

# Planning Committee AGENDA

**DATE:** Wednesday 25 July 2018

**TIME:** 6.30 PM

**VENUE:** Council Chamber, Harrow Civic Centre

**A SITE VISIT FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON SATURDAY 21 JULY 2018 STARTING AT 10.00 AM.**

**A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON MONDAY 23 JULY 2018 AT 6.30 PM IN THE EE BOARDROOM**

## **MEMBERSHIP** (Quorum 3)

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**Chair:** Councillor Keith Ferry

### **Councillors:**

Ghazanfar Ali (VC)  
Graham Henson  
Christine Robson

Stephen Greek  
Anjana Patel  
Bharat Thakker

### **Reserve Members:**

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1. Simon Brown
2. Ajay Maru
3. Sachin Shah
4. Kiran Ramchandani

1. Norman Stevenson
2. Mina Parmar
3. Ameet Jogia

**Contact:** Manize Talukdar, Democratic and Electoral Services Officer  
Tel: 020 8424 1323 E-mail: [manize.talukdar@harrow.gov.uk](mailto: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 16 July 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. MINUTES (Pages 9 - 14)

That the minutes of the meeting held on 13 June 2018 be taken as read and signed as a correct record.

### 5. 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, Friday 20 July 2018. Questions should be sent to [publicquestions@harrow.gov.uk](mailto:publicquestions@harrow.gov.uk)**

**No person may submit more than one question].**

### 6. 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).

## 7. DEPUTATIONS

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

## 8. REFERENCES FROM COUNCIL AND OTHER COMMITTEES/PANELS

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

## 9. REPRESENTATIONS ON PLANNING APPLICATIONS

To confirm whether representations are to be received, under Committee Procedure Rule 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.

## 10. SECTION 1 - MAJOR APPLICATIONS

(a)	1/01: Middlesex House, 29-45 High Street - P/0178/18	EDGWARE	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 15 - 86)
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## 11. SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

(a)	2/01: Harrow College, Lowlands Road - P/1375/18	GREENHILL	GRANT	(Pages 87 - 124)
(b)	2/02: 'Glencara', Royston Grove - P/1110/18	HATCH END	GRANT	(Pages 125 - 176)
(c)	2/03: 1 Wynlie Gardens, Pinner - P/2297/18	PINNER	GRANT	(Pages 177 - 210)
(d)	2/04: The Powerhouse, 87 West Street, Harrow on the Hill - P/1604/18	HARROW ON THE HILL	GRANT	(Pages 211 - 258)
(e)	2/05: Trinity House, 326 Station Road - P/1342/18	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 259 - 290)

(f)	2/06: Garages Rear of 16 to 22 Buckingham Road - P/3657/17	HEADSTONE SOUTH	GRANT	(Pages 291 - 328)
(g)	2/07: The Powerhouse, 87 West Street, Harrow on the Hill - P/1516/18	HARROW ON THE HILL	APPROVE	(Pages 329 - 356)
(h)	2/08: Garages Adjoining & Dwelling Rear of 4 Elm Park - P/2003/18	STANMORE PARK	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 357 - 410)
(i)	2/09: 29 Marlborough Hill - P/1858/18	MARLBOROUGH	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 411 - 456)
(j)	2/10: 565 Rayners Lane - P/0789/18	PINNER SOUTH	GRANT	(Pages 457 - 484)

**12. SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL**

None

**13. SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

None.

**14. SECTION 5 - PRIOR APPROVAL APPLICATIONS**

None

**15. ANY OTHER URGENT BUSINESS**

Which cannot otherwise be dealt with.

