage with Cunningham Park. The proposed location of the bin store is marginally outside the prescribed distance according the Council's Refuse Code of Practice which encourages bin placement to be within 10m of the point of pick up. In this respect, the bins must be transferred to the kerbside on collection days, or the bin store must be relocated to within 10.0m of the point of pick up.
- 6.7.5 Waste collection point is proposed to the front of the building along the front boundary by the new access and would be accessed via a new access on Cunningham Park. The applicant has advised that the management will move the bins to this point ready on the appointed day of collection. The proposed location of the bin collection area is considered to be satisfactory and would comply with Council's Refuse Code of Practice which encourages bin placement to be within 10m of the point of pick up. The Council's Highways department have not raised any concerns with the proposed arrangement. Notwithstanding this arrangement, a condition relating to management of waste on the site has been attached in order to ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers.

6.8 Drainage

The site is identified as a critical drainage area of Harrow. As the proposed development would not lead to an increase in impermeable surface area, no issues would arise in this respect. The Council's Drainage officers have not objected to the application, but have suggested conditions to deal with on-site drainage and water attenuation.

- 6.8.1 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

6.9 Trees

- 6.9.1 Trees which form part of landscaping is only at Outline stage and the details landscaping of the site, which would include the provision of large areas of amenity space and networks of tree lined walkways linking the site together, would be finalised as part of a future reserved matters application.

7.0 **CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 It is acknowledge that gardens are excluded from the definition of previously developed land within the Framework. However, the application site is within Headstone, Harrow, with good accessibility to its services and facilities. Therefore, while the development would be on the garden of No 1A, land which is not considered to be previously developed, the location of development would in general accord with the principles of the Framework in terms of managing patterns of growth and focusing development in suitable locations.
- 7.2 Regarding the acceptability of the principle of flats in the location proposed, there is no policy to support such development being confined only to gateway positions. A number of the existing dwellings nearby along this street are of an equivalent scale to the nine flats proposed and have similarly extensive hard surfaced area
- 7.3 The impacts of the proposal have been considered on the visual amenity of the site and surrounding area and on the amenity of neighbouring dwellings. It has been concluded that the proposal would sufficiently maintain and relate to the character, appearance and spatial pattern of development of surrounding area and future occupiers would benefit from a sufficient degree of amenity and that on balance, it would not have any significantly adverse impacts on the residential amenity of neighbouring dwellings.
- 7.4 The proposal has also been considered with regard to parking and highway safety and has been found to be acceptable in this regard. The proposal has also been considered with regard to surface drainage and landscaping and is found to be acceptable in these instances.
- 7.5 It is considered appropriate and reasonable to include a condition to ensure that the development, which has been assessed and determined on the basis of being in C3 use, is not first occupied within C4 use, over which the Council would have no control. It is also reasonable to remove permitted development rights for a change of use from a C3 dwellinghouse to a C4 HMO. It is therefore recommended that conditions are attached.
- 7.6 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, an approval of the application is thereby recommended.

APPENDIX 1: Conditions and Informatives

Conditions

1 Outline - Reserved Matters

Details of the landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

2 Timing – Outline Permission

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

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

3 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

17/3446/10 Rev. B, 17/3446/11 Rev. A, Location Plan ref. 100022432; Design and Access Statement, dated September 2017 and Transport Statement Letter, dated 22nd September 2017 – Received 28/09/2018; 17/3446/8 Rev. E; and 17/3446/12 Rev. B – Received 11/05/2018; 17/3446/7 Rev E and 17/3446/9 Rev. F– 15/05/2018

Reason: For the avoidance of doubt and in the interests of proper planning.

4 Materials

The development hereby permitted shall not commence beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted or made available to view on site to, and approved in writing by the local planning authority:

- a: the building
- b: the ground surfacing
- c: the boundary treatment

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

Reason: To safeguard the appearance of the locality and to ensure a satisfactory form of development.

5 Levels

No site works or development shall commence until details of levels of the proposed buildings, roads and footpaths in relation to the adjoining land and highways, and any other changes proposed in the level of the site, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so agreed.

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. To ensure the details are agreed before the structure is built on site.

6 Windows

Any window located within the flank walls must be glazed with obscure glass and fixed so as to be incapable of opening below a height of 1.8 metres above floor level and must be retained in that form thereafter.

Reason: To protect the residential amenity of adjoining occupiers.

7 Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include details of all boundary treatments on the land and external lighting. Details of the boundary treatments, shall be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained thereafter. Soft landscape works shall include: planting plans; schedules of plants, noting species, plant sizes and proposed numbers / densities; written specification of planting and cultivation works to be undertaken; and, a landscape implementation programme.

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

8 Landscaping Maintenance

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

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

9 Construction Method

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (a) the parking of vehicles of site operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials used in constructing the development
- (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (e) wheel washing facilities
- (f) measures to control the emission of dust and dirt during construction
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction works. This is PRE COMMENCEMENT CONDITION.

Reason: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety.

10 Rooflight Window

The rooflights in the roof slopes shall not be below a height of 1.8 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To protect the residential amenity of adjoining occupiers.

11 Secure by Design Accreditation

Evidence of certification of Secure by Design Accreditation (silver or gold) for the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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.

12 Surface Water Drainage and Attenuation

The development of any buildings hereby permitted shall not be commenced until surface water disposal attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

Reason: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework. This is a PRE COMMENCEMENT CONDITION.

13 Foul Water Drainage

The development hereby permitted shall not be commenced 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. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions. The applicant should contact Thames Water Utilities Limited and Harrow Drainage Section at the earliest opportunity. This is a PRE COMMENCEMENT CONDITION.

Reason: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption.

14 Window and Door Reveals

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not commence beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations. In the event that the depth of the reveals is not shown to be sufficient, a modification showing deeper reveals shall be submitted for approval in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

Reason: To ensure a high quality finish to the external elevations of the building.

15 Part M Dwellings

A minimum of 10% of the units shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings'. All other residential units in this development, as detailed in the submitted and approved drawings, shall be built to Building Regulation Standard M4 (2) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

Reason: To ensure provision of 'Wheelchair and Accessible and adaptable' housing.

16 Parking Arrangement

Prior to the first occupation of the development hereby permitted the on-site car including cycle parking, and areas for turning shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. Subsequently the cycle store

must be constructed, equipped and made available to serve the residential units.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety and to support the cycling as an alternative to the use of the private motor vehicle.

17 Storage

The residential premises hereby approved shall each be provided with a storage space in accordance with the Mayor of London's Housing SPG (2016) unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development achieves a high standard of residential quality for future occupiers of the development.

18 Refuse and Recycling

No development shall commence beyond damp proof course level until details of the location, design and specification of the refuse and recycling store to serve the residential units have been submitted to and approved by the Local Planning Authority. Subsequently the refuse and recycling store must be constructed, equipped and made available for use prior to the first occupation of the units and retained in that form thereafter.

Reason: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers.

19 Removal of Permitted Development Rights

The development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

Reason: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2012.

20 Communal Television Equipment

Prior to the construction of the building hereby approved on site beyond damp course level, additional details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment)

shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

Reason: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area

21 Permitted Development

Notwithstanding the provisions of the Electronic Communications Code Regulation 5 (2003) in accordance with The Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Schedule 2, Part 16, Class A of that order shall be carried out in relation to the development hereby permitted without the prior written permission of the local planning authority.

Reason: In order to prevent the proliferation of individual telecommunication items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

Informatives

1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:
National Planning Policy Framework (2012)

The London Plan (2016):

3.1; 3.3; 3.4; 3.5; 3.8; 3.9; 5.13; 6.3; 6.9; 6.10; 6.12; 6.13; 7.1; 7.2; 7.3; 7.4; 7.5;
7.6.

Draft London Plan (2017):

GG4; D1; D2; D3; D4; D5; H1; H2; G7; SI13; T3; T5; T6.1.

Local Development Framework

Harrow Core Strategy 2012

CS1 Overarching Policy

Development Management Policies Local Plan 2013

DM1; DM2; DM7; DM10; DM12; DM22; DM24; DM27; DM42; DM45.

Supplementary Planning Documents

Mayors Supplementary Planning Guidance: Housing (2016)

Harrow Supplementary Planning Document: Residential Design Guide 2010

2 Pre-application engagement

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was not sought prior to the submission of this application..

3 Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £25,363.1 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £25,363.1 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 724.66m²

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

4 Harrow CIL

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

The Harrow CIL Liability for this development is: £71.466

5 Considerate Contractor Code of Practice

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.

6 Party Wall Act

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

7 Compliance with Planning Conditions

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.

8 Liability for Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

9 Vehicle Crossover

Please note that the vehicle crossing should be maximum 4.5m wide and it should be constructed in line with Harrow's New Vehicle Crossing Policy, dated September 2017.

Please contact the Council's Vehicle Crossings Team for further guidance.

10 Construction Design Management Regulations

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 01541 545500

11 Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out

these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS









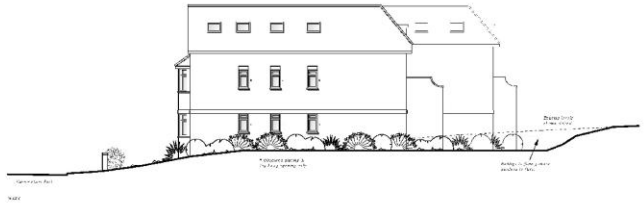




APPENDIX 4: PLANS AND ELEVATIONS



Rev. A - Site address changed. 01/04/17
 Rev. B - 1st floor window adjusted. 01/25/18
 Rev. C - 1st floor balcony adjusted. 11/12/18
 Rev. D - Rear porch, garden & Quire A. 11/27/18
 Rev. E - Roof Eights adjusted. 10/25/18



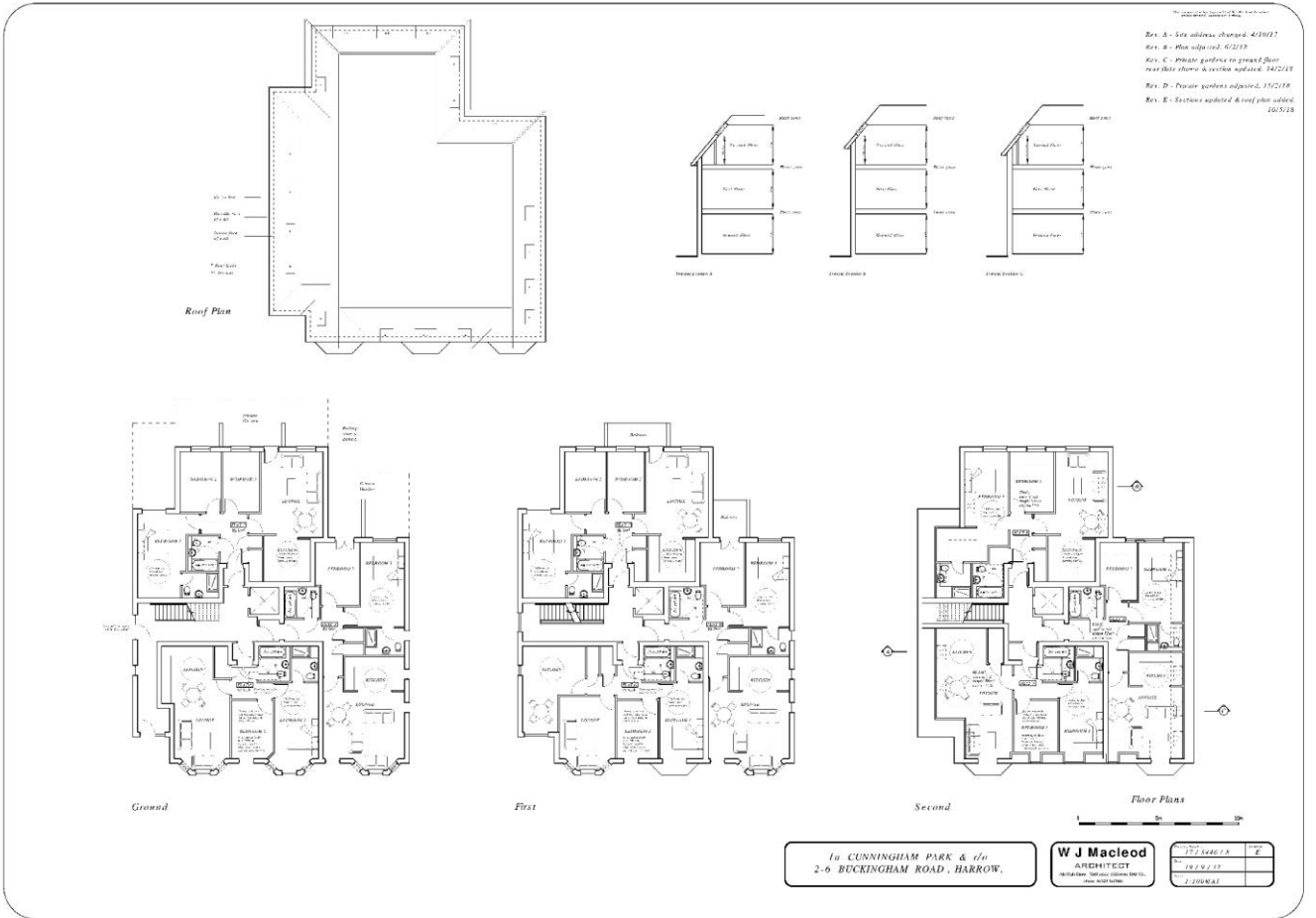
Elevations



1a CUNNINGHAM PARK & 1/1a
2-6 BUCKINGHAM ROAD, HARROW.

W J Macleod
ARCHITECT

DATE	17/04/17	REVISED	E
BY	W J M		
PROJECT NO.	110000000		

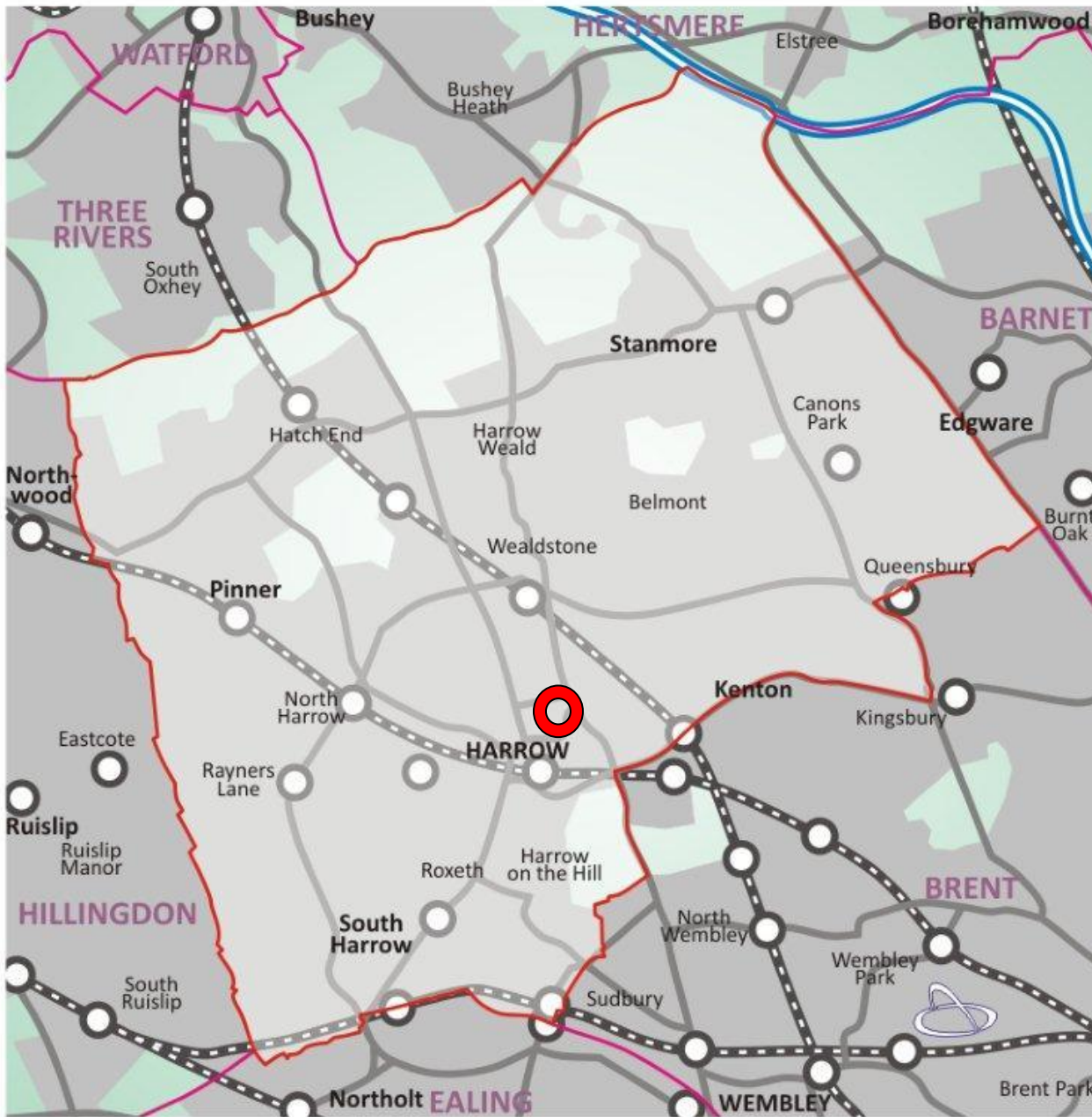




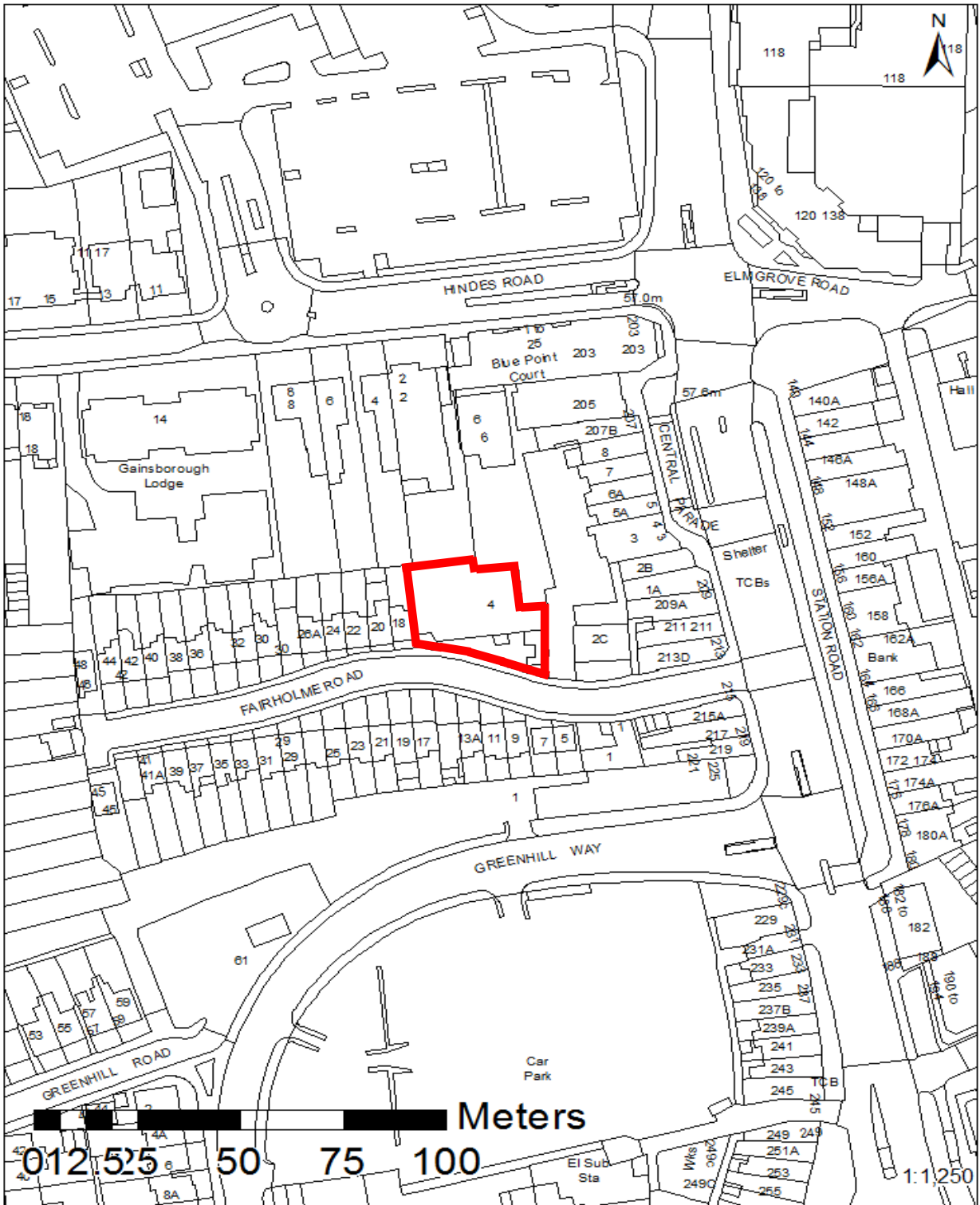
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 = application site



4 Fairholme Road, Harrow	P/0152/18
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4 Fairholme Road, Harrow **P/0152/18**

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/0152/18
VALIDATE DATE: 17/01/2018
LOCATION: 4 FAIRHOLME ROAD, HARROW
WARD: GREENHILL
POSTCODE: HA1 2TN
APPLICANT: SI PROPERTY CONSULTANTS LTD - MR R PATEL
AGENT: DB PLANNERS
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 09/03/2018

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Demolition of existing buildings and redevelopment to create a three storey building to provide 8 flats, (three two bedroom, three person flats on the ground and first floor and two two bedroom four person flats on the second floor) and 182 sqm of new office space (use class b1) on the ground and first floor; parking; landscaping and amenity space; refuse and cycle storage

The Planning Committee is asked to:

RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - i) Parking permit restriction
 - ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement

REASON FOR THE RECOMMENDATION

The proposed redevelopment of the site would provide eight new dwellings and office space which contribute to the character and appearance of the local area. The siting of the development would be appropriate in this location and would not be at odds with the existing character of development in the immediate area. The proposed internal layouts, specifications and management of the proposed development would provide an acceptable standard of accommodation in accordance with Policies 3.3 and 3.5 of The London Plan (2016), Policy DM1 of the DMP (2013).

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework (2012), the policies and proposals in The London Plan (2016), the Harrow Core Strategy (2012) and the Development Management Policies Local Plan (2013), and to all relevant material considerations, and any comments received in response to publicity and consultation.

RECOMMENDATION B:

That if the Section 106 Agreement is not completed by 31st August 2018 or such extended period as may be agreed in writing by the Divisional Director of Planning, then delegate the decision to the Divisional Director of Planning to **REFUSE** planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement to provide parking permit restrictions that directly relates to the development, would fail to ensure that the development in this location prioritises access by sustainable modes and does not place additional transport stress on the public highway, in accordance with paragraphs 35 and 36 of the National Planning Policy Framework (2012), Policy 6.13 of the London Plan (2016) and Policy DM 43 of the Harrow Development Management Policies Local Plan (2013).

INFORMATION

This application is reported to Planning Committee as it falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	13 (Minor Dwellings)
Council Interest:	N/A
Additional Floorspace:	667 sqm (residential) 182sqm (Office)
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£23,345 (residential)
Local CIL requirement:	£73,370

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	4 Fairholme road, Harrow
Applicant	Si Property Consultants Ltd - Mr R Patel
Ward	Greenhill
Local Plan allocation	N/A
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	N/A
Other	N/A

Housing		
Density	Proposed Density hr/ha	436hr/ha
	Proposed Density u/ph	186 u/ph
	PTAL	5
	London Plan Density Range	200-700 hr/ha
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / 100%)	8
	3 bed (no. / %)	0
	4 bed (no. / %)	0
	5 bed (no. / %)	0
	Overall % of Affordable Housing	N/A
	Social Rent (no. / %)	N/A
	Intermediate (no. / %)	N/A
	Private (no. / %)	N/A
	Commuted Sum	N/A
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Yes	

Transportation		
Car parking	No. Existing Car Parking spaces	
	No. Proposed Car Parking spaces	2
	Proposed Parking Ratio	1:4
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	16
	Cycle Parking Ratio	1:1
Public Transport	PTAL Rating	5
	Closest Rail Station / Distance (m)	0.6 miles
	Bus Routes	340; 248; 182; 140; 186; 114; 183
Parking Controls	Controlled Parking Zone?	YES
	CPZ Hours	
	Previous CPZ Consultation (if not in a CPZ)	
	Other on-street controls	
Parking Stress	Area/streets of parking stress survey	
	Dates/times of parking stress survey	
	Summary of results of survey	
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	As the current situation.

PART 2 : Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a single storey hardware, plumbing and electrical merchants business with ancillary offices and storage on the northern side of Fairholme Road. The existing building covers the entire site.
- 1.2 To the rear of the site is the car parks to businesses within Hindes Road, to the west lies a terrace of two storey dwellinghouses.
- 1.3 The site is located within the Harrow and Wealdstone Opportunity Area.
- 1.4 The site is not in a Flood Zone. However it is within a critical drainage area.

2.0 PROPOSAL

- 2.1 It is proposed to demolish the existing building and construct a three storey building to provide 8 two bedroom flats and office space.
- 2.2 The proposed flats would be three, two bedroom three person on the ground and first floors and the two flats in the roof would be two bedroom four person. Two parking spaces would be allocated to two of the ground floor flats. The ground floor flats would have private terraced gardens and the second floor flats would have balconies. The flats on the first floor would not have private amenity space but a communal amenity area would be provided to the rear.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

P/2301/17	Demolition Of Existing Buildings And Redevelopment To Create A Three Storey Building To Provide 9 Flats And New Office Space (Use Class B1); Parking; Landscaping And Amenity Space; Refuse And Cycle Storage	Refused 28/09/2017 Appeal – awaiting decision.
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4.0 **CONSULTATION**

4.1 A total of 46 consultation letters were sent to neighbouring properties regarding this application. Letters were sent out on 07/01/2018.

4.2 The overall public consultation period expired on 07/02/2018.

4.3 **Adjoining Properties**

Number of letters Sent	46
Number of Responses Received	4
Number in Support	0
Number of Objections	4
Number of other Representations (neither objecting or supporting)	0

4.4 Four letters of objections were received.

4.5 A summary of the responses received along with the Officer comments are set out below:

Details of Representation	Summary of Comments	Officer Comments
Russell Hempel	Objects to proposal: <ul style="list-style-type: none">• Insufficient parking• Additional refuse• Impact of construction works on existing properties in Fairholm Road.	Please see the Residential Amenity section 6.5 and Transport section 6.6 which discusses the objections raised.
Ania Keane	Objects to proposal: <ul style="list-style-type: none">• Insufficient parking• Additional refuse• Impact of construction works on existing properties in Fairholm Road.	See above
Asif Shahzad	Objects to proposal: <ul style="list-style-type: none">• Insufficient parking• Additional refuse will increase pest problems.	See above

Annabel Pollard	<p>Objects to proposal:</p> <ul style="list-style-type: none"> • Insufficient parking • Concern regarding impact of refuse collection for the offices – the sound of bin collection is very disruptive on such a narrow road. 	See above
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4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken:

4.8 External Consultation

4.9 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
Metropolitan Police Service – Design out Crime Officer	A condition should be added stating that the development would achieve Secure by Design accreditation	The application can achieve the physical security requirements of Secured by Design, a condition is suggested

4.10 Internal Consultation

Consultee	Summary of Comments	Officer Comments
LBH Highways	No objection, subject to conditions.	A condition for Construction Logistics Plan and Cycle parking has been attached
LBH Drainage Team	<p>Drainage details to be conditioned to account for Surface Water Attenuation and Storage, Surface Water Disposal and Foul Water Disposal.</p> <p>Hardstanding permeable paving</p>	Conditions attached
LBH Landscape architect	The loss of two car parking spaces is an improvement. More permanent tree and shrub planting will be required	Conditions attached

	to provide a green structure to the garden. This can be conditioned.	
LBH Waste Officer	No comments received	Condition for refuse storage added
Biodiversity Officer	Suggest a condition which requires the proposal to deliver net biodiversity gain either through the addition of a green roof or the planting of suitable, native shrub species and nectar-rich plants within the green areas indicated in the application, these to be retained and managed for 30+ years, proposals to be submitted to LBH with no work to commence until approval has been given.	Condition added.

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.3 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.4 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for

Examination in Public, which is not expected to take place until the summer of 2019. Given that that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.

- 5.5 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

- 6.1 The main issues are;

Principle of the Development
Regeneration
Layout, Design, Character and Appearance of Area
Housing Supply, Mix and Density
Residential Amenity and Accessibility
Drainage
Traffic and Parking
Sustainability

6.2 Principle of Development

- 6.2.1 The adopted National Planning Policy Framework [NPPF] has brought forward a presumption in favour of “sustainable development”. The NPPF defines “sustainable development” as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three strands of sustainable development for planning to be; to play an economic, social and environmental role. The NPPF, following the deletion of the Planning Policy Statements and Guidance Notes, continues to encourage the effective use of land by reusing land that has been used previously, recognising that “sustainable development” should make use of these resources first.

- 6.2.2 The subject site is located within Harrow Metropolitan Centre boundary. The site is currently occupied and in use as a plumbing merchants and ancillary office. Whilst the site is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013), the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy which seeks to redirect all new development on previously developed land.

- 6.2.3 Policy DM32(A) states that “proposals for new office floorspace within town centres, including proposals within mixed use schemes, will be supported where the scale and provision is appropriate to the role and function of the town centre and the development complies with other relevant policy considerations”. The proposal would provide 182sqm of B1 office floorspace over two floors which is considered to an appropriate level of office space within Harrow Town Centre.

6.2.4 Given the above, the principle of the re-development of the site is considered to be acceptable by officers, subject to consideration of further policy requirements as detailed below.

Provision of new Residential Accommodation

6.2.5 Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of residential dwellings here.

6.2.6 The application site is not an identified site within the Sites Allocation Local Plan (2013), but is a previously-developed site. This site can be considered to be a windfall site for the provision of new housing insofar as it is not an identified site, but the provision of housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (2016) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough.

6.2.7 Policy DM 24 of the Harrow Development Management Policies Local Plan (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of the surroundings and the need to optimise housing output on previously developed land.

6.2.8 The proposed residential use would be consistent with surrounding land uses. The use of the land for residential uses could therefore be supported in principle and would make a contribution to the housing stock in the borough. For these reasons it is considered that the principle of the use of this site for the provision of housing is acceptable, subject to consideration of further policy requirements as detailed below.

6.3 Regeneration

6.3.1 Given the location of the site with its Public Transport Accessibility Level (PTAL) of 5 and the scale and intensity of surrounding development, the site is currently considered to be underutilised. The London Borough of Harrow published a Regeneration Strategy for 2015 – 2026. The objective of this document is to deliver three core objectives over the plans life, which include;

- Place; Providing the homes, schools and infrastructure needed to meet the demands of our growing population and business base, with high quality town and district centres that attract business investment and foster community engagement;
- Communities; Creating new jobs, breaking down barriers to employment, tackling overcrowding and fuel poverty in our homes and working alongside other services to address health and welfare issues;

- Business; Reinforcing our commercial centres, promoting Harrow as an investment location, addressing skills shortages, and supporting new business start-ups, developing local supply chains through procurement.

6.3.2 The proposed scheme would help to generate new jobs and in turn the new occupiers would help the existing businesses to thrive, it would achieve the overall aspiration of regeneration of the Borough by helping to meet the demands of a growing population. Furthermore, the proposed development would aid in the regeneration of the Borough as it would result in new residential accommodation within the neighbourhood, and would help to promote housing choice, meet local needs, and to maintain mixed and sustainable communities.

6.4 Layout, Design, Character and Appearance of area

6.4.1 National Planning Policy Framework (2012) advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.

6.4.2 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.

6.4.3 Core Policy CS(B) states that 'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.'

6.4.4 Policy DM 1 A of the Local Development Management Policies Local Plan (2013) states that: "All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted". It goes on to say that:

"The assessment of the design and layout of proposals will have regard to:

- a: the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;
- b: the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;
- c: the context provided by neighbouring buildings and the local character and pattern of development;

d: the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
e: the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;"

- 6.4.5 Paragraph 4.6 of the Council's adopted SPD (2010) states that 'The design and layout of new development should be informed by the pattern of development of the area in which it is situated. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are likely to be important components when redeveloping sites within existing residential areas'. In addition, paragraph 4.16 makes clear that development proposals should recognise the scale, massing and roof form of the surrounding buildings.
- 6.4.6 Although three storeys, the third storey is set back significantly and therefore the proposal, would appear predominantly as two storey; and would read well with the height of the neighbouring properties. The overall bulk and scale has been reduced significantly following the previous refusal and this is now considered acceptable.
- 6.4.7 The current application has been amended to remove timber cladding and white render and replace this with one type of brick finish. Subject to a condition to ensure materials are approved before construction this design approach is considered acceptable.
- 6.4.8 In relation to the design and layout of new residential development, paragraph 4.13 of the Council's adopted SPD (2010) states that 'Building forecourts make a particularly important contribution to streetside greenness and leafy, suburban character in Harrow's residential areas. The proposal would be set back a minimum of 2m from the pavement with large areas of soft landscaping. A condition has been attached seeking further detail of the proposed hard and soft landscaping. The building would have a flat roof and there is potential to provide green roofing which would help to enhance biodiversity within the site. A condition is recommended in accordance with policies DM12 and DM21 of the Development Management Local Plans Policies 2013.
- 6.4.9 Policy DM23 of the Development Management Policies Local Plan states that 'all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting'. In terms of character and appearance, this policy requires refuse storage bins to 'be located and screened to avoid nuisance to occupiers and adverse visual impact'. The domestic refuse bins would be located along the western flank within an enclosure and the office refuse would be within an enclosure on the ground floor. This would allow for the refuse bins to be collected on collection day and would be within 10 metres of the road to aid the collection process. In order to protect the visual amenity for the proposed flats, the refuse bins would be screened within timber housing.

6.5 Residential Amenity

6.5.1 Policy 7.6B, subsection D, of The London Plan states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

6.5.2 Following on from this, Policy DM1 of the DMP states that “*All development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted (c)*”. “*The assessment of privacy and amenity considerations will have regard to:*

a. the prevailing character of privacy and amenity in the area and the need to make effective use of land;

b. the overlooking relationship between windows and outdoor spaces;

c. the distances between facing windows to habitable rooms and kitchens;

d. the relationship between buildings and site boundaries (applying the Council's 45 degree code where relevant);

e. the visual impact of development when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant);

f. the adequacy of light and outlook within buildings (habitable rooms and kitchens) and

outdoor spaces (applying the Council's 45 degree code where relevant);

g. the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers;

h. the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution; and

i. the need to provide a satisfactory quantum and form of amenity space for future occupiers of residential development.

Impact on neighbouring dwellings

6.5.3 The proposed building would be set a minimum of 2.3m from the flank wall of the neighbouring residential property No. 18 Fairholme Road. The proposed building is shown not to intercept a 45 degree splay taken from the adjacent first floor of this neighbouring property, which would ensure that the proposed development would not have any undue impact upon loss of light. Following the previous refusal the first floor rear balconies have been removed which would address the concerns regarding overlooking. The proposed rear balconies at roof level would be screened and therefore it is considered that there would be no unacceptable impact on neighbouring residential properties in relation to overlooking.

Impact on the amenity of future occupiers

6.5.4 Policy 3.5 of the London Plan (2016) sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local places and create homes that reflect the minimum space standards and are fit for purposes in other respects. The Mayor's

Housing SPG sets out detailed guidance on a range of matters relating to residential quality, incorporating the Secured by Design principles, and these form the basis for the assessment below. Core Strategy Policy CS1K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 Achieving a High Standard of Development and DM27 Amenity Space set out a number of privacy and amenity criteria for the assessment of proposals for residential development.

6.5.5 The London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. These are set out in the Principle of Development section of this report (above). The proposal's eight (net) homes contribution to housing supply ensures that this underutilised site makes an appropriate contribution to the Borough's housing need over the plan period to 2026 and to fulfilling the Core Strategy's target for the Harrow & Wealdstone sub area.

6.5.6 The following is a breakdown of the proposed housing mix across the scheme:

Housing Mix		
Unit Size	No. of Units (Total)	% of All Units
2 Bed (three person)	6	75%
2 Bed (four person)	2	25%
Totals:	8	100%

6.5.7 Overall, it is considered that the proposed development would provide a satisfactory density and mix of residential accommodation within the site. The proposed units would provide an increased stock of housing within the borough and would therefore comply with policies and guidance listed above.

6.5.8 The following is a breakdown of the internal space of each unit.

Flat	Proposed Size	Proposed GIA	Proposed Storage	Minimum GIA	Minimum Storage
1	2B/ 3P	71 sqm	2.6m	61 sqm	2 sqm
2	2B/ 3P	72sqm	2m	61 sqm	2 sqm
3	2B/ 3P	72 sqm	2m	61 sqm	2 sqm
4	2B/ 3P	68 sqm	2m	61 sqm	2 sqm
5	2B/ 3P	70 sqm	2m	61 sqm	2 sqm
6	2B/ 3P	70 sqm	2m	61 sqm	2 sqm
7	2B/ 4P	72 sqm	2m	70 sqm	2 sqm
8	2B/ 4P	72 sqm	2m	70 sqm	2 sqm

6.5.9 It is considered that the adequate Gross Internal Area and the adequate room size and layout of the proposed flats would result in an acceptable form of accommodation, compliant with The London Plan (2016), the adopted Technical Housing Standards (2015) and the Council's adopted SPD (2010). The proposal would be south facing and each flat would be dual aspect. As such, this planning application is considered acceptable in this regard.

6.5.10 Policy DM27 Amenity Space of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy. The ground floor units would have rear amenity space with a terrace area, the first floor units would have access to a 90sqm rear community garden and the second floor flats would have balconies. Overall it is considered that the amount of amenity space provided for the eight, two bed flats would be acceptable.

6.5.11 Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion. In October 2015 these standards were replaced by New National Standards which require homes to meet Building regulation M4(2) - 'accessible and adaptable dwellings'. A Condition is recommended to ensure that the proposed development meets regulation M4(2) of the Building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

6.6 Traffic and Parking

6.6.1 The London Plan (2016) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS 1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.

6.6.2 The site is in a Ptal 5 location. The highways authority has raised no objection to the application subject to an agreement that the future occupiers are not eligible for parking permits in the neighbouring Controlled Parking Zone and a Construction Logistics Plan to ensure construction activities such as deliveries do not cause a detrimental impact upon the highway network. A condition has been recommended requesting that development shall not take place until full details are received. This condition is considered a necessity in order to mitigate the impacts of the construction phase on neighbouring amenity.

6.6.3 Policy 6.9 and table 6.3 of The London Plan require the provision of two secure cycle parking spaces per dwelling and a minimum of six secure cycle parking spaces for the office development. A total of 8 cycle parking spaces have been proposed for the residential element and none for the office development which would fail to meet the London Plan requirements in the aforementioned policy. The cycle store for the residential element has been proposed to the rear of the site, it is considered that there is sufficient space for the additional cycle spaces for the proposal. A condition is recommended requiring details to be provided to ensure that sufficient cycle spaces are provided.

6.7 Development and Flood Risk

6.7.1 The site is located within a critical drainage area. The proposal would result in a more intensive use of the existing site. As such there is the potential for surface water run off rates to increase. Policy DM10 was introduced to address surface run-off and flood risk from developments. The Drainage Authority have raised no objection subject to conditions which are recommended.

6.8 Sustainability

6.8.1 Policy 5.2 of The London Plan (2016) seeks to minimise the emission of carbon dioxide by being lean, clean and green, and requires all new residential development to achieve zero carbon.

6.8.2 Policy DM 12 outlines *that “The design and layout of development proposals should:*
a. utilise natural systems such as passive solar design and, wherever possible, incorporate high performing energy retention materials, to supplement the benefits of traditional measures such as insulation and double glazing;
b. make provision for natural ventilation and shading to prevent internal overheating;
c. incorporate techniques that enhance biodiversity, such as green roofs and green walls (such techniques will benefit other sustainability objectives including surface water attenuation and the avoidance of internal and urban over-heating); and
d. where relevant, the design and layout of buildings should incorporate measures to mitigate any significant noise or air pollution arising from the future use of the development.”

6.8.3 A sustainability statement has been submitted and this report demonstrates significant environmental benefits of the new dwellings proposed. A highly efficient building fabric is proposed along with water saving sanitary fittings and appliances to deliver a water efficient development. A condition has been attached to ensure that the measures identified within the reports are implemented as part of the proposed development. As noted at 6.4.8 above a condition is recommended requiring details of a green roof which will also contribute to the sustainability of the proposed development.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed redevelopment of the site would provide a high quality development comprising of a two storey building with accommodation in the roof space which would provide eight new residential flats. The proposed internal layouts and specifications offered by the proposed development would provide an acceptable standard of accommodation.
- 7.2 The site is currently a vacant hardware, plumbing and electrical merchants business and the principle of redevelopment is acceptable. The proposal would enhance the urban environment in terms of material presence, attractive streetscape and makes a positive contribution to the local area, in terms of quality and character.
- 7.3 The layout and orientation of the buildings and separation distances to neighbouring properties are considered to be satisfactory to protect the amenities of the neighbouring occupiers.
- 7.4 The recommendation to approve planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan (2016), the Draft London Plan (2017), the Harrow Core Strategy (2012) and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
FR4-02-1001; FR4-02-1002; FR4-02-1003; FR4-02-1004A; FR4-02-1005; FR4-02-1006; FR4-02-1007; FR4-02-1008A; FR4-02-1009; Design and Access Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Materials

Notwithstanding the submitted details and approved plans, the development hereby permitted shall not commence beyond damp proof course, until samples of the materials to be used in the construction of the external surfaces noted below have been provided to view on site, and approved in writing by, the local planning authority:

- the building;
- the ground surfacing;
- the boundary treatment.

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

Reason: To safeguard the appearance of the locality. To ensure that the materials are agreed in time to be incorporated into the development.

4 Permitted Development Restrictions

The residential element of the development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

Reason: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity

in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2012.

5 Restrict B1 Use

The Office element of the development hereby permitted shall only be used for the purpose specified in the application [B1 office] and for no other purpose, including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

Reason: To ensure that the proposal safeguards the amenities of neighbouring residential properties and highway safety, thereby according with policy DM1 and DM43 the Harrow Development Management Policies Local Plan (2013).

6 Surface Water Drainage and Attenuation

No development shall take place, other than works of demolition, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

Reason: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited.

7 Foul Water Drainage

No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the agreed drainage strategy has been implemented.

Reason: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, and to ensure that the development would be resistant and resilient to foul water flooding.

8 Levels

The development hereby approved shall not 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. The development shall be carried out in accordance with the approved details.

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 in accordance with policy DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

9 Construction Logistics Plan

Notwithstanding the submitted Construction Management Plan, no development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall provide details of:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction; and
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

The report shall assess the impacts during the construction phases of the development on nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Further guidance on the production of a CLP is available via the TfL website - <http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf>

Reason: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site. To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

10 Refuse Storage

Notwithstanding the details shown on approved drawings, the dwellinghouses hereby approved shall not be occupied until details of a revised bin store, to accommodate sufficient waste and recycling containers for the eight flats within the front amenity space area, have been submitted to and agreed in writing by the local planning authority. The flats shall not be occupied until the bin store has been provided in accordance with the details so agreed. Other than on collection days, all waste and recycling containers associated with the

occupation of the approved development shall be housed within the agreed bin store.

Reason: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (2016) and Policies DM1 and DM26 of The Development Management Policies Local Plan (2013).

11 Cycle Storage

Notwithstanding the details shown on approved drawings, the dwellings hereby approved shall not be occupied until details of a safe and secure cycle storage, to accommodate fourteen secure, integrated, convenient and accessible cycle parking facilities for the flats, have been submitted to and agreed in writing by the local planning authority. The flats shall not be occupied until the cycle storage has been provided in accordance with the details so agreed.

Reason: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 6.9.B of The London Plan (2016) and Policies DM1, DM24 and DM42 of The Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

12 Hard and Soft Landscaping

The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of soft and hard landscaping works. Soft landscape works shall include: planting plans, including details for soft landscaping of the property frontage with provision for refuse storage, and schedules of plants, noting species, plant sizes and proposed numbers. The approved works shall be completed prior to occupation and shall thereafter be permanently retained.

Reason: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policies DM1 and DM24 of the Harrow Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

13 Planting

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 in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policies DM1, DM23 and DM24 of the Harrow Development Management Policies Local Plan (2013).

14 Permeable Hard surfacing

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.

15 Secure by Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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.

16 Site Hoardings

Site works in connection with the development hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or other security 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, in accordance with policies DM1 and DM45 of the Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development.

17 Green Roof

Notwithstanding the submitted details and approved plans, the development hereby permitted shall not proceed beyond damp proof course, until details of a green roof to include a maintenance plan, have 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: In the interests of biodiversity and sustainability, in accordance with policies DM12 and DM21 of the Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development.

18 Television Reception Equipment

The development hereby permitted shall not commence beyond damp proof course level until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

Reason: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

19 Flues & Pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

Reason: To enhance the appearance of the development and safeguard the character and appearance of the area.

20 Window and Door Reveals

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not commence beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations. In the event that the depth of the reveals is not shown to be sufficient, a modification showing deeper reveals shall be submitted for approval in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

Reason: To ensure a high quality finish to the external elevations of the building.

Informatives

1 Policies

National Planning Policy Framework (2012) (NPPF)

The London Plan (2016)

3.3 Increasing Housing Supply
3.5 Quality and Design of Housing Developments
3.8 Housing Choice
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.3 Assessing Effects of Development on Transport Capacity
6.9 Cycling
6.13 Parking
7.1 Building London's Neighbourhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.6 Architecture
7.21 Trees and Woodlands

Draft London Plan (2017)

H1 Increasing Housing supply
H12 Housing Size Mix
D1 London's form and characteristics
D2 Delivering good design
D10 Safety, security and resilience to emergency
SI12 Minimising greenhouse gas emissions
SI13 Sustainable Drainage
T5 Cycling
T6.1 Residential Parking

Harrow Core Strategy (2012)

Core Policy CS 1 Overarching Policy Objectives
Core Policy CS 2 Harrow and Wealdstone

Harrow Development Management Policies Local Plan (2013)

Policy DM 1 Achieving a High Standard of Development
Policy DM 2 Achieving Lifetime Neighbourhoods
Policy DM 9 Managing Flood Risk
Policy DM10 On Site Water Management and Surface Water Attenuation
Policy DM 12 Sustainable Design and Layout
Policy DM 21 Enhancement of Biodiversity and Access to Nature
Policy DM 22 Trees and Landscaping
Policy DM 23 Streetside Greenness and Forecourt Greenery
Policy DM 24 Housing Mix
Policy DM 27 Amenity Space

Policy DM 42 Parking Standards
Policy DM 44 Servicing
Policy DM 45 Waste Management

Relevant Supplementary Documents

Supplementary Planning Document Residential Design Guide 2010
London Plan Housing Supplementary Planning Guidance (2016)
Technical Housing Standards – Nationally described Space standards (2015)

2 Compliance with planning conditions

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 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

4 INFORM 61

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £15,295 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £15,295 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 437 sqm

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

5 INFORM 62

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)
Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

The Harrow CIL Liability for this development is: £48,070

6 Party Wall Act

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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

7 Protection of Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

8 Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:

0800-1800 hours Monday - Friday (not including Bank Holidays)

0800-1300 hours Saturday.

9 Sustainable Urban Drainage System (SUDS)

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

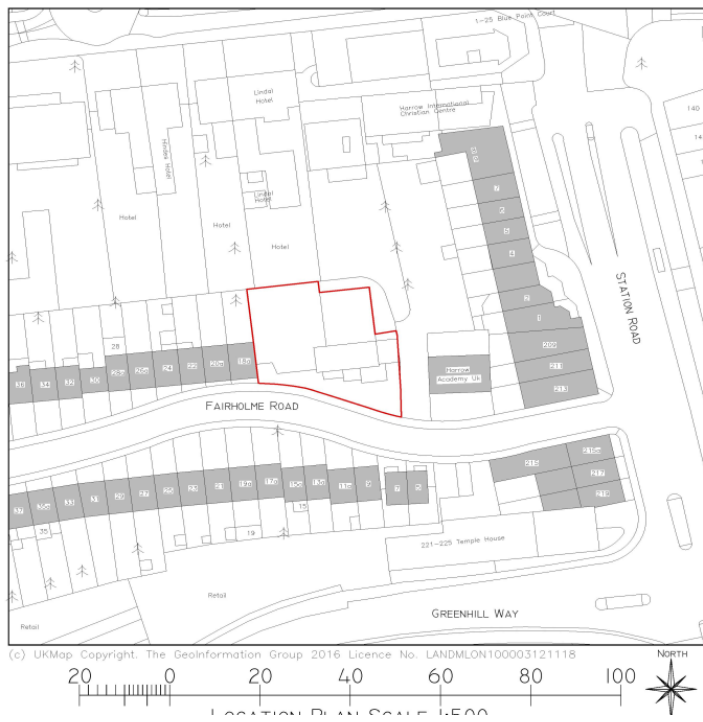
10 Street Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially

named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.
You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.
http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

APPENDIX 2: SITE PLAN

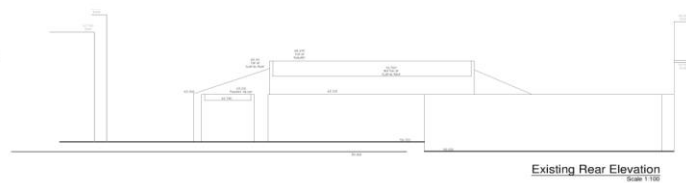
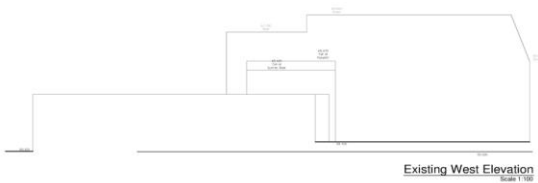
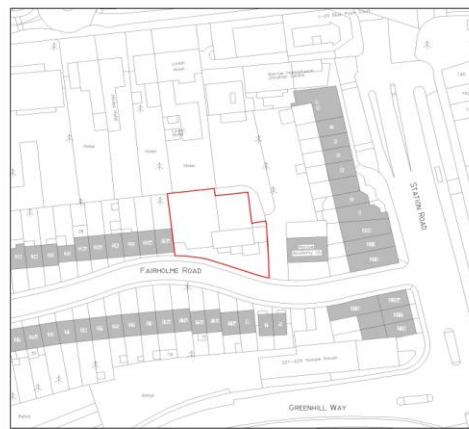
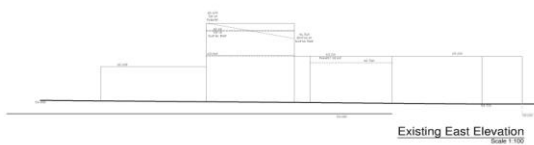
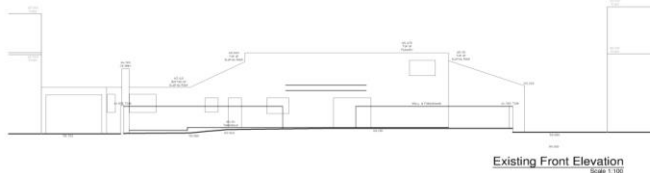
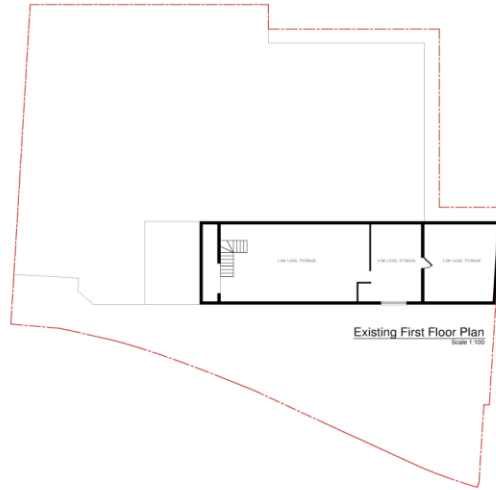


APPENDIX 3: PHOTOGRAPHS





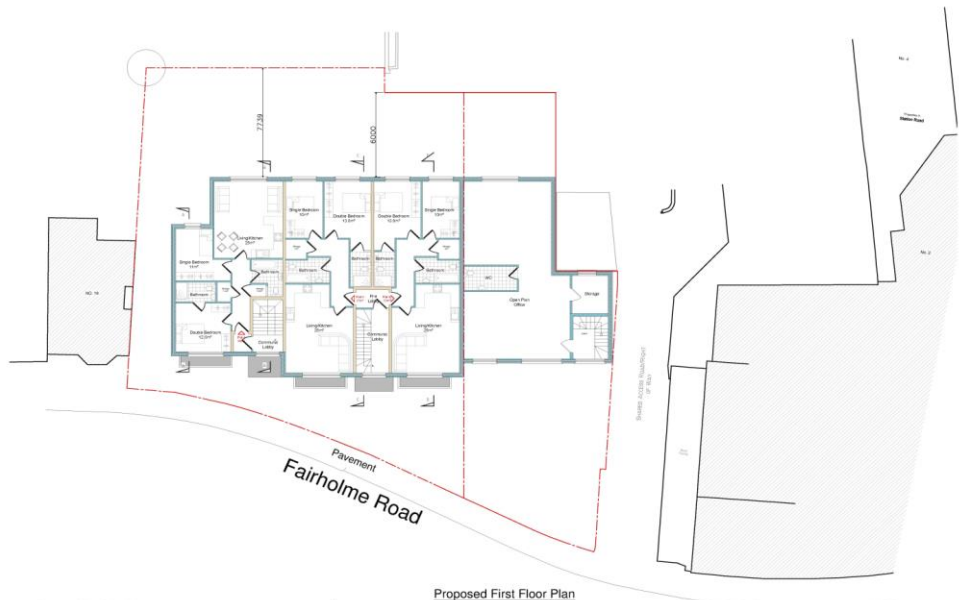
APPENDIX 4: PLANS AND ELEVATIONS





Proposed Ground Floor Plan
Scale 1:100

Accommodation Schedule						
Flat Number	Storage	Floor	No. of Bedrooms	Occupancy	Living/Kitchen Area	Area of 2.5m High
Flat 1	2.5m ²	Ground	2	3 Persons	25m ²	71m ²
Flat 2	2m ²	Ground	2	3 Persons	25m ²	72m ²
Flat 3	2m ²	Ground	2	3 Persons	25m ²	72m ²
Flat 4	2m ²	First	2	3 Persons	25m ²	68m ²
Flat 5	2m ²	First	2	3 Persons	25m ²	70m ²
Flat 6	2m ²	First	2	3 Persons	25m ²	70m ²
Flat 7	2m ²	Second	2	4 Persons	28m ²	72m ²
Flat 8	2m ²	Second	2	4 Persons	28m ²	72m ²



Proposed First Floor Plan
Scale 1:100

Accommodation Schedule						
Flat Number	Storage	Floor	No. of Bedrooms	Occupancy	Living/Kitchen Area	Area of 2.5m High
Flat 1	2.5m ²	Ground	2	3 Persons	25m ²	71m ²
Flat 2	2m ²	Ground	2	3 Persons	25m ²	72m ²
Flat 3	2m ²	Ground	2	3 Persons	25m ²	72m ²
Flat 4	2m ²	First	2	3 Persons	25m ²	68m ²
Flat 5	2m ²	First	2	3 Persons	25m ²	70m ²
Flat 6	2m ²	First	2	3 Persons	25m ²	70m ²
Flat 7	2m ²	Second	2	4 Persons	28m ²	72m ²
Flat 8	2m ²	Second	2	4 Persons	28m ²	72m ²

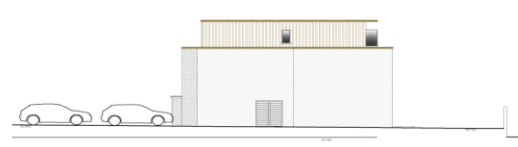


Proposed Second Floor Plan
Scale 1:100

Accommodation Schedule						
Flat Number	Storage	Floor	No. of Bedrooms	Occupancy	Living/Kitchen Area	Area of 2.5m High
Flat 1	25m ²	Ground	2	3 Persons	25m ²	71m ²
Flat 2	25m ²	Ground	2	3 Persons	25m ²	72m ²
Flat 3	25m ²	Ground	2	3 Persons	25m ²	72m ²
Flat 4	25m ²	First	2	3 Persons	25m ²	68m ²
Flat 5	25m ²	First	2	3 Persons	25m ²	70m ²
Flat 6	25m ²	First	2	3 Persons	25m ²	70m ²
Flat 7	25m ²	Second	2	4 Persons	25m ²	72m ²
Flat 8	25m ²	Second	2	4 Persons	25m ²	72m ²



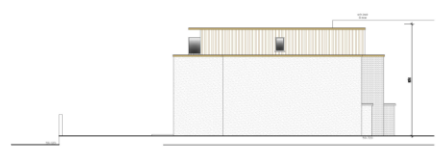
Proposed Front Elevation
Scale 1:100



Proposed East Elevation
Scale 1:100



Proposed Rear Elevation
Scale 1:100

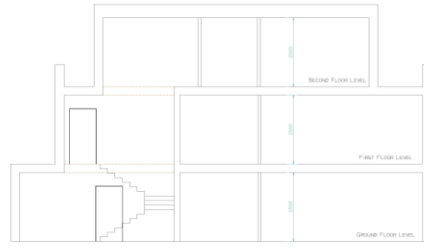


Proposed West Elevation
Scale 1:100

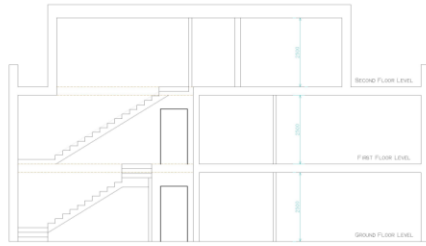




Section A-A
Scale 1:100



Section B-B
Scale 1:100



Section C-C
Scale 1:100



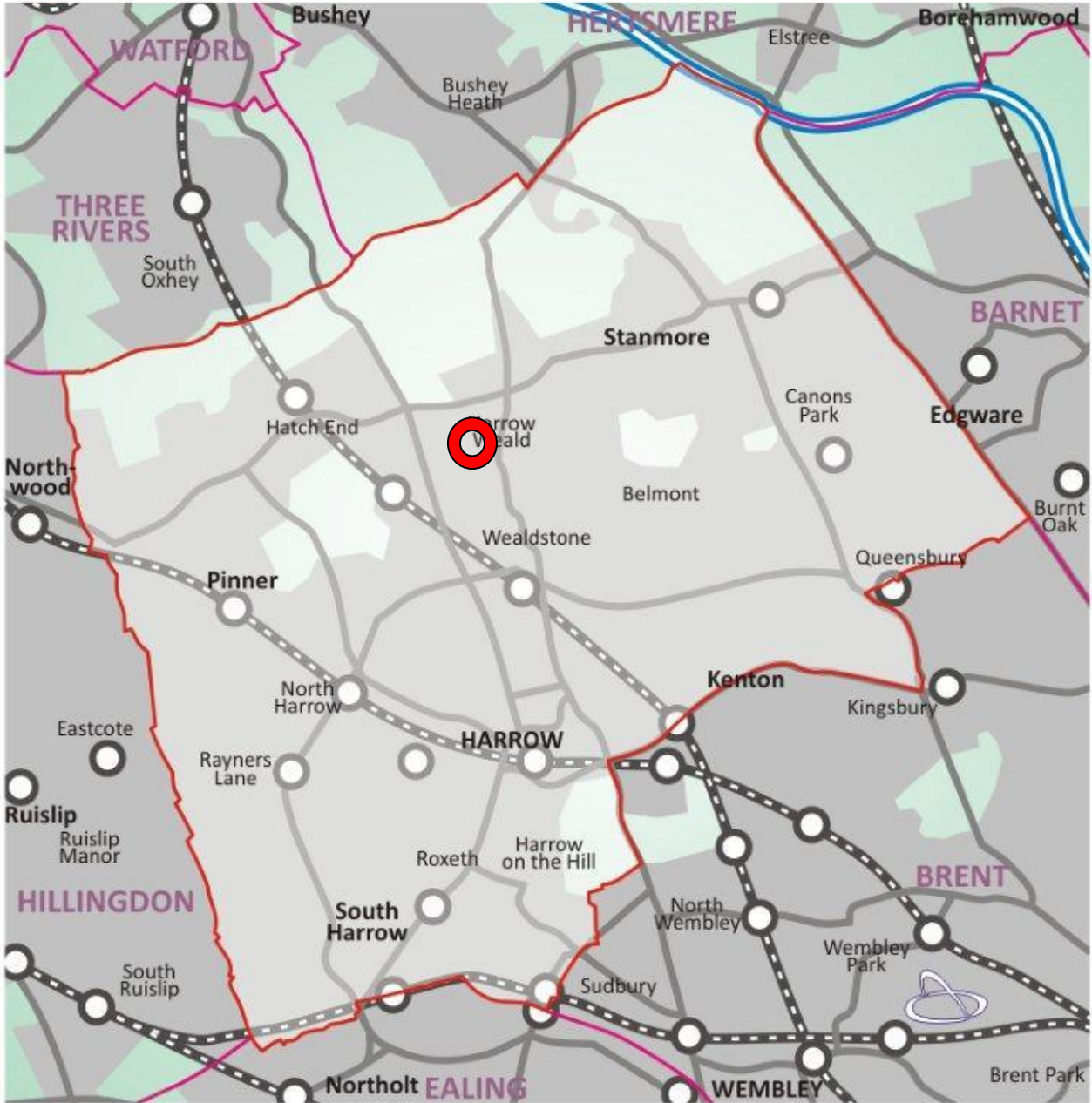
Section D-D
Scale 1:100



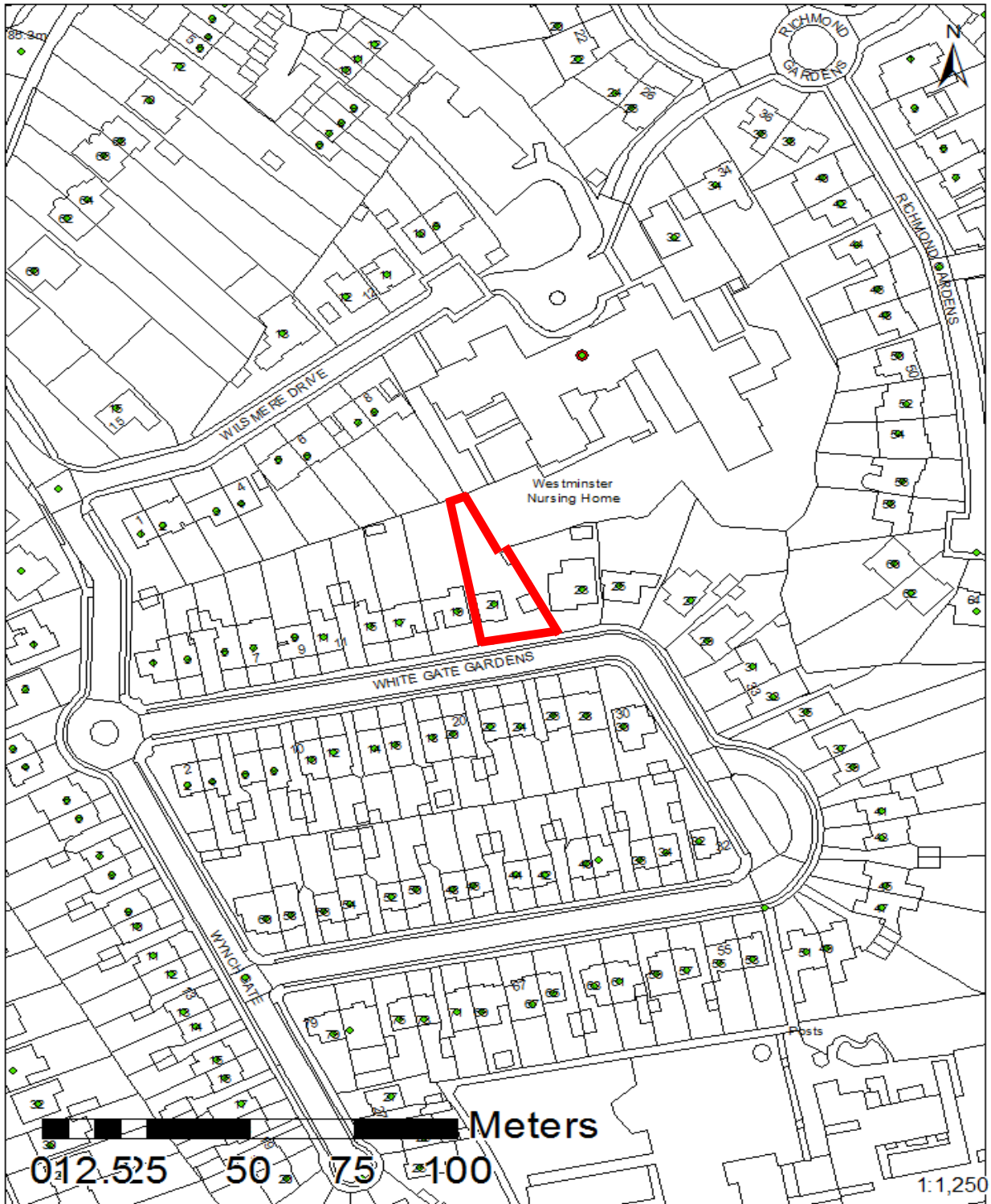
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Agenda Item : 2/07

 = application site



21 Whitegate Gardens, Harrow	P/0966/18
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21 Whitegate Gardens, Harrow	P/0966/18
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/0966/18
VALIDATE DATE: 15/03/2018
LOCATION: 21 WHITEGATE GARDENS, HARROW
WARD: HARROW WEALD
POSTCODE: HA3 6BW
APPLICANT: MR PHILIP ECCLES
AGENT: N/A
CASE OFFICER: LOKENDRA CHEMJONG
EXPIRY DATE: 10/05/2018 (EXTENDED TO 05/06/2018)

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Re-development to provide a pair of semi-detached dwellings with habitable roofspace; new vehicle access onto Whitegate Gardens; parking; amenity space; boundary treatment; landscaping and bin storage

The Planning Committee is asked to:

RECOMMENDATION A

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATIONS

The proposal would contribute towards the smaller housing stock within the borough and the quality of accommodation for the future occupiers of the residential units would be in accordance with the development plan and policies. Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the property, surrounding conservation area or the residential amenities of the neighbouring occupiers.

INFORMATION

This application is reported to Planning Committee as a nominated member has requested in writing that application be reported to Planning Committee however the proposal falls inside Schedule 1 of the Scheme of Delegation.

Statutory Return Type: (E)13. Minor Dwellings
Council Interest: N/A
GLA Community
Infrastructure Levy (CIL) £7,154
Contribution (provisional):
Local CIL requirement: £22,484

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 **BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:
Part 1: Planning Application Fact Sheet
Part 2: Officer Assessment
Appendix 1 – Conditions and Informatives
Appendix 2 – Site Plan
Appendix 3 – Site Photographs
Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	21 Whitegate Gardens, Harrow, HA3 6BW
Applicant	Mr Philip Eccles
Ward	Harrow Weald
Local Plan allocation	N/A
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	N/A
Other	N/A

Housing		
Density	Proposed Density hr/ha	270.8
	Proposed Density u/ph	38.8
	PTAL	0
	London Plan Density Range	Suburban
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / %)	0
	3 bed (no. / %)	0
	4 bed (no. / %)	2
	Overall % of Affordable Housing	0
	Social Rent (no. / %)	0
	Intermediate (no. / %)	0
	Private (no. / %)	2
	Committed Sum	N/A
	Comply with London Housing SPG?	Yes
	Comply with London Housing SPG?	Yes
	Comply with M4(2) of Building Regulations?	Conditioned

Transportation		
Car parking	No. Existing Car Parking spaces	3
	No. Proposed Car Parking spaces	2 for each dwelling
	Proposed Parking Ratio	2:1
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	Unspecified (Conditioned to meet London Plan 2016 requirement)
	Cycle Parking Ratio	N/A
Public Transport	PTAL Rating	0
	Closest Rail Station / Distance (m)	Headstone Lane/ 1800m
	Bus Routes	Kenton Lane (nearest)
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	N/A
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	N/A
Parking Stress	Area/streets of parking stress survey	-
	Dates/times of parking stress survey	-
	Summary of results of survey	-
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Collected by the LPA

Sustainability / Energy	
BREEAM Rating	-
Development complies with Part L 2013?	-
Renewable Energy Source / %	-

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 Subject property is a two storey detached dwellinghouse located on the northern side of Whitegate Gardens.
- 1.2 Subject dwelling has no. 23 Whitegate Gardens to east and has no. 19 Whitegate Gardens to west.
- 1.3 Rear boundary is connected to no. 8 Wilsmere Drive and Wilsmere House.
- 1.4 Subject dwelling is not a listed building or located in a conservation area or within any other land designated under Article 2(3) of the GPDO 2015.
- 1.5 The site lies within a critical drainage area.

2.0 PROPOSAL

- 2.1 Re-development to provide a pair of semi-detached dwellings with habitable roofspace.
- 2.2 The existing dwellinghouse would be demolished and replaced with a pair of semi-detached houses (nos. 21 and 21A Whitegate Gardens).
- 2.3 The pair of semi-detached houses would have gabled roof and a rear roof dormer, and rooflights on the front roofslope.
- 2.4 Proposed semi no. 21 Whitegate Gardens would have three storey, contain four bedrooms, a combined living and kitchen room, a study room, two bathrooms and a water closet. It would accommodate seven people. It would have Gross Internal Area (GIA) of 147.2 SQM.
- 2.5 Proposed semi no. 21A Whitegate Gardens would have three storey, contain four bedrooms, a combined living and kitchen room, a study room, a large storage room, two bathrooms and a water closet. It would accommodate seven people. It would have Gross Internal Area (GIA) of 159.7 SQM.
- 2.6 Formation of separate outdoor rear amenity areas.
- 2.7 Refuse bins and cycle storage.
- 2.8 Hardsurfacing, vehicular access and soft landscaping at forecourts.
- 2.9 Parking and boundary treatment

3.0 RELEVANT PLANNING HISTORY

3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
LBH/34342	Two storey side to rear extension to provide new dwelling unit and garages	Refused on 04/02/1988

4.0 CONSULTATION

4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 24/04/2018.

4.3 Adjoining Properties

Number of letters Sent	4
Number of Responses Received	2
Number in Support	0
Number of Objections	2
Number of other Representations (neither objecting or supporting)	0

4.4 1 objection was received from an adjoining resident. 1 objection was received from non-adjoining resident.

4.5 A summary of the responses received along with the Officer comments are set out below:

Details of Representation	Summary of Comments	Officer Comments
H Karshan 19 Whitegate Gardens	Objects to the application due to: <ul style="list-style-type: none">Concerns regarding overall size and scale of proposed dwelling	Issues relating to character, residential amenity, and parking are assessed in sections 6.2, 6.3 and 6.4 of the report

	<ul style="list-style-type: none"> • Gable end design would increase overshadowing and would be out of character in the rear • Insufficient parking provided, and congestion 	respectively.
Girish Patel 24 Whitegate Gardens	<p>Objects to the application due to:</p> <ul style="list-style-type: none"> • CIL application form not legible • roof design does not fit well within the existing street houses layout • The close boarding fence partitioning the forecourt would harm the street character • Proposed dwelling does not specify exterior rendering texture and colour • Bin location for no. 21A would not fit well within the streetscene • Vehicle access for no. 21 may comprise existing tree on the public road • Proposed car park not sufficient; • There are trees on the development site contrary to what is written in the form 	Issues relating to character, residential amenity, and parking are assessed in sections 6.2, 6.3 and 6.4 of the report respectively.

4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken:

LBH Highways
LBH Design
LBH Landscape Architect
Designing Out Crime Officer, Metropolitan Police Service
LBH Highways Network Management
LBH Drainage
LBH Waste Management Policy Officer

4.8 Statutory and Non Statutory Consultation

4.9 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
LBH Highways	No objections, a construction method statement (to include the demolition phase) should be secured as a pre-commencement condition.	Condition attached regarding construction method statement.
LBH Design	The proposed design is simple but well-judged and fits within the context.	Noted.
LBH Landscape Architect	3 bins per household would be required. There should be sufficient space for pedestrian access along the side of one of the houses (not cluttered by the bins). Conditions for hard and soft landscape works, planting, levels and boundary treatment are required.	Condition attached requesting details for hard and soft landscape, and bins.
Designing Out Crime Officer, Metropolitan Police Service	No objection to the proposal. However, following recommendations made: All easily accessible door sets (front, back, patio) to be certified to PAS24:2016; all easily accessible and openable windows to be certified to PAS24:2016; garage door sets to be certified to PAS24:2016; boundary fencing to be 1.8m high with 300mm	Condition attached requiring to achieve Secure by Design accreditation.

	of weak diamond style trellis fixed on top. Side gate to be 2.1m high, or 1.8m high with 300mm trellis; 13amp spur to be installed for burglar alarm provision; a photoelectric cell light (dusk till dawn) with manual override to be installed by front and rear entrances.	
LBH Highways Network Management	Vehicle crossing must be constructed in line with Harrow's vehicle crossings policy.	An informative has been added for the applicant to contact Council's Highways Crossings Officer.
LBH Drainage	Details of proposed drainage, permeable hard surfacing and maintenance plans needs to be submitted to be approved by the drainage team, to comply with Policy DM 10.	Condition attached requesting drainage details.
LBH Waste Management Policy Officer	No comments received.	N/A

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

5.2 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2015 [LP] and the Local Development Framework [LDF]. The LDF comprises The

Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

- 5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

- 6.1 The main issues are;

Principle of the Development
Character and Appearance of the Area
Residential Amenity and Accessibility
Traffic and Parking
Drainage

6.2 Principle of Development

- 6.2.1 The proposed development would lie in a garden curtilage of an existing dwellinghouse. As such, SPD Garden Land Development (2013) is very relevant in this case.

- 6.2.2 Development within residential gardens is only normally not acceptable. However, the SPD Garden Land Development (2013) identifies exception for gap sites. The SPD Garden Land Development (2013) states:

“3.10 An exception will also be made for 'gap' sites within a built-up street frontage.

3.11 Gap sites occur only occasionally as an anomalous 'missing piece' from an otherwise clearly defined rhythm of buildings (and spaces around buildings) in the streetscene. They are usually obvious vacant plots, of dimensions consistent with those prevailing in the street, within an otherwise built-up street frontage. Consideration of the pattern and character of development surrounding the site will enable a distinction to be drawn between genuine gap sites and spurious proposals for development on garden land. Side gardens in spacious residential areas, corner sites (see above) and side garages/driveways do not constitute the kind of gaps to which this exception applies.

3.12 The exception is justified because genuine gap sites are an exceptional occurrence and, consequently, allowing for their appropriate development will not lead to an unacceptable degree of dispersal. It is not the intention of the presumption against garden development to frustrate proposals that would reinforce the positive attributes of Harrow's residential areas by infilling anomalous gap sites. The exception does not negate the need for development on gap sites to comply with other policies, including those

relating to the character of the area and the amenity of neighbouring occupiers.”

- 6.2.3 The subject dwelling is situated in a street containing small gaps between semi-detached dwellings and detached dwellings. The subject plot is unusual in that it is wider (18.14m) at the front than nearby plots, and the dwellinghouse is situated on the western side of the subject plot. The eastern side of the subject plot is occupied by a garage. It is considered that the large gap at the eastern side of the subject house is different to otherwise clearly defined rhythm of buildings and would therefore constitute a gap site. The proposal would still retain gaps with the other properties at the first floor or ground floor level) similar to pattern of development within the area of the semi-detached properties nearby. It would not lead to unacceptable degree of dispersal and would consequently reinforce the local attribute of the area.
- 6.2.4 In officers opinion the principle of the proposed development is acceptable on the basis that the site would be a gap site. Notwithstanding this, if a different view is taken, it is considered that the proposed development would make more efficient use of a brownfield site without compromising the character and appearance of the street scene. In officers opinion, the dwellings provided would fit within the pattern and character of the area and provide high quality living accommodation to a family. The benefits of the proposal would therefore outweigh any perceived harm and the principle of new dwellings on the site would therefore be justified despite the loss of the side garden.
- 6.2.5 For the reasons above, the subject site would meet the aims and objectives of the gap site, which would justify the exception for proposal being acceptable, in principle, in what is considered to be a garden land (gap site), as per the SPD Garden Land Development (2013). The proposal to form a pair of semi-detached houses is therefore acceptable in principle.

6.3 Character and Appearance of the Area

- 6.3.1 National Planning Policy Framework (2012) advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.
- 6.3.2 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.

- 6.3.3 Core Policy CS(B) states that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’
- 6.3.4 Policy DM 1 A of the Local Development Management Policies Local Plan (2013) states that: “All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted”. It goes on to say that: “The assessment of the design and layout of proposals will have regard to:
- a: the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;
 - b: the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;
 - c: the context provided by neighbouring buildings and the local character and pattern of development;
 - d: the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
 - e: the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;”
- 6.3.5 The proposed design was reviewed by the council’s design officer who found it to be acceptable. The design officer considered the proposed design to be reasonably well judged and within the context of the area. The proposed dwellinghouses would have recessed front porch, wrapping windows on front and side, similar to what is existing in the nearby dwellinghouses.
- 6.3.6 The proposed dwellings would have gabled roof form, which is not uncommon in the area. Many of the nearby properties have had hip-to-gable roof extensions. It is therefore considered that the proposed hipped roof would not harm the character and appearance of the area.
- 6.3.7 The image in the design and access statement shows that the roof tiles would be grey/ black in colour. It is considered that reddish brown roof tiles are more prevalent within the area, and reddish brown roof tiles would be preferred to preserve the character and appearance of the area. A condition has therefore been attached requesting sample external materials details, to be approved by the council, in order to preserve the character and appearance of the area.
- 6.3.8 The massing, bulk, scale and height would be similar to what is existing in the surrounding area. The proposed dwellings would have width of 6.61m and depth of 9.47m at the first floor level. The ground floor would be slightly deeper at 11.28m. The proposed ground footprint coverage is considered to be similar to what is common within the area and therefore acceptable.

- 6.3.9 The proposed dwellings would have a height of 8.7m compared to the height of the existing dwelling of 8m. However, the existing ground level would be reduced by 0.4m through excavation. As a result, the proposed height would be similar to nos. 15 and 17 and slightly lower than no. 23, which is not considered to be unduly high.
- 6.3.10 The dwellings would fit within the context of the surrounding area as there are many semi-detached dwellings nearby. The proposed dwellings also retains gap at the boundary at the first floor level at least. No. 21 would retain 1.17m gap at the common boundary with no. 19. No. 21A would retain at least 0.78m gap at the first floor level increasing up to 3.48m at the front elevation.

Landscaping:

- 6.3.11 Development proposals will be required to include hard and soft landscaping that:
- Is appropriate to the character of the area;
 - Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;
 - Achieves a suitable visual setting for the building(s);
 - Provides for sufficient space for new or existing trees and planting to grow; and
 - Supports biodiversity.
- 6.3.12 Out of 110 SQM combined forecourt, approximately 58 SQM would be hard surfaced. The remaining would contain planting. It is considered that the proposed amount of hard and soft landscaping would be acceptable.
- 6.3.13 The landscape officer has requested for condition for details of hard and soft landscaping including plating plans, schedule of plants, hard landscape material details, landscaping implementation scheme, boundary treatment and levels to be submitted. Planning conditions as requested by the council's landscape officer have been attached.

Waste Management:

- 6.3.14 Policy DM 45 A.c. of the Harrow Development Management Policies Local Plan (2013) states, "All proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting. The on-site provision must: be located and screened to avoid nuisance to occupiers and adverse visual impact."
- 6.3.15 The amount of bins submitted is considered to be insufficient. Each dwelling should at least have three bins to dispose general, recycling, and garden waste.
- 6.3.16 It is also considered that the bins should be located at the rear garden for no. 21. Bins for no. 21A could be located inside the storage or could be screened, where it is now, in order to comply with policy DM 45 A.c.

6.3.17 A condition has therefore been attached requiring the applicant to submit satisfactory refuse storage details, including the no. of bins and its location, details of screening if provided, to be approved by the council.

6.4 Residential Amenity and Accessibility

6.4.1 Policy 7.6B, subsection D, of The London Plan states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

6.4.2 Policy DM1 of the DMP states that “All development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted (c)”. “The assessment of privacy and amenity considerations will have regard to:

- a. the prevailing character of privacy and amenity in the area and the need to make effective use of land;
- b. the overlooking relationship between windows and outdoor spaces;
- c. the distances between facing windows to habitable rooms and kitchens;
- d. the relationship between buildings and site boundaries (applying the Council's 45 degree code where relevant);
- e. the visual impact of development when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant);
- f. the adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces (applying the Council's 45 degree code where relevant);
- g. the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers;
- h. the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution; and
- i. the need to provide a satisfactory quantum

Impact on adjoining occupiers

- 6.4.3 The rear elevations of the proposed dwellings would not project beyond the extended rear elevation of no. 19. The distance from common boundaries with no. 19 from the proposal would be similar to what currently exists. The proposed windows in the western side elevation would serve non-habitable rooms (W/C and hall). The proposal would therefore not have detrimental impacts upon the residential amenities of the occupiers of no. 19 in terms of daylight, outlook, overshadowing, or privacy.
- 6.4.4 The rear elevations of the proposed dwellings would only project 0.65m beyond the rear elevation of no. 23. The proposed window in the eastern side elevation would serve a non-habitable room (hall). The first floor element would be sited at least 4.4m away from side elevation of no. 23. The proposal would therefore not have detrimental impacts upon the residential amenities of the occupiers of no. 23 in terms of daylight, outlook, overshadowing, or privacy.
- 6.4.5 Given the significant distance between the proposed dwellings and the rear boundaries, it is not considered that the proposal would be harmful to the amenity of the adjoining occupiers at the rear.

*Impact on Future Occupiers:
Room Sizes and Layout:*

- 6.4.6 Policy DM1 D(g) of Harrow Development Management Policies Local Plan (2013) states that the assessment of privacy and amenity considerations will have regard to the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers.
- 6.4.7 As Harrow is a London Borough, the suitable guidance for adequacy of internal layout of buildings is considered to be London Plan (2016) and Technical housing standards – nationally described space standard (2015) - (THS). The table below shows comparison of the proposed floor area and width versus the guidance listed in the documents above.

Dwelling	Room	Proposed Floor Area (m ²)	Minimum Floor Area Required (m ²)	Proposed Minimum room width (m)	Minimum room width required (m)	Proposed Built-In Storage (m ²)	Minimum Built-in Storage required (m ²)
No. 21 4 bed; 7 person; 3 storey	Bedroom 1 (single)	8.9	7.5	2.55	2.15	3	3
	Bedroom 2 (double)	12.3	11.5	3.51	2.75		
	Bedroom 3 (double)	14.2	11.5	3.33	2.55		
	Bedroom 4 (double)	13.0	11.5	2.83	2.55		
	Total GIA	147.2	121				

No. 21A 4 bed; 7 person; 3 storey	Bedroom 1 (single)	8.9	7.5	2.55	2.15	7.9	3
	Bedroom 2 (double)	12.3	11.5	3.51	2.75		
	Bedroom 3 (double)	14.2	11.5	3.33	2.55		
	Bedroom 4 (double)	13.0	11.5	2.83	2.55		
	Total GIA	159.7	121				

- 6.4.8 Technical Housing Standards – nationally described space standard 2015 (THS) and The London Plan (2016) require that the minimum floor to ceiling height be 2.3m for at least 75% of the Gross Internal Area. It also states:
- dwelling with two or more bedspaces has at least one double (or twin) bedroom
 - in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide
 - in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²
 - one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide
 - any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m² within the Gross Internal Area)
 - any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all
 - The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement

- 6.4.9 As can be seen from the table above, the proposal would comply with the minimum space standards in the Technical Housing Standards – nationally described space standard 2015 (THS) and The London Plan (2016).

Floor to Ceiling Heights:

- 6.4.10 The London Plan states, “The nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.” Crucially, the above standard applies for both new buildings and conversions of existing dwellings.
- 6.4.11 81.3% of GIA of dwelling no. 21 would have floor to ceiling height of 2.5m. 82.7% of GIA of dwelling no. 21A would have floor to ceiling height of 2.5m. The proposal would meet the floor to ceiling height recommendations set out in Technical Housing Standards – nationally described space standard 2015 (THS) and The London Plan (2016).

Private Outdoor Amenity Space:

- 6.4.12 Policy DM27 of the DMP states that residential development proposals should provide appropriate amenity space, the form and amount of which should be informed by the Mayor's London Plan Housing SPG.
- 6.4.13 The proposed dwelling no. 21 would have rear garden area of 106.8 SQM and no. 21A would have rear garden area of 109.3 SQM which are considered to be sufficient.

Accessibility:

- 6.4.14 Policy 3.8 B of The London Plan (2016) states:
"c. ninety percent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'
d. ten per cent of new housing¹⁰ meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users
- 6.4.15 Policy CS1 K of HCS (2012) states, "...All new homes must meet 'Lifetime Home' standards and at least 10 per cent must achieve the enhanced 'Wheelchair Home' standards. The Area Action Plan and Development Management Policies DPD will provide criteria for the assessment of residential quality for all forms of residential development, and set out further details as appropriate for Accessible Homes.
- 6.4.16 Policy DM2 A c. states, "new residential development and conversion proposals must ensure good access to services and facilities, and provide accessible homes in accordance with Policy CS1 of the Core Strategy."
- 6.4.17 As per Policy 3.8 B, c. of The London Plan (2016), a condition has been attached to ensure that the proposal complies with Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'

6.5 Traffic and Parking

- 6.5.1 The London Plan (2016) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.
- 6.5.2 The proposal would be sited in an area with Public Transport Accessibility Level (PTAL) score of 0. To put the number in context, there are seven categories of PTAL; 0 being the worst and 6b being the best. All public transport modes in London are currently available in the area: National Rail, London Overground, Tube, DLR, Tram, Buses.

- 6.5.3 The proposal does not clearly show how many cycle parking spaces are being proposed. In order to comply with The London Plan (2016), 2 secure and sheltered cycle parking spaces per dwelling is required. A condition has therefore been attached requesting the cycle parking details to comply with the minimum standards set out in Table 6.3 of The London Plan (2016).
- 6.5.4 With regards to the car parking space, the highways team has not raised any objection. The proposal would therefore be acceptable in terms of car parking spaces.
- 6.5.5 The construction of two new dwellings could however cause local traffic disruption. As per the request of the highways team, a pre-commencement condition has been attached requesting details of construction method statement (to include the demolition phase). A further condition has been attached to ensure that the proposed vehicle crossover is constructed in line with the Vehicle Crossing Policy.

6.6 Drainage

6.6.1 Policies DM 10 A, B and C state:

“A. Proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off.

B. Proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems.

C. Proposals that would fail to make adequate provision for the control and reduction of surface water run off will be refused.”

6.6.2 The proposal lies within a critical drainage area. The council’s drainage team has stated as follows:

“In line with our Development Management Policy 10, to make use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of the measures used, the following details are required:

- The applicant should submit drainage details in line with our standard requirements attached.
- The applicant can contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

Proposed Parking/ Hardstandings “

- The use of non-permeable surfacing impacts upon the ability of the environment to absorb surface water, and the hardsurfacing of the front gardens and forecourts lead to localised surface water flooding. Hence our requirement for use of permeable paving for all hardstanding. The applicant should submit full construction details of permeable paving with their maintenance plan.

6.6.3 Conditions required drainage details and construction details of permeable paving has therefore been attached.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal would contribute towards the smaller housing stock within the borough and the quality of accommodation for the future occupiers of the residential units would be in accordance with the development plan and policies. Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the property, surrounding conservation area or the residential amenities of the neighbouring occupiers.

7.2 For these reasons, 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.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Design and Access Statement; EXT/BLOCK/01; EXT/FRONTELEV/01; EXT/GROUND/01; EXT/REARELEV/01; EXT/SIDEELEV/01; PRO/GROUND/01; SITE LOCATION PLAN; PRO/BLOCK/01; PRO/FIRST/01; Sewer Map; Surface Water Management Plan; PRO/SS/01; EXT/FIRST/01; PRO/FRONTELEV/01; PRO/ LOFTFLOOR/01 REV A; PRO/REARELEV/01 REV A; PRO/ROOFPLAN/01 REV A; PRO/SECTION/01 REV A; PRO/SIDEELEV/01 REV A

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Materials- dwellinghouse (Pre-commencement Condition)

Notwithstanding the submitted details and approved plans, the development hereby permitted shall not commence beyond damp proof course, 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:

- Facing materials;
- Windows and doors;
- Rainwater goods
- The boundary treatment
- Hardstanding

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

THIS IS A PRE-COMMENCEMENT CONDITION.

Reason: To safeguard the appearance of the locality and to ensure that the approved materials are used during the building works.

4 Levels (Pre-commencement Condition)

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.

THIS IS A PRE-COMMENCEMENT CONDITION.

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.

5 Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site to include:

- Soft landscape works to: planting plans (at a scale not less than 1:100) and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities.
- Hard landscape Material Details
- Landscaping Scheme - Implementation and programme of implementation, including a period of 5 year period for replacements of soft landscape
- Boundary Treatment
- Levels – a detailed Levels Plan of the proposed finished levels. This document needs to explain details of the levels of the building, car parking and footpaths and works adjacent to the existing trees in relation to the adjoining land and highways, and any other changes proposed in the levels of the site.

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

6 Landscaping Implementation

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 flats, 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.

7 M4 (2) Accessibility

The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 and thereafter retained to those standards.

Reason: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

To ensure provision of 'Accessible and Adaptable Dwellings' in accordance with Policy 3.8B of The London Plan (2016) and Policy DM2 the Harrow Development Management Policies Local Plan (2013).

8 Construction Method Statement (Pre-commencement Condition)

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- (measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

This is PRE COMMENCEMENT CONDITION.

Reason: To ensure that the construction works of the development does not unduly impact on highway safety and the amenities of the existing occupiers of the properties adjacent to the site.

9 Cycle storage

The development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, drawings showing the following:

- plan/s and elevations for secure cycle storage to comply with standards set out in Policies 6.9 and 6.13 of The London Plan (2016), i.e. provide two secure and sheltered cycle storage spaces per dwellinghouse.

Reason: To safeguard the character and appearance of the area and promote a sustainable method of transport, in accordance with Policies 6.9, 6.13 and 7.4 of The London Plan (2016), and Policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

10 Refuse storage

The development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, drawings showing the following:

- plan/s and elevations to show at least 3 refuse bins per dwellinghouse to be either located in the rear garden (where feasible) or be suitably screened (if placed at forecourt).

Reason: To safeguard the character and appearance of the area and provide sufficient refuse storage provision as per Policies DM1 and 45 of the Harrow Development Management Policies Local Plan (2013).

11 Glazing 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plans shall be installed in the side elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

Reason: To safeguard the amenity of neighbouring residents in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

12 Obscure Glazing

The window(s) in the flank elevation(s) of the proposed development shall: (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 residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

13 No Balcony

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

Reason: To safeguard the amenity of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

14 Garden Fence

The outdoor rear private garden areas shall be bounded by close-boarded timber fencing to a height of 1.8metres. The fencing required by this condition shall be erected prior to the occupation of the dwellings and shall be retained thereafter.

Reason: To protect the residential amenities of the existing and future occupiers of the development in accordance with policies DM1 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide SPD (2010).

15 Secure by Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to an approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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.

16 On Site Water Management and Surface Water Attenuation (Pre-commencement Condition)

The buildings hereby permitted shall not be commenced until details of works for the disposal of surface water and surface water storage and attenuation works have been submitted to and approved in writing by, the local planning authority. The submitted drawings shall include drainage and permeable hardstanding details. The works shall be implemented in accordance with the approved details and shall thereafter be retained. The applicant should contact Harrow Drainage Section and Thames Water at the earliest opportunity. This is a PRE-COMMENCEMENT CONDITION.

Reason: To make use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of the measures, in accordance with Policy 5.13 of The London Plan (2016) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013)

17 Sewage (Pre-commencement condition)

The development hereby permitted shall not be commenced until details of works for the disposal of sewage have been submitted to and approved in writing by, the local planning authority. The works shall be implemented in accordance with the approved details and shall thereafter be retained. THIS IS A PRE-COMMENCEMENT CONDITION.

Reason: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning

Policy Framework (2012) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013).

18 Restriction of Permitted Development Rights- Classes A to F

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (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 appearance and character of the area, and to enhance the appearance of the development and to safeguard the amenity of neighbouring residents in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1 **Policies**

National Planning Policy Framework (2012) (NPPF)

The London Plan (2016):

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building Lifetime neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4B Local Character
- 7.6B Architecture

The Draft London Plan (2017):

- D1 London's form and characteristics
- D2 Delivering good design
- D3 Inclusive Design
- D4 Housing quality and standards
- D5 Accessible housing
- H1 Increasing housing supply
- H2 Small sites
- H12 Housing size mix

Harrow Core Strategy (2012):

- Core Policy CS 1 Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM 10 On Site Water Management and Surface Water Attenuation
- Policy DM 12 Sustainable Design and Layout
- Policy DM 22 Trees and Landscaping
- Policy DM 23 Streetside Greenness and Forecourt Greenery
- Policy DM 24 Housing Mix
- Policy DM 27 Amenity Space
- Policy DM 42 Parking Standards
- Policy DM 44 Servicing
- Policy DM 45 Waste Management

Relevant Supplementary Documents:

- Supplementary Planning Document Garden Land Development (2013)
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2015)

Mayor of London, Housing Supplementary Planning Guidance (2016)

2 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:

0800-1800 hours Monday - Friday (not including Bank Holidays)

0800-1300 hours Saturday

4 Party Wall Act

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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

5 Mayor of London CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL.

The CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £35/sqm £7,154

This amount however does not include indexation, which will be included when a formal Liability Notice is issued. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planningportal website where you can download the appropriate document templates.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

6 Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £22,484. This figure excludes indexation, which will be included when a formal Liability Notice is issued. The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges

7 Protection of Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

8 Sustainable Urban Drainage System (SUDS)

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

9 Street Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.
http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

10 Highway Crossovers

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

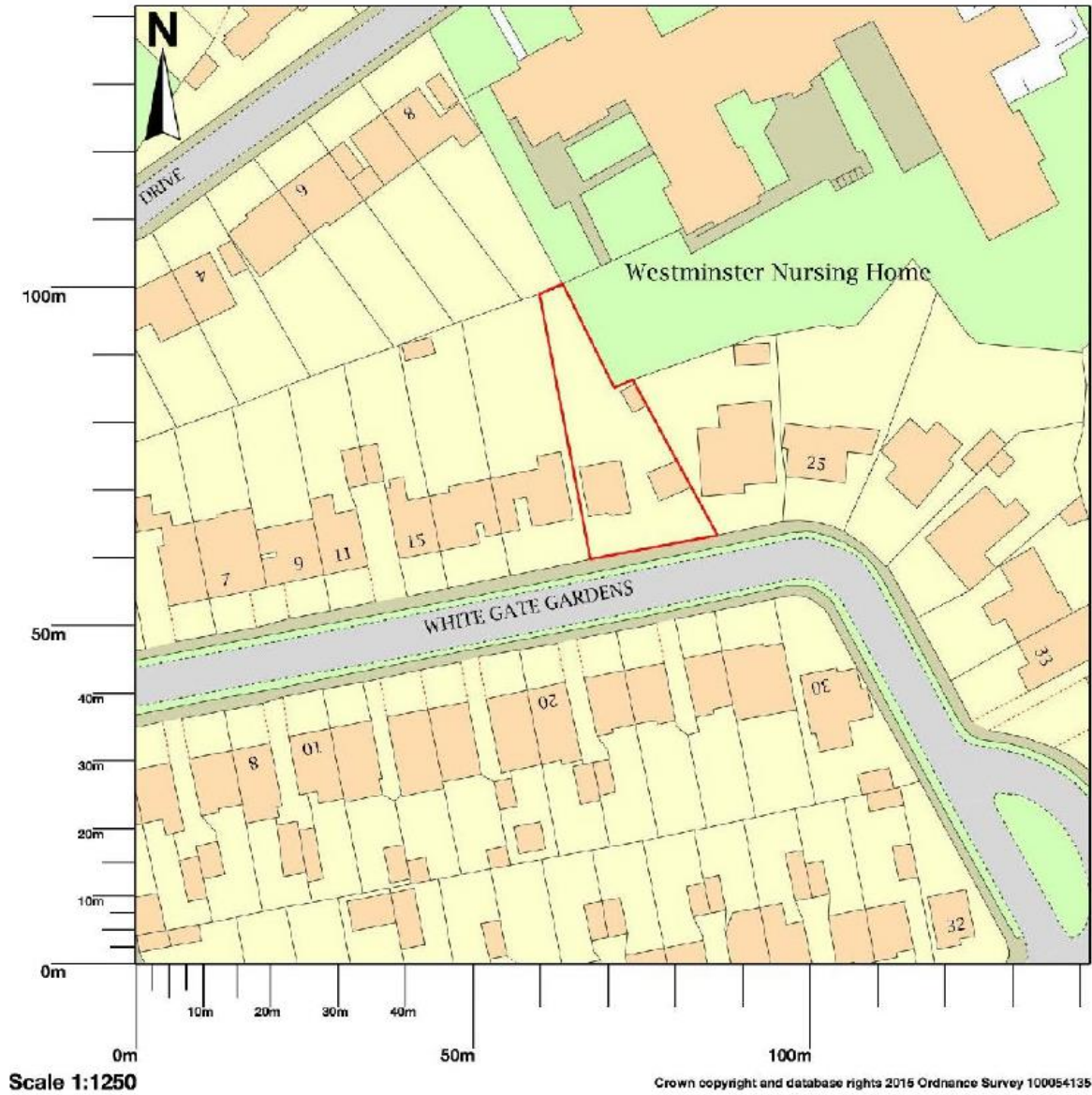
11 Compliance with Planning Conditions

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.

APPENDIX 2: SITE PLAN

21 Whitegate Gardens, Harrow, HA3 6BW



APPENDIX 3: SITE PHOTOGRAPHS



Front Elevation



Front Elevation



Front elevation



Rear elevation



Rear elevation



Rear garden



Rear garden- area shielded behind plants



Towards rear of no. 19



Towards rear of no. 19



Towards side of no. 23 (from rear of no. subject dwelling)



Street context- towards no. 23



context- towards no. 19

Street



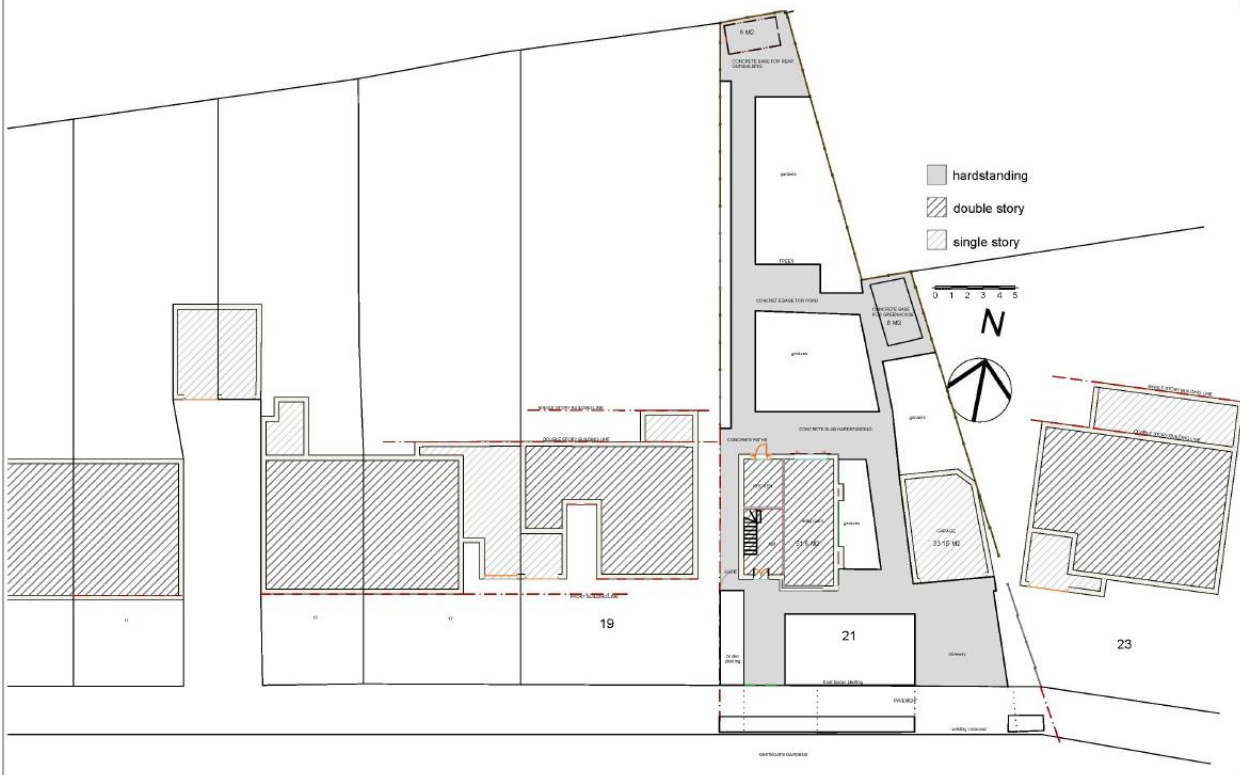
Street context- opposite side towards south-west

APPENDIX 4: PLANS AND ELEVATIONS



Visualised 3D Model

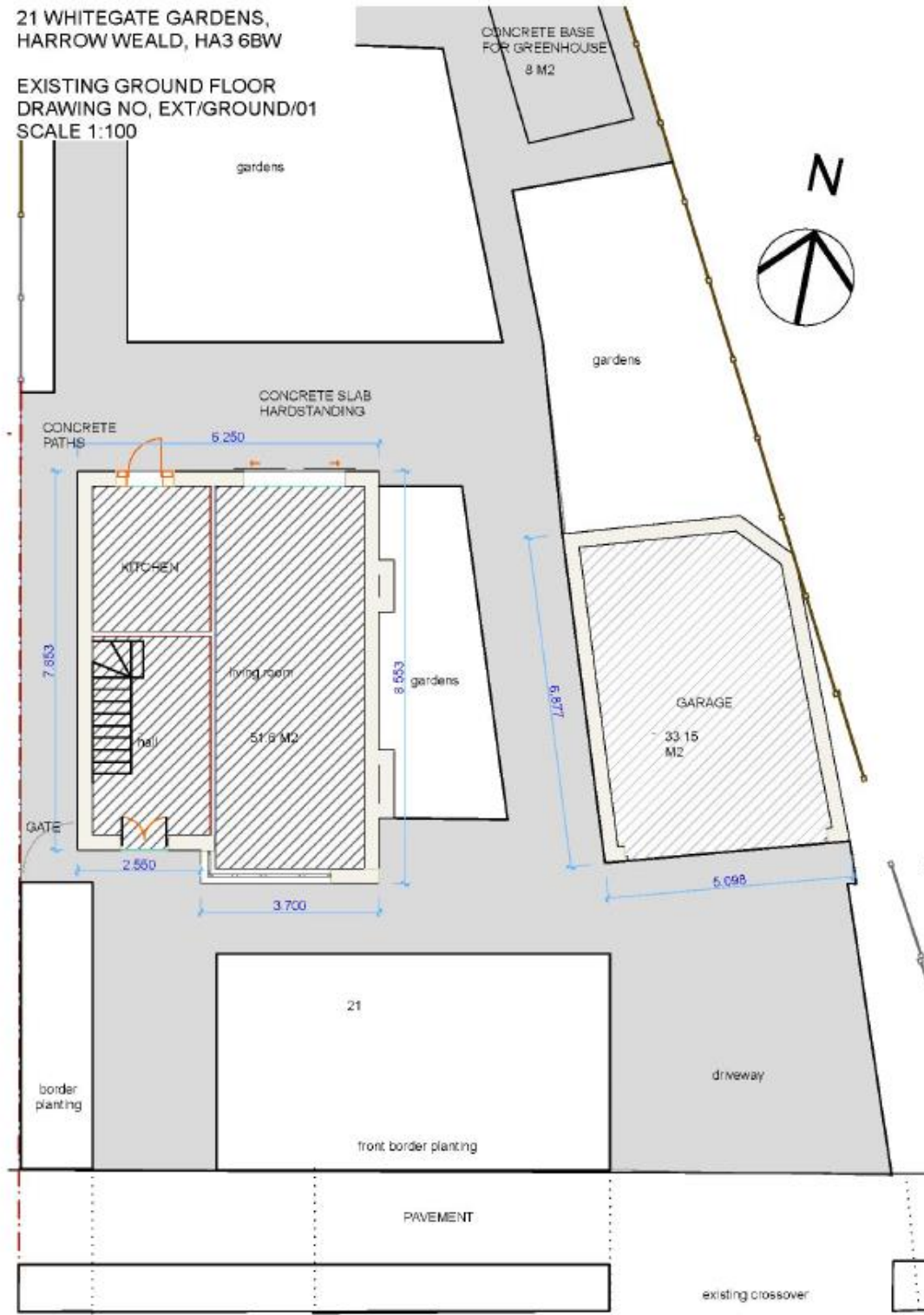
21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
 EXISTING BLOCK PLAN
 DRAWING NO. EXT/BLOCK/01
 SCALE 1:200



Existing site plan

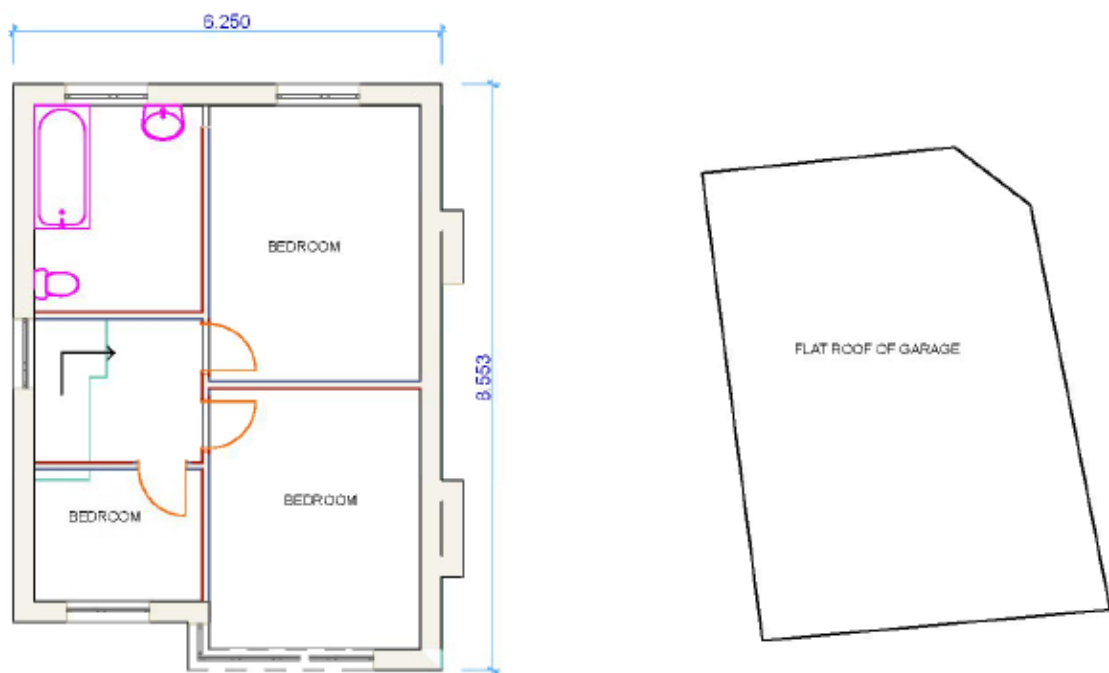
21 WHITEGATE GARDENS,
HARROW WEALD, HA3 6BW

EXISTING GROUND FLOOR
DRAWING NO, EXT/GROUND/01
SCALE 1:100



Existing ground floor plan

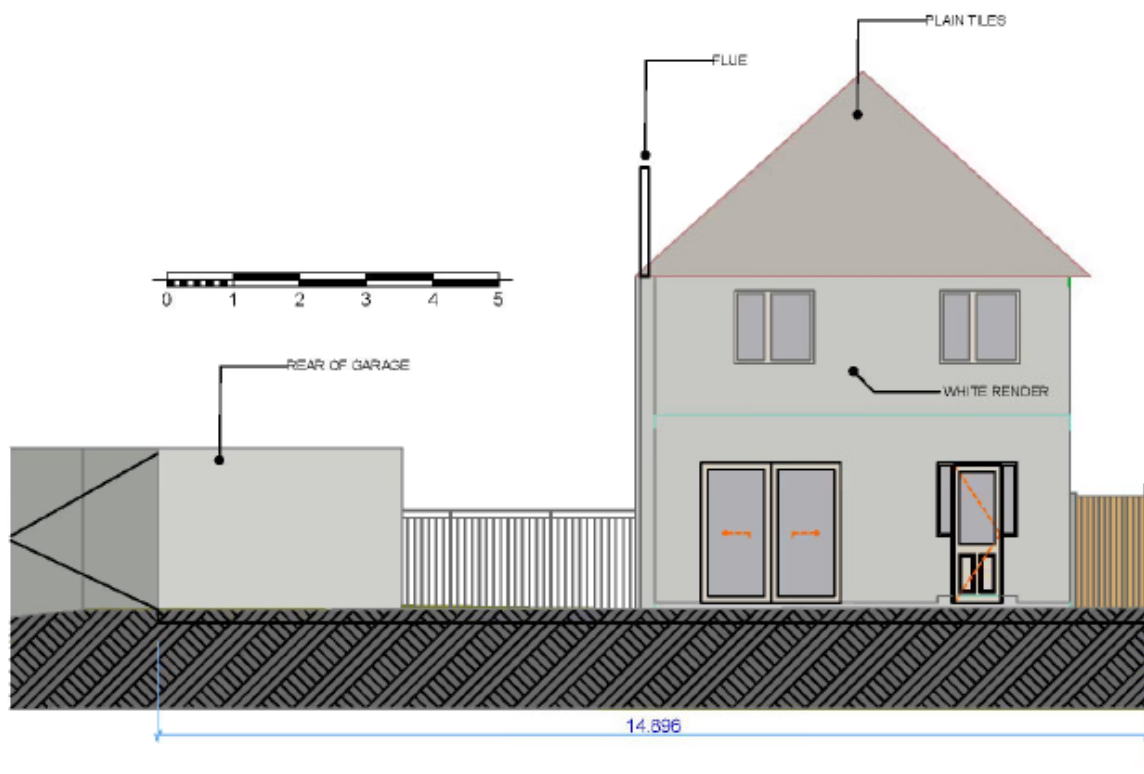
21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
EXISTING FIRST FLOOR
DRAWING NO. EXT/FIRST/01
SCALE 1:100



Existing first floor plan

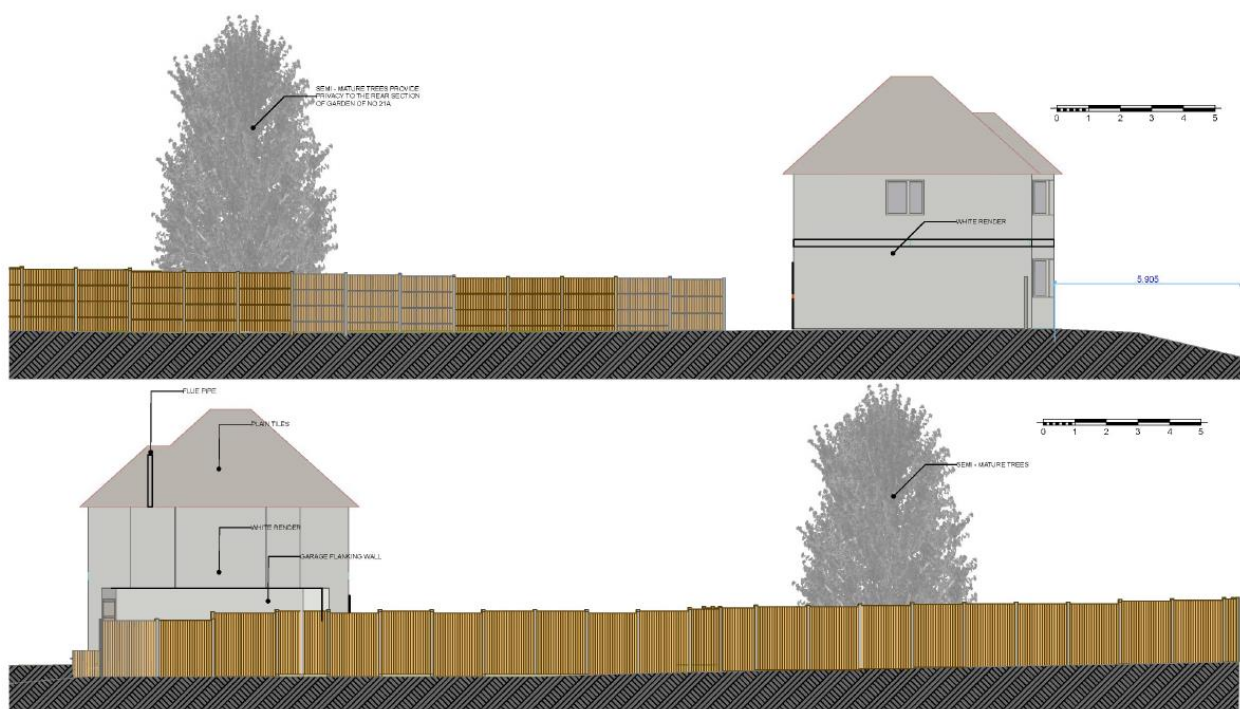


Existing front elevation



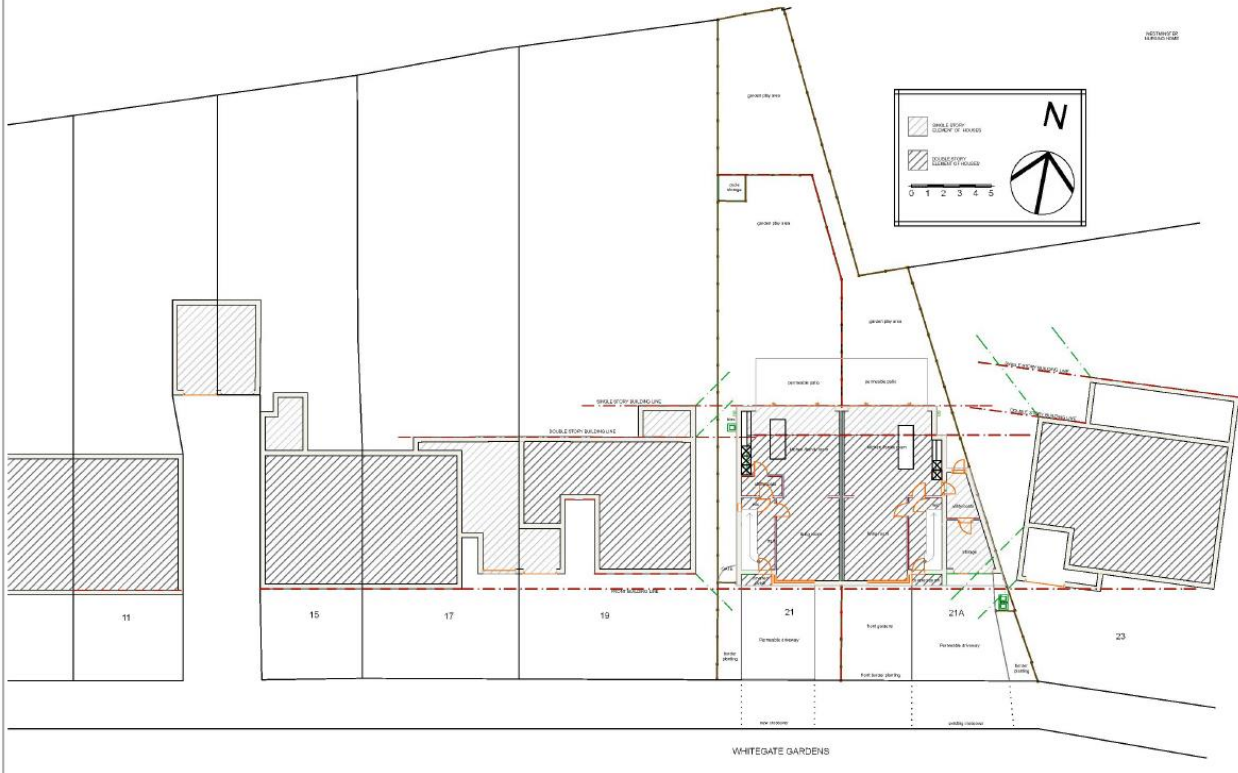
Existing rear elevation

21 WHITEGATE GARDENS, HARROW WEALD, HA3 8BW
EXISTING SIDE ELEVATIONS
DRAWING NO. EXTSIDEELEV/01
SCALE 1:100



Existing side elevations

21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
 PROPOSED BLOCK PLAN
 DRAWING NO. PRO/BLOCK/01
 SCALE 1:200



Proposed site plan

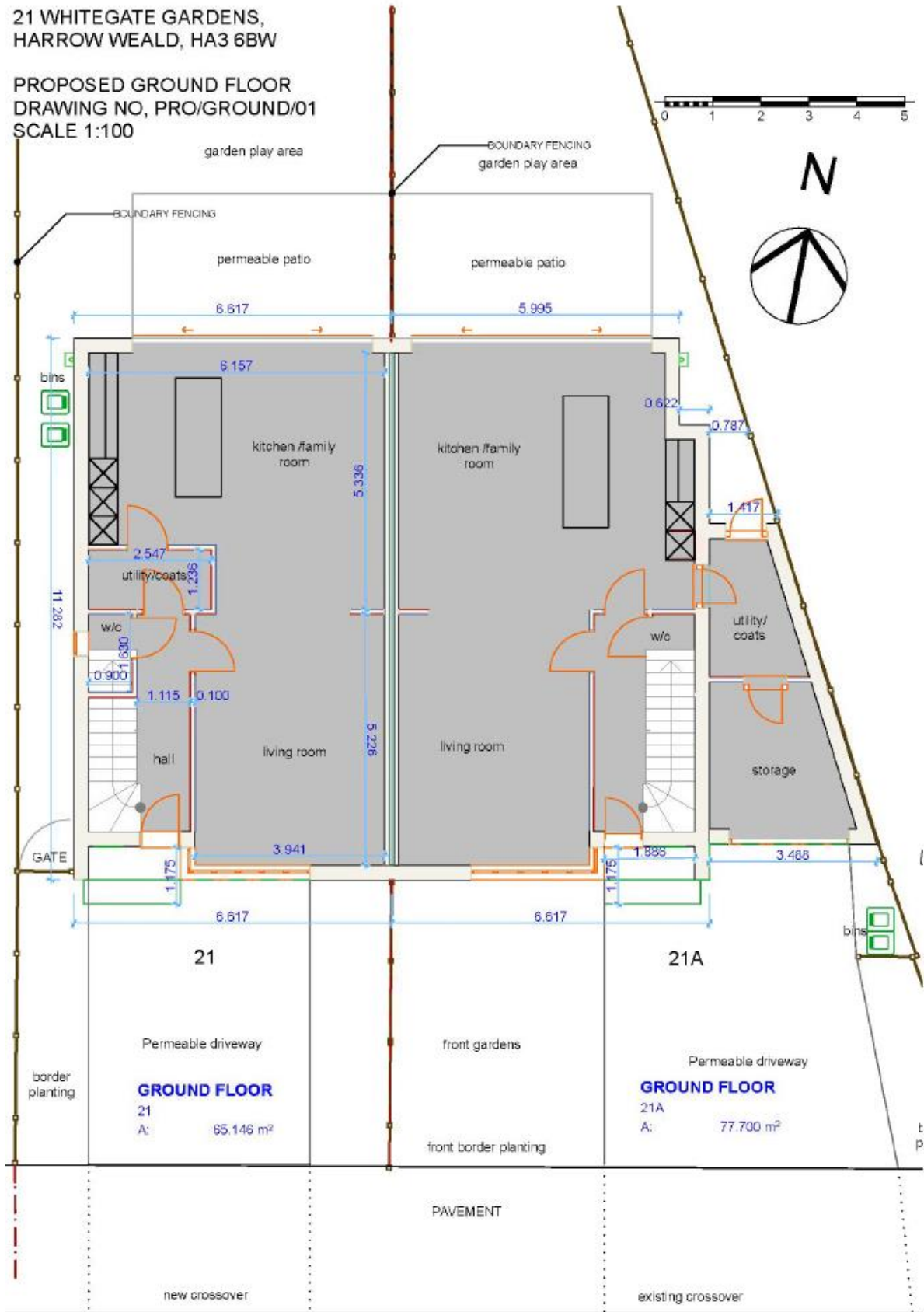
21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
 PROPOSED STREET SCENE
 DRAWING NO. PRO/SS/01
 SCALE 1:200



Proposed street context

21 WHITEGATE GARDENS,
HARROW WEALD, HA3 6BW

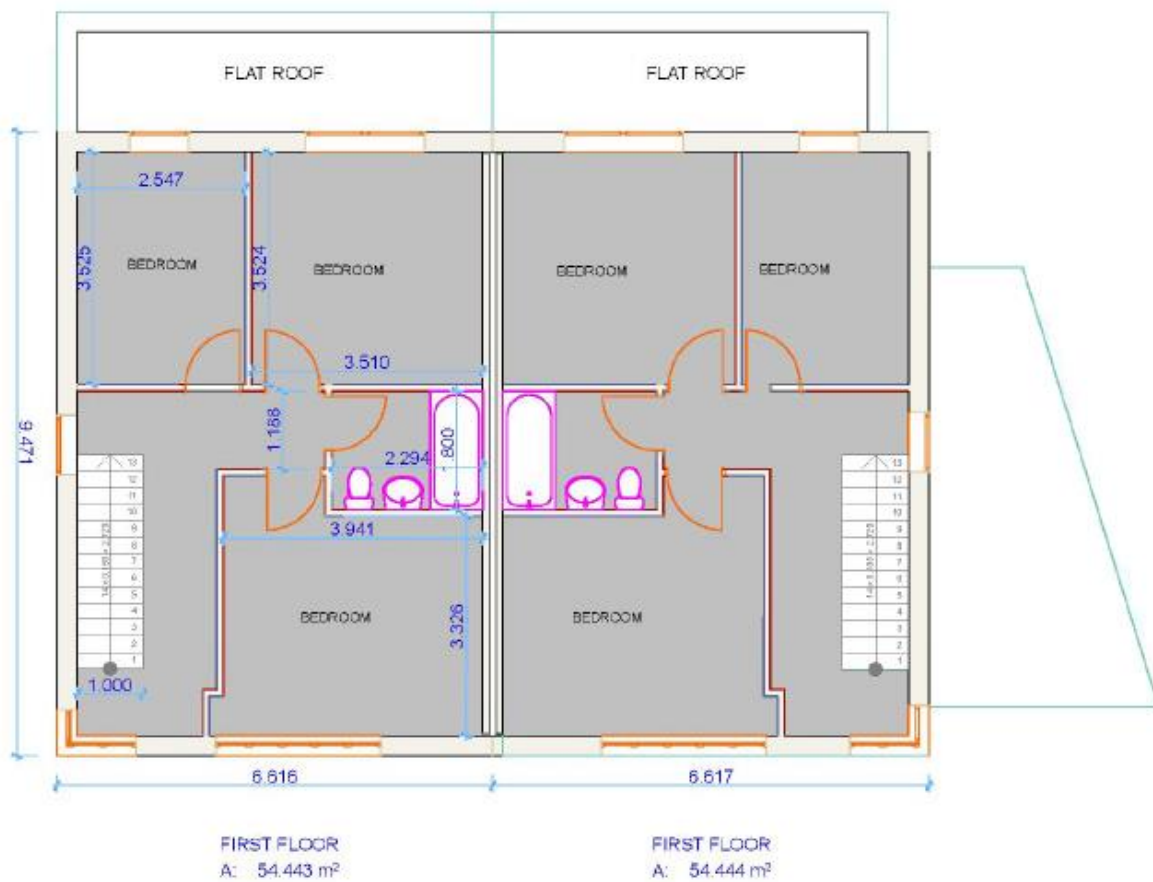
PROPOSED GROUND FLOOR
DRAWING NO, PRO/GROUND/01
SCALE 1:100



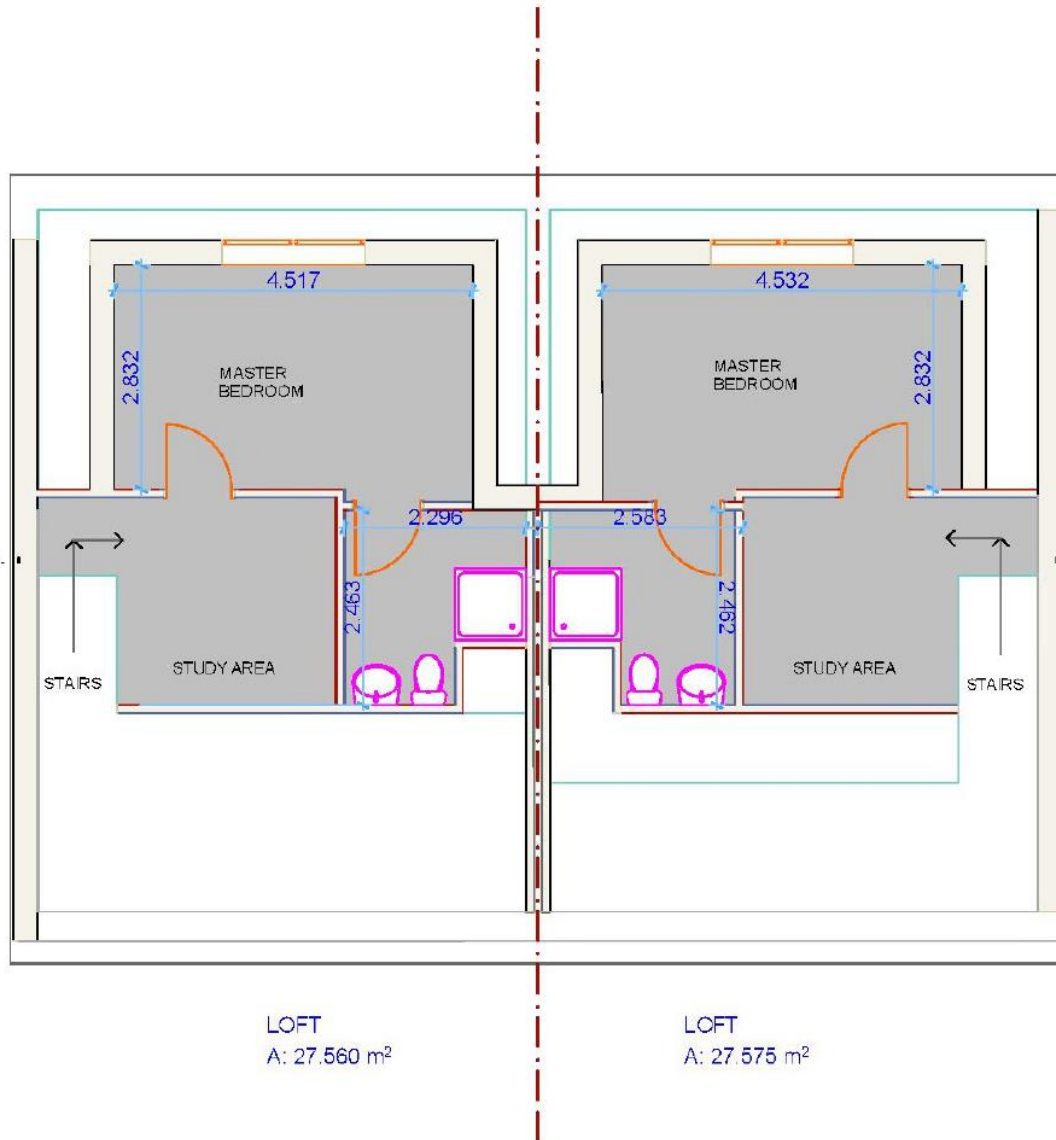
Proposed ground floor plan

WHITEGATE GARDENS, HARROW WEALD, HA3 6BW

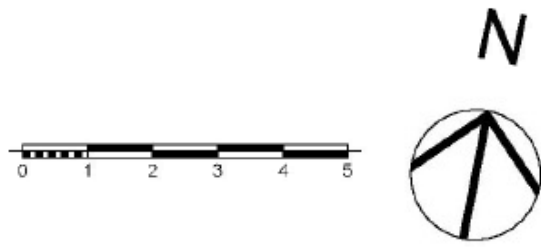
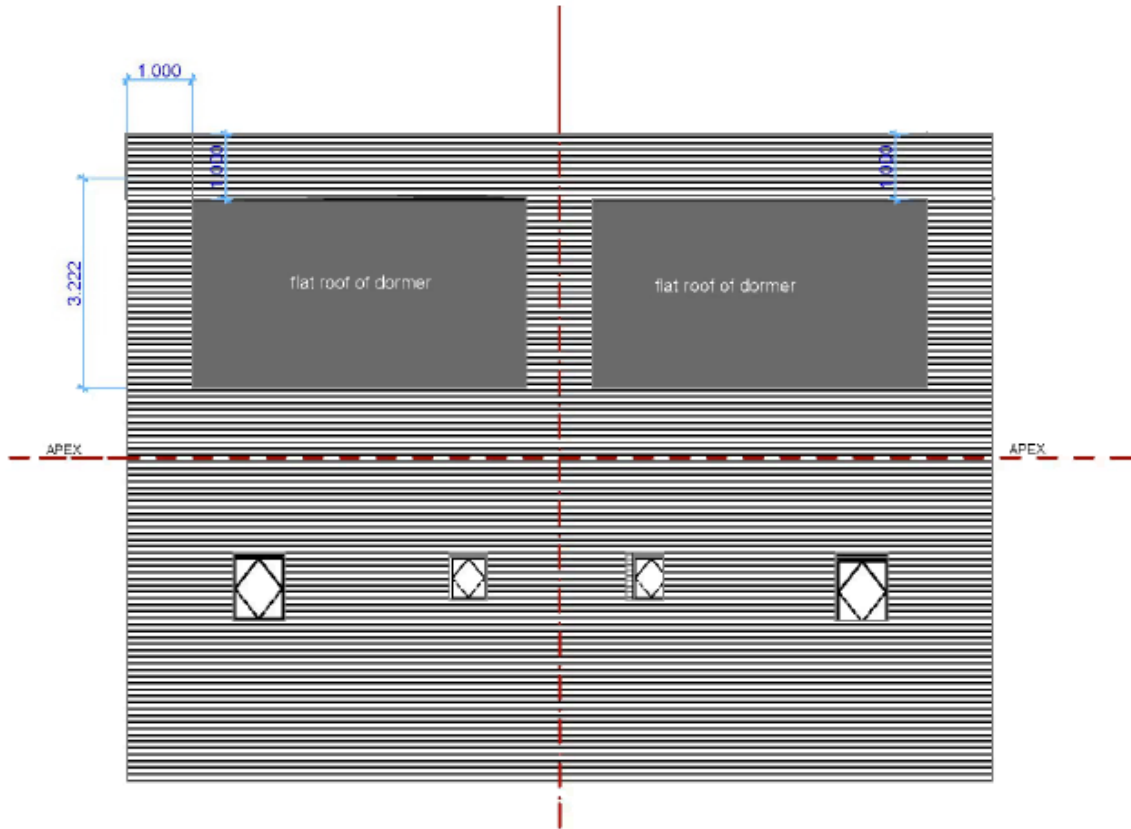
PROPOSED FIRST FLOOR
DRAWING NO. PRO/FIRST/01
SCALE 1:100



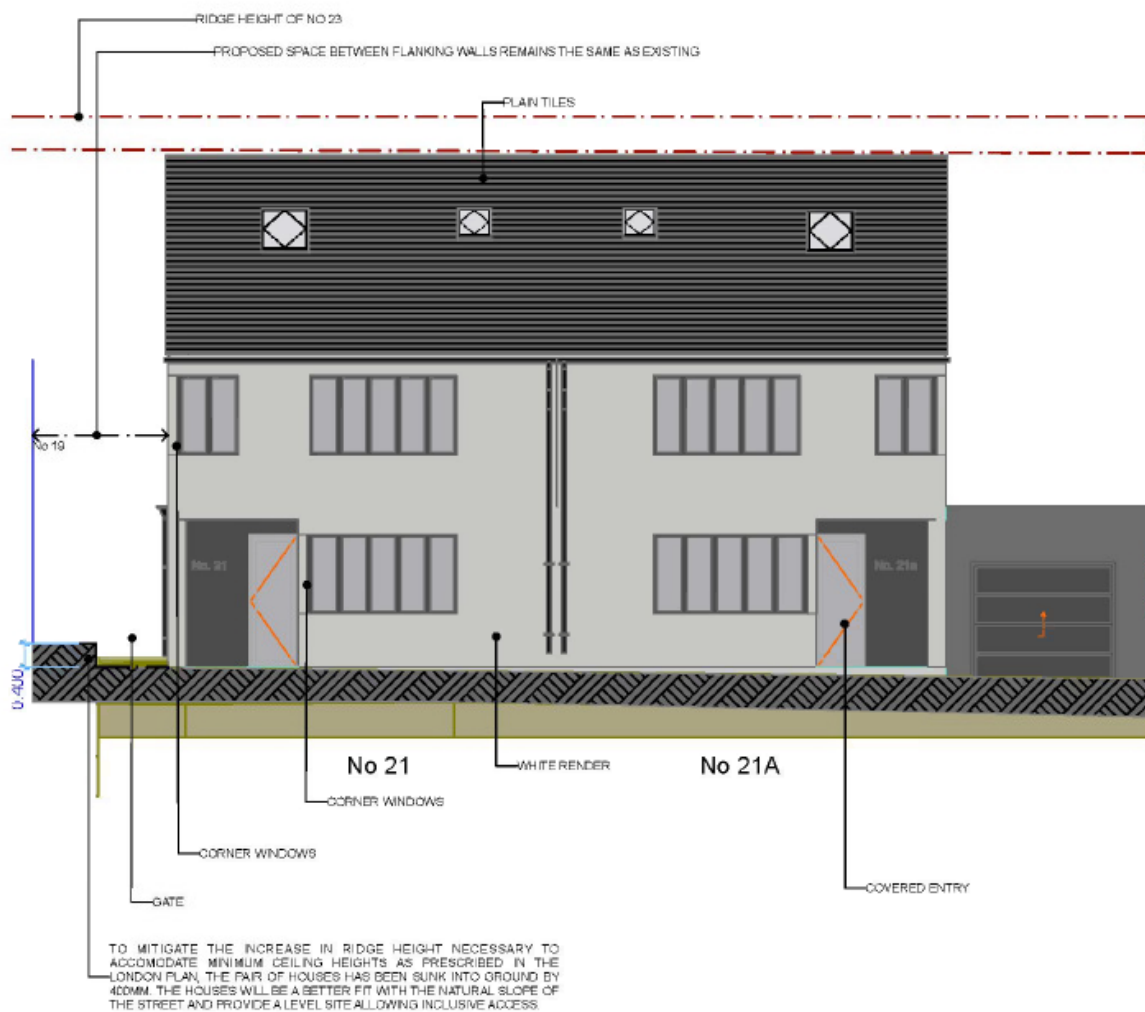
Proposed first floor plan



Proposed second floor plan



Proposed roof plan



Proposed front elevation

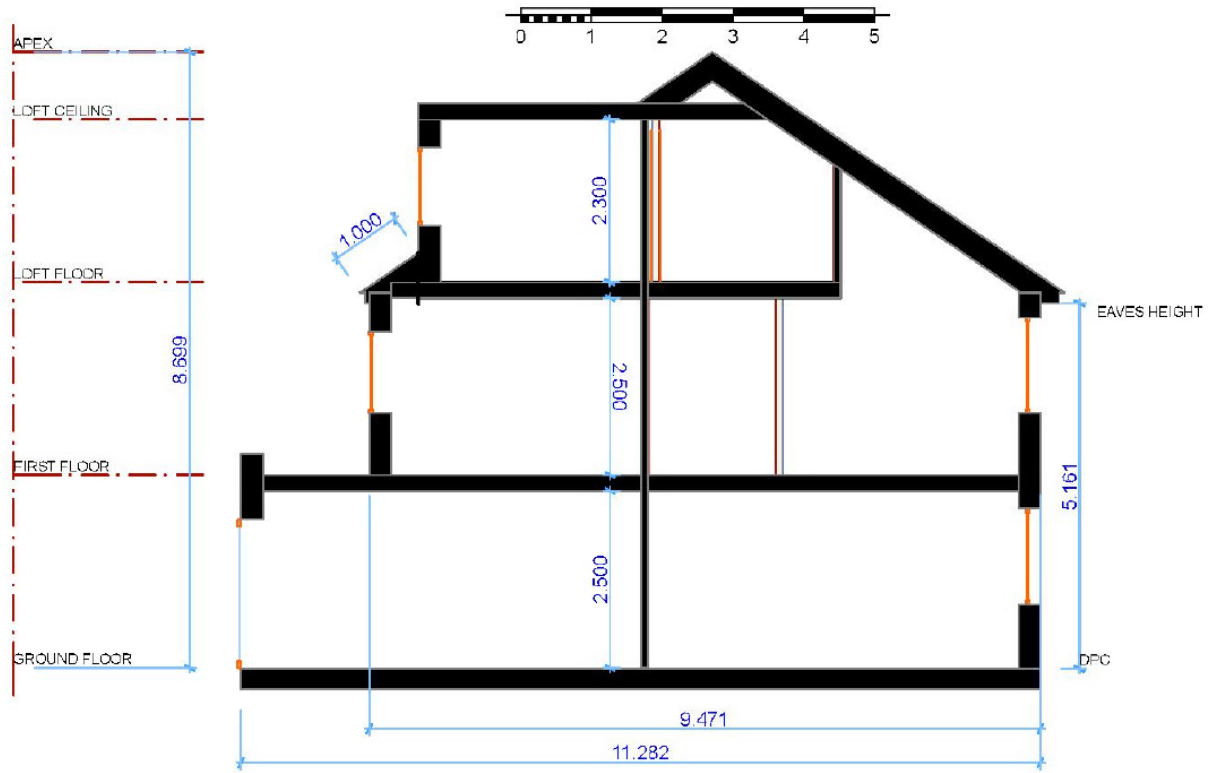


Proposed rear elevation

21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
PROPOSED SIDE ELEVATIONS
DRAWING NO. PRO/SIDEELEV/01 REV A
SCALE 1:100



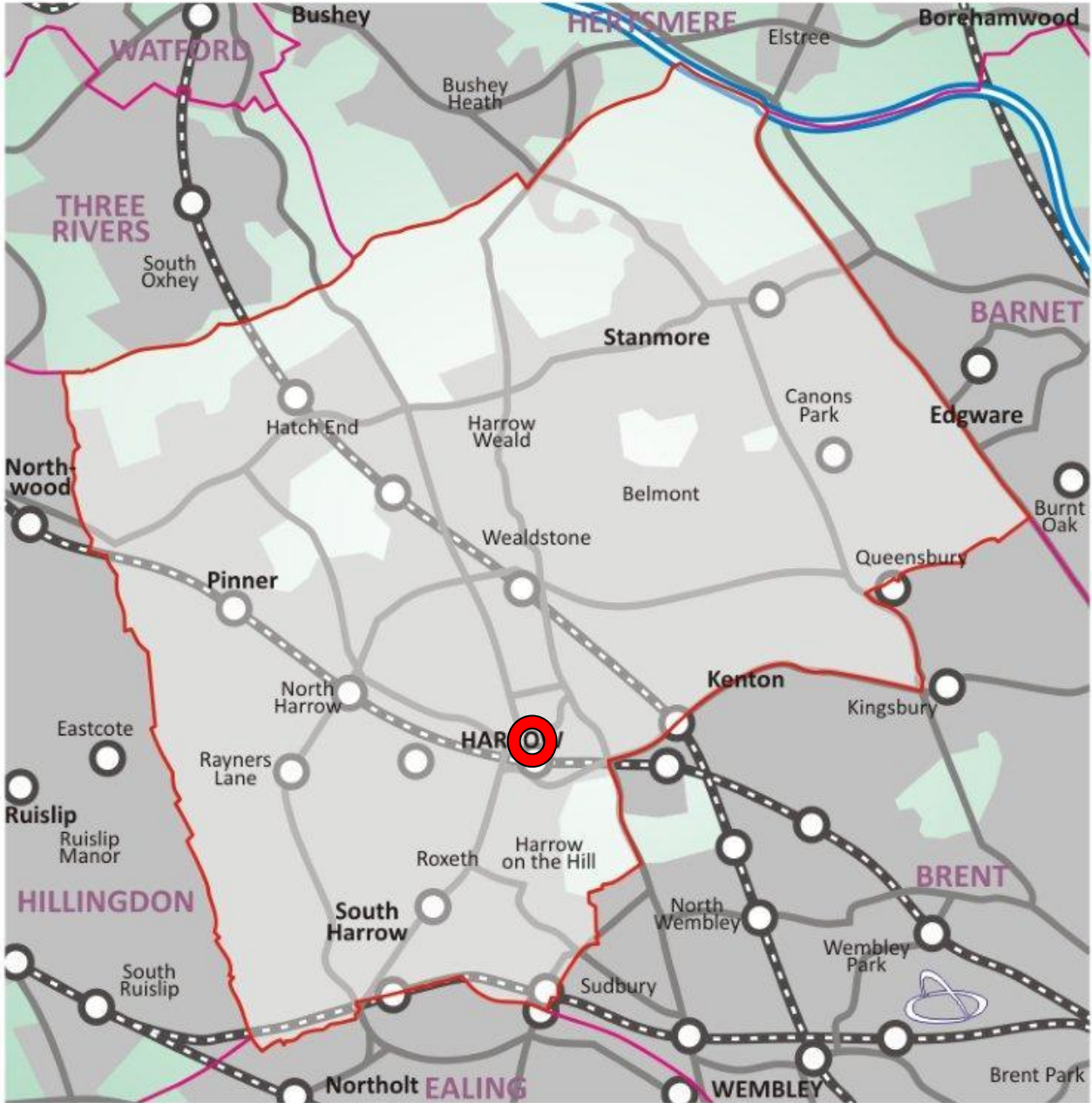
Proposed side elevations



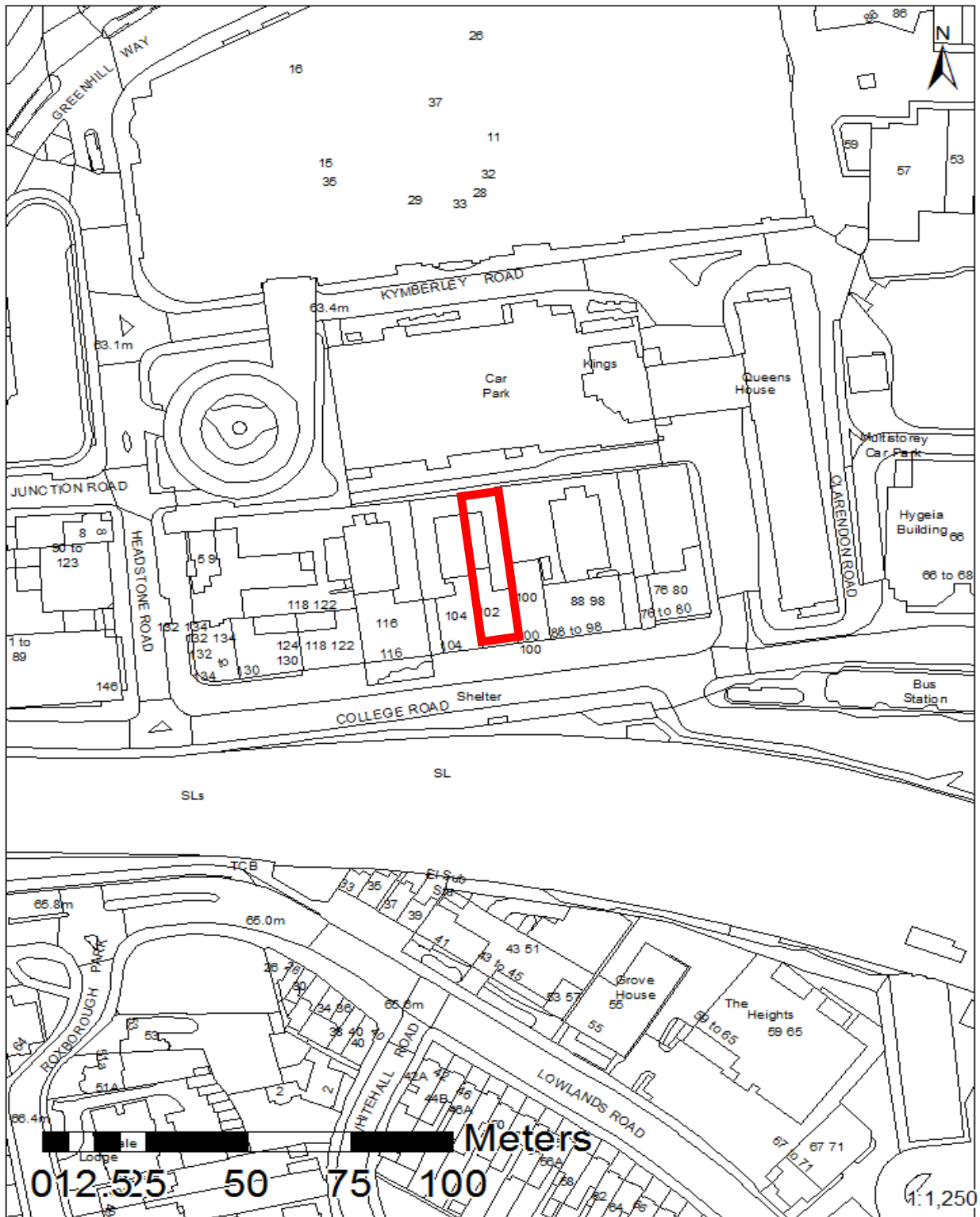
Proposed section

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 = application site



Ferrari House, 102 College Road, Harrow	P/0587/18
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Ferrari House, 102 College Road, Harrow **P/0587/18**

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/0587/18
VALIDATE DATE: 02/03/2018
LOCATION: FERRARI HOUSE, 102 COLLEGE ROAD, HARROW
WARD: GREENHILL
POSTCODE: HA1 4QW
APPLICANT: DANDI HARROW REGENERATION LIMITED
AGENT: DANDI LIVING LTD
CASE OFFICER: RAPHAEL ADENEGAN
EXPIRY DATE: 27/04/2018

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Third floor rear extension and creation of fourth floor to accommodate 11 unit HMO single occupancy units over extended third and fourth floors with communal kitchen/dining area

The Planning Committee is asked to:

RECOMMENDATION A

- 1) agree the reasons for approval as set out this report; and
- 2) grant planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - Prior to occupation of the development, notify all prospective owners, residents, occupiers or tenants of the housing units of the development that they will not be eligible for a resident parking permit or visitors parking permit to park a motor vehicle where a CPZ has been implemented, unless they hold a disabled person's badge.
 - Planning permission monitoring fee of £500;
 - Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement;
 - Local Goods and Services; and
 - Local Labour clause

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 31 August 2018, or as such extended period as may be agreed by the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Divisional Director of Regeneration, Enterprise and Planning on the grounds that:

The proposed development in conjunction with the cumulative impact of development within the Harrow on the Hill Town Centre, in the absence of a legal agreement for the restriction of resident parking permits would result in a detrimental impact on the capacity and safety of the Highway network, would fail to comply with the requirements of Policies DM42 and DM50 of the Development Management Policies Local Plan 2013 which seeks to ensure the proposal would not result in any unreasonable impacts on the highway, Policy AAP 19 of the Harrow and Wealdstone Area Action Plan (2013) and the Supplementary Planning Document: Planning Obligations (2013).

REASON FOR THE RECOMMENDATIONS

The proposed scheme seeks to provide 11 residential accommodation/rooms. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). The proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

INFORMATION

This application is reported to Planning Committee as the proposed development creates more than 6 residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Minor Dwelling
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£9,275
Local CIL requirement:	£14,575

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Draft London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	Ferrari House 102 College Road Harrow, HA1 1BQ
Applicant	Dandi Harrow Regeneration Limited
Ward	Greenhill
Local Plan allocation	N/A
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	None
Other	N/A

Housing		
Density	Proposed Density hr/ha	N/A
	Proposed Density u/ph	N/A
	PTAL	6a
	London Plan Density Range	150-200
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / %)	0
	3 bed (no. / %)	0
	4 bed (no. / %)	0
	HMO en-suit	11 / 100%
	Overall % of Affordable Housing	N/A
	Comply with London Housing SPG?	N/A
Comply with M4(2) of Building Regulations?	Condition attached	

Transportation		
Car parking	No. Existing Car Parking spaces	3
	No. Proposed Car Parking spaces	1
	Proposed Parking Ratio	0:33
Cycle Parking	No. Existing Cycle Parking spaces	N/A
	No. Proposed Cycle Parking spaces	14
	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	6a
	Closest Rail Station / Distance (m)	Harrow on the Hill Station (160m) Metropolitan Line & Chiltern Railway Services.
	Bus Routes	Harrow-on-the Hill Bus Stop; 114, 140, 182, 183, 186, 256, 340, 395, H9 & H10, H14, H17 and H18 & H19 (10 - 160m)
Parking Controls	Controlled Parking Zone?	Yes
	CPZ Hours	8.30am to 6.30pm (Mon-Sat)
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	N/A
Parking Stress	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
	Summary of results of survey	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Purpose built bin storage to rear

Sustainability / Energy	
BREEAM Rating	N/A
Development complies with Part L 2013?	Condition Added
Renewable Energy Source / %	N/A

PART 2 : Assessment

1.0 SITE DESCRIPTION

- 1.1 This application relates to a four-storey mid-terrace, commercial building located on the northern side of College Road.
- 1.2 Although the building has a Prior Approval for 25 studio flats, this has not been implemented as evident from officer site visit. The building is currently in use as a Class B1 office.
- 1.3 3 parking spaces are located to the front and 7 parking spaces are located to the rear of the building. No cycle parking has been demonstrated on the existing plans.
- 1.4 Waste storage is also located at the rear of the building.
- 1.5 The site is located within the Harrow town centre and has a public transport accessibility level (PTAL) of 6a.
- 1.6 The site is located within a critical drainage area.

2.0 PROPOSAL

- 2.1 Planning permission is sought for the erection of rear extension at third floor level over existing two-storey rear outrigger and an additional 4th floor above the existing building to provide 11 one bedroom HMO units, each with an en-suite bathroom.
- 2.2 The building was granted planning permission ref. P/5573/15 in February 2015 for identical extension for office use.
- 2.3 The proposed extensions would provide approximately 248sq.m of additional floorspace.
- 2.4 The proposed third floor aspect would extend from the rear wall of the existing 3rd floor element and would measure approximately 18.8m long and 4.8m wide.
- 2.5 The proposed fourth floor would take the form of an L-shape, same as the existing building, and would be setback 3.0m from the front elevation of the original building and would add an additional 3.3m to the height of the building. It would measure approximately 9.2m wide and 34m long.
- 2.6 The proposal includes the installation of a window in the eastern flank of the rear stairwell, at third floor level.
- 2.7 Each of the 11 rooms would be en-suite.

- 2.8 A communal kitchen, dining and lounge area would be provided, measuring 42m².
- 2.9 The additional floor would be accessed via a centrally located lift and stairwell and an additional stairwell at the rear of the building.
- 2.10 Proposed materials would include brickwork to match existing.
- 2.11 The proposal includes an additional 14 bicycle parking spaces.
- 2.12 The capacity of the existing refuse and recycling storage area would be increased to accommodate the additional units.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
P/4164/15	Prior approval for conversion of offices (class B1a) to 25 self-contained flats (class C3) (prior approval of transport & highways impacts of the development and of contamination risks and flooding on the site)	Granted: 29/10/2015
P/5573/15	Third floor rear extension and creation of fourth floor for B1 office use; cycle and bin storage.	Grant: 24/02/2016

4.0 CONSULTATION

- 4.1 A total of 71 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 06th April 2018.

4.3 Adjoining Properties

Number of letters Sent	71
Number of Responses Received	0
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	0

4.4 No objections were received from adjoining residents.

4.5 Statutory and Non Statutory Consultation

4.6 The following consultations have been undertaken, together with the responses received and officer comments:

Consultee	Summary of Comments	Officer Comments
LBH Highways	<p>This proposal is within an excellent PTAL location therefore the proposed car free arrangement is acceptable. The applicant indicates an intention to support a parking permit restriction which would need to be secured via section 106 agreement.</p> <p>Whilst we support the reduction in on-site car parking, it hasn't been demonstrated how this may affect the current occupiers. The rest of the development is not currently subject to a parking permit restriction therefore should residents who already make use of the existing car park find themselves unable to use it in the future; they are likely to seek parking provision elsewhere and will be entitled to apply for permits therefore conflicting with the car-free intentions for the site.</p> <p>We appreciate the submission of the travel plan and request that a</p>	Noted

	<p>full travel plan is secured by pre-occupation condition. The transport technical note appears to be incomplete.</p> <p>The proposed disabled parking spaces are welcomed however one space should have an active electric vehicle charging point rather than both having passive provision.</p>	
London Underground	London Underground Infrastructure Protection has no comment to make on this application.	Noted
LBH Environmental Health	No Comments Received	Noted
LBH Drainage	No Comments Received	Noted
LBH Planning Policy	No Comments Received	Noted

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

‘If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.’

5.2 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

- 5.5 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.
- 5.6 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

- 6.1 The main issues are;

Principle of the Development
Character and Appearance of the Area
Residential Amenity
Traffic and Parking
Accessibility

6.2 Principle of Development

- 6.2.1 The application site is located within the Harrow Metropolitan Town Centre and is identified as an intensification area as set out in the Harrow Core Strategy (2012) and The London Plan (2016). The detailed area plan is set out in the adopted Harrow and Wealdstone Area Action Plan (AAP) (2013) and therefore any redevelopment and changes of use proposed within this area will be considered against the policies contained within the AAP alongside the adopted Development Management Policies Local Plan (DMP) (2013).
- 6.2.2 The application site falls within the sub area of Harrow Town Centre as set out in the AAP. Whilst the site is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013), the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy. The policies seek to redirect all new development within the Harrow and Development Opportunity Area, to town centres and to previously developed land in suburban area. On this basis, the proposal to redevelop this site for residential purposes is considered to be acceptable in principle.
- 6.2.3 Paragraph 50 of the National Planning Policy Framework (NPPF) (March 2012) states:
- 6.2.4 To deliver a wide choice of high quality homes, widen opportunity for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- a. Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community;
- b. Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand'.

6.2.5 Paragraph 3.55 of the London Plan (2016) identifies that shared accommodation or houses in multiple occupation are a strategically important part of London's housing offer, which meets distinct needs and reducing pressure on other elements of the housing stock. The 25 residential flats approved under the Prior Approval planning process to be provided in the building's existing four floors are being implemented at the time of assessing this application.

6.2.6 Policy DM30 of the DMP (2013) provides requirements for the proposals that result in the creation of properties into houses of multiple occupation. Specifically, it requires that a) there is good accessibility to local amenities and public transport; b) they accord with Accessible Homes Standards and provide satisfactory living conditions for the intended occupiers; and c) there will be no adverse impact on the amenity of the occupiers of neighbouring properties of the character of the area.

6.2.7 Considering the above, an 11 bedroom HMO at the application site is acceptable in principle, subject to compliance with the relevant London Plan policies; development plan policies and supplementary planning guidance which seeks to provide high quality residential development and protect the residential amenity of surrounding occupiers.

6.3 Character of the Area

6.3.1 The National Planning Policy Framework 2012 advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials. The London Plan (2016) policy 7.4B sets out the design principles that all boroughs should seek to ensure for all development proposals. Core Policy CS1.B states that all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design. Policy DM 1 of the Development Management Policies Local Plan (2013) states that all development must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout or which would be detrimental to local character and appearance will be resisted.

6.3.2 Harrow and Wealdstone Area Action Plan, 2013 (AAP) Policies AAP1 and AAP4 of the AAP seeks to a high standard of development within the Harrow Town Centre and throughout the Heart of Harrow. Policy AAP1 states that development within all three sub areas of Harrow town centre will be required to strengthen its character, legibility and role as a Metropolitan Centre.

- 6.3.3 The subject site forms part of a parade of 1960s commercial buildings which are characterised by four and five storey construction with flat roofs with aligned ribbon windows. The adjoining building to the west (No.104) is four storeys in height and the adjoining building to the east (No. 100) is five storeys in height. The main materials used in the construction of the parade include white render and brickwork.
- 6.3.4 The application proposes to extend the subject building vertically with an additional storey. The additional storey would be 3.35m in height and would be setback 3.0m from the front elevation of the building, whilst continuing the other elevations vertically.
- 6.3.5 Policy AAP6(B) indicates that building heights should be of a scale consistent with the site's surroundings, having regards also to the need to achieve a high standard of development in accordance with Policy AAP4. While the buildings within this parade are generally four storeys in height, there is an emerging precedent for 5 storey buildings along this side of College Road, specifically, Nos. 86 and 118 College Road, which are both 5 storeys. Planning permission (P/5573/15, Granted 24/02/2016) was also granted for an additional storey at No. 102 College Road, the application property. The design and physical form of the extant 2016 scheme is identical to the current application. Furthermore, the surrounding area currently includes a maximum building height of 9 storeys with 20 storeys being built at 51 College Road
- 6.3.6 In light of the surrounding development, and specifically the neighbouring five storey building to the west, it is considered that the resulting progression in height and bulk from east to west would be acceptable in the context of the parade and would not be out of character with the pattern and proportions of established and emerging development.
- 6.3.7 The fenestration and materials would match that of the lower levels on all elevations. In this context, the proposed extension would respect the design, scale and proportions of the host building.

6.4 Residential Amenity for Future Occupiers

- 6.4.1 The London Plan policy 7.6B states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy DM1 (sub-sections C and D) of the Development Management Policies Local Plan (2013) requires all development to achieve a high standard of privacy and amenity. The adopted SPD 'Residential Design Guide' elaborates upon policy DM1 with detailed guidance aimed at balancing the right of a landowner to develop their property with the need to protect adjoining occupiers from development that would unduly harm their residential amenities.
- 6.4.2 The proposal features the formation of an 11 room HMO. In line with London Plan Minimum Space Standards, which is a minimum of 8sqm for a single person bedroom and a minimum of 12sqm for a two person bedroom, the proposal features 11 x two person rooms. This results in a potential of 22

occupiers within 11 rooms. As a result, the proposed development increase residential activity on the site, expressed through comings and goings taking into account the existing 25 studio flats within the host building. . Given the mixed character of the surrounding area, the location of the site within the town centre and the scale of the proposal, it is considered that the proposed development would not unacceptably exacerbate any existing levels of noise and disturbance experienced within the area. In this respect, any potential amenity impacts of the proposed development would be limited due to the scale and siting of the proposed extension.

- 6.4.3 To the west, the application property adjoins a four storey commercial building located at 104 College Road. This building includes a similar footprint to the application premises, whereby the main rear elevations align and a multilevel projecting element is provided towards the rear of the site with undercroft car parking. Prior approval has been granted to convert this building into 15 residential units (P/3723/15). In addition, a proposal (P/1824/17) for a rear extension and an additional floor to create seven flats has been permitted subject to s106 agreement.
- 6.4.4 To the east, the application site adjoins 100 College Road and the rear of is a multi-storey carpark. A Prior Approval (P/5345/15) has been granted for 4 flats on the 2nd and 3rd floor of No. 100. Planning permission (P/3252/17) has also been granted for a fifth floor for office B1 use. The proposed fifth floor (yet to be implemented) will not project as far as the rear outrigger of the proposed extension, and as such, no overbearing impact on the proposed accommodation would occur.
- 6.4.5 To the further east of the site is No. 88-98, a six-storey residential block approved via Prior Approval and planning permission. The flank of the rear outrigger aspect of the proposed extension containing the windows would be set approximately 17m from the flank of the rear outrigger of No. 88-98. This distance is considered sufficient to ensure the proposed accommodation would not be unduly impacted upon by way of overdominance by the development at No. 88-98. Considering the principal rear elevations of 104, 100, 88-98 and 102 College Road align and the approximately 17m separation distance between the rear outriggers at No. 88-98, no undue loss of light would occur.
- 6.4.6 Given the established character of the rear of these properties is generally characterised by servicing areas and car parking, it is considered that the residential occupiers of these buildings currently experience a limited level of outlook. Notwithstanding this, given the additional storey would extend vertically from the lower levels in materials to match the existing building, no further loss of visual amenity would result to the flank wall windows of No. 88-98.
- 6.4.7 Due to the conversion of the application property and neighbouring properties to residential units under Prior Approval, it is considered that some degree of mutual overlooking currently exists between the properties. It is not considered that the addition residential units would result in an undue harm to the privacy of the adjoining occupiers over and above the current situation.

6.4.8 Given the rear of the property adjoins Kings House car park, no loss of amenity would result in this respect.

6.4.9 Standard of Accommodation

6.4.10 Policy 3.5C of The London Plan specifies that Boroughs should ensure that, amongst other things, “new dwellings have adequately sized rooms and convenient and efficient room layouts”. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that “proposals will be required to comply with the London Plan minimum space standards

6.4.11 Given that the development is HMO accommodation rather than self-contained private units, regards has been given to the standards provided within the London Plan Supplementary Planning Guidance, which requires the minimum area of a single bedroom to be 7.5sq.m, while a double or twin room should include a minimum area of 11.5sqm. In addition to this the Standards for Licensable Houses in Multiple Occupation requires that a single person unit (bedsit room) with kitchen facilities includes a minimum area of 13sqm.

6.5.12 The development includes the following:

Third floor

Bedroom	Type	Area (sq m)
1	Single room with ensuite	13.1
2	Single room with ensuite	12.4
3	Single room with ensuite	12.7
4	Single room with ensuite	14.5

Fourth floor

Room	Type	Area (sq m)
5	Single room with ensuite	13.1
6	Single room with ensuite	12.5
7	Single room with ensuite	12.45
8	Single room with ensuite	14.5
9	Single room with ensuite	13.85
10	Single room with ensuite	14.3
11	Single room with ensuite	14.1

6.5.13 All of the units would provide floorspace in excess of the 8m² required for a single occupant room, and all of the rooms would meet the requirement for double occupancy rooms. Considering the layout of the proposed development, the new accommodation would provide a highly useable layout.

6.5.14 The proposal includes a shared kitchen and dining area as well as a communal lounge, which has been designed to comply with Harrow’s HMO Standards.

- 6.5.15 Discussions with the Licensing Department indicate that the total floor space proposed exceeds the minimum requirements and is therefore considered acceptable.
- 6.5.16 The proposal includes a shared kitchen and dining area, measuring 42m². The outlook from the northern section of that room is limited by a flank wall, approximately 3.7m from the windows serving section of the room. However, the kitchen area is illustrated adjacent to that wall, and the habitable, dining room section of the room would not be as limited by the existing development. As such it is considered that the most habitable section of that large room would receive an adequate level of light and outlook. The communal lounge would be approximately 23.4m².
- 6.5.17 In this context, it is considered that the proposed living accommodation is acceptable in terms of size and layout.
- 6.5.18 The proposal does not include any outdoor amenity space. However, it is considered that this would be acceptable given the fact that the majority of flats in this Town Centre location do not have access to private amenity space. Notwithstanding this, the application site is within walking distance of recreation grounds (Located off Roxborough Road and Lowlands Road).
- 6.5.19 Given the above, it is considered that the development would have no significant adverse implications for host and neighbouring residential amenities, and would accord with policies 7.4B and 7.6B of The London Plan (2016), policies DM1 and DM30 of the DMP and the Council's adopted Supplementary Planning Document 'Residential Design Guide (2010)' in that respect.

6.6 Traffic and Parking

- 6.6.1 Policy AAP 19 of the AAP also seeks to limit on site car parking and development proposals to support the use of sustainable modes of transport, in particular in areas that have a high level of public transport accessibility.
- 6.6.2 The application site is located within an area with a PTAL (Public transport Accessibility Level) of 6a, which is considered to be an excellent level of accessibility to public transport nodes and community facilities. Notwithstanding this, the surrounding area includes extensive parking controls. It is considered that a number of users will utilise the very good public transport links to the site. Accordingly, while the proposal would not introduce any additional parking spaces at the site, this is considered acceptable.
- 6.6.3 2 on-site parking spaces for blue badge drivers have been provided. This is a reduction of two from the provision in the Prior Approval scheme. This level of parking provision is considered acceptable due to the sustainable location of the application property, its proximity to local shopping area in the borough's main town centre and the tenure mix of the development site. However, the Council's Highways Engineers have raised concern about the reduction of available parking spaces as proposed and advised that restriction be put on the residents removing their rights to obtaining parking permit due to the shortfall in parking

provision and the high demand for permits in the locality. As such, a s106 agreement has been recommended in this regard to include the units approved under the prior approval consent. This is in addition to a travel plan condition.

6.6.4 The applicant has indicated that 14 cycle parking spaces would serve the additional units. The submitted plans demonstrate that these cycle spaces would be provided at the rear of the site, within an existing cycle parking area. It is proposed to make the existing 28 cycle parking spaces for the residential units approved under Prior Approval a 2-tier stand as opposed a 1-tier stand. No issues arise in this respect.

6.6.5 The proposed refuse and recycling storage would be increased to accommodate the additional units. The proposed provision is acceptable. The proposal complies with DMP: DM24.

6.7 Accessibility

6.7.1 Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

6.7.3 In addition to the above, Policy DM30 of the DMP (2013) which relates to houses of multiple occupation, requires that they accord with Accessible Homes Standards and provide satisfactory living conditions for the intended occupiers.

6.7.4 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.

6.7.5 The access to the building is level and compliant with wheelchair requirements whilst the proposed units would share the existing stair and lift that will be extended to serve the proposed floors. Although 8 of the 11 rooms cannot be accessed by wheelchair users, it is considered that this inadequacy of the scheme does not warrant a refusal when weighed against the benefits the proposal brings in terms of mixed housing stock in the borough.

6.7.6 Notwithstanding the above, a condition of approval is required to ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

6.7.7 The Mayor's Housing SPG (2016) states that the number of dwellings accessed from a single core should not exceed eight per floor, subject to dwelling size mix.

6.7.8 The Mayor's Affordable Housing and Viability SPG (2017) recognises that space standards are not prescriptive and that purpose built built-to-rent accommodation contributes to easing London's Housing needs. The SPG

recognises that build-to-rent products are different to standard build-for-sale units and through this SPG the Mayor seeks to provide more support and flexibility. Paragraph 4.33 of the SPG specifically states that the design standard relating to the number of homes per core per floor is a flexible design standard in the case of such accommodation.

6.7.9 It is considered that the dwelling mix would result in a lower level of use than an average housing scheme, which allows a greater number of units per core, and that the flexibility encouraged in the Mayor's Affordable Housing and Viability SPG (2017) should be given to the proposed scheme.

6.7.10 Accordingly, subject to compliance with a condition requiring that the proposed development meets regulation M4 (2) of the building Regulations, it is considered that the proposed accommodation would be satisfactory and as such would comply with the relevant policies.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 It is considered that the proposal would contribute to a strategically important part of the housing stock within the Borough and would make a positive contribution to the town centre environment, consistent with the regeneration aspirations of the opportunity area. The development would provide a good quality of accommodation for the occupiers of the property, whilst not unduly impinge on neighbouring amenities. Accordingly, the development would accord with development plan policies and is recommended for approval.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans:

A-100, A-101, A-102, A-103, A-104, A-105, A-106, A-107, A-108, A-109, Location plan OS ref.:0100031673, A-201, A-202, A-203, A-204, A-205, A-207(proposed extension), A-207(proposed side elevation), A-208, A-209, A-210, Design and Access Statement; Flood Risk Assessment, titled 'FloodInsight', dated 26th March 2015; Management and Operation Statement, dated January 2018; Noise Impact Assessment Report, dated 31/01/2018; Travel Plan, dated January 2018; Transport Assessment, dated 29th January 2018; Waste Management Statement, dated January 2018 – Received 12/02/2018.

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Materials to Match

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

4 Refuse / Waste Strategy

The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (2016) and policy DM1 of The Development Management Policies Local Plan 2013.

5 Part M Dwellings

The development hereby permitted shall be constructed to the specifications of: “Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings” of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting ‘Accessible and Adaptable Dwellings’ standards in accordance with policies 3.5 and 3.8 of The London Plan 2016, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

6 Travel Plan

No building or use hereby permitted shall be occupied or the use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the council in perpetuity.

REASON: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling

7 Communal Television Equipment

Prior to the construction of the building hereby approved on site beyond damp course level, additional details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

8 Permitted Development

Notwithstanding the provisions of the Electronic Communications Code Regulation 5 (2003) in accordance with The Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Schedule 2, Part 16, Class A of that order shall be carried

out in relation to the development hereby permitted without the prior written permission of the local planning authority.

REASON: In order to prevent the proliferation of individual telecommunication items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

Informatives

1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:
National Planning Policy Framework (2012)

The London Plan (2016):
7.3, 7.4, 7.6.

Draft London Plan (2017):
D1; D2; D3; D4; D5; H1; H2; SI13; T3; T5; T6.1.
Local Development Framework
Harrow Core Strategy 2012
CS1 Overarching Policy
Development Management Policies Local Plan 2013
DM1, DM10, DM22, DM26; DM30, DM42

Harrow Council HMO Standards (2016)
Supplementary Planning Documents
Mayors Supplementary Planning Guidance: Housing (2016)
Harrow Supplementary Planning Document: Residential Design Guide 2010

2 Pre-application engagement

Statement under Article 35(2) of the Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £9,275 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £9,275 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 265m²

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

4 Harrow CIL

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

The Harrow CIL Liability for this development is: £14,575

5 Considerate Contractor Code of Practice

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.

6 Party Wall Act

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

7 Compliance with Planning Conditions

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.

8 Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

9 Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.
http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

APPENDIX 2: SITE PLAN

PROJECT DESCRIPTION
Rooftop Extension Sur General Use

PHASE OF PROJECT
Date: January 2018

LOCAL AUTHORITY
London-Borough of Harrow

STATUS:
P L A N N I N G

PROJECT TITLE
102 COLLEGE ROAD

PROJECT ADDRESS
102 College Road, London, Harrow, HA1 1RQ

DRAWING NUMBER:
A - 101

REVISION:
-

DRAWING TITLE
BLOCK SITE PLAN - AS EXISTING

P



APPENDIX 3: SITE PHOTOGRAPHS







APPENDIX 4: PLANS AND ELEVATIONS

PROJECT DESCRIPTION
Rooftop Extension (at General Use)

LOCAL AUTHORITY
London Borough of Harrow

PHASE OF PROJECT
Date: January 2018

STATUS:
P L A N N I N G

PHASE OF PROJECT
Date: January 2018

STATUS:
P L A N N I N G

PROJECT TITLE
102 COLLEGE ROAD

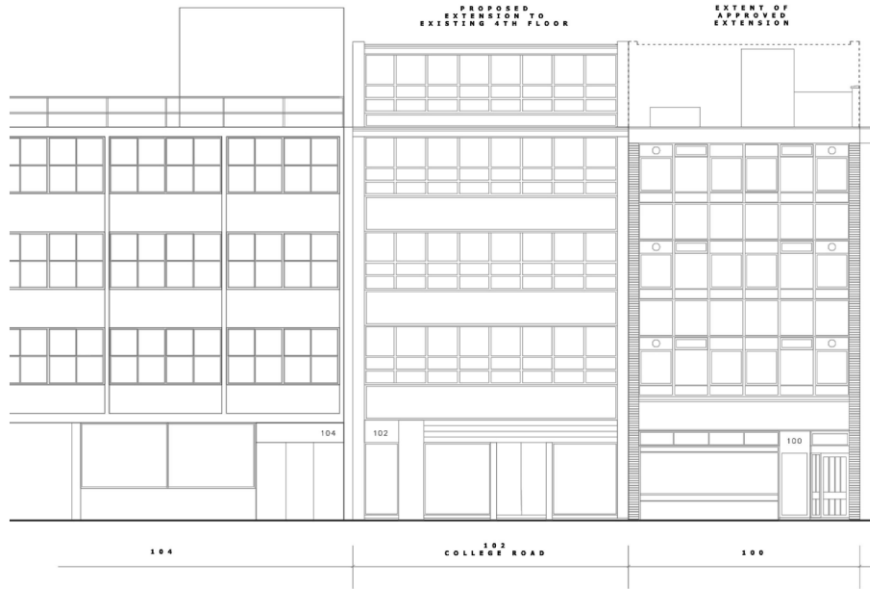
PROJECT ADDRESS
102 College Road, London, Harrow, HA1 1BQ

DRAWING NUMBER:
A - 210

REVISION:
-

DRAWING TITLE
PROPOSED FRONT ELEV

P



PROPOSED FRONT ELEVATION

1:100 @ A3
0 1 2 5

PROJECT DESCRIPTION
Roof-top Extension for General Use

PHASE OF PROJECT
Date: January 2018

LOCAL AUTHORITY
London Borough of Harrow

STATUS:
P L A N N I N G

PHASE OF PROJECT
Date: January 2018

PROJECT TITLE
102 COLLEGE ROAD

STATUS:
P L A N N I N G

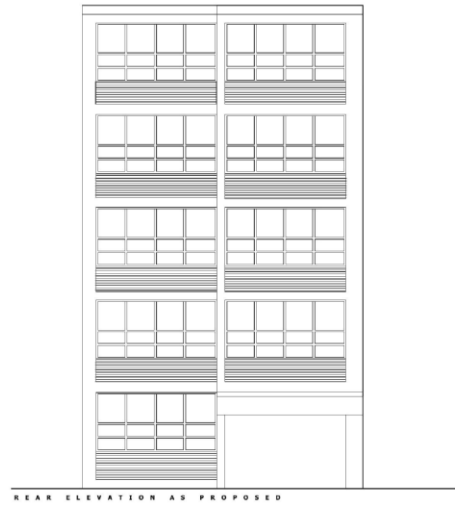
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102 College Road, London, Harrow, HA1 1BQ

DRAWING NUMBER:
A - 208

REVISION:
-

P

DRAWING TITLE
EX & PROPOSED REAR ELEV



1:100 @ A3
0 1 2 3

PROJECT DESCRIPTION
Roof-top Extension Sub General Use

PHASE OF PROJECT
Date: January 2018

LOCAL AUTHORITY
London Borough of Harrow

PHASE OF PROJECT
Date: January 2018

PROJECT TITLE
102 COLLEGE ROAD

STATUS:
P L A N N I N G

PROJECT ADDRESS
102 College Road, London, Harrow, HA1 1BQ

DRAWING NUMBER:
A - 207

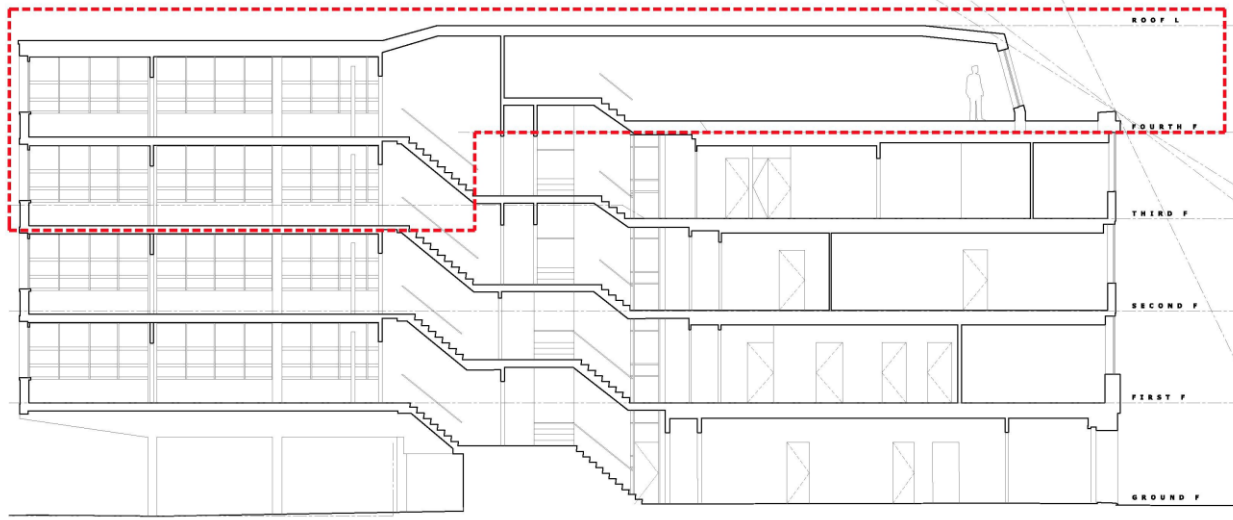
REVISION:
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PROPOSED EXTENSION

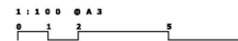
EXTENT, SCALE AND DESIGN OF
EXTENSION IDENTICAL TO THE ONE
APPROVED BY P/1572/15



EXTENT, SCALE AND DESIGN OF
EXTENSION IDENTICAL TO THE ONE
APPROVED BY P/1572/15



PROPOSED SECTION



PROJECT DESCRIPTION
Roof-top Extension Sub-Structure Use

PHASE OF PROJECT
Date: January 2018

LOCAL AUTHORITY
London Borough of Harrow

STATUS:
P L A N N I N G

PHASE OF PROJECT
Date: January 2018

PROJECT TITLE
102 COLLEGE ROAD

PROJECT ADDRESS
102 College Road, London, Harrow, HA1 1BQ

DRAWING NUMBER:
A - 204

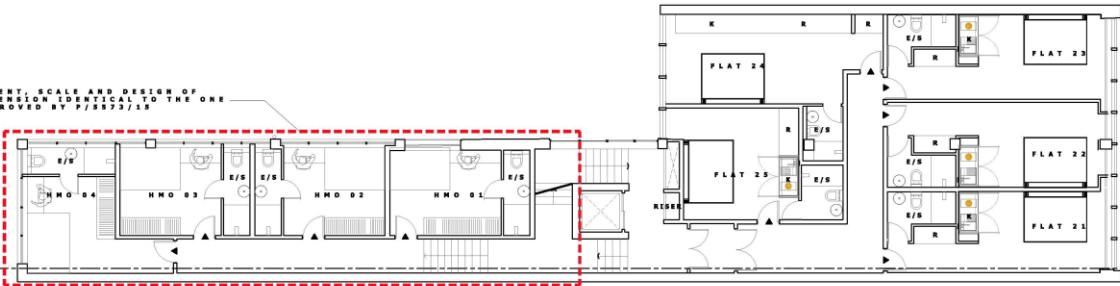
DRAWING TITLE
PROPOSED PLAN - 3 F & 4 F

REVISION:
-

P

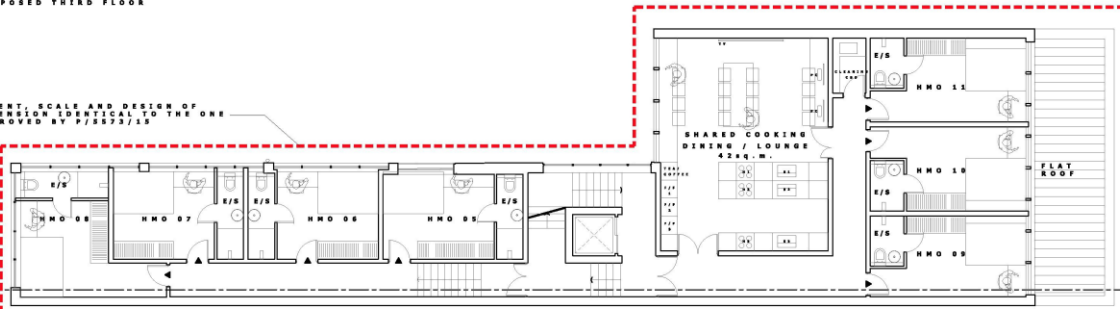


EXTENT, SCALE AND DESIGN OF
EXTENSION IDENTICAL TO THE ONE
APPROVED BY P/2573/15

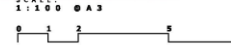


PROPOSED THIRD FLOOR

EXTENT, SCALE AND DESIGN OF
EXTENSION IDENTICAL TO THE ONE
APPROVED BY P/2573/15

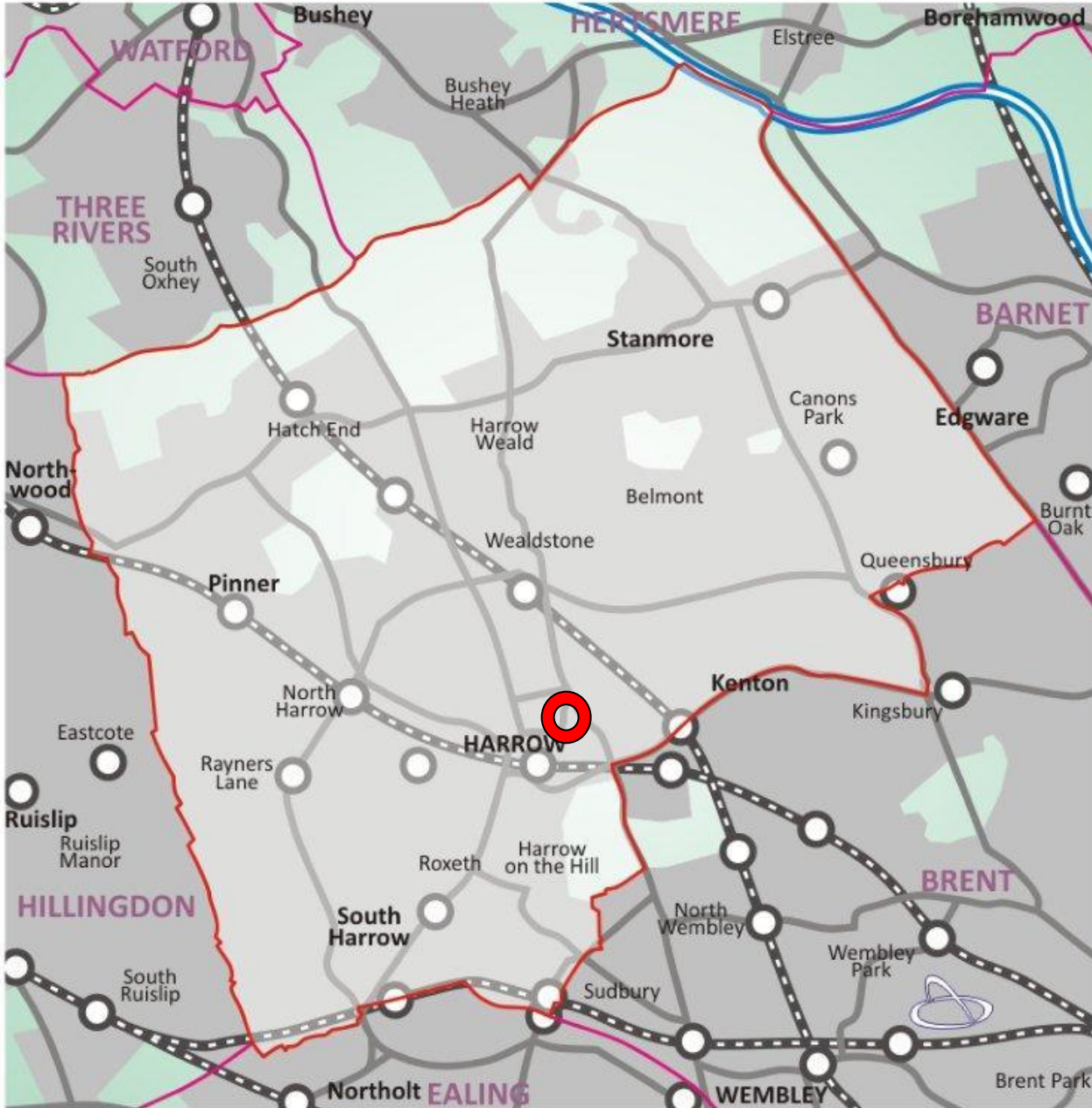


PROPOSED FOURTH FLOOR



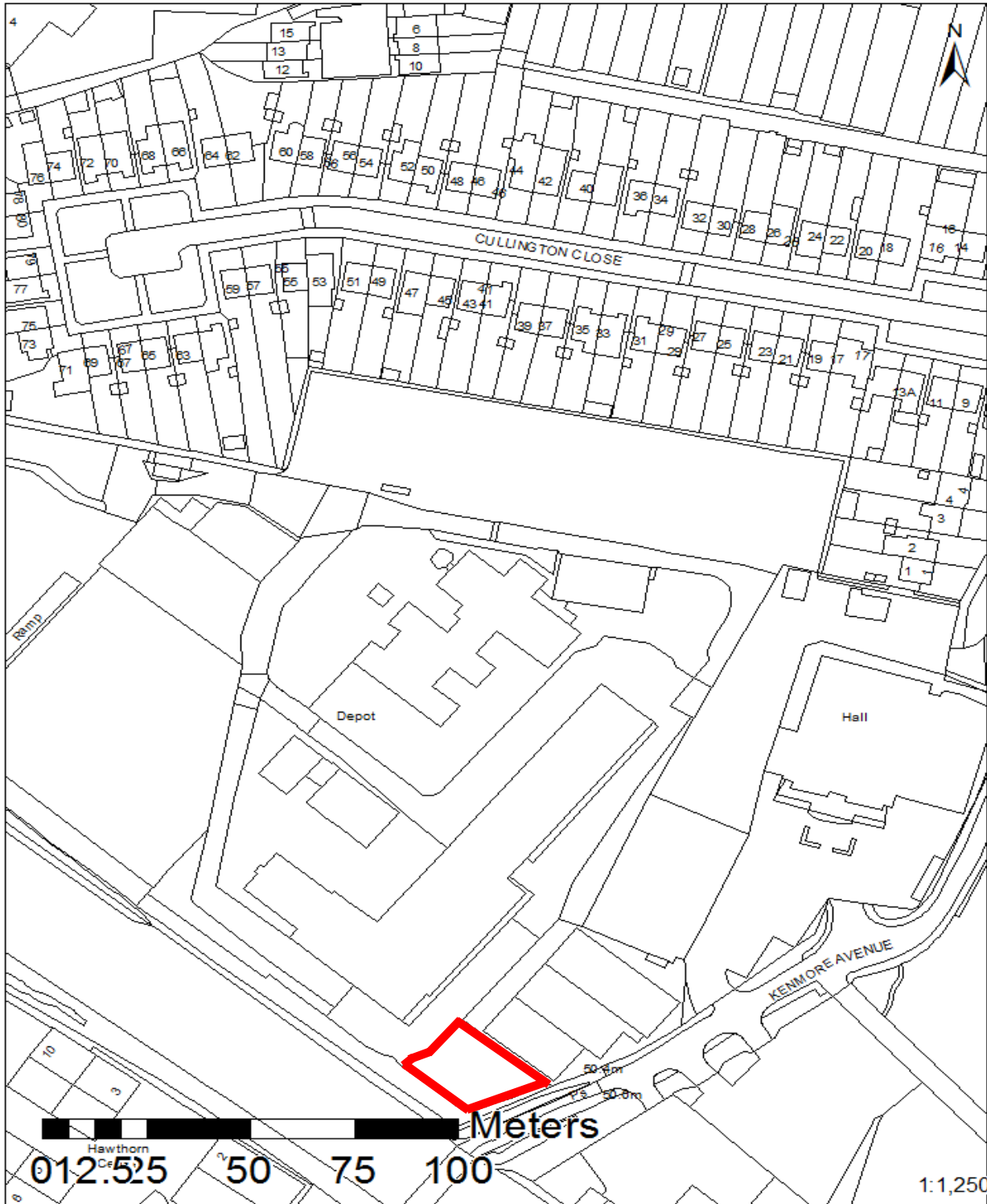
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 = application site



Central Depot, Forward Drive, Harrow

P/0276/18



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Central Depot, Forward Drive, Harrow	P/0276/18
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/0276/18
VALIDATION DATE: 19/01/2018
LOCATION: CENTRAL DEPOT, FORWARD DRIVE, HARROW
WARD: KENTON WEST
POSTCODE: HA3 8NT
APPLICANT: MR MICK WYNNE, LONDON BOROUGH OF HARROW
AGENT: N/A
CASE OFFICER: DAVID BUCKLEY
EXPIRY DATE: 01/06/2018

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

The proposal is for a portacabins for office use on the site.

RECOMMENDATION A

The Planning Committee is asked to:

GRANT planning permission for the reasons set out below:

REASON FOR THE RECOMMENDATION

The proposal would accord with relevant policy and the proposed development would have a satisfactory impact on the character of the area and the amenities of existing neighbouring occupiers.

For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation, this application is recommended for grant.

INFORMATION

This application is reported to Planning Committee as the development would be on land owned or where an interest is held by the Council and it would constitute of over 100 sq m of floor space and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type: (18). Minor Development, All Other Development
Council Interest: Council Owned Site

Net Additional Floor Area: 113 sq m

GLA Community Infrastructure (CIL) £3,955 based on a £35 contribution per square metre of additional floorspace

Contribution (provisional):

Harrow Community Infrastructure (CIL) N/A- Not applicable to B1 Use

Contribution (provisional):

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs
Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	Central Depot Forward Drive Harrow HA3 8NT
Applicant	Mr Mick Wynne, London Borough of Harrow
Ward	Kenton West
Local Plan Allocation	Harrow & Wealdstone Intensification Area Civic Amenity Site
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	No

Non-Residential Uses		
Existing Use(s)	Existing Use / Operator	Hardstanding/car park
	Existing Use Class(es) sq m	N/A
Proposed Use(s)	Proposed Use / Operator	Temporary Single and Two Storey Offices
	Proposed Use Class(es) sq m	113 sq m
Employment	Existing number of jobs	12 (In existing depot buildings)
	Proposed number of jobs	12

Transportation		
Car parking	No. Existing Car Parking spaces	14
	No. Proposed Car Parking spaces	6
	Proposed Parking Ratio	N/A
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	0
	Cycle Parking Ratio	N/A
Public Transport	PTAL Rating	3
	Closest Rail Station / Distance (m)	Harrow and Wealdstone Underground Station 750m
	Bus Routes	Buses form Harrow and Wealdstone 140, 182, 186, 258, 340, H9, H10, H14
Parking Controls	Controlled Parking Zone?	Application site is within a Harrow Central Depot
	CPZ Hours	N/A
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	
Parking Stress	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
	Summary of results of survey	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	As existing

Sustainability / Energy	
BREEAM Rating	Not disclosed
Development complies with Part L 2013?	Not disclosed
Renewable Energy Source / %	Not disclosed

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site is currently a car parking area 113 sq m, in area, in the southern part of the site, which contains the Central Depot, Forward Drive, Harrow which is owned by the London Borough of Harrow Council. The wider site is occupied by various LBH Council Departments and some space is leased to other local authorities and businesses.
- 1.2 The site is located within Harrow Civic Amenity Site, which is an allocated site as per policy Harrow Area Action Plan (AAP) (2013).
- 1.3 To the north of the immediate site are existing depot buildings and to the south is the railway line serving the London Overground, Virgin Trains and other mainline services.
- 1.4 The site is not located within a Critical Drainage Area or any type of higher risk flood zone and the site has been fully hard surfaced.

2.0 PROPOSAL

- 2.1 The proposal is to install two new permanent portacabins for office and ancillary uses on site, serving private businesses that currently use the existing buildings, which will be replaced during the redevelopment works granted planning permission under planning reference P/4767/17. The proposal site lies adjacent to, but outside the defined curtilage of the redevelopment site.
- 2.2 The footprint of the large two storey structure would be 48 sq m and 24 sq m for the single storey building. The two storey building would measure 4m in depth and 12m in width with a height of 5.95m. The single storey building would measure 9m in width and 3m in depth, with a full height 2.6m. The buildings would be constructed from steel faced composite panels with a steel framework. The external colour would be grey.
- 2.3 The proposal would result in the loss of approximately 6 car parking spaces, (retaining 8 spaces) which would be displaced to other nearby sites.

3.0 RELEVANT PLANNING HISTORY

Reference Number	Development Description	Decision/ Date	Reason for Refusal (if applicable)
P/1770/15	Use Of Existing Vehicle Workshop (Class B2) As Vehicle Workshop and M.O.T Testing Station (Sui Generis)	Granted: 16/06/2015	N/A
P/3060/17	Installation Of Temporary Modular Buildings To Create Two Storey Office Accommodation To Facilitate Works To Existing Office Accommodation On Site	Granted: 28/09/2017	N/A
P/4767/17	Redevelopment To Provide Part Single, Part Two And Part Three Storey Building With Plant Room On Roof And Part First Floor Mezzanine Incorporating Workshop (B1 Light Industrial), Office (B1 Use), Warehouse (B8 Use) And Ancillary Uses; Multi Storey Car Park And External Car Parking; Bin Store (Demolition Of Existing Buildings)	Granted: 26/03/2018	N/A

4.0 CONSULTATION

4.1 A total of 31 neighbouring properties were consulted. The first set of letters was sent on 20th February 2018, with the notification period expiring on 13th March 2018. The second set of letters was sent on 5th April 2018, with the consultation period expiring on 19th April 2018. The re-notification was undertaken due to reconfiguration of the buildings to avoid building over a Thames Water sewer.

4.2 Adjoining Properties

Number of Letters Sent	34
Number of Responses Received	01
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	01

4.3 No objections were received from adjoining residents. One neighbour response was received inquiring when the next phase of building work will commence.

4.4 Statutory and Non Statutory Consultation

The following consultations have been undertaken:

- LBH Highways
- Engineering Drainage Section
- Transport for London

4.5 Internal and External Consultation

A summary of the consultation responses received along with the Officer comments are set out in the Table below:

Consultee	Summary of Comments	Officer Comments
Drainage Officers	Concerns were raised due to the building position on site following the discovery of a public sewer running through the footprint. Thames Water were consulted on the scheme who highlighted that they would not accept building over the drainage in question, the building position was amended and this was considered acceptable. Also required drawing showing foul <u>and</u> surface water connections with the outfall details and an oversized manhole. These were submitted and considered acceptable.	Comments noted, see relevant section below.
Highways Authority	No objection to the proposal.	Comments noted
Transport for London	No objection to the proposal.	Comments noted

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

5.2 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

- 5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Regeneration
- Character and Appearance
- Amenity of Neighbouring Occupiers
- Traffic and Parking
- Development and Flood Risk

6.2 Principle of Development

6.2.1 The relevant policy in this regard is Area Action Plan AAP Policy 21, which relates to the application site. Part A of this policy specifically relates to waste facilities and so is not directly relevant to the current proposal. Part B of the policy states that proposals for alternative use of the site that fail to provide sufficient capacity for waste management facilities of that fail to adequately address issues related to the waste management function will be refused. The current proposal does not relate to an area of the site that is connected to waste management. The displaced parking would be directed to areas outside of the application site. On this basis, the proposal would comply with AAP 2.

6.2.2 Overall, the proposal is considered acceptable in principle, subject to the other main relevant policy considerations in this location are character and appearance of the area, neighbouring amenity, flood risk and highways considerations.

6.3 Regeneration

6.3.1 The London Borough of Harrow published a Regeneration Strategy for 2015 – 2026. The objective of this document is to deliver three core objectives over the plans life, which include;

- **Place;** Providing the homes, schools and infrastructure needed to meet the demands of our growing population and business base, with high quality town and district centres that attract business investment and foster community engagement;

- **Communities;** Creating new jobs, breaking down barriers to employment, tackling overcrowding and fuel poverty in our homes and working alongside other services to address health and welfare issues;
- **Business;** Reinforcing our commercial centres, promoting Harrow as an investment location, addressing skills shortages, and supporting new business start-ups, developing local supply chains through procurement.

6.3.2 Whilst the current proposal would not address all of the aspects noted in the above bullet points, it would retain existing employment on site and so would not be contrary to the regeneration strategy.

6.3.3 It is therefore considered that the proposed development would meet the overarching principles of regeneration into the area.

6.4 Character and Appearance

6.4.1 The character and appearance of all proposed development must be in accordance with policies 7.4 and 7.6 of the London Plan and policy DM1 of the Development Management Policies Local Plan 2013. This requires a high standard of design and layout and expects development to respect its context.

6.4.2 Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

6.4.3 The proposed design of the new buildings would not usually be considered acceptable as a permanent structure. However, there are a number of mitigating circumstances. Firstly it is located within a designated area for waste management and depot use, which would normally consist of industrial type buildings. Secondly, the location of the proposal would be behind a high fence, to the rear of existing buildings which are taller than the proposed development and adjacent to a railway line and a raised railway bridge. The only nearby neighbour across Kenmore Avenue is a car park to a hall in scout/nursery use with no residential neighbour nearby. On this basis, it is very difficult to see the development except from within the depot site. The only public vantage point is the road adjacent to the site which is a pavement/cycle track that goes under the railway bridge. On this basis, the proposal would be in keeping with the character of the area and would not be detrimental to local character or appearance in accordance with Development Management Policy DM1.

6.4.4 Colours and materials have been described on the application form and Design and Access statement and in principle appear acceptable. A condition as per standard practice has been attached requiring submission of material samples to be approved in writing. On this basis, the proposal is satisfactory in terms of character and appearance.

6.5 Amenity of Neighbouring Occupiers

- 6.5.1 Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.
- 6.5.2 The site is not in close proximity to any residential dwellings, with the rest of the depot site to the north, the railway line to the south and a car park severing a scout hall to the east. TfL have raised no objection to the proposal. The site would be intended to relocate existing staff/offices. The proposed hours of use would be standard office hours, but even if later hours were proposed, it is not considered that any neighbours are in close enough proximity to be impacted negatively and for this reason no restriction on hours of use has been included. On this basis, it is considered that the proposal would have an acceptable impact on neighbouring occupiers in terms of light and outlook/privacy and noise/disruption in accordance with Harrow DM Policy DM1.

6.6 Traffic, Parking and Construction

- 6.6.1 Policy DM42 states: “Proposals that would result in inappropriate on-site parking provision, having regard to the criteria in this policy, and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists, will be resisted.” Policy DM43 states that proposals that fail to satisfactorily mitigate the transport impact of development will be resisted.
- 6.6.2 There are no immediate concerns in relation to this scheme. The proposal is relocating existing office uses, rather than creating new uses. The displaced parking would be relocated to other nearby sites.
- 6.6.3 The Highways Authority has responded to state that they have no objection to the proposal and do not require a construction management plan in this instance.
- 6.6.4 Policy DM45 states sufficient provision should be made for refuse and recycling and that there must be appropriate access, which must be located and screened to avoid nuisance to occupiers and adverse visual impact. No refuse storage has been shown on the proposed plans. However, there is sufficient space to provide storage within the existing site area and there is an existing refuse collection arrangement which could be continued and therefore this is considered to comply with Policy DM45.

6.7 Development and Flood Risk

- 6.7.1 The Flood Risk Assessment and other details submitted by the applicant are considered acceptable by the Council's Engineering Drainage Section. There are requirements in terms of Surface Water Attenuation, Storage, Surface Water Disposal and Foul Water Disposal and details of these have been attached as planning conditions for subsequent approval.
- 6.7.2 Subject to the conditions securing the above, it is considered that the proposed development would accord with policy 5.2 of London Plan (2016) and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would provide two portacabins for office and ancillary use within the application site, which would be an appropriate use that would not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The development would safeguard and ensure the continuation of existing business within the site while the wider regeneration proposals take place. The proposed development would therefore accord Policy CS1 of the Harrow Core Strategy 2012, Policies 7.4 and 7.6 of the London Plan (2016) and policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Harrow Area Action Plan Policy AAP21: Harrow Waste Management Site.

APPENDIX 1: Conditions and Informatives

Conditions

1 **Full Time**

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 **Approved Drawing and Documents**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

TSLP22014150118 Ex; DD001; TSLP22014`50118 Revision C; Flood Risk Assessment 1015124-RPT-CL-0001 Revision F; Drainage Plan; Floor Plan TN12411332U; TN124 Elevations; SL084Elevations; Floor Plan TN12411332U; Floor Plan SL0820660 400014402; Design and Access Statement.

REASON: For the avoidance of doubt and in the interests of proper planning.

3 **Materials**

Notwithstanding the approved plans, the building shall not commence until details of the proposed materials shall be submitted to be approved in writing and shall be retained in that form thereafter.

REASON: To safeguard the appearance of the locality.

4 **Surface Water Management**

Notwithstanding the approved plans, the development hereby permitted shall not commence until details for a scheme for works for the disposal of foul water, surface water and surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development.

INFORMATIVES

1 Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2012)

Draft London Plan (2017)

The London Plan (2016)

7.4 Local Character

7.6 Architecture

Harrow Core Strategy (2012)

CS1.B Local Character

Harrow Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

DM10 On Site Water Management and Surface Water Attenuation

DM42 Parking Standards

Harrow Area Action Plan

Policy AAP21: Harrow Waste Management Site

2 INFORMATIVE:

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service.

3 INFORMATIVE:

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.

4 The applicant is encouraged to contact Met Police Designing Out Crime Officers who can provide further information about preventing crime within

the future development.

Details as follows:

Telephone: 0208 7333703

Office Email: DOCOMailbox.NW@met.police.uk

Address: North West DOCO Office, Ruislip Police Station, The Oaks, Ruislip, HA4 7LE

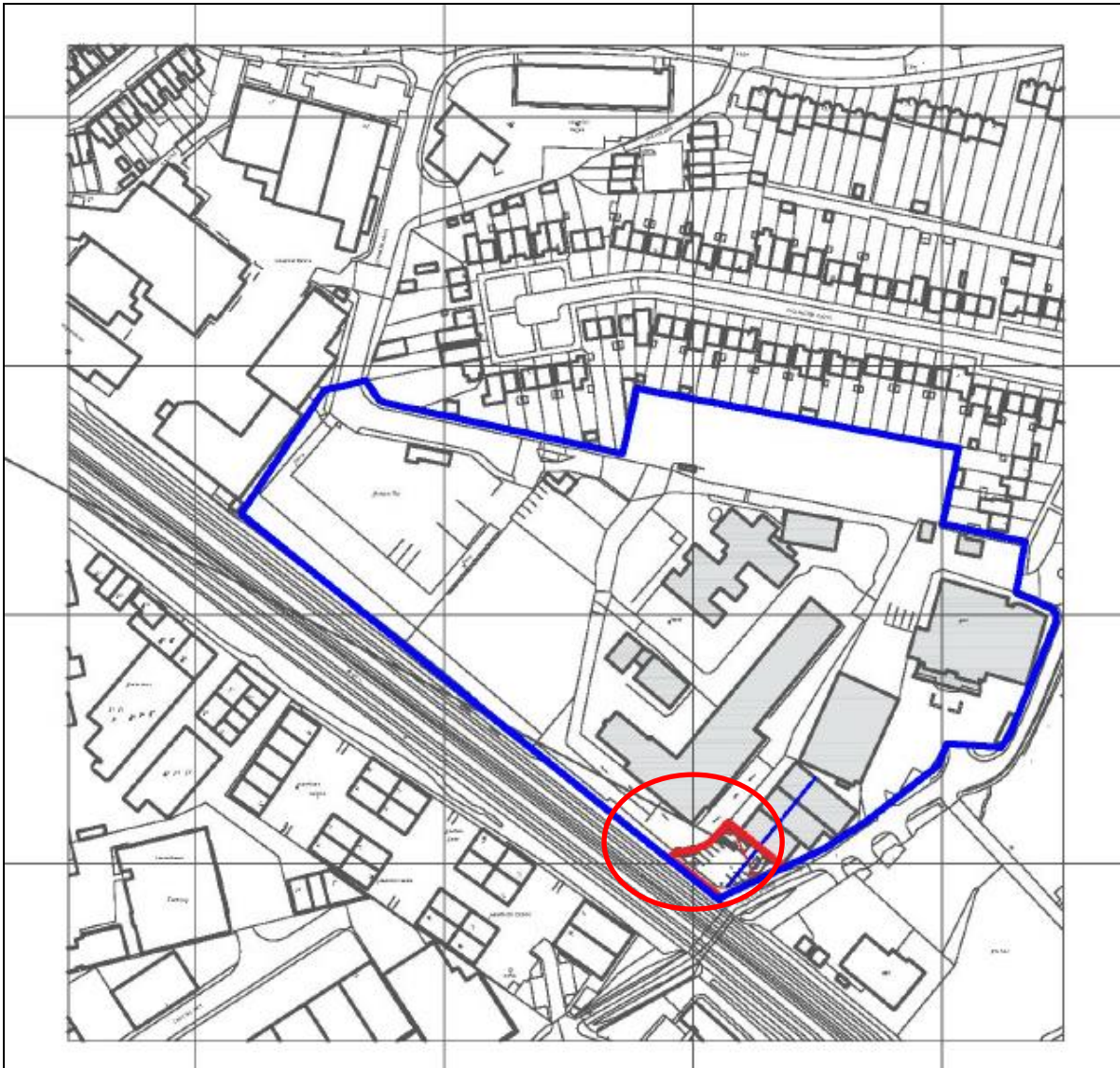
5 DRAINAGE INFORMATIVE

Applicant should contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 for consent to connect the surface and foul water drainage connections to the public sewer. More information on this can be found on Thames Water website www.developerservices.co.uk. Thames Water generally takes more than 6 to 8 weeks to provide consent. So, it would be better to apply earlier to avoid delays in discharge of drainage conditions.

Applicant should be aware that there is a separate drainage system in Harrow where the drainage connections are separated. Surface water should be connected to surface water sewer and foul water should be connected to foul sewer only.

Plan Numbers: TSLP22014150118 Ex; DD001; TSLP22014`50118 Revision C; Flood Risk Assessment 1015124-RPT-CL-0001 Revision F; Drainage Plan; Floor Plan TN12411332U; TN124 Elevations; SL084Elevations; Floor Plan TN12411332U; Floor Plan SL0820660 400014402; Design and Access Statement.

APPENDIX 2: SITE PLAN

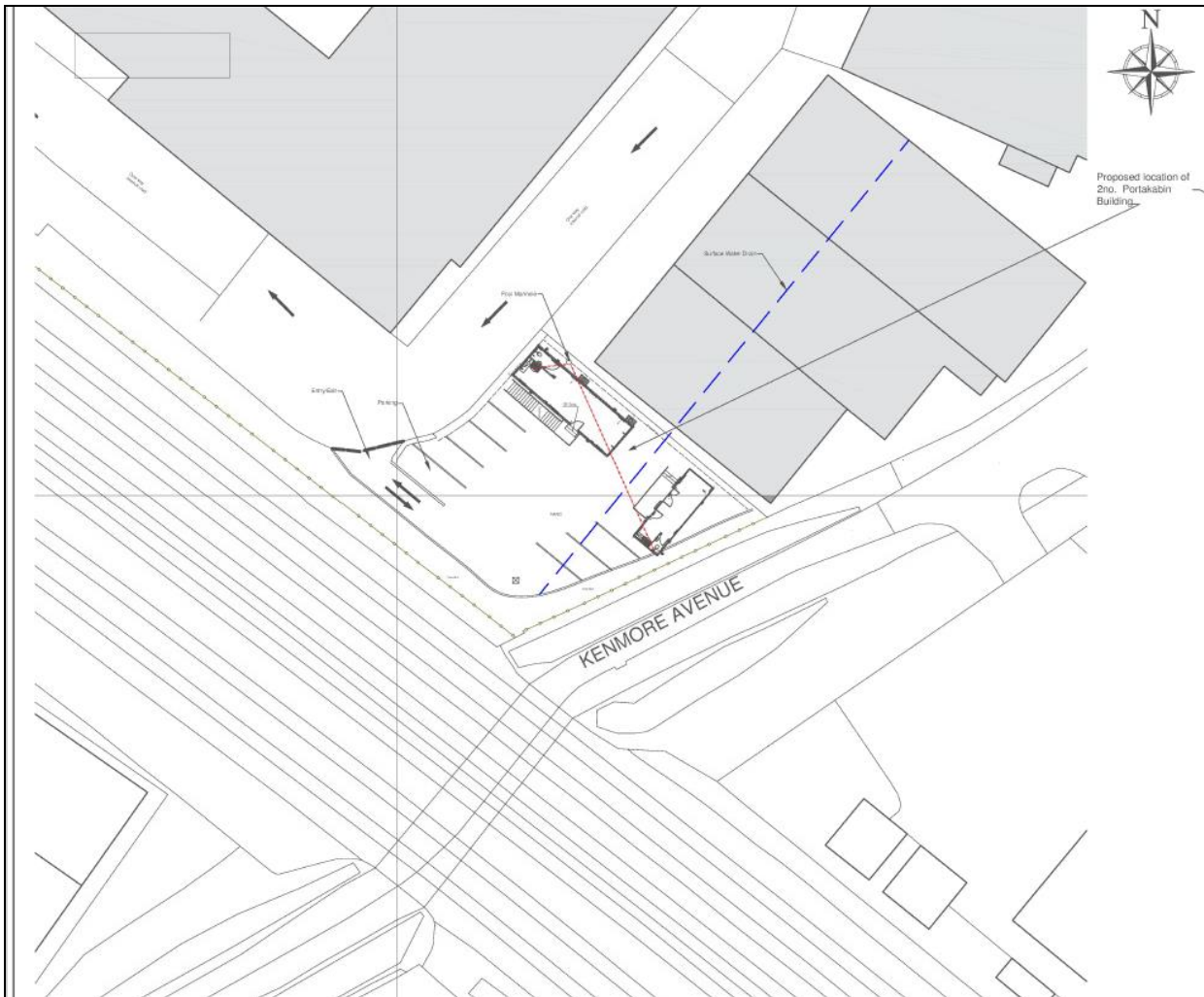


Site Plan

APPENDIX 3: PHOTOGRAPHS

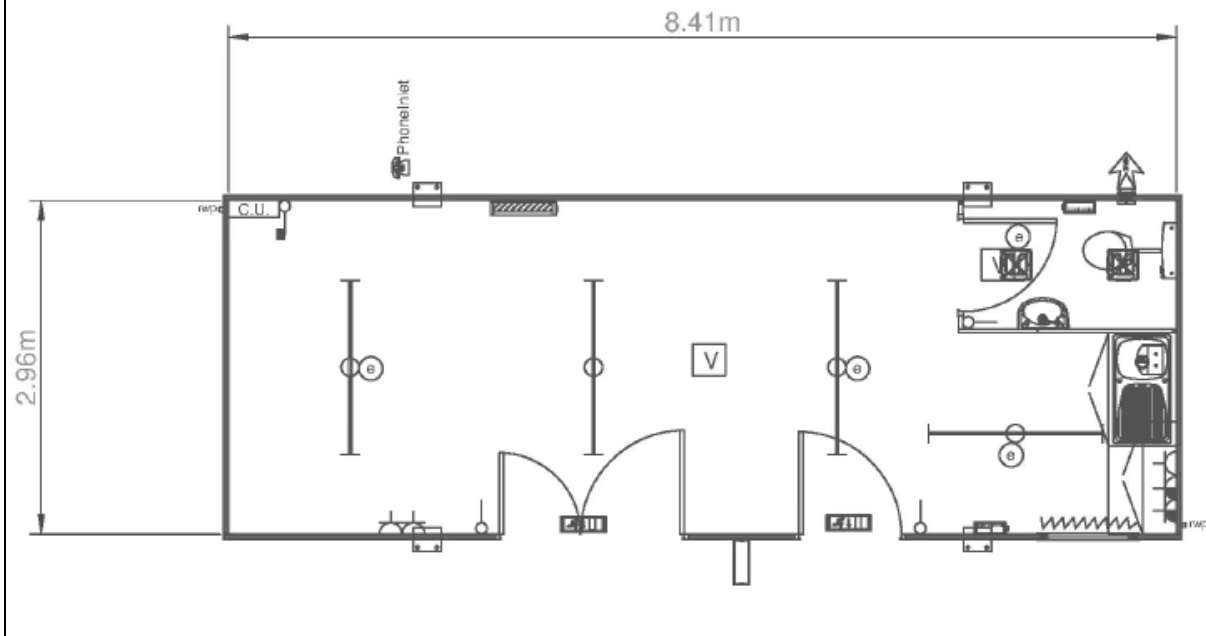


APPENDIX 4: PLANS AND ELEVATIONS



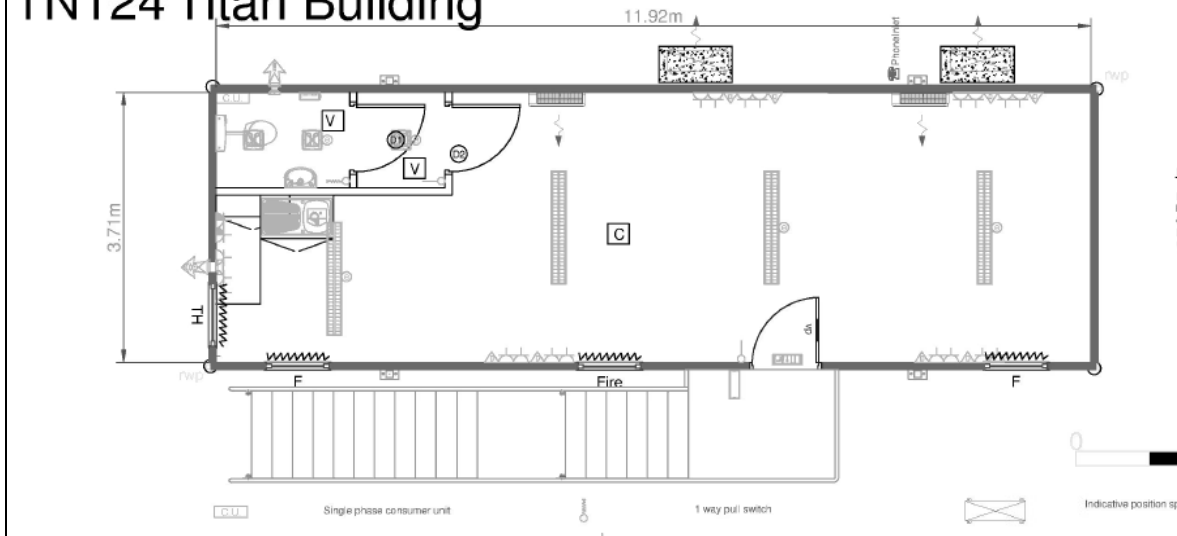
Proposed Site Plan

SL082 Solus Building

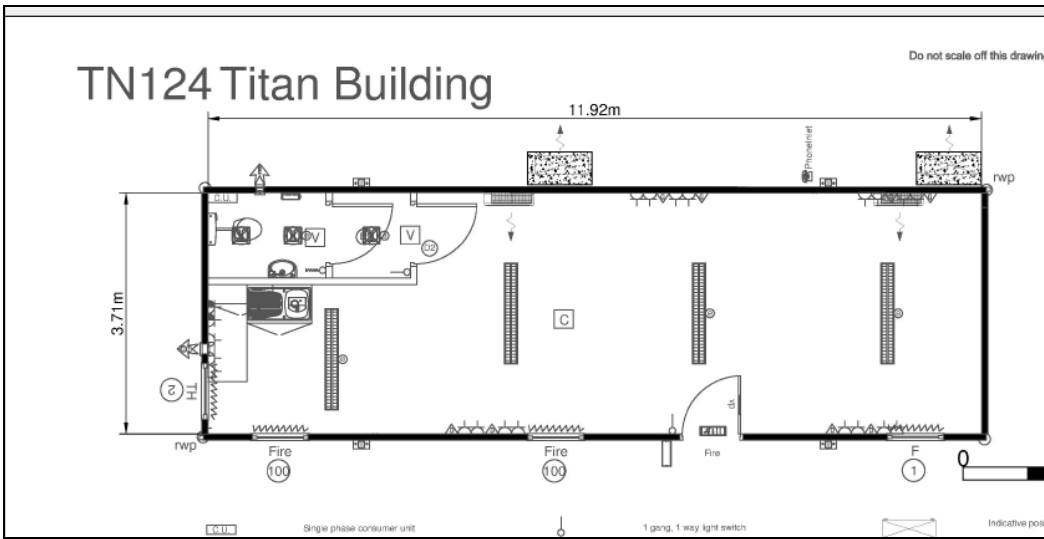


Smaller building

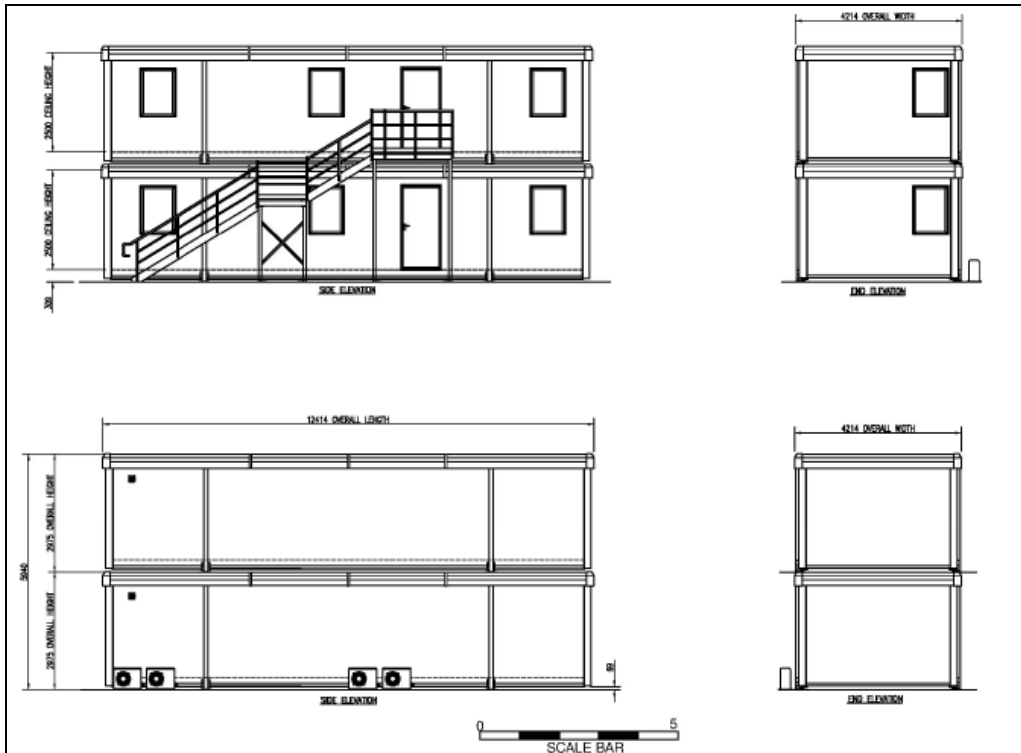
TN124 Titan Building



Larger building first floor



Larger building ground floor



Larger building elevations

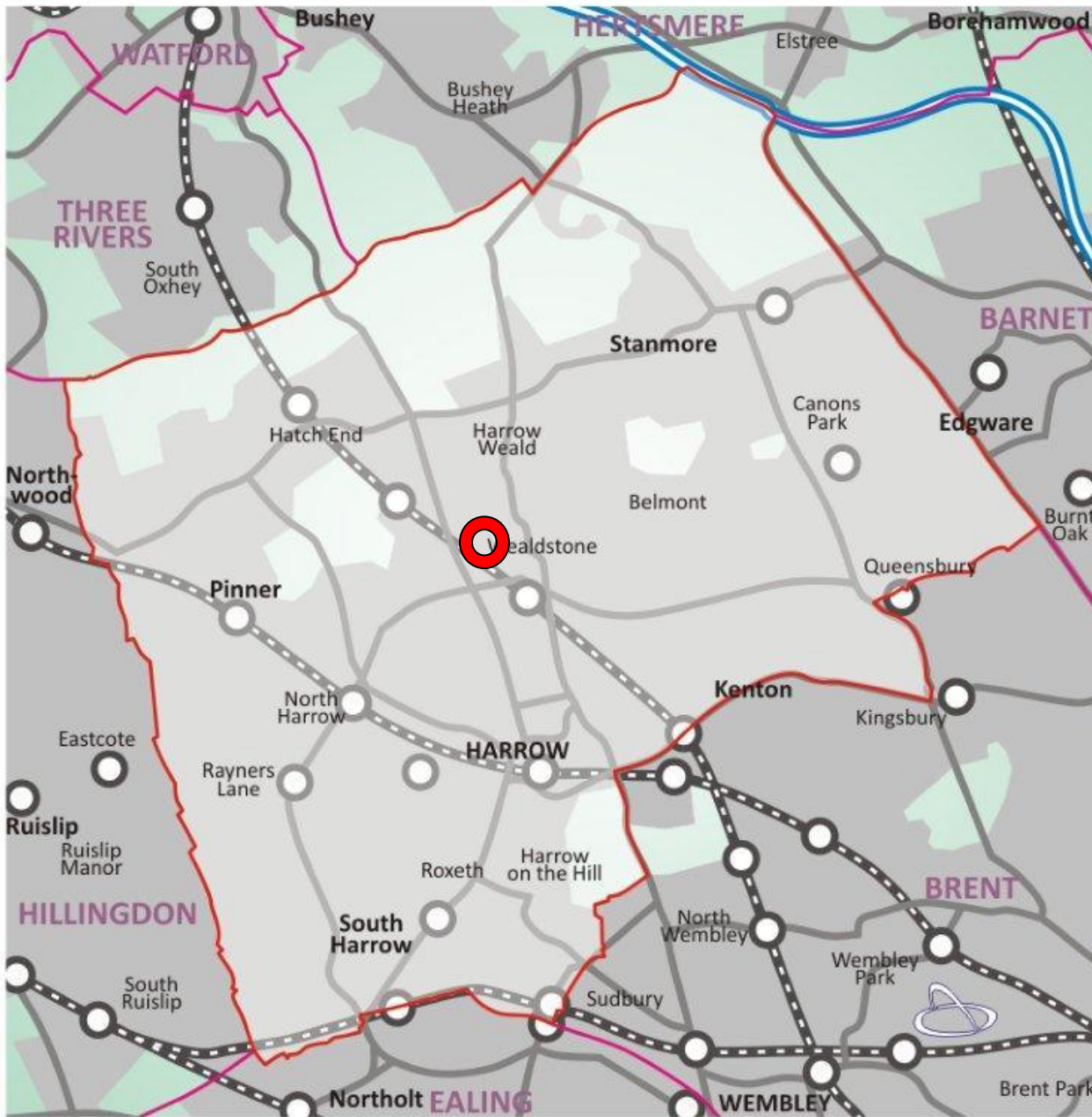


Smaller building proposed elevations

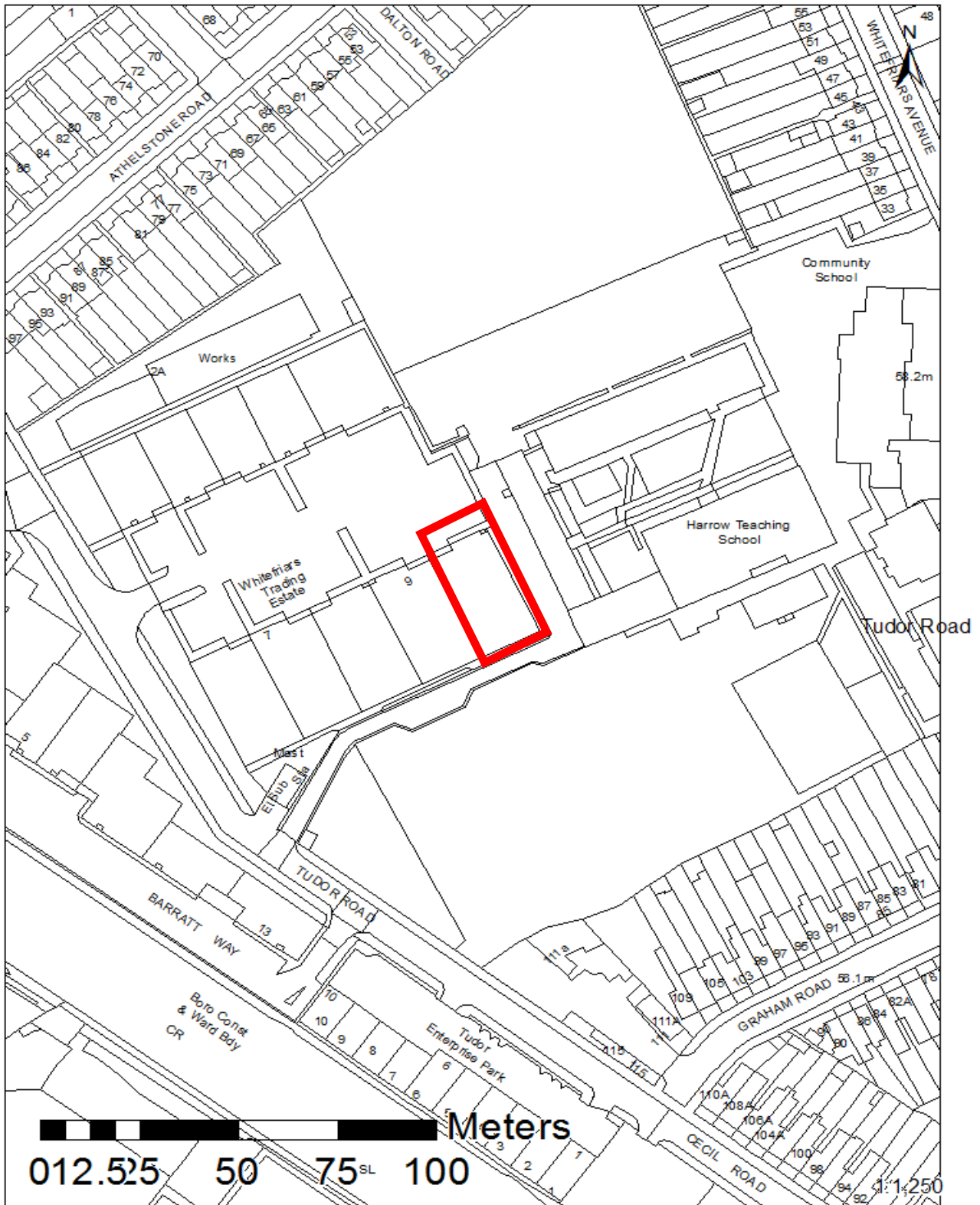
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Agenda Item : 2/10

 = application site



Unit 10 Whitefriars Trading Estate, Tudor Road, Harrow	P/0773/18
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Unit 10 Whitefriars Trading Estate, Tudor Road, Harrow **P/0773/18**

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/0773/18
VALIDATION DATE: 26/03/2018
LOCATION: UNIT 10, WHITEFRIARS TRADING ESTATE,
TUDOR ROAD, HARROW
WARD: WEALDSTONE
POSTCODE: HA3 5SR
APPLICANT: CATS PROTECTION
AGENT: ASP
CASE OFFICER: DAVID BUCKLEY
EXPIRY DATE: 01/06/2018

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Change of use from Business (Class B8/B1) to Cat homing centre (Sui Generis);
External Alterations

The Planning Committee is asked to:

RECOMMENDATION

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATIONS

- The proposed change of use to a sui generis use from a current vacant storage use would provide employment within the borough and the nature of the proposed use and internal alterations would not inhibit the future use of the unit as a business/industrial premises
- The operations of the proposed Cat Homing Centre would not generate environmental hazards for neighbouring occupiers or disrupt travel or parking in the surrounding area.

INFORMATION

This application is reported to Planning Committee as it is a change of use more than 400m² and therefore falls outside Schedule 1 of the Scheme of Delegation

Statutory Return Type: 18. Minor Development
Council Interest: None
GLA Community Infrastructure Levy (CIL) Contribution (provisional): Exempt as a Registered Charity
Local CIL requirement: Exempt as a Registered Charity

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:
Part 1: Planning Application Fact Sheet
Part 2: Officer Assessment
Appendix 1 – Conditions and Informatives
Appendix 2 – Site Plan
Appendix 3 – Site Photographs
Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	Unit 10, Whitefriars Trading Estate, Tudor Road, Harrow, HA3 5SR
Applicant	Cat's Protection
Ward	Wealdstone
Local Plan allocation	Opportunity Area
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	

Non-residential Uses		
Existing Use(s)	Existing Use / Operator	Vacant
	Existing Use Class(es) sqm	776 sq m
Proposed Use(s)	Proposed Use / Operator	Cats Protection
	Proposed Use Class(es) sqm	531 sq m (Sui Generis)
Employment	Existing number of jobs	0
	Proposed number of jobs	5

Transportation		
Car parking	No. Existing Car Parking spaces	9
	No. Proposed Car Parking spaces	9
	Proposed Parking Ratio	
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	0
	Cycle Parking Ratio	
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Harrow and Wealdstone Station
	Bus Routes	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Once a week

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site is located within the Whitefriars Trading Estate, which is a strip of land off Tudor Road. The unit is at the far end of the estate, which has 10 units in total, 5 on each side of the site. The other uses on the site are storage and distribution including furniture and building supplies. Unit 10, the application unit is currently vacant. Planning permission was granted for change of use from industrial use to an engineering skill and training D1 Use at Units 1 and 5 at the estate in 2010.
- 1.2 To the east of the site is Whitefriars School. Plans from recent planning permission granted in 2014 (Harrow Planning Reference P/2512/14) shows that the area of the school site has been rebuilt and adjacent to the application site would be in use as a parking area and sports pitches. Immediately across Tudor Road from the application site is Barratt Way industrial estate. Permission was granted here for a virtually identical scheme as the current application in 2017, which was submitted by the same applicant. They are no longer able to operate the unit at Barratt Way, so the current application is as an alternative rather than as an additional site.
- 1.3 The application site is within an Industrial and Business Use Area, a designated Opportunity Area and falls under the Harrow and Wealdstone Area Action Plan. The primary purpose of such areas are to protect 'B' class uses (of the Town and Country Planning Use Classes Order 1987 as amended, as employment generating floor space. The site has a PTAL rating of 2, is not in a conservation area or a listed building but is within a Critical Drainage Area.
- 1.4 The application site itself is an industrial warehouse building with a total floor area of 776 sq m, consisting of a main ground floor and mezzanine floor, which contains storage space, a retail area and ancillary kitchen, toilets, etc. The submitted application form states that the current Use Class is B1 c which is Business /Industrial Use Clas and that the unit is vacant.

2.0 PROPOSAL

- 2.1 The application proposes a change of use from the existing Business Use (Class Use B1c) to a Cats Homing Centre (Class Use Sui Generis) and external alterations comprising pipework for drainage to the east elevation.
- 2.2 The proposed Cat Homing Centre would create a base from which to re-house cats in the North London Area. The existing building will be refurbished, removing the mezzanine floor and installing 20 modular pens and four other rooms for food preparation, tray wash, laundry area and store rooms. The unit has the potential to home 50 cats a month and rehome 500 cats per annum.

The front of the unit will contain a reception /waiting room with associated toilets and office space and small retail area.

2.3 No external alterations are proposed, aside from the installation, on the east elevation, of a new drainage pipe. The site is located in a Critical Drainage Area but is not located in a higher risk flood zone. An informative has been attached to address surface water issues.

2.4 The proposed centre will employ 5 full time staff supported by part time staff and a number of volunteers. The number of part time staff and volunteers has not been specified. The proposal includes the retention of 9 parking spaces to the front of the site which could be used by staff and visitors. The Planning Statement states that the centre will be operated seven days a week with staff on site between 08.00 and 17.00 each day and that the Centre would be open to visitors 5 days a week with average visitor levels, based on a similar centre in Mitcham, expected to be between 2-4 people per day.

3.0 RELEVANT PLANNING HISTORY

3.1 N/A

4.0 CONSULTATION

4.1 A total of 10 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 16/04/2018

4.3 Adjoining Properties

Number of letters Sent	09
Number of Responses Received	0
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	0

4.4 Statutory and Non Statutory Consultation

4.5 The following consultations have been undertaken*:

LBH Environmental Health
LBH Highways

4.6 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
LBH Environmental Health	No objection to the proposal.	This has been addressed in the relevant section below.
LBH Highways	<p>No objection.</p> <p>This is subject to pre-occupation conditions for cycle parking details (minimum of 1 long term and 1 short term space, secure, sheltered and accessible); 1 electric vehicle charging point and 1 disabled parking space.</p>	This has been addressed in the relevant section below.
LBH Planning Policy	<p>The above application is similar to a previously approved permission at Unit 1, Barrett Way, HA3 8UU (P/0626/17). It is noted that this application was granted subject to a condition restricting permission to 2 years.</p> <p>The current application is within a designated industrial and business use area (directly opposite the site where the above was permitted). The applicant states within the application form that the unit is currently vacant, but has been in use previously as a B8 premise. Whilst the industrial site is currently in use as predominantly B use classes, there are Non-B use classes within the estate. Namely; Units 1, 5, 8 which appear (taken from planning history) are in D1 Use. This should be confirmed on site.</p> <p>The proposed development would provide an employment</p>	This has been addressed in the relevant section below.

	<p>use into the site, which as noted is currently vacant (although no evidence to support this has been submitted). This is supported. The principle of the development is therefore considered to be acceptable, as under P/0626/17, as it would continue to provide an employment use of the site.</p> <p>As mentioned previously, application P/0626/17 was granted subject to a temporary condition (2 years). The applicant has stated that it is unreasonable for such a temporary restriction to be imposed, as the condition would not meet the six tests for applying a condition. In the event that the application is considered to be consistent with the development plan in all other aspects, then it is considered that such a condition need not be applied in this instance.</p>	
LBH Licensing	<p>Objects to the proposal. The applicant will be required to apply for an Animal Boarding Licence under the Animal Boarding Establishment Act 1963. The applicant should be aware the legislation is expected to change in October 2018 and that applications made after that time may be subject to different requirements.</p>	<p>This has been addressed in the relevant section below.</p>

5.0 **POLICIES**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be

made in accordance with the Plan unless material considerations indicate otherwise.'

- 5.2 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.
- 5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.
- 5.6 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

Principle of the Development
Impact on the Character and Appearance of the Area
Residential Amenity
Traffic, Parking and Waste

6.2 Principle of Development

6.2.1 Relevant policy is listed below:

6.2.2 The site is also within the Harrow and Wealdstone Area Action Plan. Policy AAP15 (Supporting the Business Sector in Wealdstone) of the Harrow and Wealdstone Area Action Plan (2013) states that:

“Proposals for economic development and uses, including appropriate supporting ancillary uses, will be permitted on existing designated business and industrial use land except where the proposal:

- a. Involves development or uses that should be located within a town centre;*
- b. Would adversely impact upon the amenity of surrounding uses or the character of the area;*
- c. Would prejudice the proper functioning of any neighbouring economic activity;*
- d. Is detrimental to highway safety considerations;*
and
- e. Involves inadequate arrangements for servicing, parking and inclusive access*

6.2.3 Policy CS2(E) of Harrow’s Core Strategy (2012) states that:

“The Council will consider, through the Area Action Plan for the Harrow & Wealdstone Intensification Area, the consolidation of the Wealdstone Strategic Industrial Location and the local industrial and business use areas (specifically the function and boundary of these designations), taking account of the assessments of industrial land demand and the strategic objectives for the Intensification Area.”

6.2.4 The site is located in within a business and industrial use area and is within the Whitefriars Trading Estate. The purpose of a BIA is to..... The property is currently vacant but the established use has been stated on the submitted application form as B1 c, Business Use. Looking at similar adjoining uses this would have capacity to provide employment in the range between 5 -15 employees. The proposed use would maintain an employment use on site of 5 full time staff along with part time additional staff and volunteers which would be comparable to the employment capable of being provided by the current use.

6.2.5 Policy 31 ‘Policy DM 31 ‘Supporting Economic Activity and Development ‘ of Harrow’s Development Management Policies Local Plan (2013) states that *“Proposals for the intensification, renewal and modernisation of existing industrial and business floorspace will be supported where the development complies with other relevant policy considerations and the new industrial or business floorspace allows for future flexibility, including future subdivision and/or amalgamation to provide for a range of accommodation, particularly for small businesses”*. Part C of policy DM31 states that the loss of industrial and business land and floorspace to non-employment uses will only be permitted where it can be demonstrated that the site is no longer suitable and a suitable period of continuous marking has been undertaken without success. Part D of policy DM31 states that where loss of floorspace to non-employment uses meets Part C above, a sequential test would be applied.

6.2.6 Paragraph 4.122 of the Harrow and Wealdstone Area Action Plan (2013) states that: *“The Council is committed to facilitating continued business and industrial formation and growth. Whilst seeking to promote a greater diversity*

of economic development on existing employment land, the Council recognises that the nature, scale and location of some individual proposals may give rise to site specific impacts that are unacceptable. Areas designated for industrial and business use on the Harrow Policies Map reflect the suitability of these locations for activities which, elsewhere, may be inappropriate or inconsistent with the area's character in terms of the nature and scale of activity. The introduction of sensitive new uses can create conflicts that lead ultimately to pressure for the extinguishment of incompatible industrial and other economic uses".

- 6.2.7 The response from the Council's Planning Policy Team acknowledges that there are already units on the site which are in D1 Use, i.e., non-business and industrial, Units 1 and 5. The proposal would provide an employment use on the site as per the previous planning permission at Barratt Way for the same proposed use under planning reference P/0626/17. While promoting greater flexibility of employment uses within its industrial base, the Council recognises that some alternative uses may conflict with existing and future industrial uses surrounding the site. The surrounding uses on site could be characterised as light industrial: wholesalers, distribution, storage, etc.
- 6.2.8 On this basis that the site would provide an employment use, it is considered that it would not conflict with policy DM31. C which refers specifically to loss of industrial and business land to 'non-employment uses' and therefore the requirement for marketing and a sequential test as highlighted in policy DM31. D would not be required.
- 6.2.9 The proposed alterations to the existing building would be primarily internal, with the removal of the mezzanine level and the installation of modular pens within the main storage area with four small rooms created along the side walls of the unit. It is considered that proposed internal changes would be reversible and would maintain the openness of a storage facility and would maintain a 'future flexibility' in order to compatible with future storage and other appropriate business uses on site.

The applicant has submitted information regarding a similar facility (The Mitcham Cat Homing Centre) in a similar employment/industrial location. This comparison is useful in helping evaluate the current proposal, but it is acknowledged that it is not conclusive in assessing the impact of the facilities presence on existing and future industrial businesses in this particular location. It is also acknowledged that in the previously granted scheme nearby at Unit 1, Barratt Way, Wealdstone, HA3 8UU, planning permission was restricted to a limit of two years in order to allow further assessment of the proposed land use and its relationship to neighbouring uses, due to concerns that the presence of this facility in the location would be out of character with the industrial uses of the immediate area and would inhibit the relocation of industrial users to adjoining properties.

- 6.2.10 In the Planning Statement attached to the current application, the applicant has stated that they do not feel that a condition for a temporary planning permission is required. Reference is made to paragraph 206 of the NPPF

which sets out that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The applicant has stated that they believe the condition for a temporary planning condition would not meet these requirements. They have stated that in the previous application nearby at Unit 1 Barratt Way, the proposed development was considered to be in accordance with the development plan and that no material objections were raised to indicate that planning permission should not be granted and that the same should apply in this instance. They have gone on to state that if neighbouring units were to become vacant in the future it would be difficult to establish that this was a direct result of the presence of the homing centre and they make reference to the existing D1 Use Class units on the site which do not appear to have inhibited the operation of the wider estate. They also state that the proposed use will bring employment and volunteer opportunities.

6.2.11 Officers note that in the current proposal, no formal objections have been raised by neighbouring occupiers. While a comment has been raised by licensing in terms of increased requirements for licensing this type of establishment, the applicant would be legally obliged to meet those requirements were planning permission granted. The response from the Council's Planning Policy Team concurs with the applicant's view that in the event that the application is considered to be consistent with the development plan in all other aspects, then it is considered that a temporary use condition need not be applied in this instance.

6.2.12 Details of the operations of a similar centre in Mitcham, south London have been submitted. These state that the centre would be open to visitors 5 days a week with average visitor levels based on this at 2-4 people per day. This would not be out of keeping with the surrounding units which are also likely to receive visitors and the footfall would be much lower than at the D1 Use at Units 1 and 5 on the estate. **It is noted that the proposed retail/reception/area of the overall site at approximately 50 sq m of a total of 531 sq m would only comprise a relatively small area within the overall unit size.** The unit would still be subject to Environmental Health and licensing legalisation and there would be legal means to control the operation of the unit through this, although it should be noted that no objection has been raised by the Council's Environmental Health Officers to the units.

6.2.10 Conclusion

The proposed use would maintain an employment use on site comparable in scope to the existing use and would maintain the flexibility of the premises as business/industrial unit and subject of meeting material planning requirements it would not be considered appropriate or necessary in planning terms to attach a time limit to planning permission.

6.3 Impact on the Character and Appearance of the Area.

6.3.1 Policy 7.4B of the London Plan (2016) sets out the design principles that all boroughs should seek to ensure for all development proposals. Policy 7.4B of

the London Plan (2016) states, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment.

6.3.2 Core Policy CS1.B of the Harrow Core Strategy (2012) states that all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.

6.3.3 The only external alterations proposed is pipework to the side elevation and in the context of the character of the site and the application building, it is not considered that the proposal would result in any harm to the character of the host building or the surrounding area and are therefore considered acceptable in terms of policies 7.4 B and 7.6 B of The London Plan (2016), core policy CS1 (B) of the Harrow Core Strategy (2012), policies DM 1 of the Harrow Development Management Policies Local Plan (2013) and the Council's Supplementary Planning Document - Residential Design Guide (2010).

6.4 Residential Amenity

6.4.1 Policy 7.6B of the London Plan (2016) states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. Policy DM1 (sub-sections C and D) of the Development Management Policies Local Plan (2013) requires all development to achieve a high standard of privacy and amenity. The adopted SPD 'Residential Design Guide' elaborates upon policy DM1 with detailed guidance aimed at balancing the right of a landowner to develop their property with the need to protect adjoining occupiers from development that would unduly harm their residential amenities.

6.4.2 The proposed development does not extend the footprint of the building and there are no residential occupiers in close proximity. The proposed development would not harm the outlook, daylight/sunlight received, or otherwise amenities of neighbouring residential occupiers.

6.5 Traffic, Parking, and Waste.

6.5.1 Policy DM 43 C of Harrow's Development Management Policies Local Plan (2013) states "*Proposals that fail to satisfactorily mitigate the transport impacts of development will be resisted*". Policy DM42 of Harrow's Development Management Policies Local Plan (2013) requires that proposals that result in inappropriate on-site parking on-site parking provisions, which lead to significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclist will be resisted.

6.5.2 Based on the analysis of a similar facility in Mitcham, the estimated traffic from visitors by members of the public to the facility by private vehicle is

approximately 2-4 per day. Given the existing traffic from users along Barratt Way, the Council's Highway Team consider that the proposal would not have a significant impact on traffic in the area

- 6.5.3 The application site has a PTAL rating of 2 and is located 1km north of Harrow and Wealdstone Town Centre. The proposal includes provision of 9 parking spaces to the front of the facility. This would appear adequate capacity for staff, volunteers, and visitors. However, details regarding cycle parking (1 long term and 1 short term), electric vehicle charging points (1 space) and parking for the disabled (1 space) have not been provided. Therefore, a condition is be attached requesting details of the cycle parking, electric vehicle charging point, and parking for the disabled to be submitted to the council prior to the occupation of the unit.
- 6.5.4 Policy DM 43 A (a) of Harrow's Development Management Policies Local Plan (2013) states: "*The on-site provision must: provide satisfactory storage volume to meet the general, recycling and organic waste material arising from the site*". It is proposed that waste collection will take place once a week via a commercial contractor and it is the applicant's aim to manage all odour internally. The internal arrangement has been designed to compartmentalise different processes of the operation. The refuse storage area would be located near the front of the building behind the vehicle entrance doors. The Council's Environmental Health Team has not raised an objection to the proposal. However, the management of litter tray disposal which would contain urine and faeces has not been sufficiently clarified. Details of this would be required to demonstrate that this could be managed to a satisfactory standard and a planning condition has been attached requiring these details.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The operations of the proposed Cat Homing Centre would not generate environmental hazards or impair travel or parking in the area. The proposed change of use to a sui generis use from a current vacant storage use would also provide an employment within the borough and the nature of the proposed use and internal alterations would not inhibit the future use of the unit as business/industrial premises.

APPENDIX 1: CONDITIONS AND INFORMATIVES

CONDITIONS

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Planning Statement dated February 2018; 101; 102; 103; 104; 105 Existing East Elevation; 105; Existing Roof Plan; Location Plan; 201; 202; 204; 205; 206; 207.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Parking

Notwithstanding the approved plans, the site shall not be occupied until details of the proposed cycle parking, parking for disabled persons, and the electric charging points for vehicles have been submitted and approved in writing by the local planning authority. The approved details shall be retained in that form thereafter.

Reason: In the interest of sustainable travel and parking within the borough.

4 Refuse Storage and Disposal

The development hereby permitted shall not be occupied 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.

INFORMATIVES

1 Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2016)

2.7 Outer Landon: Economy

3.1 Ensuring Equal Life Chances For All

5.3 Sustainable Design and Construction

6.13 Parking

7.1 Building London's Neighbourhoods and Communities

7.4 Local Character

7.6 Architecture

The Harrow Core Strategy (2012)

Core Policy CS1 Overarching Policy

Core Policy CS2 Harrow and Wealdstone

Harrow Development Management Policies Local Plan (2013)

Policy DM 1 Achieving a High Standard of Development

Policy DM 2 Achieving Lifetime Neighbourhoods

Policy DM 12 Sustainable Design and Layout

Policy DM 31 Supporting Economic Activity and Development

Policy DM 42 Parking Standards

Policy DM 43 Waste Management

Harrow and Wealdstone Area Action Plan (2013)

2 Grant without pre-application advice

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3 Licensing

Prior to operation of the proposed facility, the applicant is recommended to have the relevant licenses in place for animal welfare and a contract in place for the safe removal and storage of controlled waste.

4 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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.

5 PARTY WALL ACT:

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

6 COMPLIANCE WITH PLANNING CONDITIONS

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

7 Surface Water Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches,

permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

APPENDIX 2: SITE PLAN



APPENDIX 3: PHOTOGRAPHS



Site Entrance



Application unit at top centre



Existing Unit 10

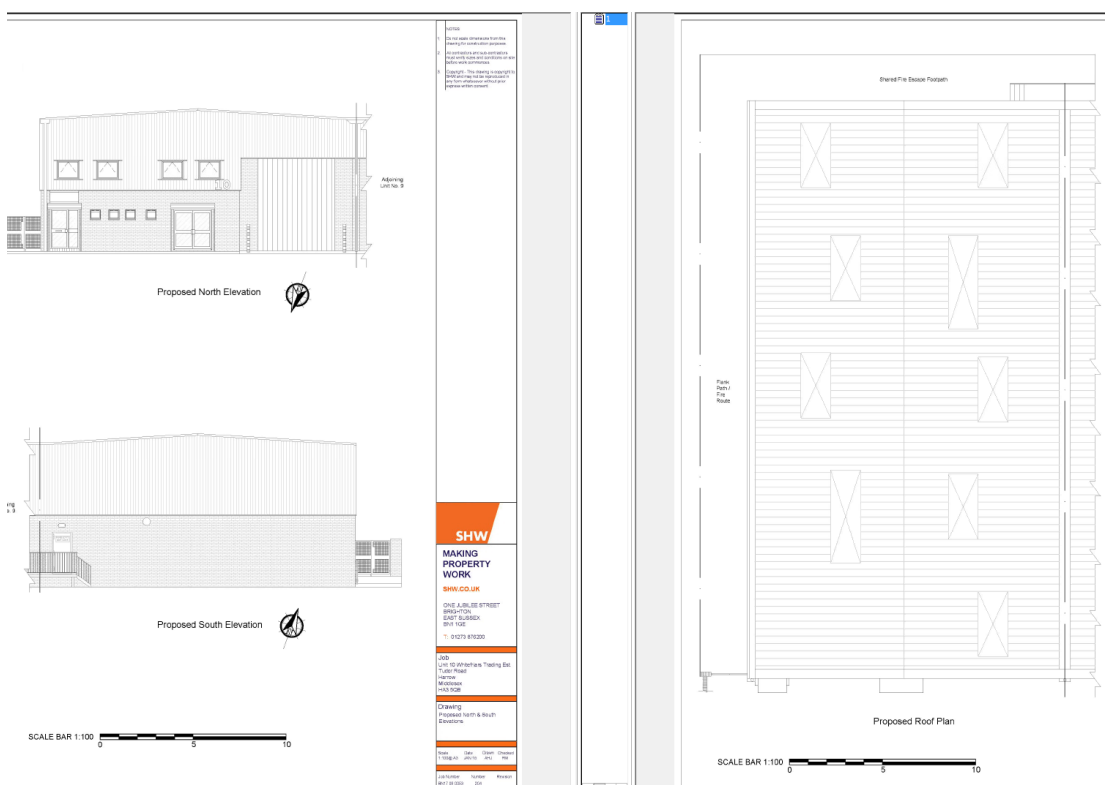
APPENDIX 4: PLANS AND ELEVATIONS



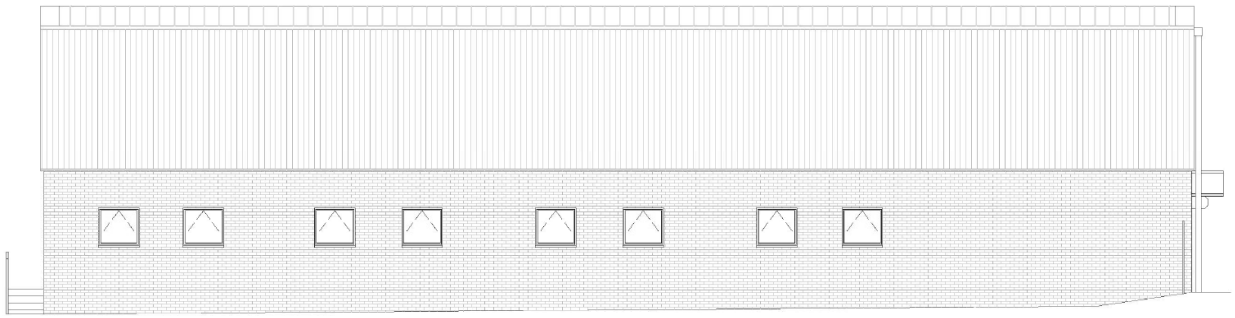
Existing ground floor to left and first floor to right



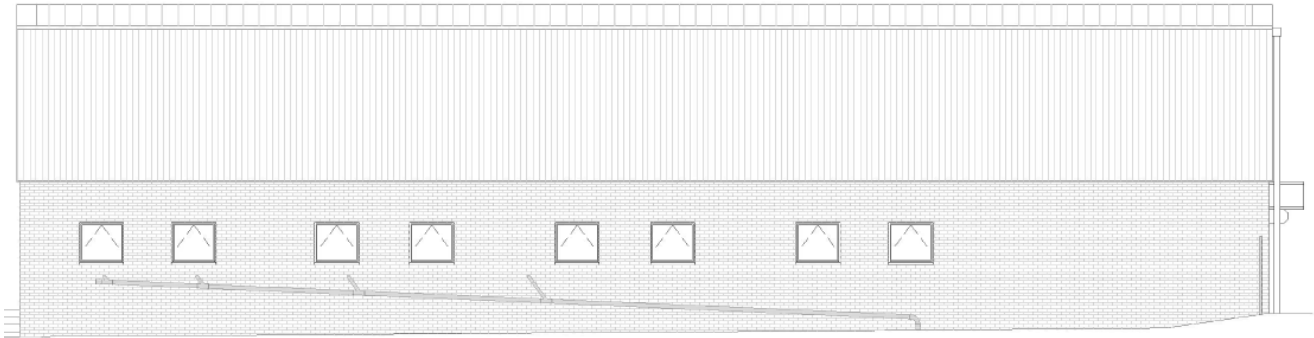
Proposed Ground Floor Left And First Floor Right



Proposed Front/ Rear Elevations and Roof Plan (Unchanged)



Existing East Elevation

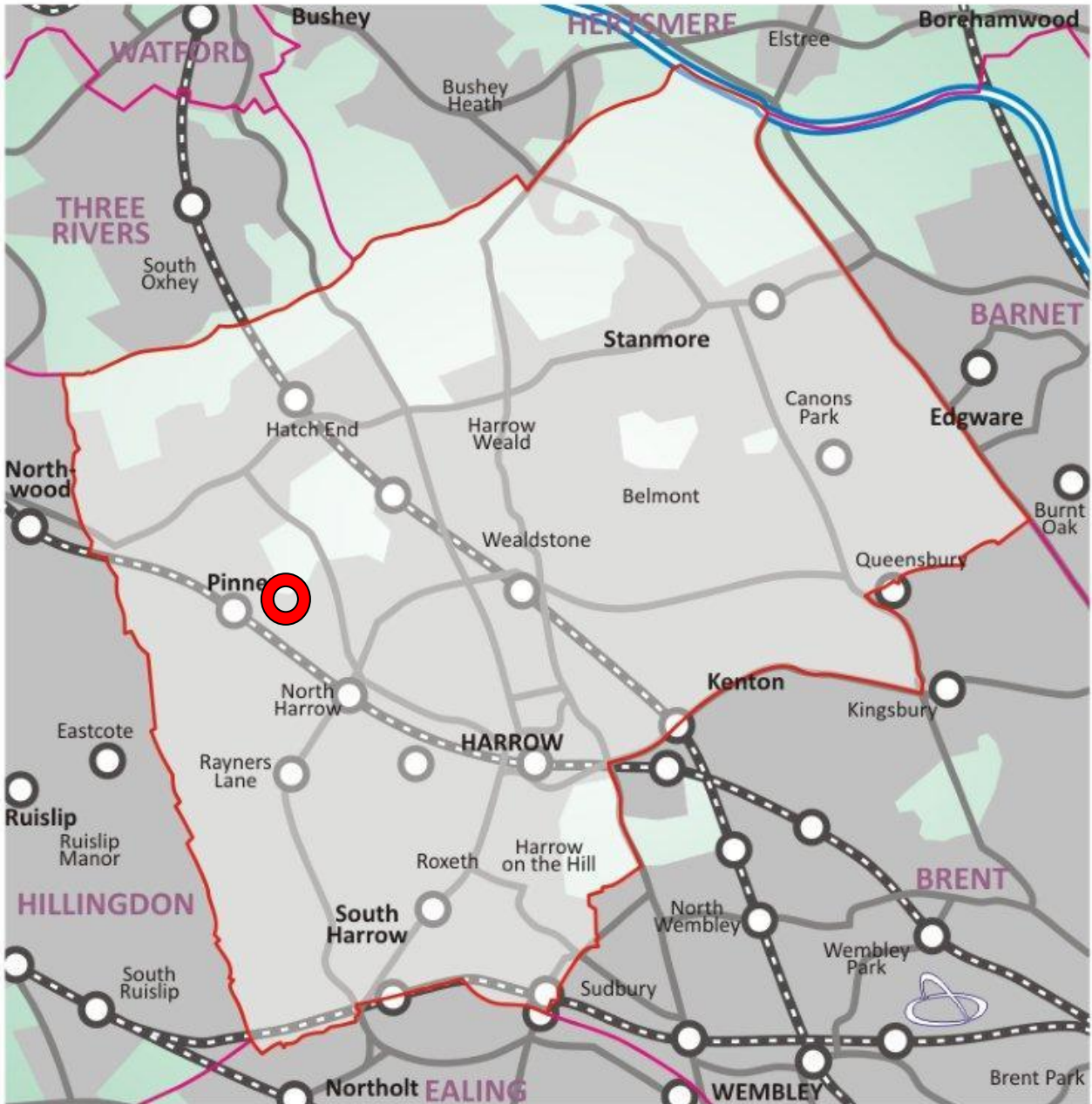


Proposed East Elevation

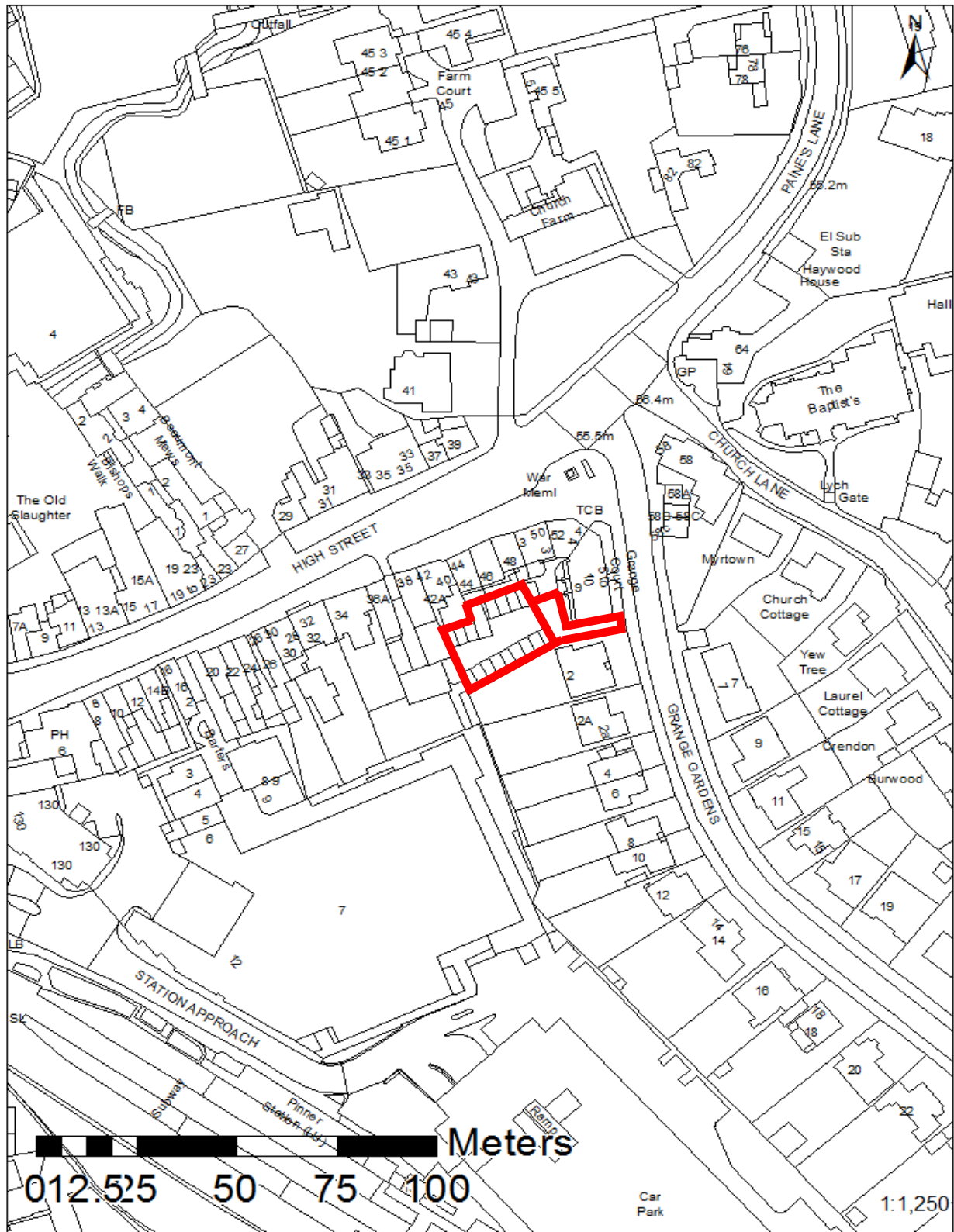
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Agenda Item : 2/11

 = application site



The Old Bakery, Grange Court, Grange Gardens, Pinner	P/0186/18
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The Old Bakery, Grange Court, Grange Gardens, Pinner **P/0186/18**

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/0186/18
VALIDATE DATE: 22/01/2018
LOCATION: THE OLD BAKERY, GRANGE COURT, GRANGE GARDENS, PINNER
WARD: PINNER
POSTCODE: HA5 5QB
APPLICANT: MR ARCHIE MESGIAN
AGENT: JOHN ORCHARD
CASE OFFICER: CATRIONA COOKE
EXPIRY: 07/03/2018

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Redevelopment to provide three detached dwellings; landscaping; parking; refuse and cycle storage

The Planning Committee is asked to:

RECOMMENDATION

- 1) agree the reasons for approval as set out in this report, and;
- 2) grant planning permission subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATION

The development would add to the housing provision and choice within the Borough and would have a satisfactory impact on the character and appearance of the property and the Conservation Area. The proposed internal layouts, specifications and management of the proposed development would provide an acceptable standard of accommodation in accordance with Policies 3.16 and 3.17 of The London Plan (2016), Policies DM1 and DM26 of the DMP (2013). Furthermore, the development would not unduly impact on the amenity of the neighbouring occupiers.

INFORMATION

This application is reported to Planning Committee as it falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	13 (Minor Dwellings)
Council Interest:	N/A
Additional Floorspace:	390 sqm
GLA Community Infrastructure Levy (CIL)	£13,650
Contribution (provisional):	
Local CIL requirement:	£42,900

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:
 Part 1: Planning Application Fact Sheet
 Part 2: Officer Assessment
 Appendix 1 – Conditions and Informatives
 Appendix 2 – Site Plan
 Appendix 3 – Site Photographs
 Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	The Old Bakery, Grange Court, Grange Gardens, Pinner, HA5 5QB
Applicant	Mr A Mesgian
Ward	PINNER
Local Plan allocation	N/A
Conservation Area	Pinner High Street
Listed Building	N/A
Setting of Listed Building	Setting of Grade II listed No.38 to the west and former barn to the rear.
Building of Local Interest	N/A
Tree Preservation Order	N/A
Other	N/A

Housing		
Density	Proposed Density hr/ha	225
	Proposed Density u/ph	75
	PTAL	3
	London Plan Density Range	200-450 hr/ha
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / 100%)	3
	3 bed (no. / %)	0
	4 bed (no. / %)	0
	5 bed (no. / %)	0
	Overall % of Affordable Housing	N/A
	Social Rent (no. / %)	N/A
	Intermediate (no. / %)	N/A
	Private (no. / %)	N/A
	Commuted Sum	N/A
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Yes	

Transportation		
Car parking	No. Existing Car Parking spaces	14
	No. Proposed Car Parking spaces	3
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	6
	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	3
	Closest Rail Station / Distance (m)	Pinner Station – 341 meters
	Bus Routes	H12; 183; H13; H11
Parking Controls	Controlled Parking Zone?	Yes
	CPZ Hours	11:00 – 12:00
	Previous CPZ Consultation (if not in a CPZ)	-
	Other on-street controls	-
Parking Stress	Area/streets of parking stress survey	-
	Dates/times of parking stress survey	-
	Summary of results of survey	-
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	As existing for Grange Court

PART 2 : Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site relates to fourteen Garages to the rear of Grange Court a three/four storey flat development to the rear of Pinner High Street, the garages are currently predominantly used for storage by a roofing company. The site can be divided into three units. Unit one comprises a single storey office for Aqua Roofing and a two storey dwellinghouse, Unit 2 comprises five garages and Unit 3 comprises nine garages.
- 1.2 The application site is in the vicinity of the Grade II listed buildings No. 38 High Street, and a converted barn to the rear and is within the Pinner High Street Conservation Area
- 1.3 The site is not in a Flood Zone. However it is within a critical drainage area.

2.0 PROPOSAL

- 2.1 It is proposed to demolish the first floor of Unit 1 and construct a first floor over the whole unit to provide a two bedroom four person dwellinghouse. Demolition of three of the garges in unit 2 and construction of a two storey two bedroom four person dwellinghouse and demolition of all nine garages in unit four and development of a single storey two bedroom four person dwellinghouse. All the dwellings will essentially occupy the same footprint as the existing units. Private amenity space is provided for each dwelling to the front of the units and.
- 2.2 The remaining two garages will be refurbished, one of which is not in the demise of the applicant. Parking for three cars would be provided one garage and two parking spaces.
- 2.2 Access to the site would be via Grange Gardens as is the current situation.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
P/3135/08	First floor over existing office building and two storey side extensions; front dormers x 2; external alterations to adjacent garages and continued use as commercial storage	Refused 27/03/2009 Allowed on Appeal 10/06/2009
P/3814/13	Conversion of offices (class b1a) to one self-contained flat (class c3) (prior approval of transport & highways impacts of the development and of contamination risks and flooding risks on the site)	Granted 23/01/2014

4.0 **CONSULTATION**

- 4.1 A Site Notice was erected on 06/02/2018, expiring on 27/02/2018.
- 4.2 Press Notice was advertised in the Harrow Times on the 25/01/2018 expiring on 22/02/2018.
- 4.3 The application was advertised as being within the setting of a Listed Building and within the character of a Conservation Area.
- 4.4 A total of 28 consultation letters were sent to neighbouring properties regarding this application. Letters were sent out on 22/01/2018.
- 4.5 The overall public consultation period expired on 12/02/2018.
- 4.6 **Adjoining Properties**

Number of letters Sent	28
Number of Responses Received	4
Number in Support	0
Number of Objections	4
Number of other Representations (neither objecting or supporting)	0

4.7 A summary of the responses received along with the Officer comments are set out below:

Details of Representation	Summary of Comments	Officer Comments
Ms Braden 9 Grange Court	Out of Character; town cramminig; loss of parking; loss of local amenity; loss of light too ground floor flats of Grange Court	See section 6.4 in report
Mr and Mrs Favian 5 Grange Court	Loss of Light; noise and nuisance from increased vehicles and footfall;	See sections 6.5 and 6.6 in report
Mr Freeman 8 Grange Court	Loss of light; increased traffic; disruption during building works	See sections 6.5 and 6.6 in report
Ms Kettles 114 Copse Wood Way (owner 48 & 48A High Street)	Disruption during construction; Garage 16 to be demolished is not in applicant demise; development is excessive for the size of the site.	See sections 6.5 and 6.6 in report

4.8 Statutory and Non Statutory Consultation

4.9 The following consultations have been undertaken:

4.10 External Consultation

4.11 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
Metropolitan Police Service – Design out Crime Officer	A condition should be added stating that the development would achieve Secure by Design accreditation	The application can achieve the physical security requirements of Secured by Design
Conservation Area Advisory Committee	The existing is backland development but the proposal does retain that character. There would be no real harm. The archaeology here could be very important as the	Noted

	site is very old.	
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4.12 Internal Consultation

Consultee	Summary of Comments	Officer Comments
LBH Highways	No objections, subject to a Construction Logistics Plan	A condition for Construction Logistics Plan and Cycle parking has been attached
LBH Design Officer Comments	No objection to the proposal.	Noted
LBH Drainage Team	Drainage details to be conditioned to account for Surface Water Attenuation and Storage, Surface Water Disposal and Foul Water Disposal. Hardstanding permeable paving	Conditions attached
LBH Landscape architect	No objections subject to conditions	Conditions attached
LBH Conservation Officer	On balance the proposal is appropriate but materials and details should be conditioned.	Noted within the report
LBH Waste Officer	No comments received	Condition for refuse storage added

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

5.2 In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

- 5.3 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.4 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.
- 5.5 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Regeneration
- Layout, Design, Character and Appearance of Area
- Housing Supply, Mix and Density
- Residential Amenity and Accessibility
- Drainage
- Traffic and Parking
- Sustainability

6.2 Principle of Development

6.2.1 Paragraph 12 of the NPPF states that:

‘This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.’

6.2.2 Unlike the Harrow Unitary Development Plan, there is no policy within the Development Management Policies Local Plan 2013 which favours proposals for the retention, extension, alteration and/or adaptation of residential dwellings, in preference to redevelopment. However, policy DM12 states that ‘proposals that fail to take reasonable steps to secure a sustainable design and layout of development will be resisted’.

Provision of new Residential Accommodation

6.2.3 Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of residential dwellings here.

- 6.2.4 The application site is not an identified site within the Sites Allocation Local Plan (2013), but is a previously-developed site. This site can be considered to be a windfall site for the provision of new housing insofar as it is not an identified site, but the provision of housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (2016) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough.
- 6.2.5 Policy DM 24 of the Harrow Development Management Policies Local Plan (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land.
- 6.2.6 The proposed residential use would be consistent with surrounding land uses. The use of the land for residential uses could therefore be supported in principle and would make a contribution to the housing stock in the borough. For these reasons it is considered that the principle of the use of this site for the provision of housing is acceptable, subject to consideration of further policy requirements as detailed below.

6.3 Regeneration

- 6.3.1 Given the location of the site with its Public Transport Accessibility Level (PTAL) of 3 and the scale and intensity of surrounding development, the site is currently considered to be underutilised. The London Borough of Harrow published a Regeneration Strategy for 2015 – 2026. The objective of this document is to deliver three core objectives over the plan's life, which include;
- Place; Providing the homes, schools and infrastructure needed to meet the demands of our growing population and business base, with high quality town and district centres that attract business investment and foster community engagement;
 - Communities; Creating new jobs, breaking down barriers to employment, tackling overcrowding and fuel poverty in our homes and working alongside other services to address health and welfare issues;
 - Business; Reinforcing our commercial centres, promoting Harrow as an investment location, addressing skills shortages, and supporting new business start-ups, developing local supply chains through procurement.
- 6.3.2 The proposed scheme would help to generate new jobs during construction and the new occupiers would help the existing businesses to thrive, it would achieve the overall aspiration of regeneration of the Borough by helping to meet the demands of a growing population. Furthermore, the proposed development would aid in the regeneration of the Borough as it would result in new residential accommodation within the neighbourhood, and would help to promote housing choice, meet local needs, and to maintain mixed and sustainable communities.

6.4 Layout, Design, Character and Appearance of area

- 6.4.1 National Planning Policy Framework (2012) advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.
- 6.4.2 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.
- 6.4.3 Core Policy CS(B) states that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’
- 6.4.4 Policy DM 1 A of the Local Development Management Policies Local Plan (2013) states that: “All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted”. It goes on to say that:
“The assessment of the design and layout of proposals will have regard to:
- a: the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;
 - b: the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;
 - c: the context provided by neighbouring buildings and the local character and pattern of development;
 - d: the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
 - e: the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;”
- 6.4.5 Paragraph 4.6 of the Council’s adopted SPD (2010) states that ‘The design and layout of new development should be informed by the pattern of development of the area in which it is situated. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are likely to be important components when redeveloping sites within existing residential areas’. In addition, paragraph 4.16 makes clear that development proposals should recognise the scale, massing and roof form of the surrounding buildings.

- 6.4.6 The existing site comprises three units, unit one contains a single storey office and a two storey dwellinghouse two bedroom dwellinghouse (converted in 2014 under prior approval). Unit two contains five garages three of which are to be demolished. Unit three comprises nine garages which are to be demolished.
- 6.4.7 The Conservation Area Management Strategy notes that the garages have social merit. They are also in keeping with the character of backland development in this area. There would be some harm therefore in seeing their removal. However, the submitted Design and Access Statement confirms that the majority of the garages are used for the storage of materials and equipment for a roofing company and that none of the retail units of Grange Court are serviced from the mews courtyard or the existing garage blocks. This is considered to be clear and convincing justification for the loss of the garages and the loss of their commercial/service use to residential and the loss of the backland character of development
- 6.4.8 Unit 1: It is proposed to demolish the roof of the existing office and the first floor of the existing residential unit and construct a first floor over the whole unit to create a two bedroom four person dwellinghouse with a 1.4m deep cycle store to the front. Unit two: It is proposed to demolish three of the existing garages and construction of a two storey dwellinghouse on the existing footprint with a 2.8m deep single storey front projection and cycle storage to the front. It is considered that this element of the proposal would be proportionate to the site and the surrounding and would preserve the character of the conservation Area. Unit three: would be single storey and would occupy the same footprint as the existing garages. Overall it is considered that the proposed new houses would not present an over intensive development of the site. The bulk and scale would be subservient to Grange Court.
- 6.4.9 In relation to the design and layout of new residential development, paragraph 4.13 of the Council's adopted SPD (2010) states that 'Building forecourts make a particularly important contribution to streetside greenness and leafy, suburban character in Harrow's residential areas. The proposed buildings would occupy largely the same footprint as the existing garages and would retain the existing access from Grange Gardens with a landscaping area to the front of the proposed dwellings. A condition has been attached seeking further detail of the proposed hard and soft landscaping. All the units would face onto the communal landscaped frontage which would offer a level of natural surveillance of the site which go some way to designing out crime and seeking Secure By Design (SBD) accreditation. A condition has been attached to ensure that this new development seeks to achieve this.
- 6.4.10 Policy DM23 of the Development Management Policies Local Plan states that 'all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting'. In terms of character and appearance, this policy requires refuse storage bins to 'be located and screened to avoid nuisance to occupiers and adverse visual impact'. Communal refuse bins are identified to the front of the site within an enclosure. A condition has been added for the siting of refuse storage areas within the forecourt.

6.4.11 It is considered that the proposed siting of the dwellings to the rear of the Grade II Listed Buildings and within the Pinner High Street Conservation Area would preserve the setting of both the Listed building and the Conservation Area. The scale and design of the dwellings would be clearly subordinate to the historic surrounding buildings. The proposal is considered appropriate subject to high quality materials and details.

6.5 Residential Amenity

6.5.1 Policy 7.6B, subsection D, of The London Plan states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

6.5.2 Following on from this, Policy DM1 of the DMP states that “*All development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted (c)*”. “*The assessment of privacy and amenity considerations will have regard to:*

- a. the prevailing character of privacy and amenity in the area and the need to make effective use of land;*
- b. the overlooking relationship between windows and outdoor spaces;*
- c. the distances between facing windows to habitable rooms and kitchens;*
- d. the relationship between buildings and site boundaries (applying the Council's 45 degree code where relevant);*
- e. the visual impact of development when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant);*
- f. the adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces (applying the Council's 45 degree code where relevant);*
- g. the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers;*
- h. the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution; and*
- i. the need to provide a satisfactory quantum and form of amenity space for future occupiers of residential development.*

Impact on neighbouring dwellings

6.5.3 Units 1 and 2 would be set to the rear of Grange Court. It is noted that objections have been received regarding loss of light to the lower floor flats. However given that rooms to the rear of these properties are entrance hallways and kitchens with the main living accommodation sited to the front of the units, there would be no unacceptable impacts with regard to loss of light to these flats. Unit 3 would be to the same height as the existing garages and therefore it is considered that there would be no additional impact on the occupiers of No. 2 Grange Gardens.

6.5.4 There would be an additional obscure glazed first floor rear elevation of unit 1 which would serve a w/c it is considered that this window would not result in an

unacceptable level of overlooking of the flats to the rear. Unit 2 has rooflights in the rear roofslope which may cause some degree of overlooking of the balconies to the rear, a condition is recommended to ensure that these rooflights are obscure glazed, there are two windows proposed in the flank wall of unit 2 which would offer views of the Grange Court, given that this development would be set approximately 9m from Grange Court there would not be an unacceptable impact with regard to overlooking. There are no windows proposed in the rear or flank elevation of Unit 3 therefore there would be no undue impact on the residential amenities of the occupiers of No. 2 Grange Gardens.

- 6.5.5 It is considered that the levels of traffic generated from the new dwellings would not give rise to a noticeable increase in traffic levels over and above the existing situation.

Impact on the Amenity of the Intended Occupiers of the Houses

- 6.5.6 Policy 3.5 of the London Plan (2016) sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local places and create homes that reflect the minimum space standards and are fit for purposes in other respects. The Mayor’s Housing SPG sets out detailed guidance on a range of matters relating to residential quality, incorporating the Secured by Design principles, and these form the basis for the assessment below. Core Strategy Policy CS1K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 Achieving a High Standard of Development and DM27 Amenity Space set out a number of privacy and amenity criteria for the assessment of proposals for residential development.
- 6.5.7 The London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow’s spatial strategy for managing growth locally over the plan period to 2026. These are set out in the Principle of Development section of this report (above). The proposal’s 2 (net) homes contribution to housing supply ensures that this underutilised site makes an appropriate contribution to the Borough’s housing need over the plan period to 2026 and to fulfilling the Core Strategy’s target.
- 6.5.8 The following is a breakdown of the internal space of each unit.

Unit	Proposed Size	Proposed GIA	Proposed Storage	Minimum GIA	Minimum Storage
1	2B/ 4P (2 storey)	130.7 sqm	0	79 sqm	2sqm
2	2B/ 4P (2 storey)	94.9 sqm	2sqm	79sqm	2sqm
3	2B/ 3P (single storey)	89.4 sqm	0	61sqm	2sqm

- 6.5.9 It is considered that the adequate Gross Internal Area and the adequate room size and layout of the proposed flats would result in an acceptable form of accommodation, compliant with The London Plan (2016), the adopted Technical Housing Standards (2015) and the Council’s adopted SPD (2010). As such, this

planning application is considered acceptable in this regard. The proposed two bedroom units would provide an increased stock of housing within the borough and would therefore comply with policies and guidance listed above. Units one and three would not provide sufficient storage space, a condition is recommended to ensure that revised floorplans are submitted and approved. All units would achieve a minimum floor to ceiling height of 2.3m over the entire property.

- 6.5.10 Policy DM27 Amenity Space of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy. The landscaped area to the front of the dwellinghouses is intended to be used by the occupiers of the new dwellings which is considered appropriate.
- 6.5.11 Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion. Supplementary Planning Document Accessible Homes 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'. While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require homes to meet Building regulation M4(2) - 'accessible and adaptable dwellings'. A Condition would be attached to ensure that the proposed development meets regulation M4(2) of the Building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

6.6 Traffic and Parking

- 6.6.1 The London Plan (2016) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS 1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.
- 6.6.2 Table 6.2 of the London Plan (2016) states that dwellings in this location should have no more than one space per unit. The proposal would result in the loss of twelve garages which are primarily used as storage for Aqua Roofing which currently occupies the office in unit 1 but would relocate should permission be granted. The proposal would provide two parking spaces and one garage space which would result in a ratio of 1 space per dwelling which is considered acceptable.
- 6.6.3 The Council's Highway officers were consulted on the proposal and raise no objection to the proposal, subject to a Construction Logistics Plan to ensure construction activities such as deliveries do not cause a detrimental impact upon the highway network. A condition has been placed requesting that development shall not take place until full details are received. This condition is considered a necessity in order to mitigate the impacts of the construction phase on neighbouring amenity.

6.6.4 Policy 6.9 and table 6.3 of The London Plan require the provision of two secure cycle spaces per two bedrooms dwelling. A total of 6 cycle parking spaces have been proposed in a cycle store for each dwellinghouse which would meet the London Plan requirements in the aforementioned policy.

6.7 Development and Flood Risk

6.7.1 The site lies in a critical drainage area. However the proposal would not result in a significant increase in the development footprint. The proposal is considered satisfactory and in accordance with the objectives of policy DM 10 of the DMP and the guidance contained in the NPPF in this regard. The Drainage Authority have raised no objection to the proposal subject to conditions which have been recommended.

6.8 Sustainability

6.8.1 Policy 5.2 of The London Plan (2016) seeks to minimise the emission of carbon dioxide by being lean, clean and green, and requires all new residential development to achieve zero carbon.

6.8.2 Policy DM 12 outlines *that “The design and layout of development proposals should:*

- a. utilise natural systems such as passive solar design and, wherever possible, incorporate high performing energy retention materials, to supplement the benefits of traditional measures such as insulation and double glazing;*
- b. make provision for natural ventilation and shading to prevent internal overheating;*
- c. incorporate techniques that enhance biodiversity, such as green roofs and green walls (such techniques will benefit other sustainability objectives including surface water attenuation and the avoidance of internal and urban over-heating); and*
- d. where relevant, the design and layout of buildings should incorporate measures to mitigate any significant noise or air pollution arising from the future use of the development.”*

6.8.3 A sustainability statement has been submitted within the planning statement which demonstrates environmental benefits of the new dwellings proposed.

6.9 Archeological Priority Area

6.9.1 The site is located inside an archaeological priority area (Medieval Pinner). Historic England have been notified and raise no objections subject to a condition to ensure that a written scheme of investigation is submitted to and agreed in writing prior to the development which is recommended.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed redevelopment of the site would provide a high quality development which would provide three new residential units (a net increase of two). The proposed internal layouts and specifications offered by the proposed development would provide an acceptable standard of accommodation.
- 7.2 The proposal would enhance the urban environment in terms of material presence, attractive streetscape and makes a positive contribution to the local area, in terms of quality and character.
- 7.3 The layout and orientation of the buildings and separation distances to neighbouring properties are considered to be satisfactory to protect the amenities of the neighbouring occupiers.
- 7.4 The recommendation to approve planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan (2016), the Draft London Plan (2017), the Harrow Core Strategy (2012) and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 544 7; 544 8; 544 9; 544 10; 544 11; 544 12; 544 13; 544 14; 544 15; 544 16; 23715A-1; 23715A-2-1; 23715A-2-2; 23715A-2-3; 23715A-3; Transport Statement; Design and Access Statement; Heritage Statement

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Materials

Notwithstanding the submitted details and approved plans, the development hereby permitted shall not commence beyond damp proof course level, until samples of the materials to be used in the construction of the external surfaces noted below have been provided on site, and approved in writing by, the local planning authority:

- the building;
- the ground surfacing;
- the boundary treatment.

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

REASON: To safeguard the appearance of the locality. To ensure that the materials are agreed in time to be incorporated into the development.

4 Permitted Development Restrictions

The development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Classes A, B, D, E, F and L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in

accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2012.

5 Surface Water Drainage and Attenuation

No development shall take place, other than works of demolition, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited.

6 Foul Water Drainage

No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, and to ensure that the development would be resistant and resilient to foul water flooding.

7 Levels

The development hereby approved shall not 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. The development shall be carried out in accordance with the approved details.

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 in accordance with policy DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

8 Car Parking Spaces

The car parking spaces hereby approved as shown on drawing number 544 10 shall be retained in perpetuity for use as purpose built car parking spaces unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development achieves provisions for car parking in accordance with Policy DM42 of the Development Management Policies Local Plan (2013).

9 Construction Logistics Plan

No development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall provide details of:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction; and
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

The report shall assess the impacts during the construction phases of the development on nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Further guidance on the production of a CLP is available via the TfL website - <http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf>

Reason: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site. To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

10 Hard and Soft Landscaping

The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of soft and hard landscaping works for the front garden and rear gardens. Soft landscape works shall include: planting plans, including details for soft landscaping of the property frontage with provision for refuse storage, and schedules of plants, noting species, plant sizes and proposed numbers.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policies DM1 and DM24 of the Harrow Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

11 Planting

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 in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policies DM1, DM23 and DM24 of the Harrow Development Management Policies Local Plan (2013).

12 Permeable Hard surfacing

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 Secure by Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to an approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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.

14 Site Hoardings

Site works in connection with the development hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or other security 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, in accordance with policies DM1 and DM45 of the Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development.

15 Archaeology

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to an approved by the local planning authority in writing. For land that is included with the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objections, and

- A: The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B: The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material, this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

REASON: To protect the archaeological priority area in accordance with Policy DM7 of the Harrow Development Management Local Plan (2013).

16 Flues & Pipework

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby approved.

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

17 Window and Door Reveals

Notwithstanding the details shown on the approved drawings, the construction of the buildings hereby approved shall not commence beyond damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations. In the event that the depth of the reveals is not shown to be sufficient, a modification showing deeper reveals shall be submitted for approval in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure a high quality finish to the external elevations of the building.

18 Storage Space

The residential premises hereby approved shall each be provided with a storage space in accordance with the Mayor of London's Housing SPG (2016) unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of residential quality for future occupiers of the development.

19 Rooflights

Notwithstanding the details on the approved plans, the development hereby permitted shall not commence beyond damp proof course until revised plans are submitted in writing for approval to the local planning authority, indicating that the rooflights in the rear roofslope of Unit 3 are obscure glazed. The development shall be completed in accordance with the approved details and thereafter retained in that form.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Informatives

Policies

National Planning Policy Framework (2012) (NPPF)

The London Plan (2016)

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.21 Trees and Woodlands

Draft London Plan (2017)

- H1 Increasing Housing supply
- H12 Housing Size Mix
- D1 London's form and characteristics
- D2 Delivering good design
- D10 Safety, security and resilience to emergency
- HC1 Heritage conservation and growth
- SI12 Minimising greenhouse gas emissions
- SI13 Sustainable Drainage
- T5 Cycling
- T6.1 Residential Parking

Harrow Core Strategy (2012)

- Core Policy CS 1 Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM7 Managing Heritage Assets
- Policy DM 9 Managing Flood Risk
- Policy DM10 On Site Water Management and Surface Water Attenuation
- Policy DM 12 Sustainable Design and Layout
- Policy DM 22 Trees and Landscaping
- Policy DM 23 Streetside Greenness and Forecourt Greenery
- Policy DM 24 Housing Mix
- Policy DM 27 Amenity Space

Policy DM 42 Parking Standards
Policy DM 44 Servicing
Policy DM 45 Waste Management

Relevant Supplementary Documents

Supplementary Planning Document Garden Land Development (2013).
Supplementary Planning Document Residential Design Guide (2010)
Supplementary Planning Document Accessible Homes (2010)
Mayor Of London, Housing Supplementary Planning Guidance (November 2016)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

2 Compliance with planning conditions

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 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

4 INFORM 61

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £10,700 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £10,700 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 308 sqm

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/ci>
!

5 INFORM 62

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)
Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

The Harrow CIL Liability for this development is: £33,880

6 Party Wall Act

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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

7 Protection of Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

8 Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:
0800-1800 hours Monday - Friday (not including Bank Holidays)
0800-1300 hours Saturday.

9 Sustainable Urban Drainage System (SUDS)

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

10 Street Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

APPENDIX 2 – SITE PLAN



1: 100 1:1250	Project name and title of any enclosure
2: 100 1:1250	Location plan scale
3: 100 1:1250	Revision to drawings

SHELDON ASSOCIATES
 20 PRINCE STREET
 100 THE HILL
 MIDDLESEX
 TEL: 020 8423 4846
 FAX: 020 8423 4847
 WWW: www.sheldon.co.uk
 MR A. NESSAN

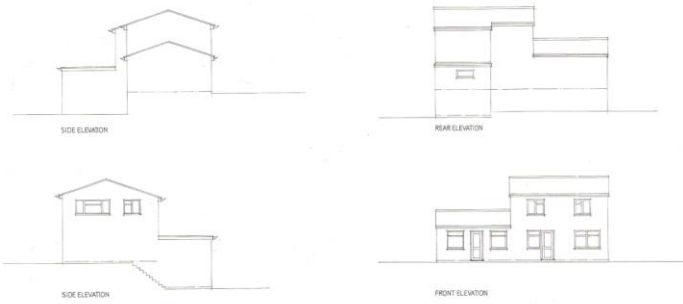
THE OLD BAKERY GRANDE GARDENS PINNOR MIDDLESEX	PROPOSED SITE PLAN
1: 100 1:1250	
Aug. 2017	544 10 c
17/08/2017	

APPENDIX 3 – SITE PHOTOGRAPHS





APPENDIX 4: PLANS AND ELEVATIONS



SIDE ELEVATION

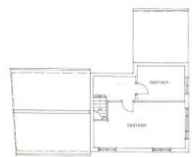
REAR ELEVATION

SIDE ELEVATION

FRONT ELEVATION



GROUND FLOOR PLAN



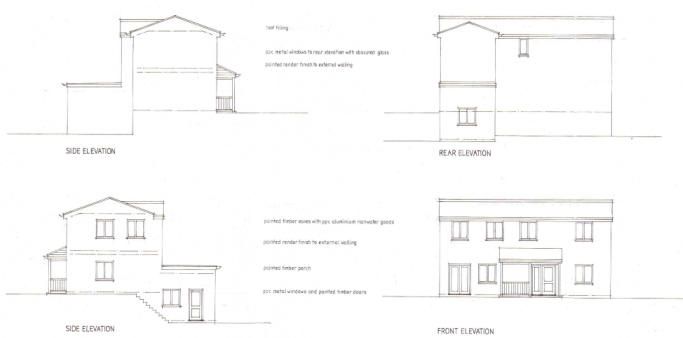
FIRST FLOOR PLAN



ROOF PLAN



ORCHARD ASSOCIATES PLANNING HARROGATE ON THE HILL PROCESSED BY 020 8423 4866			
MR A. HESLIAN			
THE OLD BAKERY GRANGE GARDENS PINNER HIDE/LEIX			
100	544	7	EXISTING UNIT 1
Aug 2017			
454/07/00000			

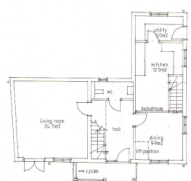


SIDE ELEVATION

REAR ELEVATION

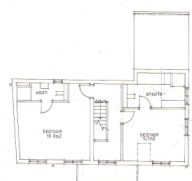
SIDE ELEVATION

FRONT ELEVATION

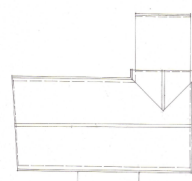


GROUND FLOOR PLAN

UNIT GROSS INTERNAL AREA 130.74sq



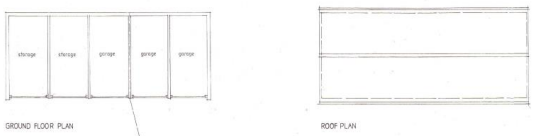
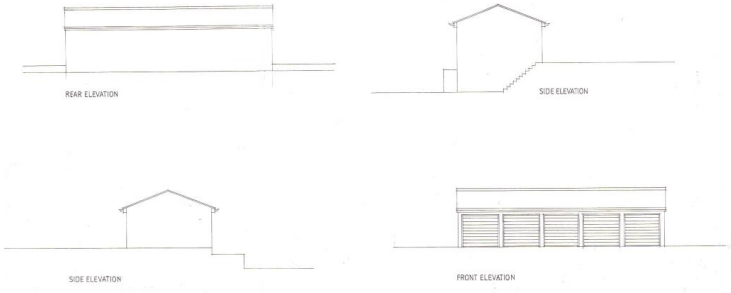
FIRST FLOOR PLAN



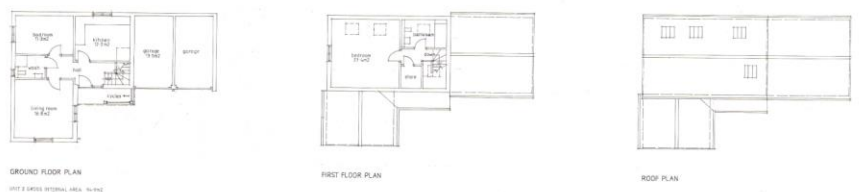
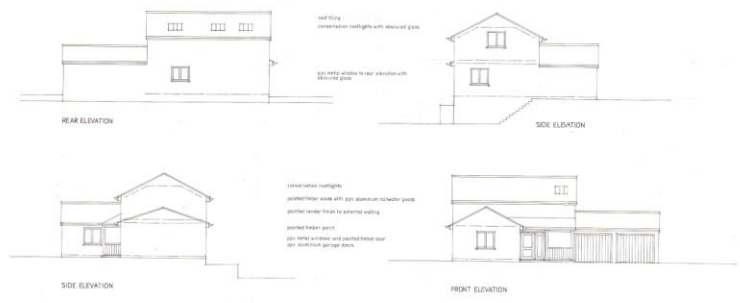
ROOF PLAN



A 14 2017 Revised for planning			
ORCHARD ASSOCIATES PLANNING HARROGATE ON THE HILL PROCESSED BY 020 8423 4866			
MR A. HESLIAN			
THE OLD BAKERY GRANGE GARDENS PINNER HIDE/LEIX			
100	544	11	PROPOSED UNIT 1
Aug 2017			
454/07/00000			



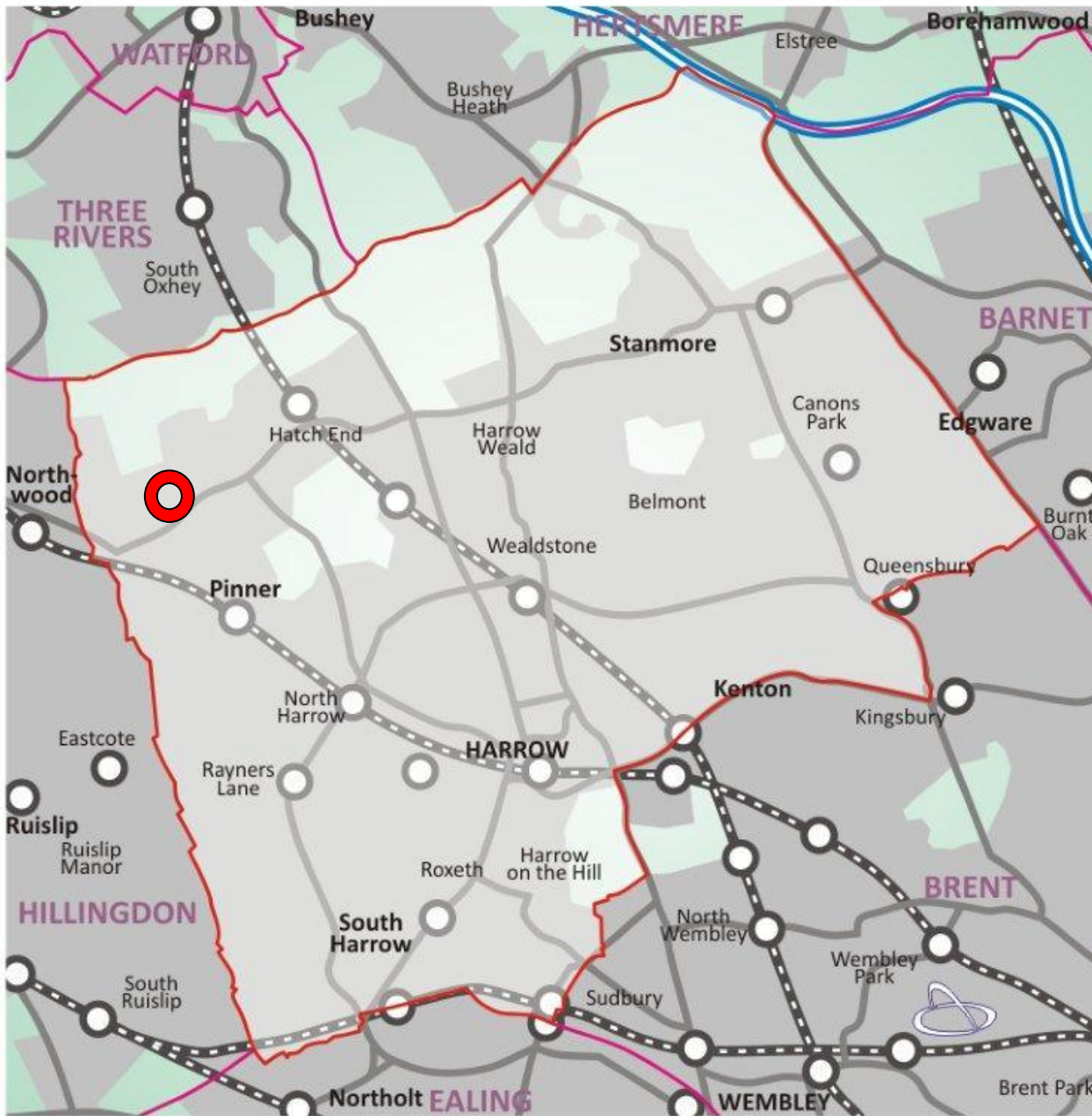
RICHARD ASSOCIATES 27 FIVE THREE GARDEN ON THE HILL MIDDLESEX 020 8273 4866			
DATE MR A. HESLAIN			
THE OLD BAKERY GRANGE GARDENS PINNER MIDDLESEX EXISTING UNIT 2			
SCALE 1:50			
NO. OF SHEETS 544	NO. OF SHEETS 8		



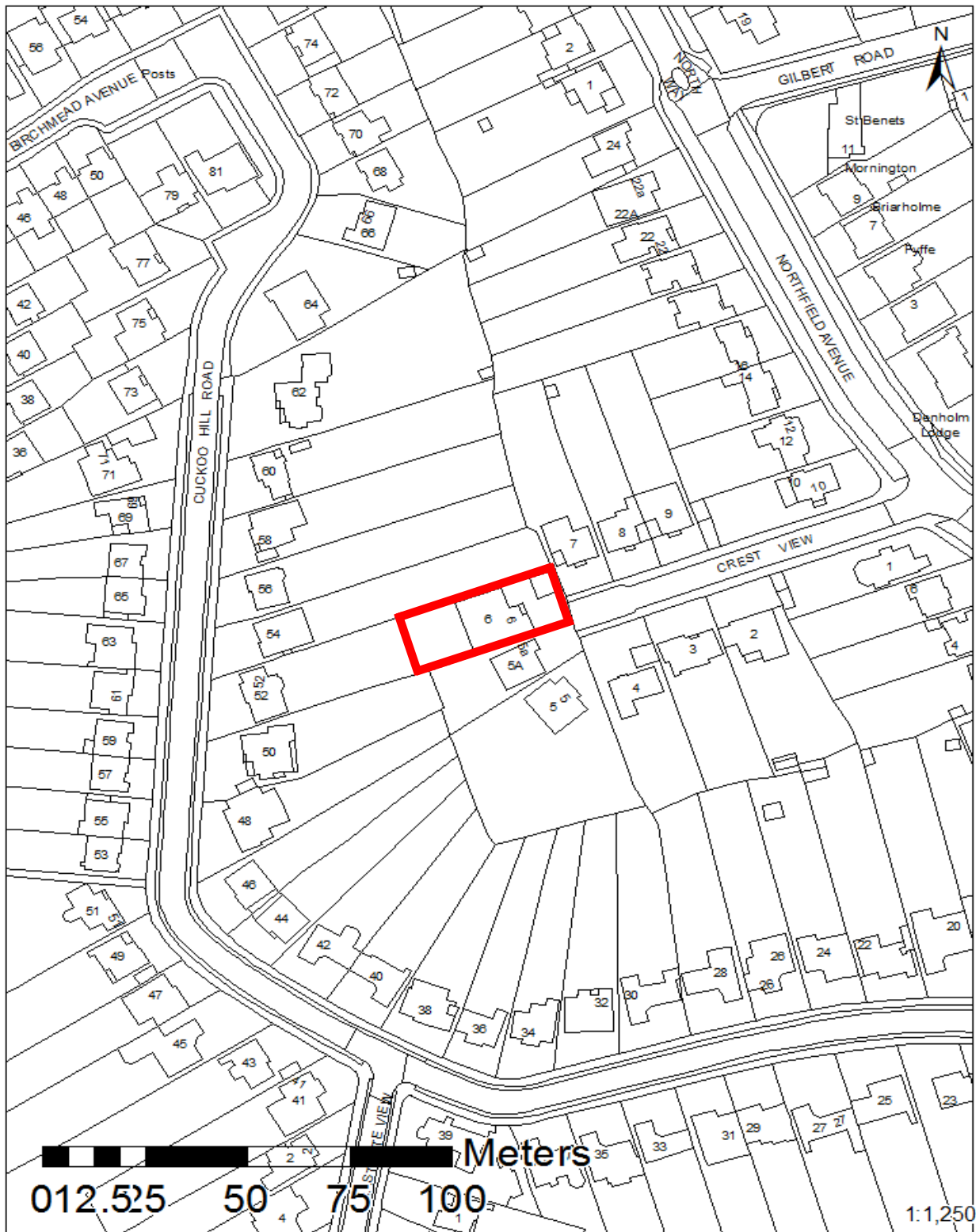
RICHARD ASSOCIATES 27 FIVE THREE GARDEN ON THE HILL MIDDLESEX 020 8273 4866			
DATE MR A. HESLAIN			
THE OLD BAKERY GRANGE GARDENS PINNER MIDDLESEX PROPOSED UNIT 2			
SCALE 1:50			
NO. OF SHEETS 544	NO. OF SHEETS 12		

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 = application site



6 Crest View, Pinner	P/1498/18
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6 Crest View, Pinner	P/1498/18
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

APPLICATION NUMBER: P/1498/18
VALIDATE DATE: 12/04/2018
LOCATION: 6 CREST VIEW
WARD: PINNER
POSTCODE: HA5 1AN
APPLICANT: MS JEAN LAMMIMAN
AGENT: N/A
CASE OFFICER: KATIE PARKINS
EXPIRY DATE: 4TH JUNE 2018

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal:

Single storey front conservatory extension; external alterations.

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) **GRANT** planning permission subject to the Conditions listed in Appendix 1 of this report.

REASON FOR THE RECOMMENDATION

The proposed development would accord with relevant policy and the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers.

For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation, this application is recommended for grant.

INFORMATION

This application is reported to Planning Committee as the application involves development on land in which a member has an interest and therefore falls outside Part 1 (C.iii) of the Scheme of Delegation.

Statutory Return Type: E21: Householder Development
Council Interest: None

GLA Community	Not applicable
Infrastructure Levy (CIL)	Not applicable
Contribution (provisional):	Not applicable
Local CIL requirement:	Not applicable

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 **BACKGROUND PAPERS USED IN PREPARING THIS REPORT:**

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:
Part 1: Planning Application Fact Sheet
Part 2: Officer Assessment
Appendix 1 – Informatives
Appendix 2 – Site Plan
Appendix 3 – Site Photographs
Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	6 Crest View, Pinner, HA5 1AN
Applicant	Ms Jean Lammiman
Ward	Pinner
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	Critical Drainage Area.

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application property is a bungalow located at the western end of Crest View in Pinner.
- 1.2 The dwellinghouse has existing rear extensions and a detached garage located to the front of the property.
- 1.3 The north flank wall of No.5A Crest View is angled away from the boundary with No.6 Crest View with a separation distance of approximately 2m.
- 1.4 The front building line of the neighbouring property No. 7 Crest View is perpendicular to the front building line of the host dwelling.
- 1.5 The southern boundary of the site is shared with No.54 Cuckoo Hill Drive, with its garden space located towards the south of the site. No.52 Cuckoo Hill Drive is located towards the rear of the site.
- 1.6 There is a thick vegetation cover along the boundaries of the site.

2.0 PROPOSAL

- 2.1 It is proposed to build a single storey conservatory extension to the front elevation of the dwellinghouse.
- 2.2 The proposed conservatory would be 3.56m wide and 3.64m deep. It would have a pitched roof with an eaves and ridge height of 2.34m and 3.15m, respectively.
- 2.3 In addition, the proposed development includes to infill the existing front porch.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
HAR/9100	ERECTION OFHOUSE	GRANTED (10/05/1954)
HAR/9100/A	ERECTION OF BUNGALOW AND GARAGE	GRANTED (25/03/1955)

HAR/9100/B	ERECTION OF BUNGALOW AND GARAGE	GRANTED (10/02/1956)
LBH/291	ERECTION OF DETACHED BUNGALOW/GARAGE	WITHDRAWN
LBH/291/1	ERECTION OF DETACHED BUNGALOW GARAGE	GRANTED (09/02/1966)
LBH/291/2	EXTENSION TO LOUNGE	GRANTED (18/05/1970)
LBH/16730	ERECTION OF SINGLE STOREY EXTENSION TO REAR OF BUNGALOW	GRANTED (11/04/1980)
P/0471/12	DETACHED OUTBUILDING IN REAR GARDEN	WITHDRAWN
P/0945/12	DETACHED OUTBUILDING IN REAR GARDEN	GRANTED (16/06/2012)
P/2583/17	FIRST FLOOR REAR EXTENSION WITH JULIETTE BALCONY TO CREATE PART TWO STOREY DWELLING; FOUR ROOFLIGHTS IN FRONT AND TWO ROOFLIGHTS IN REAR ROOFSLOPES; ENCLOSURE OF FRONT PORCH	GRANTED (08/09/2017)

P/3774/17	SINGLE STOREY FRONT CONSERVATORY EXTENSION; EXTERNAL ALTERATIONS	<p>REFUSED (26/10/2017)</p> <p><i>Reason for refusal: The proposal due to its siting and its inappropriate design would result in a prominent and incongruous addition to the property which would not harmonise with the original dwellinghouse, resulting in a detrimental impact to its character and appearance, contrary to the high design aspirations of the National Planning Policy Framework (2012), policies 7.4.B and 7.6.B of The London Plan (2016), policy CS1.B of The Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).</i></p>
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4.0 **CONSULTATION**

- 4.1 A total of 5 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 03/05/2018.

4.3 **Adjoining Properties**

Number of letters Sent	5
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Number of Responses Received	1
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	1

4.4 1 objection was received from an adjoining resident.

4.5 A summary of the response received along with the Officer comments are set out below:

Details of Representation	Summary of Comments	Officer Comments
Mrs A Harkness 5A Crest View	<ul style="list-style-type: none"> Overdevelopment of the site. Enormous extension already granted (P/2583/17). Have recently built a shed which is causing a disturbance due to noise. Finished building would not be practical or attractive looking from the street. The residents do not use the garage and due to parking restrictions in Crest View, the disruption and inconvenience caused to other residents will be intolerable. 	<p>Noted. Impact to character and appearance is discussed in Section 6.2 Character and Appearance of the Area, below.</p> <p>Please note that due to the siting of the proposed conservatory extension it would not affect the ex</p>

4.6 Statutory and Non Statutory Consultation

4.7 No statutory and non-statutory consultations were required for this scheme.

4.8 External Consultation

4.9 No external consultation was required for this scheme.

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

5.2 In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.3 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.4 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.

5.5 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

- Character and Appearance of the Area
- Residential Amenity - Neighbouring Occupiers
- Development and Flood Risk

6.2 Character and Appearance of the Area

6.2.1 Paragraph 6.35 of the adopted SPD states *"Front extensions have the greatest potential impact on the character and visual amenity of the street scene"*. It also states small front porches may be permitted provided that they: *reflect and complement the scale, design, quality and pattern of development in the surrounding street scene and relate to and complement the existing architectural design and materials of the existing building"*.

- 6.2.2 The proposal is for the erection of a pitched roof conservatory to the front elevation of the existing dwellinghouse. The existing bungalow has a cross-gable roof, with a gable frontage. The roof of the proposed conservatory would have a gable front and adjoin the roofslope of the main dwellinghouse at the rear. The rear of the extension would no longer have a section of flat roof adjoining the existing building, and would no longer have an awkward relationship with the original house. It is therefore considered that the amendment to the proposed roof design partially addresses the previous reason for refusal of P/3774/17.
- 6.2.3 The pitched roof is off centre with the window opening and it is therefore considered that the fenestration is poor and the proposed extension would have. Whilst it is acknowledged that the proposal is not of an excellent design, the existing detached garage would partially cover the proposed development to some extent and is therefore considered that the proposed development would, on balance, not have a detrimental impact to the character and appearance of the original property and the surrounding area, due to these site circumstances.
- 6.2.4 In summary, the proposal would not have a detrimental impact to the character and appearance of the original property and the surrounding area and therefore complies with policies 7.4B and 7.6.B of the London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies (2013) and the adopted SPD: Residential Design Guide (2010).
- 6.3 Residential Amenity - Neighbouring Occupiers
- 6.3.1 Policy DM1 seeks to “ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded.”
- 6.3.2 The proposed single storey front extension would not project beyond the front building of the original dwellinghouse. Therefore, the proposal would not be visible to the neighbouring property No5a Crest View and therefore would not result in a detrimental impact to their residential amenities.
- 6.3.3 The front building line of the neighbouring property No. 7 Crest View is perpendicular to the front building line of the host dwelling. The proposed extension would be screened by the existing detached garage located at the front of the application site, and would be located approximately 11m from the flank wall of No.7 Crest View. Therefore, due to the existing structures on site and the relationship with the neighbouring property No.7 Crest View, the proposed development would not appear unduly prominent nor result in a detrimental impact to their residential amenities.
- 6.3.4 In summary, the proposal is considered to be acceptable in terms of its impact to the residential amenities of neighbouring properties, in accordance to policy 7.6.B of the London Plan (2016), policy DM1 of the Harrow Development Management Policies (2013) and the adopted SPD: Residential Design Guide (2010).

6.4 Development and Flood Risk

- 6.4.1 The site is located within a Critical Drainage Area, which means that where there is a net increase in development footprint, there is the potential for surface water run-off rates to increase, but is not in a higher risk flood zone.
- 6.4.2 The Engineering Drainage Section did not raise any objection to the proposed development.

7.0 CONCLUSION AND REASONS FOR REFUSAL

- 7.1 The proposal to extend the dwellinghouse with a single storey front conservatory extension and external alterations would have a satisfactory impact on the character of the area and to the residential amenities of neighbouring occupiers and would accord with the relevant planning policies.
- 7.2 For these reasons, 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

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 2531/PP/01; 2531/PP/02; 2531/PP/03

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Materials to Match

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 match the appearance of the original dwelling and to safeguard the appearance of the locality.

APPENDIX 2: INFORMATIVES

Informatives

1 Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2012)

The London Plan 2016:

7.4B, 7.6B

The Draft London Plan 2017:

D1, D2

The Harrow Core Strategy 2012:

CS1.B

Harrow Development Management Policies Local Plan 2013:

DM1 Achieving a High Standard of Development

DM10 On Site Water Management and Surface Water Management

Supplementary Planning Document - Residential Design Guide 2010

2 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 Party Wall Act

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 Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

4 Protection of Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

5 Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:
0800-1800 hours Monday - Friday (not including Bank Holidays)
0800-1300 hours Saturday

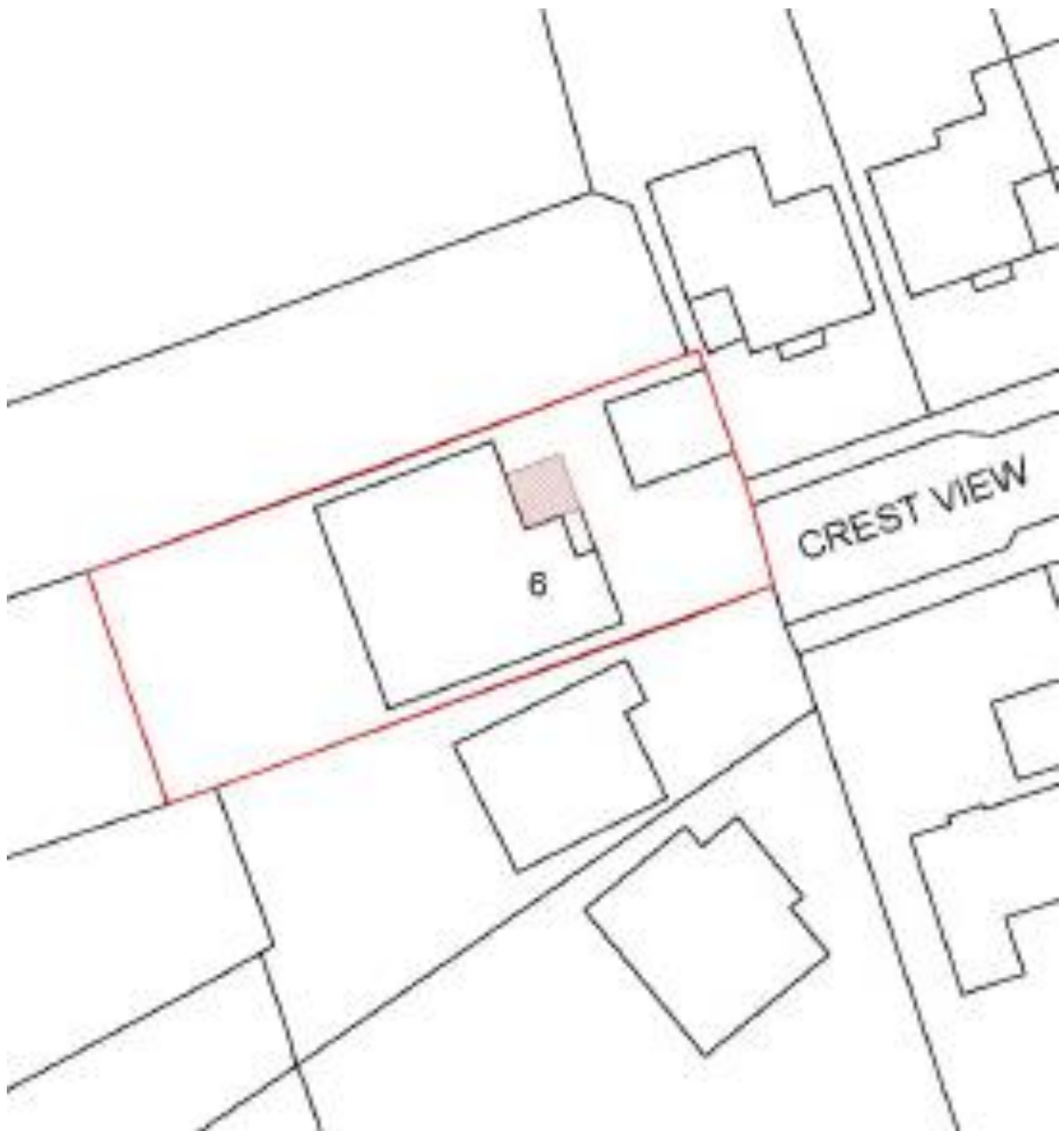
6 Surface Water Drainage Management

SUDS Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soakaways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

APPENDIX 3: SITE PLAN



APPENDIX 4: SITE PHOTOGRAPHS



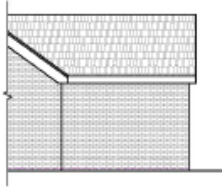
Existing front elevation of the subject property.



Existing front elevation of the subject property and detached garage, and the neighbouring property No.5a Crest View located to the left.

APPENDIX 5: PLANS AND ELEVATIONS

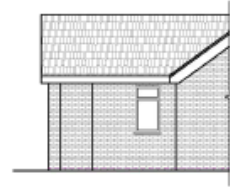
Existing Elevations



EXISTING LEFT SIDE ELEVATION



EXISTING FRONT SIDE ELEVATION



EXISTING RIGHT SIDE ELEVATION

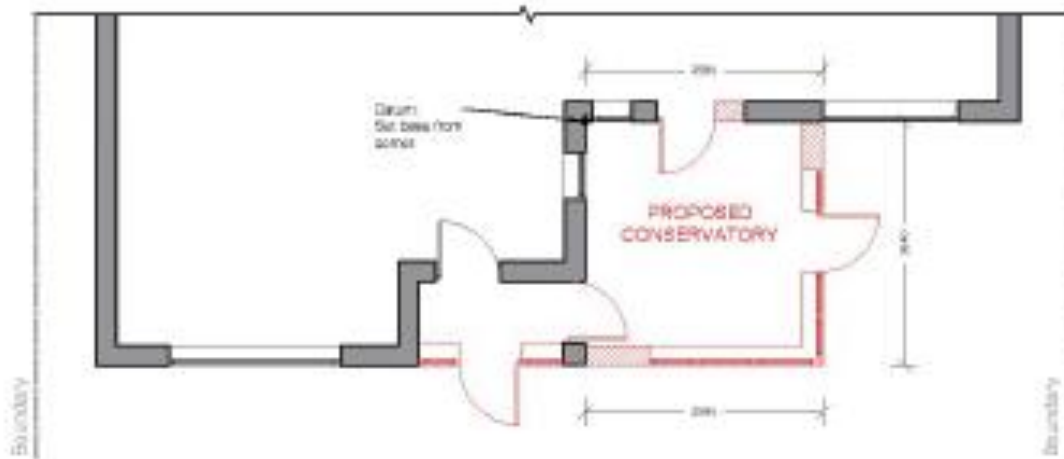
Existing Ground Floorplan



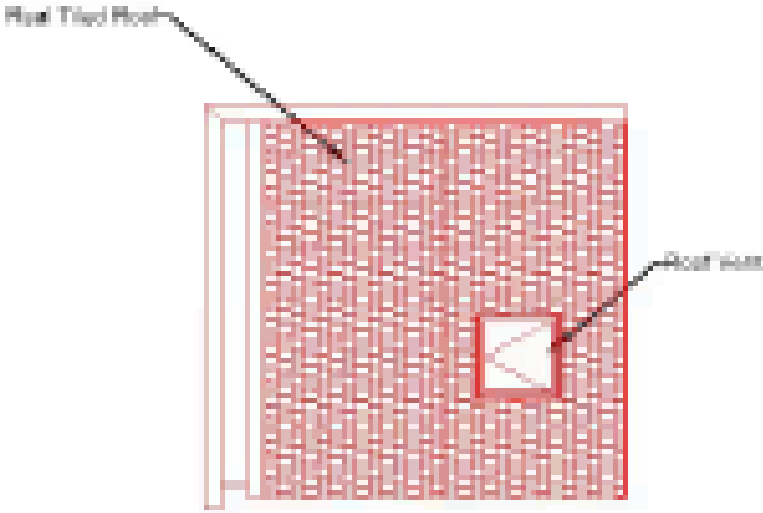
Proposed Elevations



Proposed Ground Floorplan



Proposed Roof Plan

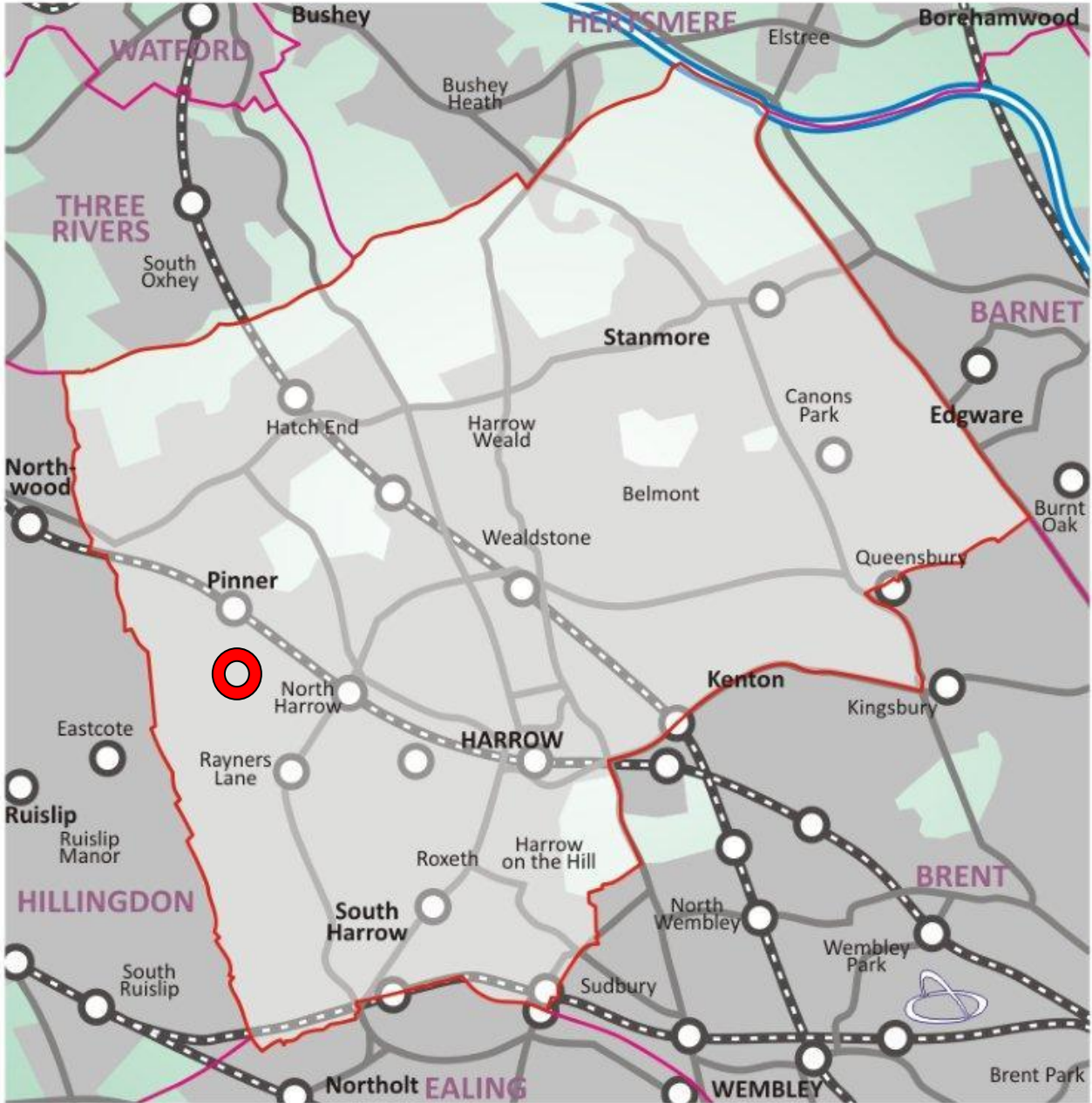


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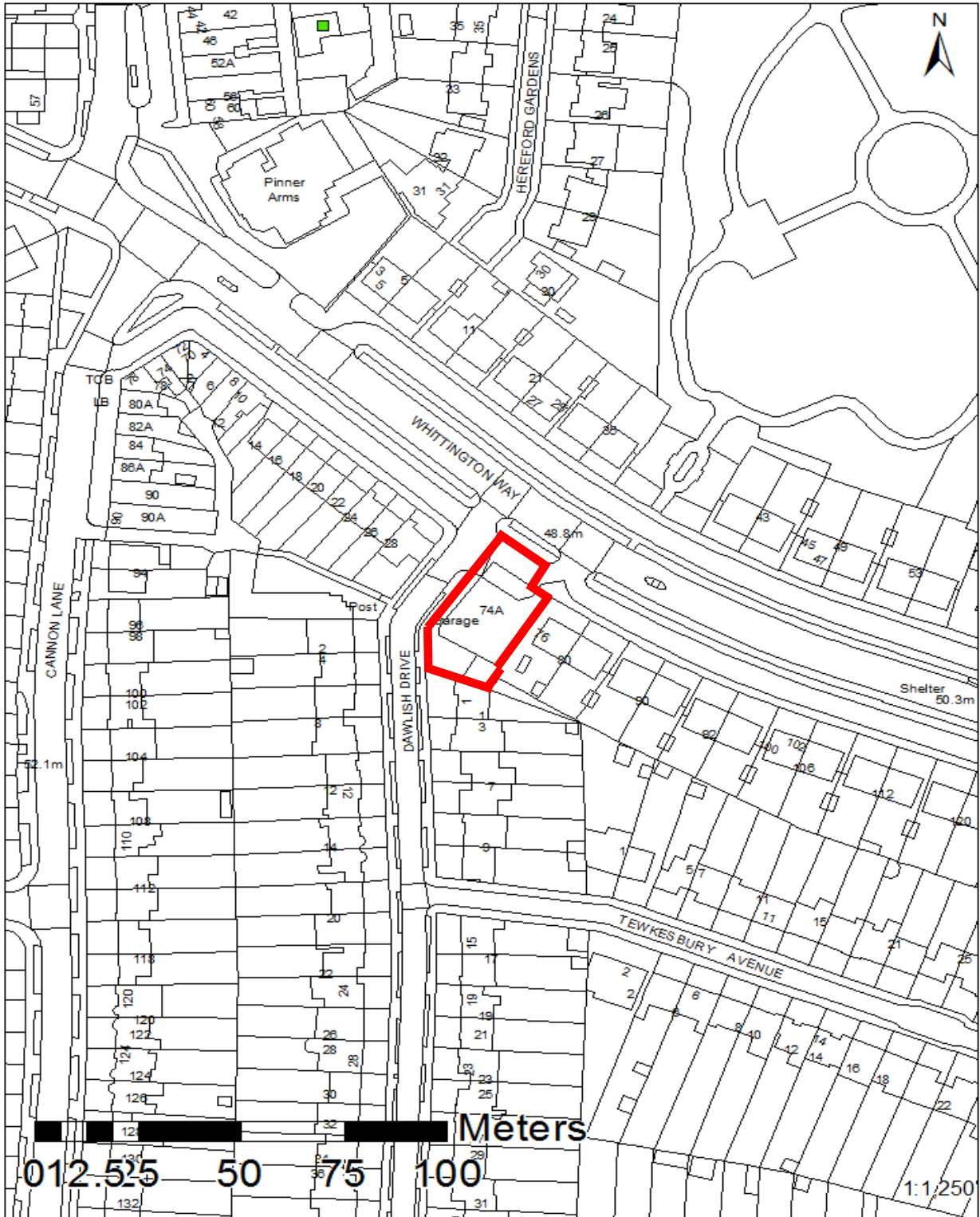
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Agenda Item : 2/13

 = application site



74 Whittington Way, Pinner	P/0073/18
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74 Whittington Way, Pinner	P/0073/18
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

APPLICATION NUMBER: P/0073/18
VALIDATE DATE: 30/01/2018
LOCATION: 74 WHITTINGTON WAY, PINNER
WARD: PINNER SOUTH
POSTCODE: HA5 5JX
APPLICANT: PINNER REAL ESTATE AND TESCO STORES LTD
AGENT: RPS CGMS
CASE OFFICER: TENDAI MUTASA
EXPIRY DATE: 27/03/2018 (EXTENDED)

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to the Planning Committee regarding an application for planning permission relating to the following proposal.

Change of use from MoT testing centre and car showroom (use class Sui Generis) to retail (use class A1) at ground floor level; associated parking and access; external alterations.

The Planning Committee is asked to:

RECOMMENDATION A

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
 - i) The developer/applicant should enter into a s278 agreement with the Highways Department for the access into the parking area to be limited to one way in and one way out to minimise conflicting manoeuvres, and for the existing vehicular access onto Dawlish Drive to be reduced in size.
 - ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
 - iii) Planning Administration Fee: Payment of £500 administration fee for the monitoring and compliance of the legal agreement

REASON FOR THE RECOMMENDATIONS

The proposed development of the site would return a vacant commercial unit back into

productive and economical use, create local jobs, increase shopping convenience to local residents and is considered to result in an efficient and effective use of the site. Accordingly, the proposed change of use and general upgrading of the site is acceptable, subject to compliance with the relevant National, London and Local Development plan policies which seek to achieve a high standard of design, be consistent with existing land uses, protect the amenity of neighbouring occupiers and provide local employment in accordance with Section 1, Building a strong, competitive economy of the National Planning Policy Framework; Policies 3.16 and 3.17 of The London Plan (2016), Policy DM1 of the DMP (2013).

The decision to GRANT planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 2016, the Harrow Core Strategy 2012, Development Plan Documents: Harrow and Wealdstone Area Action Plan and Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

RECOMMENDATION B

That if, by 24th June 2018 or such extended period as may be agreed in writing by the Divisional Director of Planning, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the appropriate reason.

The proposed development, in the absence of a legal agreement for the developer/applicant to enter into a s278 agreement with the Highways Department to undertake physical alterations to the access to parking areas to limit this into a one way system to mitigate any conflicting manoeuvres which would be to the detrimental of highways safety, would fail to comply with the requirements of policies 7.4.B and 7.5 of The London Plan 2016 and policy CS1.J of the Harrow Core Strategy 2012 and Policies DM1 and DM42 of the Harrow Development Management Policies Local Plan 2013 and would therefore be unacceptable.

INFORMATION

This application is reported to planning committee due to the public interest received under part 1, Proviso E of the scheme of delegation dated 29th May 2013.

Statutory Return Type:	Minor
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£11,725.00
Local CIL requirement:	£33,500.00

HUMAN RIGHTS ACT

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	74 Whittington Way, Pinner
Applicant	Pinner Real Estate and Tesco Stores Ltd
Ward	Pinner South
Local Plan allocation	N/A
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	None
Other	N/A

Non-residential Uses		
Existing Use(s)	Existing Use / Operator	Car Sales/MOT (Vacant)
	Existing Use Class(es) sqm	Use Class Sui Generis/B2
Proposed Use(s)	Proposed Use / Operator	Retail
	Proposed Use Class(es) sqm	Use Class A1
Employment	Existing number of jobs	None – Vacant Site
	Proposed number of jobs	20 (some during the construction phase)

Transportation		
Car parking	No. Existing Car Parking spaces	Unknown – approx. 4
	No. Proposed Car Parking spaces	4
	Proposed Parking Ratio	1 per 84 sqm
Cycle Parking	No. Existing Cycle Parking spaces	8
	No. Proposed Cycle Parking spaces	Conditioned
	Cycle Parking Ratio	1 per 42 sqm
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Pinner Station (1300m)
	Bus Routes	H11 & H12 (60M)
Parking Controls	Controlled Parking Zone?	NO
	CPZ Hours	NO
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	Double yellow lines
Parking Stress	Area/streets of parking stress survey	All streets within 200m
	Dates/times of parking stress survey	Friday 1st & Saturday 2nd December 17. 8am-8pm & 9am – 5pm
	Summary of results of survey	47% occupancy (average) Minimum 110 spaces available at busiest time.
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	As existing and Conditioned

Sustainability / Energy	
BREEAM Rating	N/A
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	N/A

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site occupies a corner plot at the junction with Whittington Way and Dawlish Drive.
- 1.2 The site comprises a two storey 1930's style garage building with a flat roof and gabled roof rear projection. The rear projection forms the common boundary between the garage site and neighbouring maisonettes at no. 76 and 78 Whittington Way.
- 1.3 The premises were originally used as a petrol filling station. In recent years it was used as car sales with MoT servicing at the rear. The site is now vacant.
- 1.4 The existing premises consist of hardstanding to the front with an existing vehicular access from Dawlish Drive. There is a further existing vehicular access on the bend of Dawlish Drive which served the rear of the premises
- 1.5 The surrounding area predominately consists of residential dwellinghouses with 1930's metroland properties on Dawlish Drive to the west and local authority maisonettes on Whittington Way.
- 1.6 The site is close to a local shopping parade located on the corner of Whittington Way and Cannon Lane. This is designated as a neighbourhood parade in the Local Development Plan.

2.0 PROPOSAL

- 2.1 Change of use from MoT testing centre and car showroom (use class Sui Generis) to a 335m² retail (use class A1) at ground floor level; associated parking and access; external alterations.
- 2.2 Cycle and bin storage have not been indicated on plans.
- 2.3 4 spaces for car parking would be provided to the front of the proposed development.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A summary of the relevant planning application history is set out in the table below:

Ref no.	Description	Status and date of decision
P/1430/17	Variation to Condition 2 (Approved plans) to planning permission	Granted; 26/05/2017

	P/5189/16 dated 16/2/17 to allow amendment to the number of units from 6 x 1 bed and 3 x 2 bed flats to 3 x 1 bed and 6 x 2 bed flats and amendments to footprint and design of the proposed building (amended description)	
P/4223/17/PRIOR	Conversion of Offices (Class B1a) to 4 Self-Contained Flats (Class C3) (PRIOR APPROVAL OF TRANSPORT & HIGHWAYS IMPACTS OF THE DEVELOPMENT, AND OF CONTAMINATION RISKS AND FLOODING RISKS ON THE SITE, AND IMPACTS OF NOISE FROM COMMERCIAL PREMISES ON THE INTENDED OCCUPIERS)	Granted; 09/11/2017
P/5189/16	Redevelopment to provide a three storey building accommodating nine flats; amenity Space; parking; cycle and bin stores	Granted; 15/02/2017
LBH/16179	Roofing Over Rear Yard and Workshop	Granted; 05/02/1981
WEST/254/CLE	Certificate of Lawful Existing: Use for Petrol Sales and Vehicle Repairs	Granted; 11/12/1996
WEST/571/00	Certificate of Lawful Existing: Use for MoT Testing	Granted; 05/07/2000

4.0 **CONSULTATION**

4.1 A total of 8 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 28th February 2018.

4.3 **Adjoining Properties**

Number of letters sent and site notice	8
Number of Responses Received	65 and a petition signed by 368 people
Number in Support	0
Number of Objections	65
Number of other Representations (neither objecting or supporting)	Petition with signatures

4.4 65 objections and a petition were received from adjoining residents.

4.5 A summary of the responses received along with the Officer comments are set out below: A number of the objections are the same.

Comment Objecting to the Proposal	Summary of Comments	Officer Comments
Loss Of Business to existing retails shops	The change of use of the garage would result in loss of business to existing shops at the nearby shopping parade which adequately serves the local residents. Especially being a Tesco store	The principle of the development is addressed in section 6.2 of the report
Suitability of site for retail use.	This site is not suitable for a store rather a community centre. This scheme will degrade the area.	Noted, character assessment is covered in section 6.7 of the report. Further the Council will only assess an application which has been submitted
Noise and fumes	The proposals would	The impacts of the proposals

from fridges and delivery vehicles. Anti-social behaviour. The opening hours are not suitable	bring noise nuisance. The opening hours are not suitable	on neighbour amenity have been addressed in the report in section 6.5 and appropriate conditions have been attached to mitigate this. There is no evidence suggesting that Tesco stores bring about anti-social behaviour. Opening hours have been conditioned
Deliveries	Delivery vehicles will cause obstructions as area has no sufficient space	A condition for a travel plan and construction management plan has been attached
Invasion of privacy	Windows of the store will cause invasion of privacy to neighbouring properties	The store will be located at ground floor level hence there would be no loss of privacy issues.
Highways and Parking	Concerns regarding the increased parking problems in the area due to the new retail unit. Potential danger to children crossing the street due to increased traffic. No Cycle storage Concerns in relation to parking spaces and impact on surrounding streets	These issues are covered in section 6.7 of the report
Food and Health	Food and waste will bring rats in the area which will in turn go into residents houses	This will be an issue for separate legislation and as such is not a material planning consideration
Waste Collection	Insufficient details have been provided for waste collection	A condition has been attached to this permission for details to be submitted to the local authority for consideration

Consultation	Only two addresses were consulted	The requirements only allow for adjacent properties to be notified of the application. A total of 8 neighbouring addresses were consulted
Contaminated site	No mention of pollutants on site	This has been addressed in section 6.9 of the report
Traffic study	Has a traffic study been carried for this site?	This has been carried out and has been addressed in section 6.7 of the report

4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken:

LBH Highways
LBH Waste Officer
LBH Drainage
Pinner Association

4.8 Internal & External Consultation

4.9 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
Pinner Association	No comments received	Noted
LBH Drainage	No objections	Noted
LBH Environmental Health	Noise from additional mechanical plant is shown to be acceptable. However, deliveries could cause problems as the report concludes- Therefore I would recommend to limit deliveries accordingly	Noted
LBH Highways	Comments received suggesting conditions relating to construction method statement, travel plan and S106 relating to access to site.	Noted, however it is considered that a CMP is not necessary in this instance as no construction is taking place.

5.0 POLICIES

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

5.2 In this instance, the Development Plan comprises The London Plan 2016, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

5.3 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.4 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.

5.5 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

6.1 The main issues are;

Principle of the Development
Regeneration
Character of the Area
Residential Amenity
Traffic and Parking
Drainage
Contaminated Land

6.2 Principle of Development

6.2.1 The site is a former commercial/employment use within an established residential area in Pinner. The site is not located in a town centre, nor does it

form part of a neighbourhood parade, although one is located approximately 100m away.

- 6.2.2 There are no specific policies for the protection of sui generis uses in the development plan and the former uses are not generally considered to be appropriate uses in a residential area. The planning history details that certificate of lawful use's (established use as it was called then) were granted in 1996 and 2000. More recently, a car showroom was added to the range of ground floor uses. The historical uses therefore were not subject of a conditional planning permission and as such there were no controls over days and hours of use or management of the operations and activities. Any controls and regulations that exist would fall within the ambit of the Environmental Health Act as exercised by Environmental Health or/and the Health and Safety Executive. The previous use, although ceased, would not be considered abandoned in planning terms and as such there would be no planning control's, or a breach of planning were such a use to resume. Furthermore, the more recent residential permissions which involve redevelopment of the site have not been implemented. The prior approval residential application relates only to the upper floors therefore the extant use of the ground floor of the site is as MOT/Vehicle repair/Sales.
- 6.2.3 In this respect, a retail use of the site would be considered a more appropriate use than the previous use, in terms of land use planning, residential amenity and the local environment. It is generally accepted that retail uses have a positive effect on the vibrancy and vitality of neighbourhood parades and there is support for retail uses within neighbourhood parades as the National Planning Policy Framework, the London Plan and the Core Strategy each advocate policies which enhance the vitality and vibrancy of these centres.
- 6.2.4 Notwithstanding, in accordance with the National Planning Policy Framework (Ensuring the vitality of town centres) the applicant has submitted a Sequential Test for the application given that the site does not fall within any designated retail area. The sequential test applies to main town centre uses that are not in an existing centre. Only where suitable sites within town centres or edge of town centres, or even other more local centres are not available should policies be in place to consider meeting identified needs in other locations. The sequential test requires an assessment on the vitality of town centres where the proposal site is over 2,500m² of floorspace and no local lower threshold (below 2,500m²) is in place.
- 6.2.5 The proposed store, at 335m² is well below the 2,500m² and is considered suitable for top up shopping within a local catchment. Having assessed a local catchment of 1km radius of the site, which includes Pinner District Centre, Rayners Lane District Centre and the Canon Lane Neighbourhood Parade nearby, the report concludes that no comparably sized premises exist within a sequentially preferable setting. Details of the various identified sites by address, scale, retail offer have been presented and officers are satisfied with the scope of the assessment and thee conclusions.

6.2.6 In terms of impact assessment, the NPPF at section 26 requires retail proposals to be assessed against the vitality and viability of existing centres. Where no local threshold is set, a default of 2,500m² should be taken. The Councils Planning validation requirement states a threshold of 2,500m² for retail uses outside of town centres and do not accord with the local plan, at which an impact assessment would be required. Given that the site is significantly below this threshold, an impact assessment, as required by the National Planning Policy Framework, is not required. Accordingly, the proposal complies with National and Local policy in this respect.

6.2.7 It is noted that several objections have been raised in relation to the neighbouring parade being out business by the proposed use. It is considered that this is not a material planning consideration.

6.3 Regeneration

6.3.1 The proposed development would allow the development of a vacant brownfield site and the regeneration of the redundant site would improve the visual amenity and character of the surrounding area and add to the local economy. A total of up to 18 -20 permanent and part time staff jobs would be created, and the applicant has confirmed that jobs will primarily be identified for local employment.

6.4 Character of the Area

6.4.1 Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass.

6.4.2 Core Policy CS1.B specifies that 'All Development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.

6.4.3 The application site is located on the corner of Whittington Way and Dawlish Drive. Both streets are residential and comprise largely of two storey semi-detached, terraced dwellinghouses and purpose built maisonettes. The character of the surrounding properties consist of typical metroland dwellings with projecting bays and hipped roofs and ex local authority housing consisting of terraces and purpose built maisonettes.

6.4.4 The subject application seeks to retain the existing structure albeit with minor external alterations to allow the functionality of a retail unit. These changes would involve changing the access arrangements and windows where appropriate. Separate planning applications would be required for any new shopfronts, external lighting, ATMs and advertisement consents and as such these elements do not form part of this application. The agent has confirmed that Tesco's would, subject to receiving planning consent, address these

matters directly with the Local Planning Authority. In this regard it is considered that the proposed minor external alterations are considered not to harm the appearance of the existing building and the surrounding residential area.

6.4.5 In light of this it is considered that due to the modest alterations the proposals would therefore achieve an appropriate standard of design and would thereby achieve the aspirations set out under policies 7.4B, and 7.6B of The London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012) and policy DM1 of the Harrow Development Management Policies Local Plan (2013) which seek to achieve a high standard of design in all development proposals.

6.5 Residential Amenity

6.5.1 The proposed use of the property as a Tesco store would involve an increase in pedestrian footfall as customers enter and leave the premises. It is clear that the site has been in active commercial use for decades and up to recently, therefore activity both in and around the site is not uncharacteristic. The site has convenience parking for four (4) vehicles, including disable parking at the frontage and all servicing would take place at the front of the site. The nature of the parking and the servicing arrangement means that there would not be any parking and manoeuvring within the frontage to create undue vehicular noise, vehicle conflict or exhaust emissions.

6.5.2 This contrast with the previous use of the site as a MOT testing station, car repair and sales. Prior to that the use was as petrol service station therefore vehicle related noise was an everyday occurrence in terms of engines revving, vehicle repair activity, manoeuvring in and out of the site and staff related noise which would have taken place both on the forecourt and to the rear service yard. As noted above, the previous uses were restricted in terms of days and hours of opening. The activities of shoppers to a local store are not normally considered to be noise generating activities therefore, in principle; the site would see a marked reduction in external noise related activity. Together with the controls in place for goods servicing, restriction of delivery vehicle sizes, opening and closing times and general store management (as set out elsewhere in this report) through planning conditions the proposal would not have an undue impact on the amenities of the surrounding properties or the character of the area.

6.5.3 The report therefore sets out the following to control the hours of operation by way of planning condition: proposed hours of use as follows; 7:00am – 11:00pm Monday to Sundays including Bank Holidays. Further a condition for servicing has been attached to this permission as follows: 7:00am – 8:00pm Monday to Fridays, 08:00am – 8:00pm Saturdays and 09:00am – 8:00pm Sundays including Bank Holidays. The start and end of operational times within the store (closing down, staff leaving etc.) will be one hour before public opening times and one hour after public closing times.

6.5.4 The site benefits from prior approval for the conversion of upper floors to flats with no car parking and as such if implemented residential units might occupy

the upper floors of the application building. The Environmental Health Officer has commented on the application and has raised no objections, however considers that any potential issues can be covered by the imposition of a planning condition requiring the details of any mechanical extract ventilation system or refrigeration cooling systems to be agreed with the Council before implementation. This would ensure any ductwork terminates in an acceptable position to minimise any potential odour or condensing units located so as to minimise noise generation.

6.5.5 Accordingly, the proposed development would not unacceptably harm the amenities of surrounding occupiers. The development would therefore comply with the aims and objectives of policies 7.4B and 7.6B of The London Plan (2016), Core Policy CS1B of the Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Plan (2013), and the adopted SPD: Residential Design Guide (2010).

6.5.6 Store operations to minimise noise impact

6.5.7 The applicants have prepared site specific plan to demonstrate Tesco's commitment to be a good neighbour, minimise transport, noise and disturbance, and staff protocol measures (including smoking policies around the site) to reassure the council and particularly local residents. Further to this a service and delivery plan has been prepared to demonstrate that the access, movement and activity related to deliveries and other servicing in the service area has been prepared for this site, particularly given its adjacency to residential properties.

6.5.8 Following a request for additional information, the applicants have submitted a separate document confirming staff numbers, shifts, management arrangements, trolley parking (and retrieval arrangements if taken off site); external lighting front and rear (and timings to turn on/off lights), shutters, site security measures and neighbour complaint processes as follows:

6.5.9 Staff numbers – likely to be 16-18 including part time and shift leaders/store manager;

Shifts – these will be spread out over the working period of 7am to 11pm with staff taking public transport and walking to the store;

Management arrangements - Tesco will have a shift leader or store manager present across the trading times who will take responsibility for management.

Tesco, through their commitment to support local neighbourhoods where they propose stores would encourage local employment. In light of this, the applicants have confirmed that the jobs generated from this scheme would be advertised locally in the first instance.

Trolley parking (and retrieval arrangements if taken off site) – Tesco will have a limited number of trolleys with £1 locks which will be within the store;

External lighting front and rear (and timings to turn on/off lights) – any lighting on the front of the store will reflect store opening hours. Any rear lighting for security measures will be through timer switches. However, as noted above, external lighting does not form part of this application.

Shutters – no external shutters required;

Site security measures –CCTV will be included on a standard basis outside front entrance. There will also be a guardian on site during the peak periods;

Neighbour complaint processes – the store manager will be available at all times as the first point of contact at the store for neighbour liaison.

Rear deliveries - There are no deliveries proposed in the rear yard. All deliveries will be taken through the front of the store.

6.6 Accessibility

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016) seek to ensure that all non-residential development and change of use proposals should be accessible to all.

6.6.1 The proposed floorplans demonstrate that there would be level access for wheelchair users from the entrance. Furthermore, the applicants design and access statement highlights that the retail unit has been designed to meet the Housing Supplementary Guidance and Building Regulations Part M (3).

6.6.2 Noting the above, the proposed development would be satisfactory in terms of accessibility, subject to a condition to ensure compliance with Building Regulations M4 (3) .

6.7 Traffic, Parking and Servicing

Policies DM26 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

6.7.1 A number of objections have been received in relation to parking and highways. The application site is located within an area with a PTAL (Public transport Accessibility Level) of 2, which is considered to be a poor level of accessibility to public transport nodes and community facilities.

6.7.2 The proposal seeks to provide 4 parking spaces including disabled parking. It is noted that the prior approval application for flats does not have car parking as this was a car free development. The Council's Highways officer has commented that the proposals for a retail business in this location is acceptable in principle; but have some concerns regarding traffic and parking likely to be generated by this proposal.

- 6.7.3 The trip generation indicates that there would be uplift in peak hour vehicular journeys. Whilst an additional 9 vehicles in the morning period and 19 in the afternoon period are not likely to have a significant impact on the flow of traffic in the surrounding area, there would be a noticeable increase in on-street parking demand that would not be accommodated by the proposed 4 parking spaces. The number of movements will be an increase on the current situation as the former garage is vacant at present. It is noted that the parking surveys indicate that there is capacity in the surrounding roads but this proposal would involve a regular turnover of short stay parking taking place throughout the day likely to cause inconvenience to residents.
- 6.7.4 Although the above concerns are noted, it is considered that due to the small nature of the proposed store and with similar examples of these stores across the borough and the country the proposals would not cause significant inconvenience to residents. It is common to see a small Tesco store in a residential area without causing significant car parking problems. Further, the area has no parking control which further indicates that the area is not struggling when it comes to car parking. Also, the type of customers coming to a convenience store would not be spending much time as compared to a supermarket. Therefore, this proposed store is no different from the existing shops at the nearby shopping parade. It is also noted that the previous use would have required customers coming for services or quotation and similar issues would be raised. Furthermore, the baseline is that the lawful use of the site is as a garage. There would have been significant numbers of car movements, servicing, MOTs and nuisance associated with that. The legal agreement and conditions would seek to mitigate any harm. In light of this it is considered that the objections raised and the subsequent Highways comments do not warrant a refusal of this scheme.
- 6.7.5 The Highways Officer also commented that if vehicles are to enter the site from the south-west, this would require driving across the service road which is not an ideal arrangement. Should this application be approved, the access into the parking area should be limited to one way in and one way out to minimise conflicting maneuvers. Ideally the existing vehicular access onto Dawlish Drive should be reduced in size as the proposed layout does not require an access of this size. This work can be undertaken by the developer via s278 agreement. In light of this a S106 agreement would be entered into to facilitate this.
- 6.7.6 Further, there would be a requirement to apply a pre-commencement condition for a construction method statement; pre-occupation conditions for a travel plan statement, delivery and servicing plan and cycle parking details including plans for locations, type and number of cycle stands for both long and short stay.
- 6.7.7 Waste storage has not been provided on the plans submitted with this application. However it is noted that the site has sufficient space for the provision of this and as such a condition has been attached to this permission for details to be submitted and approved by the local planning authority in line with the Council's Refuse Code of Practice.

6.8. Drainage

The site is identified as a critical drainage area of Harrow. As the proposed development would not lead to an increase in impermeable surface area, no issues would arise in this respect.

6.9 Contaminated Land

The application site was previously used as a petrol filling station. DM15 of the Harrow DMP states that proposals for the re-development or re-use of land known or suspected to be contaminated will be considered having regard to:

- A) The findings of a preliminary land contamination risk assessment
- B) The compatibility of the intended use with the condition of the land; and
- C) The environmental sensitivity of the site.

6.9.1 During a previous application a phase I & II Geo-Environmental Assessment was submitted as part of the proposed development. No information has been received from the applicants regarding this. Further, the Council's Environmental Health Officers have not raised any objections regarding contamination.

6.9.2 Notwithstanding the above, a condition has been attached to the permission requiring further investigations to the status of the ground conditions prior to development on site. This condition also covers remediation and verification strategies should any potential land contamination be discovered.

7.0 **CONCLUSION AND REASONS FOR APPROVAL**

7.1 The proposed change of use would have a positive impact on the health, vibrancy and vitality of the area in bringing the unit back into a use that would be appropriate to the area. The development would have a satisfactory impact on the character of the area and would not adversely affect neighbouring amenity or the highway safety and convenience in the locality, in accordance with paragraph 3.55 of the London Plan (2016) and would regenerate a brownfield site.

7.1.2 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.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 268_EE_01 REV D, 268_EE_02 REV D, 268_ES_01 REV B, 268_EE_00 REV C, 268_EX_R REV C, 268_GE_01 REV D, 268_GE_02 REV D, 268_GS_01 REV B, 268_PD_R REV C, 268_S_00 REV C, 268_SP_00 REV C, 268_SP_01 REV D, 268_PD_00 REV D, SP01, Design & Access Statement; Transport Statement dated January 2018, Energy Statement dated December 2017, Planning and Retail Statement dated January 2018, Noise Impact Assessment dated 11th April 2018, Swept Path Analysis of a Service Vehicle dated 04/01/18 received via email on 30/04/2018, Email detailing store operational procedures received on 02/05/2018, Email regarding confirmation of ATM and shopfronts not covered in this application received 02/05/2018.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Waste and Refuse storage and disposal

Prior to commencement of the development hereby permitted details of the appearance including materials of the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage areas, as shown on the approved drawing.

Reason: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2016 and policy DM1 of The Development Management Policies Local Plan 2013. .

4 Opening Times

The use hereby permitted shall only be open to customers within the following hours:

0700 and 2300hrs on Mondays to Saturdays, Sundays and Bank Holidays. ;
No deliveries shall take place outside of these hours.

Reason: To safeguard the neighbouring occupiers from undue levels of noise and disturbance, thereby according with policy 7.15.B of The London Plan 2016, policy AAP4 of the Harrow and Wealdstone Area Action Plan 2013 and policy DM1 of the Development Management Policies Local Plan 2013.

5 Delivery and Servicing Times

Delivery and servicing of the use hereby permitted shall only be undertaken within the following hours and only to the front of the site facing Whittington Way:

7:00am – 8:00pm Monday to Fridays, 08:00am – 8:00pm Saturdays and 09:00am – 8:00pm Sundays including Bank Holidays. No deliveries or servicing shall take place outside of these hours.

Reason: To safeguard the neighbouring occupiers from undue levels of noise and disturbance, thereby according with policy 7.15.B of The London Plan 2016, policy AAP4 of the Harrow and Wealdstone Area Action Plan 2013 and policy DM1 of the Development Management Policies Local Plan 2013.

6 Staff Opening Times

No operational activity within the store shall take place more than one hour before or one hour after the store is open (07.00) and closed (23.00) to the public respectively.

Reason: To safeguard the neighbouring occupiers from undue levels of noise and disturbance, thereby according with policy 7.15.B of The London Plan 2016, policy AAP4 of the Harrow and Wealdstone Area Action Plan 2013 and policy DM1 of the Development Management Policies Local Plan 2013

7 Land Contamination

No development shall take place, including any works of demolition until a scheme ('the first scheme') for identifying, managing and disposing of any potential contamination hazards found during development at the existing buildings and structures on the site has first been submitted to, and agreed in writing by, the local planning authority. No development other than demolition shall take place until a scheme ('the second scheme') for the management of contamination risk at the site has first been submitted to, and agreed in writing by, the local planning authority. The second scheme shall include the following:

- a) details of a site investigation to provide information for a detailed assessment of the risks to all receptors that may be affected, including those off site;
- b) the results of the site investigation and an options appraisal and remediation strategy giving full details of remediation measures and how they are to be undertaken; and
- c) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are

complete and identifying any requirements for longer-term monitoring of pollutant leakages, maintenance and arrangements for contingency action. The works shall be carried out in accordance with the first scheme so agreed.

The development other than demolition shall be carried

No development shall commence on site until details of the scheme of remedial action is submitted to the Council, for approval in writing, and completed on site as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite.

8 Travel Plan

Prior to commencement of the use hereby permitted, a Travel Plan shall be submitted to, and approved in writing by the local planning authority. The travel plan shall be implemented in accordance with the approved details from the commencement of the use on site and retained thereafter.

Reason: To safeguard the amenities of neighbouring residents and to ensure that highway safety is not prejudiced.

9 Class usage

The ground floor unit of the premises shall be used for the purpose specified in the application and for no other purpose, (use Class A1) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

Reason: To safeguard the amenity of the residents on the upper floors and neighbouring occupiers, thereby according with policy DM1 of the Development Management Policies Local Plan 2013.

10 Cycle Storage

Notwithstanding the details hereby approved, prior to occupation of the retail unit, details of secured cycle storage (for staff use) shall be submitted to the Local Planning Authority for approval. The cycle storage thus approved shall be carried out and implemented in full on site for the sole use of the retail unit in accordance with the approved details and shall be retained for the duration of this retail use on the site

Reason: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The

London Plan (2016) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

10 Mechanical Fume Extraction System

No mechanical fume extraction system including any associated external erected flues, or refrigeration condensing units shall be installed anywhere on or within the premises without such details having first been submitted to, and agreed in writing by the Local Planning Authority. The details shall include the discharge output of the system, the height of any flue, the methods of attenuating noise and vibration from the system, and the siting and external appearance of the system. The systems so agreed shall thereafter be retained in connection with the use hereby approved.

Reason: To ensure that any noise and odour impacts of the use are appropriately mitigated, and to ensure that the external siting and external appearance of the ventilation, extraction and associated flue systems achieve a high standard of design and amenity, in accordance with Policies 7.6, DM1 and DM38 of the Development Management Policies Local Plan (2013).

Informatives

1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy Framework (2012)

The Draft London Plan (2017):

Policy D1 London's form and characteristics

Policy D2 Delivering Good Design

Policy D3 Inclusive design

Policy H2 Small Sites

Policy SI13 Sustainable Drainage

Policy T3 Transport Capacity, Connectivity and Safeguarding

Policy T4 Assessing and mitigating Transport Impacts

Policy T5 Cycling

Policy T6 Car Parking

The London Plan (2016):

2.13 Opportunity Areas and Intensification Areas

5.12 Flood Risk Management

5.13 Sustainable Drainage

6.3 Assessing Effects of Development on Transport Capacity

6.9 Cycling

6.10 Walking

6.12 Road Network Capacity

6.13 Parking

7.4 Local Character

7.5 Public Realm

7.6 Architecture

Local Development Framework

Harrow Core Strategy 2012

CS1 Overarching Policy

Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM12 Sustainable Design and Layout

DM15 Contaminated Land

DM45 Waste Management

Supplementary Planning Documents

Harrow Supplementary Planning Document: Residential Design Guide 2010

2 Pre-application engagement

Grant without pre-application advice

Statement under Article 31 (1) (cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This decision has been taken in accordance with paragraphs 187- 189 of The National Planning Policy Framework. Harrow has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £11,725.00 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £11,725.00 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 335m²

As the property has been vacant for more than 6 months, of the last 12 months, the floor area is CIL liable.

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

4 Harrow CIL

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.

The Harrow CIL Liability for this development is: £33,500.00

As the property has been vacant for more than 6 months, of the last 12 months, the floor area is CIL liable.

5 Considerate Contractor Code of Practice

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.

6 Party Wall Act

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

7 Compliance with Planning Conditions

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.

8 Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing

surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

9 Request to Remove Site Notice

A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

10 Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to nrswa@harrow.gov.uk or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

11 Possible contamination

The proposed development site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters. We are however unable to provide detailed site-specific advice relating to land contamination issues at this site and recommend that you consult with your Environmental Health / Environmental Protection Department for further

advice. Where necessary we would advise that you seek appropriate planning conditions to manage both the risks to human health and controlled waters from contamination at the site. This approach is supported by Paragraph 109 of the National Planning Policy Framework. We recommend that developers should: 1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. 2. Refer to the Environment Agency Guiding principles for land contamination for the type of information that is required in order to assess risks to controlled waters from the site.

The Local Authority can advise on risk to other receptors, such as human health. 3. Refer to the contaminated land pages on GOV.UK for more information. The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution

treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. The Environment Agency recommends that developers should refer to:

the Definition of Waste: Development Industry Code of Practice on the CL:AIRE website and;

The Environmental regulations page on GOV.UK.

Contaminated soil that is, or must be, disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

Duty of Care Regulations 1991

Hazardous Waste (England and Wales) Regulations 2005

Environmental Permitting (England and Wales) Regulations 2010

The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the

developer will need to register with us as a hazardous waste producer. Refer to the Hazardous Waste pages on GOV.UK for more information.

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS



Dawlish Drive elevation



Whittington Way elevation



Relationship between site and 76/78 Whittington



Current view from rear of 76/78



Looking towards rear of site from 76/78 and across to rear of 1 Dawlish.



No. 1 Dawlish and application site to the left

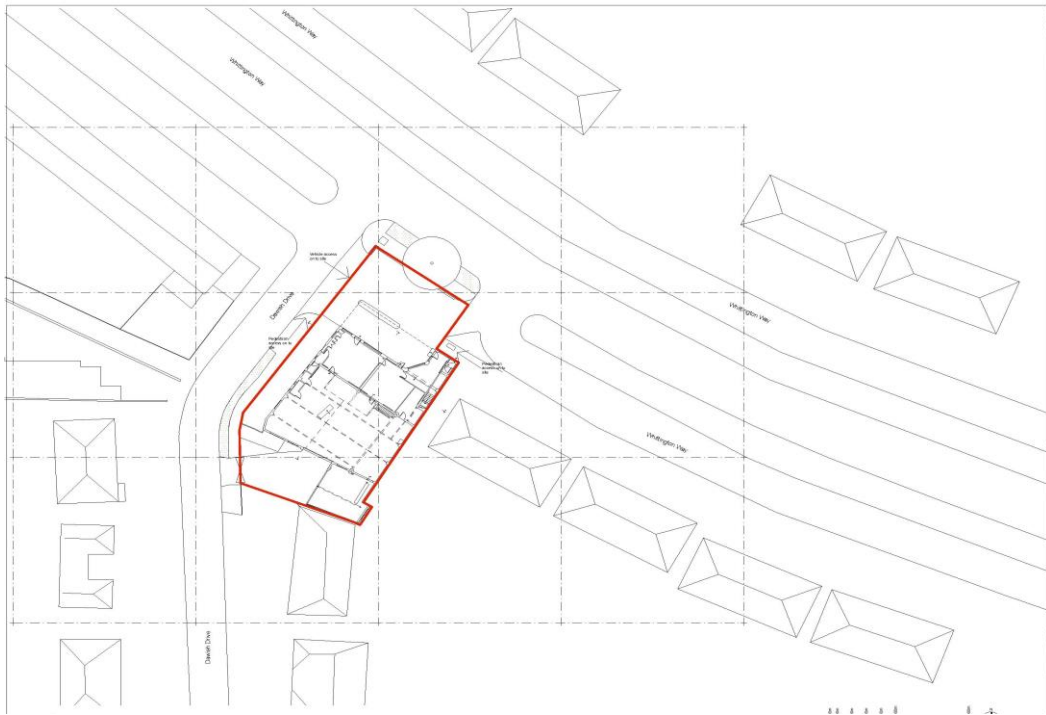


View of rear from Dawlish Drive

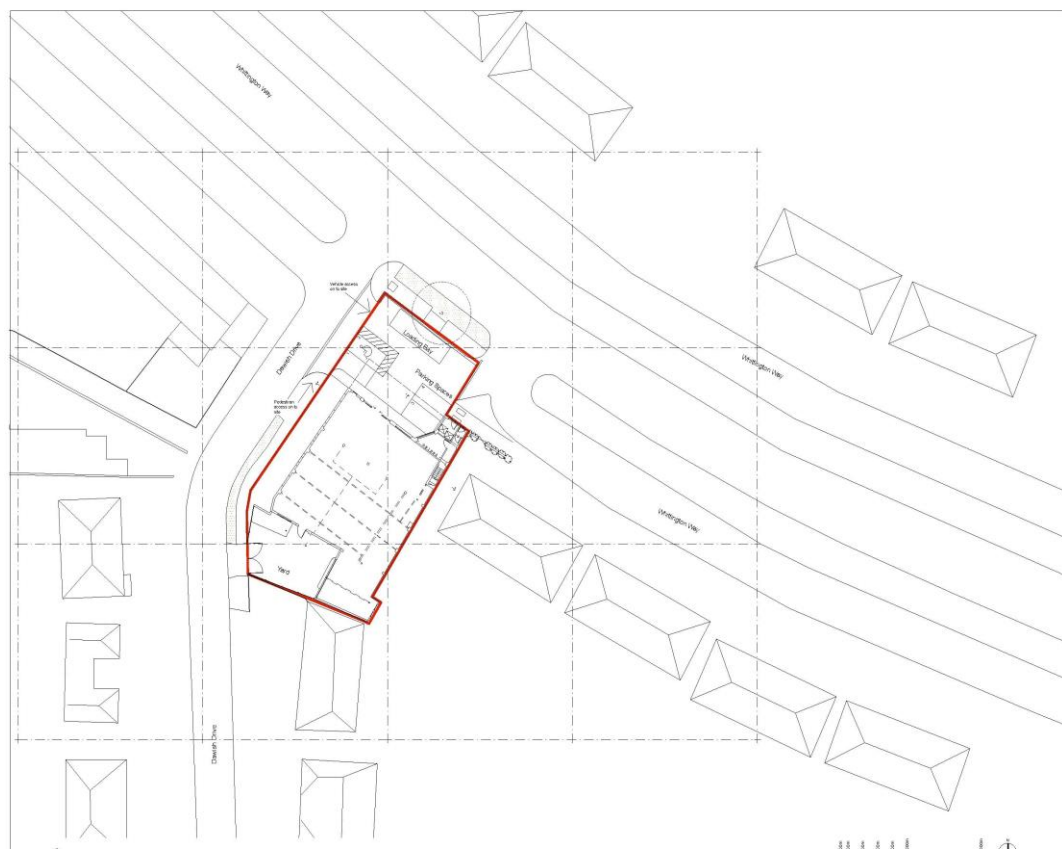


Rear of 76/78 Whittington

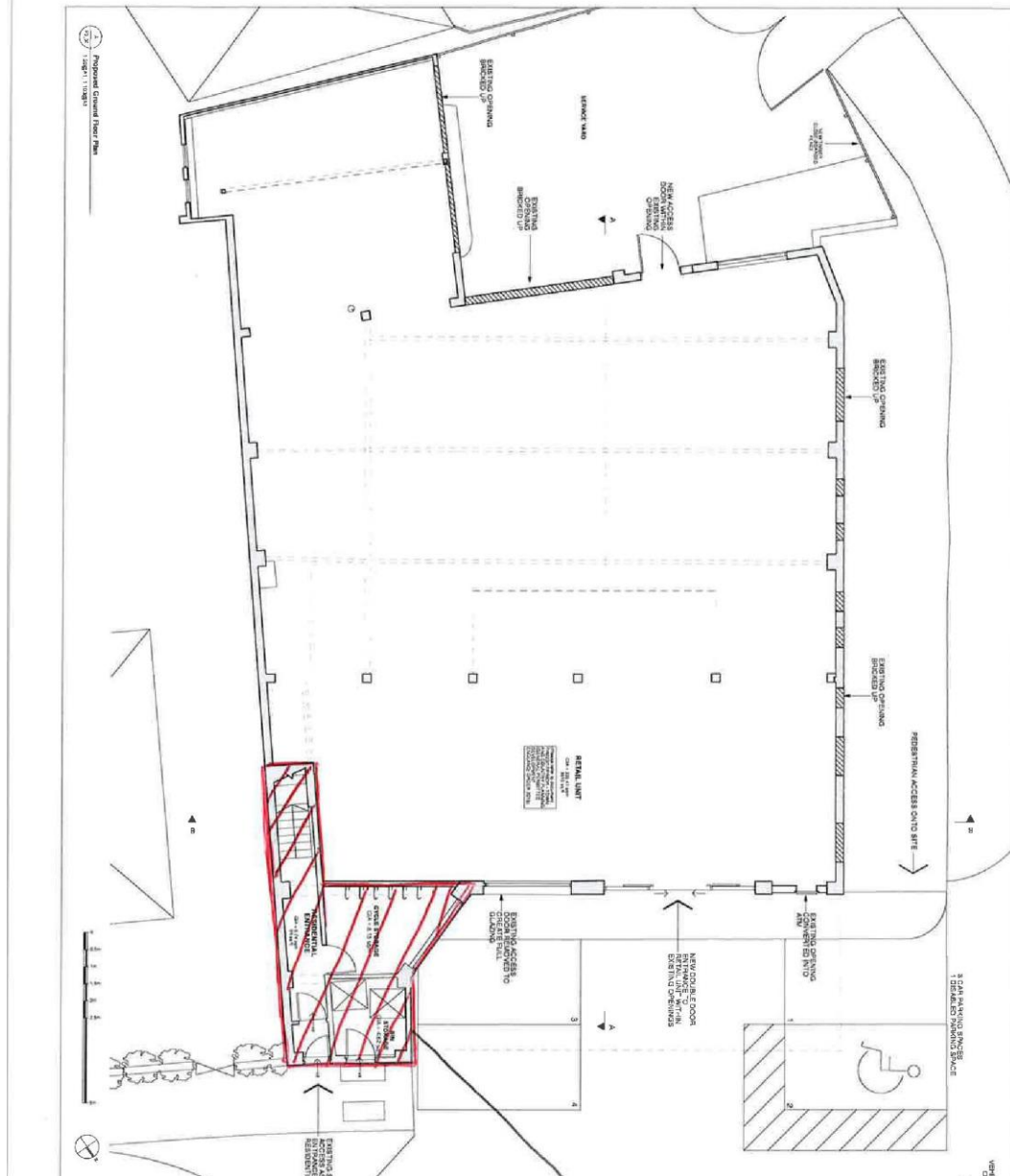
APPENDIX 4: PLANS AND ELEVATIONS



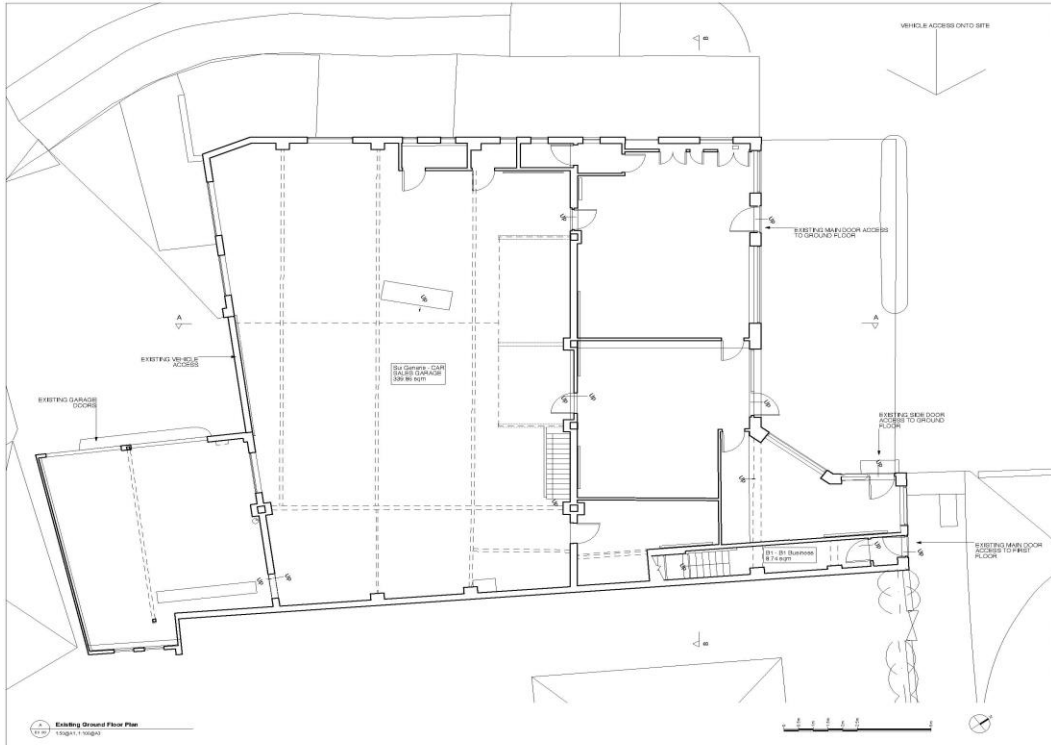
Proposed site plan



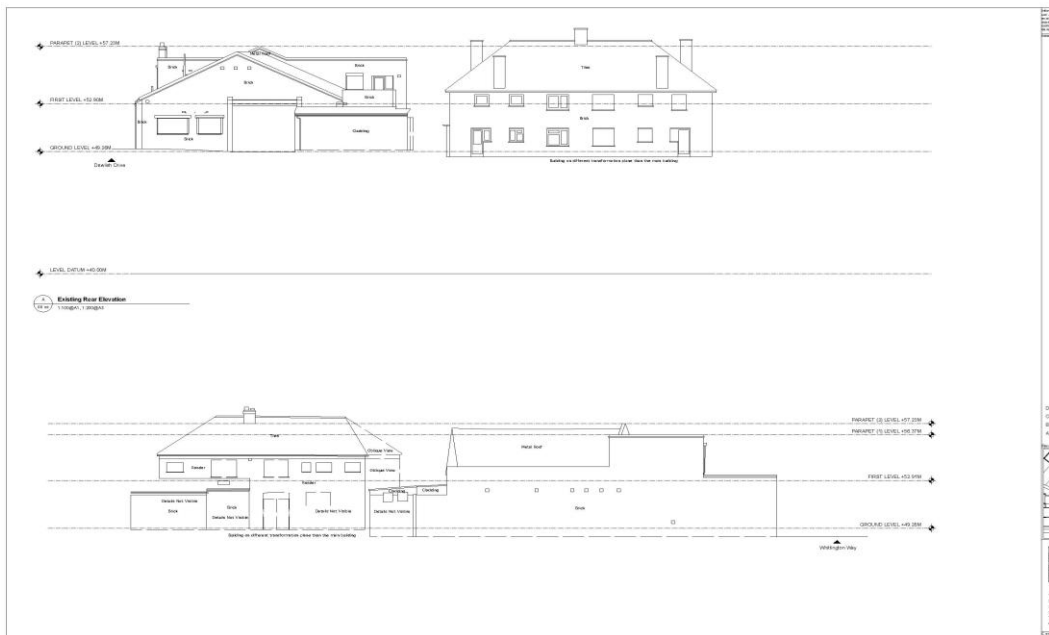
Proposed Ground Floor



Existing Ground Floor



Existing Elevation



Proposed Elevations



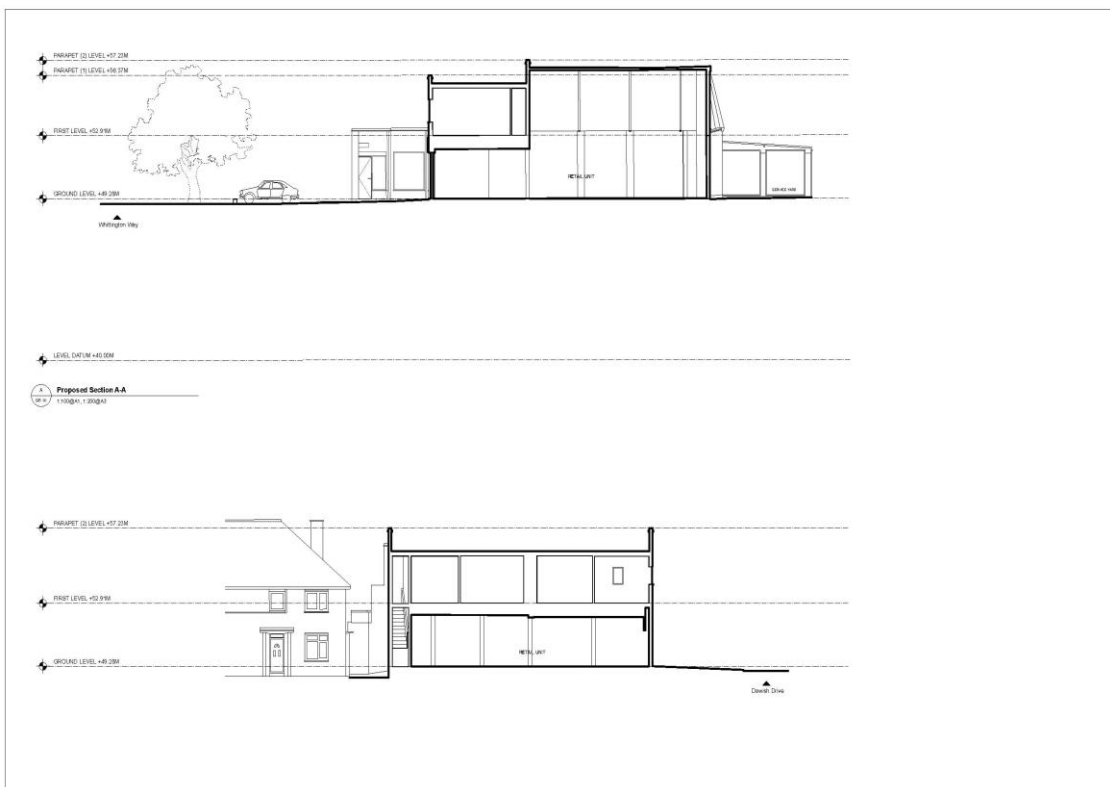
Existing Elevations



Proposed Elevation



Sections



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REPORT FOR: Planning Committee

Date of Meeting: 13th June, 2018

Subject: Request to introduce an Article 4 (1) direction for the demolition of front boundary treatments within 14 of Harrow's conservation areas

Responsible Officer: Paul Nichols, Divisional Director - Regeneration and Planning

Portfolio Holder: To be confirmed at Council on 24.5.2018

Exempt: No

Wards affected: Harrow on the Hill, Pinner, Hatch End, Stanmore Park, Canons, Harrow Weald

Enclosures: **Appendix 1:** Table of proposed Article 4 Directions restricting permitted development rights for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure in the following 14 conservation areas: Harrow on the Hill Village, Mount Park Estate, South Hill Avenue, Roxborough Park, East End Farm, Pinner High Street, Pinnerwood Park, Pinner Hill, Little Common, Stanmore Hill, Kerry Avenue, Canons Park, Brookshill Drive and Grimsdyke Estate and Harrow Weald Park.

Section 1 – Summary and Recommendations

An Article 4 Direction is a direction under the Town and Country Planning (General Permitted Development) (England) Order 2015 (“GPDO”) which enables the Council to withdraw specified permitted development rights across a defined area; the effect of this is to require planning permission for the specified works where normally such works would not require planning permission. In Harrow, the Council has proactively made Article 4 Directions for the majority of its Conservation Areas in order to protect the special architectural or historic interest and character / amenity of the areas.

This report addresses an anomaly recently identified during the assessment of a retrospective planning application in the Harrow on the Hill Village Conservation Area for the removal of a front boundary treatment. Officers noted that despite planning permission being sought for the removal of the front boundary treatment to the property, planning permission was not currently required. This was because despite there being an Article 4 direction in place since 2007 that requires planning permission be obtained for the construction or alteration of a gate, fence, wall or other means of enclosure (subject to certain conditions relating to height) where facing a highway, waterway or open space, the Direction did not specifically cover the demolition of all or any part of any gate, fence, wall or other means of enclosure, meaning that such demolition could be done without planning permission. The same is true of the 13 other conservation areas in the borough where permitted development rights have similarly been withdrawn for the alteration of a gate, fence, wall or other means of enclosure, but permitted development rights remain in place for the demolition of all or part of a boundary treatment in instances where these face a highway, waterway or open space.

Such a situation is clearly erroneous as the demolition of a boundary treatment is likely to have similar (if not greater) impact upon the character of a conservation area as the construction or alteration of a gate, fence, wall or other means of enclosure.

The report therefore proposes a further Article 4 Direction that removes the permitted development right relating to the demolition of all or any part of any gate, fence, wall or other means of enclosure (Part 11 Class C of Schedule 2 of the GPDO). The geographic extent of the proposed direction reflects that of the existing Article 4 Directions where rights have been withdrawn for the alteration of a gate, fence, wall or other means of enclosure.

Recommendations:

Planning Committee is requested to:

- a) Agree to officers’ recommendation to introduce an Article 4(1) Direction of the Town and Country Planning (General Permitted Development) (England) Order 2015 to require planning permission for the demolition of the all or any part of any gate, fence, wall or other means of enclosure in existing conservation areas (Part 11, Class C of Schedule 2 of the GPDO), where an existing Article 4 direction exists in relation

to the construction or alteration of a boundary treatment. The new additional Article 4 direction is to apply only where facing a highway, waterway or open space where this is the case already for the existing Article 4 Direction, and otherwise for the entire boundary treatment, in accordance with the existing Direction.

- b) Delegate authority to officers to undertake the necessary statutory processes to serve the proposed Article 4 Direction, noting that any representations received during the statutory consultation period will be reported back to the Planning Committee along with a recommendation as to whether or not to confirm the Direction.

Reason: (For recommendations)

To ensure that the special character of the conservation areas affected is preserved or enhanced. Since 1967 local authorities have been required to protect areas which are valued for their special architectural or historic interest – the character and appearance of which it is desirable to preserve and enhance - through the designation of Conservation Areas under the provisions of Sections 69 and 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990. They are required to carry out reviews ‘from time to time’ to ensure areas are adequately covered. This proposal stems from a review that a recent planning application instigated as it revealed an anomaly in protection for conservation areas. Where boundary treatments are sensitive to change in the borough’s conservation areas an existing Article 4 direction has been introduced requiring planning permission for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure, yet in every case currently permitted development rights still exist for the demolition of all or part of boundary treatments, meaning the existing article 4 direction can be ineffective.

Section 2 – Report

1. Introduction

- 1.1 The report incorporates the corporate priority concerning:
- Making a difference for communities
- 1.2 The improved protection of areas of special architectural or historic interest will help maintain the unique historical local character of areas or neighbourhoods within Harrow which residents cherish and value.

2. Options considered

- 2.1 The option of not introducing the new Article 4(1) Direction for boundary treatments was considered but this would be contrary to the Council's obligations under the Planning (Listed Buildings and Conservation Areas) Act 1990, under which local planning authorities are required to carry out reviews 'from time to time' to ensure areas are adequately protected to ensure the areas preservation or enhancement. The recommended option pro-actively responds to an issue that has become apparent (see paragraphs 3.3 – 3.5 below). The option of doing nothing to address the issue would risk harm being done to the character of Conservation Areas within the borough.

3. Background

- 3.1 Harrow has 29 conservation areas, each having special character and appearance derived from its architectural, townscape or landscape qualities. The Council has a duty to preserve and enhance these, and does so by preparing and following area specific guidance along with introducing Article 4 directions. Article 4 directions require planning permission to be obtained for certain works that would not usually require planning permission (even in a conservation area). This is to ensure change is sensitively managed to preserve the special character and appearance of conservation areas. The nature of the proposals that are required to obtain planning permission through an Article 4 direction are tailored to reflect the special character of each conservation area, based on the Conservation Area Appraisal and Management Strategy (CAAMS) for each area.
- 3.2 To date, 14 of Harrow's 29 Conservation Areas have had Article 4 directions introduced to remove Part 2, Class A of the General Permitted Development Order 1995 (as amended in 2015). This class refers to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure. Such permitted development rights have been removed either where facing a highway, waterway or open space or for the entire boundary treatment. Works under this class of the Order therefore require planning permission in these cases / conservation areas, unless permitted under another class of the Order.

- 3.3 Parts of Harrow on the Hill Village Conservation Area have had such an Article 4 direction in place since 2007. A retrospective planning application (reference P/4502/17) was submitted to the Council which included the proposal for the removal of the front boundary treatment to 14 Wellington Terrace in Harrow on the Hill Village Conservation Area in September 2017. This building has been subject to an Article 4 Direction (under Part 2, Class A of the General Permitted Development Order since 2007) that requires planning permission for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure where fronting a highway, waterway or open space.
- 3.4 This Article 4 Direction was introduced because the front boundary treatments represent part of the area's special character and appearance as identified by the Council's adopted Harrow on the Hill Village Conservation Area Appraisal (2005). This states 'Harrow on the Hill Village Conservation Area forms the historic core of the Hill, scattered with the area's earliest buildings' with 'rapid growth [in the mid-19th century which] saw the layout of a number of streets including Trafalgar Terrace, Nelson Terrace and Victoria Terrace, many cottages of which were to become occupied by school employees'. Wellington Terrace is one example of the mid-19th century terrace that typifies much of the Hill. All are of a small cottage style and character complemented by a small amount of front garden greenery behind a low timber picket fence or low brick wall (see 18a-14 Wellington Terrace) where they do not directly front the street. This complements the quaint, village character of the conservation area and the cottage character of the houses.
- 3.5 However, whilst processing this planning application it was noted that since permitted development rights under the General Permitted Development Order 1995 (as amended in 2015) Part 31, Class B (now known as Part 11, Class C of Schedule 2 of the 2015 Order) of the same Order are still in place and these allow 'Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure', the proposal would be permitted development. Essentially this means that whilst the current Article 4 directions seek to control the erection of new boundary treatments or the alteration of existing boundary treatments, it omits to control the actual demolition of such boundary treatments (as this remains permitted development under a different section of the General Permitted Development Order). Therefore, it was noted that an anomaly currently exists in relation to the protection of the special character and appearance of 14 of the borough's conservation areas where the alteration of a boundary treatment would impact on the special character and appearance of the conservation areas.

4. Proposed Article 4 Direction

- 4.1 It is recommended that where an Article 4 Direction is already in place in the borough restricting Part 2, Class A of the General Permitted

Development Order 1995 (as amended in 2015) requiring planning permission for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure, another Article 4 Direction should be introduced requiring planning permission under Part 11, Class B of the GPDO 2015 (previously known as Part 31, Class B of the 1995 Order). This would mean that planning permission would now also be needed for any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure. In this way, alterations or demolition work to a boundary treatment should be required whereas at present despite the Article 4 directions relating to the alteration of boundary treatments alterations consisting of demolition do not need planning permission.

4.2 Paragraph 200 of the National Planning Policy Framework (NPPF) states ‘The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area’. In all cases in the borough where an article 4 direction is in place relating to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure in the borough, the demolition (partial or whole) of any gate, fence, wall or other means of enclosure would have a similar impact on character and appearance as it would in effect be an alteration to those boundary treatments. It is the presence of the boundary treatments in their particular form which is significant. The following table illustrates this as it explains the importance of boundary treatments to properties covered by Article 4 directions to conservation areas in the borough for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure. The Article 4 Directions that are already in place have been implemented as a result of the Conservation Area Appraisal and Management Strategy for each area. These clearly assess the character of the area and identifies the type of development that would harm this character / local amenity and recommended Article 4 Directions to address this potential harm and the Article 4 Directions have been implemented on this basis.

Name of conservation area	Reason for current Article 4 Direction relating to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure in the borough
Harrow on the Hill Group	
Harrow on the Hill Village	Harrow on the Hill Village Conservation Area Appraisal and Management Strategy states: 'Harrow on the Hill Village Conservation Area forms the historic core of the Hill, scattered with the area's earliest buildings' with 'rapid growth [in the mid-19th century which] saw the layout of a number of streets including Trafalgar Terrace, Nelson Terrace and Victoria Terrace, many cottages of which were to become occupied by school employees'. Wellington Terrace is one example of the mid-19th century terrace that typifies much of the Hill. All are of a small cottage style and character complemented by a

Name of conservation area	Reason for current Article 4 Direction relating to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure in the borough
	small amount of front garden greenery behind a low timber picket fence or low brick wall (see 18a-14 Wellington Terrace) where they do not directly front the street. This complements the quaint, village character of the conservation area and the cottage character of the houses.
Mount Park Estate	The Mount Park Estate Conservation Area Appraisal states the special character and appearance of the conservation area relates to the: 'almost semi-rural character in what are otherwise urban environs' as well as the presence of secluded spaces. It notes that 'a rich variety of domestic species of hedges and high quality brick built walls would be preferable, rather than railings or close-boarded fencing, which are much more urban in character and should therefore be avoided' Gated entrances and high brick boundaries also 'add to the private spaces and contribute to the overall sense of seclusion'.
South Hill Avenue	The South Hill Avenue Conservation Area Appraisal notes that it is the 'Garden Suburb' ideal which is the main basis for the conservation area designation which is the association with openness and semi-rural character. As such its boundary treatments are important in maintaining this soft, informal character. It notes that 'The verges and boundary treatment create continuity within the streetscape, which is strengthened by similar building materials and techniques' and 'Although many properties are not striking architecturally, their contribution to the streetscene is very important, particularly in terms of their group value, setting and boundary treatment'. It notes that 'the area's boundary treatment tends to be informal with either hedgerows or wooden fencing'. A main asset of the area is named as the area's soft, informal boundary treatments.
Roxborough Park	The Roxborough Park Conservation Area Appraisal notes that the special character and appearance of the area relates to the high quality of architecture and open spaces which emphasize the distinction from surrounding urban sprawl. It notes 'The combination of the height and the type of boundary treatments creates a soft, informal feel. The use of only these three general types of boundary treatment creates a general sense of unity to the area. Likewise though, their gentle variety also creates a sense of informality and gentle heterogeneity. The boundary treatments help mark a formal edge to the curtilage of the properties that they serve. They therefore delineate the open space in front of the property and so help form an important part of their setting'. It notes 'The conservation area contains many original features [including] original boundary treatments ...which contribute to the special character of the conservation area and their loss would be detrimental to the area'.
Pinner Group	

Name of conservation area	Reason for current Article 4 Direction relating to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure in the borough
East End Farm	The East End Farm Conservation Area Appraisal notes that the special character and appearance of the area relates to it being a remarkable survival of a hamlet with medieval origins. It notes that 'Built boundary treatments generally consist of simple timber fences supplemented by planting, which appropriately complement the former agricultural feel'. It notes that there are a few interesting walls.
Pinner High Street	Pinner High Street Conservation Area's special character and appearance is identified by the Pinner High Street Conservation Area Appraisal as 'a remarkable survival of a medieval village. It is noteworthy for its fine array of timber-framed buildings'. Soft informal boundary treatments contribute to the village character of the area with some harder, more elegant boundary treatments relating to the architecture of the house that they accompany.
Pinnerwood Park	Pinnerwood Park Conservation Area's special character and appearance is identified by the Pinnerwood Park Conservation Area Appraisal as it notes that it is the basis of the area on the garden suburb ideal which is important with a continuity of character. It notes: 'Where...fences are missing from front gardens the conservation area is let down at this point as it erodes the garden suburb ideal, and as such there is opportunity for enhancement on these sites' and that 'Throughout the estate, gardens are enclosed by five types of fence. Where these vary from the original design, such replacements break the continuity of the frontage and erode the character of the conservation area'.
Pinner Hill	Pinner Hill Conservation Area's special character and appearance is identified by the Pinner Hill Conservation Area Appraisal which notes that it relates to 'the area's low density of development and surrounding open greenery or wooded environs'. It notes that 'The overall character of the estate can be summed up as being semi-rural, with its low density development, set within dense greenery and furnished by soft floorscapes and boundary treatments'. It notes 'The floorscape and boundary treatments add vital elements to the semi-rural townscape qualities' and 'Boundary treatments are important to the conservation area as they add to the informal and soft landscaped character'. It notes it is important to 'Retain visually important boundary treatments which are a characteristic of Pinner's conservation areas'.
Stanmore and Edgware Group	
Little Common	Little Common Conservation Area Appraisal and Management Strategy notes that: 'Little Common CA derives much of its special character from its particular mix of high quality, period properties, a high proportion of which are statutorily and locally listed'. 'Tall walls marking the boundary of historic estates form another overriding

Name of conservation area	Reason for current Article 4 Direction relating to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure in the borough
	attribute' and it notes 'The walls are one of these most important features of Stanmore Hill'.
Stanmore Hill	Stanmore Hill Conservation Area Appraisal and Management Strategy notes that: 'Stanmore Hill CA comprises fine examples of residential houses and some commercial units using high quality traditional materials and detailing'. It notes historic walls are important to the area and 'boundary treatments are either low brick walls or low permeable fences'.
Kerry Avenue	Kerry Avenue Conservation Area Appraisal and Management Strategy notes that the special character and appearance of the area relates to it having an: 'unusual concentration of the Modern or International Style idiom demonstrated in its collection of inter-war and post-war houses' It notes that 'The original low walls that are characteristic of the area are constructed of concrete bricks ('Dunbrik'), which is all part of the special International style of the area, and are stepped in design (see photographs below). This remains intact along the west side of the lower end of Kerry Avenue and so retains the original landscaping concept'.
Canons Park	The Canons Park Conservation Area Appraisal and Management Strategy notes that the special character and appearance of the area relates to 'the area being an outstanding area given its special landscaping, openness, and good architecture'. It notes that the area's 'cottage inspired houses create a rustic and homely character particularly with the soft boundary treatments'. It notes that 'Within the residential area, low brick walls, hedges, trees, and low fences (including picket fences) are the predominant boundary enclosures'.
Harrow Weald Group	
Brookshill Drive and Grimsdyke Estate	The Brookshill Drive and Grimsdyke Estate Conservation Area Appraisal and Management Strategy notes that 'The special interest of the conservation area relates to its high architectural quality and historic interest in a rural setting'. It notes that 'The streetscape is noticeably rural and semi-rural in terms of road surfacing, boundary treatment' and 'Gardens and soft boundary treatments complement the open landscapes and woodland surrounds. The similarity of boundary treatment helps to tie the estate together'.
Harrow Weald Park	The Harrow Weald Park Conservation Area Appraisal and Management Strategy notes that 'The special interest of the conservation area relates to it being a well-defined fragment of the original Harrow Weald Park, a large Victorian country estate, now surviving as a semi-rural enclave'. It notes that 'The front boundary treatment to the coach house is informal and semi-rural in character being timber, permeable and less than a metre in height. Number 57 is an exception with a formal front boundary treatment reflecting the relatively grand status of this house, but still it has a characteristically permeable,

Name of conservation area	Reason for current Article 4 Direction relating to the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure in the borough
	<p>informal style timber gate'. It further notes that 'Where boundary treatments exist to fields adjacent the farm track these are hedging or as low, permeable and simple timber design allowing for important through views. Otherwise where boundary walls exist these are usually the historic former masonry boundary walls to the estate. Those that were the walls to the former extensive walled gardens are simple, tall brick walls. These are of historic importance in themselves and of importance for marking the boundaries of the estate. They are mainly in the grounds of the Eagles, but also to the rear of the coach house and stables and in the garden of the gardener's cottage. Also, at the top of the track by the coach house/stables there is a dry stone wall design typical of farm walls'. It notes that 'the presence of informal, low and open boundary treatments otherwise, complement the open landscapes and woodland surrounds'. It notes that the 'approach to boundary treatments in the conservation area preserves its special interest as they either absent or they are very low with an informal, open character and made of timber'.</p>

4.3 For each of the above Conservation Areas, Article 4 Directions are in place to require planning permission for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure. However there is not an equivalent Article 4 Direction restricting permitted development rights under Part 11, Class C of the GPDO 2015 for any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure. Therefore one is proposed for each of these conservation areas for each of the buildings currently covered by Article 4 Directions relating to boundary treatments (under Part 2, Class A of the General Permitted Development Order 1995, amended 2015) in order to overcome the anomaly that currently permits alterations consisting of demolition works without the requirement for planning permission. This is shown by the table in Appendix 1. The Article 4 direction is only proposed for elevations fronting a highway, waterway or open space where this is the case for the existing Article 4 directions but otherwise for the whole of the site.

5. Implications of the Introduction of the Article 4 Direction for 14 Conservation Areas.

5.1 The proposal would allow for proposals for all alterations to boundary treatments to buildings in affected conservation areas to now require planning permission, where there is an equivalent article 4 direction relating to other alterations to boundary treatments. This would enable the Local Planning Authority to better manage change affecting the special character and appearance of these conservation areas.

6. Procedure

- 6.1 Immediate directions can only be used to withdraw a small number of permitted development rights. Once the immediate direction has been made by the Local Planning Authority, shall give notice of the immediate article 4 direction:
- a) by local advertisement in at least one newspaper in the local area (as defined in article 1(1) of the GPDO)
 - b) by site display at no fewer than two locations on the site of the Lodge for a period not less than six weeks
 - c) individually on every owner and occupier of the site to which the direction relates
 - d) on the same day that the notice of an article 4 direction is first published or displayed locally, the local planning authority shall notify the Secretary of State.
- 6.2 A copy of the direction (and a map defining the area/ site to which it relates) as well as a copy of the local consultation notices will be sent to the National Planning Casework Unit.
- 6.3 Any representations received during consultation will be taken into account by the local planning authority in determining whether to confirm a direction. Material changes to the direction resulting from consultation would require re-consultation.
- 6.4 The local planning authority must decide whether to confirm the order within six months of it being made, this direction would expire six months after coming into force, unless confirmed. The local planning authority cannot confirm the direction until after the expiration of either a period of at least 28 days following the latest date on which any notice relating to the direction was served or published, or such longer period as may be specified by the Secretary of State (after having been notified by the local planning authority of making a direction).

7. Performance Issues

- 7.1 Local Authorities have a statutory duty to review their areas to ensure adequate coverage of Conservation Areas and to publish proposals for the enhancement of these areas. Additionally, under the National Planning Policy Framework local planning authorities are required to make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible.

8. Environmental Impact

- 8.1 The existing conservation area appraisals and management strategies for the affected conservation areas which outline the importance of boundary treatments to these conservation areas already include consideration of how energy efficiency and

microgeneration measures can be achieved whilst preserving the special character of the conservation area.

9. Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

There are no significant risks arising from the recommendations.

10. Legal Implications

10.1 The Council are required under section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to carry out reviews 'from time to time' to determine whether any parts or further parts of their area should be designated as conservation areas; and if it so determines, that part(s) shall be so designated.

10.2 An article 4(1) direction withdraws the permitted development rights where the local planning authority consider the exercise of permitted development rights would harm the local amenity or the proper planning of the area.

11. Financial Implications

11.1 The costs of making the proposed Article 4 Direction would be met from within the existing revenue budgets of the Council's Planning Policy team.

12. Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment carried out? No

12.1 EqIA is not considered necessary in respect of the making of an Article 4 Direction. Such a proposal is based on the architectural and historic merit of an area and in this particular instance, seeking to correct a legal anomaly. Furthermore, the higher order Local Plan policy that contains the criteria against which development within Conservation Areas is assessed was subject to an equalities impact assessment prior to its adoption. Any potential equality implications of a specific proposal would be addressed during the assessment of the planning action necessitated by the marking of the proposed Article 4 Direction.

13. Council Priorities

13.1 The decision sought will help the Council meet the priority of a making a difference for communities by helping ensure the attractiveness of the borough as a place to live and demonstrating that the Council seeks and listens to the views of its residents.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the * Chief Financial Officer
Date: 10/05/2018		
Name: Helen Forbes	<input checked="" type="checkbox"/>	on behalf of the * Monitoring Officer
Date: 21/05/2018		

Ward Councillors notified:	YES
EqlA carried out:	NO
EqlA cleared by:	See body of report

Section 4 - Contact Details and Background Papers

Contact: Lucy Haile, Principal Conservation Officer, 0208 736 6101 or lucy.haile@harrow.gov.uk

Background Papers:

Conservation Area Appraisals and Management Strategies for each conservation area in the borough:

http://www.harrow.gov.uk/info/200162/conservation_and_biodiversity/159/conservation_areas_overview

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Appendix 1 – Table of proposed Article 4 Directions restricting Permitted Development Rights under Part 31 Class B of the General Permitted Development Order

N.B. This covers the demolition of the all or any part of any gate, fence, wall or other means of enclosure. This is proposed only where an existing Article 4 Direction is in place requiring planning permission under Part 2, Class A of the General Permitted Development Order (GPDO) 1995 (as amended 2015) for the construction or alteration of a gate, fence, wall or other means of enclosure.

Name of conservation area	Article 4 Direction Proposed To Affect the Whole Site	Article 4 Proposed To Affect Boundaries Fronting A Highway, Waterway or Open Space
Harrow on the Hill Group		
Harrow on the Hill Village		Byron Hill Road: 8,10, 22 Crown Street: 43 High Street: 17, 19, 53, 55 Victoria Terrace: 16, 17, 18 Waldron Road: 3, 5, Glasfryn, Aboyne, Derrylands Waldron Cottage West Street: 6, 6a, 26, 28, 46, 48, 50, 52, 54, 56, 58, 60, 62, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85

Name of conservation area	Article 4 Direction Proposed To Affect the Whole Site	Article 4 Proposed To Affect Boundaries Fronting A Highway, Waterway or Open Space
Mount Park Estate	<p>Mount Park Avenue: Belmont, Thornlea, Brookesfield, Headland, Kelburn House, Somerset Lodge.</p> <p>Mount Park Road: Duneaves, Hillcrest, Egerton, Roselyon (Carolyn) (LL), Bermuda House (1 to 18), The Billiard Room, Oakhurst (LL), Rowney, Wellington Lodge, Tree Tops, High View, Birchdale, The Oaks (LL), The Shieling (LL), St.Margarets Cottage (LL), St.Margarets (LB), Ravensholt (LL), Broomhill (LL), Westbourne House, Penketh, Coreopsis, Allegro (Cornermount), Charnwood (LL), Southacre, Valleyfield (LL), Oakley Grange (1 to 3), Little Dormers, Little Arden, Oddacre, The Hut, Timbers, Hill House, Hillfield (LL), Merrick, The Site, Tall Trees.</p> <p>Penketh Drive: 2 to 7.</p>	
South Hill Avenue	<p>Hill Close: Wellend, Second, Clovelly, Amaris, The Steps, Craigmore, Wessex, Hill Cottage, Lianda, The Cottage.</p> <p>Orley Farm Road: The Grange, 1, Rushmere, Lauriston, Golden Manor, Orley Rise, Deepfield, The Cottage, Hill House, Forres, 9, Hillmorton, Green Court, Cross Stone, Cornerways, Waysmeet, St.Donats, 19, The Whitehouse, Hillsfoot, Hill House.</p> <p>Runnelfield: 15.</p> <p>South Hill Avenue: The Red Lodge, Westlands,</p>	

Name of conservation area	Article 4 Direction Proposed To Affect the Whole Site	Article 4 Proposed To Affect Boundaries Fronting A Highway, Waterway or Open Space
	South Hill Lodge, Jasmine, Sherwell, Weathertrees, Marylands, Whitethorns, Leaflands, Collingwood, Oakmead (Orley Farm School), Brakelond, Dunsmore, Rosegrange, Kingwell, Avendia, Inglenook, Skail, Stepping Stones, Bamford Cottage, Meadowside, Rosemead, Ebberston, Hill End, Oak Apple Cottage, Toll Gate Lodge, Orley Farm School, Gooden Court (1 to 18 consec), Sundridge, Helmsley, Little Rowsham, Rowsham Court (1 to 10), Arden, Lobswood, Hollin, Sans Souci, Penair Lodge (1 to 19), Linklater House, Dorstan, Tall Trees, The Squirrels, Greenways, New Julian House, Orley Farm Cottage Sudbury Hill: Highlawn Hall (1 to 17), Garden House.	
Roxborough Park	Grove End and the Gables, Grove Hill	
Pinner Group		
East End Farm	Dormer Cottage and 96 Moss lane.	
Pinner High Street	41 and 43 High Street	Church Lane: Church Cottage High Street: 41 Paines Lane: 72 & 82 (Lavender Cottage)

Name of conservation area	Article 4 Direction Proposed To Affect the Whole Site	Article 4 Proposed To Affect Boundaries Fronting A Highway, Waterway or Open Space
Pinnerwood Park		<p>Altham Road 14 and 16 Bede Close 1 to 18 (consecutive) Evelyn Drive 1 to 76 (consec), 77 to 89 (odd) Linkway 1 to 11 (odd) Marsworth Avenue 1 to 60 (consec), 62 to 70 (even) Old South Close 1 to 18 (consec) Uxbridge Road 516 to 530 (except 522) Woodhall Drive 1 to 23 (consec), 38 to 44 (even), 41 to 47 (odd) Woodhall Gate 1 to 37 (consec), 37a, 38 to 66 (even), 39 and 41 Albury Drive Nos. 19 to 41 (odd), 2 to 38 (even) Broadmead Close Nos. 1 to 18 (consecutive but no. 13) Feldon Close Nos. 1 to 15 (consecutive but no. 13) Grimsdyke Road Nos. 35 to 67 (odd), 40 to 82 (even) Hallam Gardens Nos. 1 to 29 (consecutive but no 13), 31 & 33 Latimer Gardens Nos.2 to 58 (even) Pinner Hill Road Nos. 83 to 91 (odd)</p>

Name of conservation area	Article 4 Direction Proposed To Affect the Whole Site	Article 4 Proposed To Affect Boundaries Fronting A Highway, Waterway or Open Space
Pinner Hill	<p>Hillside Road: Eleventrees, Amisto, Willow Cottage, Chelstan, Balblair, White House, Green Island Lodge, Pedwardine, Highcroft, Rivelin, Lane End, Heatherlaw, Monks Rest .</p> <p>Park View Road: Micklefield, Swaldon, Rushey Banks, Garth, Fairway, Redwings, Wellswood, Sunder Nivas (Amber Way), Naseby, Edgehill,</p> <p>Highland, Old Gates, Oak House, Cambrae.</p> <p>Pinner Hill: Denholm, Thurleston, Woodstock, Willowmead, St.Davids, The Spinney, York Cottage, Barnclough, Cervantes, Pinn Cottage, Kingscliffe, Castlewood, Woodway, Hillside Cottage, Rondor House, Pitcullen, Pine Trees, Amberley, Windwhistle, Crossways, Cotswold, Thrushwood, Sandelwood, Treetops, Pippins, Tinkers</p> <p>Revel, Woodfield, Link House, Robins Wood, Bella Vista, The Holt, Laurelhurst, Hill End, Pond Cottage (LL).</p> <p>Potter Heights Close: 1 to 5.</p> <p>Potter Street: 125 to 131 (odd).</p> <p>Potter Street Hill: Potters End, Lee House, Carleton Cottage, Xanadu, The Sloes, Southerly Ridge, Hunters Lodge, Brookside, Mickledore, High</p> <p>Loaning, Tanglewood, Blandings, Meadow View, Tresanton, La Corbiere, .</p>	

Name of conservation area	Article 4 Direction Proposed To Affect the Whole Site	Article 4 Proposed To Affect Boundaries Fronting A Highway, Waterway or Open Space
	South View Road: South Winds, Faraway, Ashley Bank, Beechburn, Bankhead, Oakwood, Gunfleet, Gateway, Studio House, Sunbeams, Little Stafford, Springfield, South View Lodge, Cornerways, Ravelston, Gillan, Logis Neuf, Little Paddock, Oak Lodge, The Ridge, Pilgrims Wood, Langley, Silverwood, Sans Souci, Linden House, Highfield, The Thatch Cottage, The Lodge,	
Stanmore and Edgware Group		
Little Common		Stanmore Hill: 116, 156, 158, 181, 193 Wood Lane: By the Pond, Woodleigh, The Lodge, Wood Farm Cottage, Moor House, 1 & 2 Garage Cottages, Firtrees Aylmer Close: 3 Little Common: 1, 2, 3, 8, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 36, 37, 38, 39, 40, 41
Stanmore Hill	Green Lane: Lukes Place, The Coach House, Applegarth, Little Gables, The Glade, The Orchard, Boveda, Solonge, Vahljohn, Carnelion, Summerdyne, Park House, 1-4 (inc) Pinnacles Place Stanmore Hill: 13, 42, 44, 52, 54, 56, 73, 17, 111, 113, 115.	Green Lane: Rylands, Olde Cottage, Tremar, Green Lane Cottage, Fordyce, Littlecote, Martinsell, Wallon Cottage, Nos 1-4 (inc) Franklin Cottages, The Cott, Nos 1-4 (inc) Chart Cottages, Nos 1-3 (inc) Hillcrest Cottages, 5 Pinnacle Place, 1-7 (inc) and 11-12 (inc) Green Lane Cottages, 1-4 (inc) Park Cottages Stanmore Hill: 75-81 (odd), 129, 131, 80, 58

Name of conservation area	Article 4 Direction Proposed To Affect the Whole Site	Article 4 Proposed To Affect Boundaries Fronting A Highway, Waterway or Open Space
	Halsbury Close: No 1	
Kerry Avenue	1-6 Kerry Avenue (inclusive) 14, 15, 16 Kerry Avenue 1 Glanleam Road 2-10 Valencia Road (even)	
Canons Park	Canons Close: 1 to 10 Canons Drive: 2 to 82 (even), 1 to 59 (odd). Chestnut Avenue: 1-35, 2 to 32 (even). Donnefield Avenue: End House, The Lodge. Dukes Avenue: 1 to 22, 23 to 33 (odd). Handel Close: 2 to 15, The Cottage. Lake View: 1 to 75. Orchard Close: 1 to 14. Powell Close: 1 to 8, Chesdale, Beverley Little House, Rustique, Les Narcisses. Rose Garden Close: 1 to 8.	
Harrow Weald Group		
Brookshill Drive and Grimsdyke Estate	Numbers 3 & 4 the City, Old Redding	The Bothy, New Lodge, North Lodge
Harrow Weald Park	The Eagles and Timbers, Brookshill and 57, 65, 67, 69 and 71 West Drive	North Lodge on Brookshill and, along West Drive, 40, 42, 44, 44a, 46, 49, 50, 51, 53, 55, 59, 61, 63

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