**AGENDA - PART II - NIL**

**\* DATA PROTECTION ACT NOTICE**

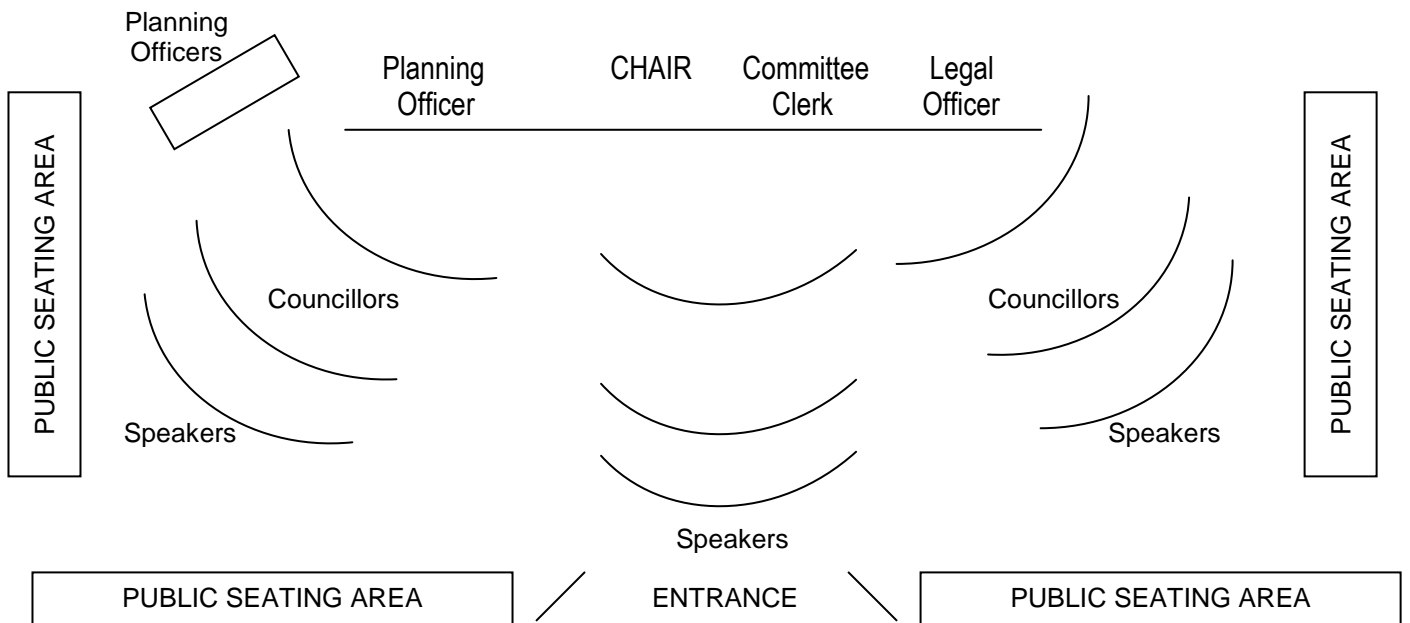
The Council will audio record item 5 (Public Questions) and will place the audio recording on the Council's website, which will be accessible to all.

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

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## GUIDANCE NOTE FOR MEMBERS OF THE PUBLIC ATTENDING THE PLANNING COMMITTEE

### Typical Planning Committee layout for Council Chamber



### Order of Committee Business

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

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

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

### Rights of Objectors/Applicants to Speak at Planning Committees

**Please note that objectors may only speak if they requested to do so before 5.00 pm on the working day before the meeting.** In summary, where a planning application is recommended for grant by the 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

### 13 JUNE 2018

**Chair:** \* Councillor Keith Ferry

**Councillors:** \* Ghazanfar Ali \* Anjana Patel  
\* Stephen Greek \* Kiran Ramchandani (4)  
\* Graham Henson \* Bharat Thakker

\* Denotes Member present

(4) Denotes category of Reserve Members

#### 27. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Christine Robson

Councillor Kiran Ramchandani

#### 28. 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.

#### 29. Declarations of Interest

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

### 30. Reasons for Lateness & Urgency

**RESOLVED:** That the reasons be noted.

### 31. Minutes

**RESOLVED:** That the minutes of the meeting held on 30 May 2018 be taken as read and signed as a correct record, subject to the following amendment:

page 4, paragraph 8, line 1: replace the words Bharat Patel with Bharat Thakker.

### 32. Public Questions

**RESOLVED:** To note that no public questions or petitions were received.

### 33. Deputations

**RESOLVED:** That, in accordance with Committee Procedure Rule 16 (Part 4B of the Constitution), the following deputation be received:

‘To seek better protection for County Roads residents from the impact of terraced houses being turned into HMOs without planning scrutiny.’

The depute made the following points:

- the Council’s Planning Policy should be designed to protect and promote social cohesion and neighbourhoods;
- he lived in Headstone South Ward, which was 50% more densely populated than the national average and four times higher than in Harrow on the Hill Ward. This increase in density was largely due to the increasing number of HMOs (houses in multiple occupation) in the area. The Council had powers to scrutinise HMOs in Harrow on the Hill Ward and the granting of HMOs in Harrow on the Hill Ward was restricted and the same protections should be afforded to all Wards in Harrow;
- 15 out of 58 properties on his road were HMOs, which equated to a quarter of the street;
- some local authorities which required applicants to seek planning permission had opted to place a cap of 10% on the number of HMOs and Harrow should consider doing the same;
- HMOs contributed to overcrowding, loss of amenity space and had an adverse impact on traffic and parking, community cohesion, anti social behaviour, litter and waste disposal;
- he sought assurances from the Council that it would not be licensing large HMOs and would restrict the number of small HMOs and that the

planning service and the licensing service would take a co-ordinated approach when dealing with this issue;

- some local authorities in London, for example, Barnet and Enfield required landlords to seek planning permission for all HMOs;
- the Council could seek to implement an article 4 Direction to limit the number of HMOs in the borough.

An officer advised that she would look into to each of the points raised, including whether an Article 4 Direction would be appropriate in relation to small HMOs. She confirmed that the Planning & Licensing services worked closely together when licensing and dealing with HMOs and that the enforcement team would investigate any unauthorised conversions. She added that she would send a detailed response the points raised by the depute after the meeting.

#### **34. References from Council and other Committees/Panels**

**RESOLVED:** To note that there were none.

#### **35. Addendum**

**RESOLVED:** To accept the addendum.

#### **36. 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 1/01 on the list of planning applications.

### **RESOLVED ITEMS**

#### **37. 1-01: Kilby's Industrial Estate, Bacon Lane - P/5810/17**

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

Following questions and comments from Members, officers advised that:

- the Council recognised that not all new developments could provide a quota of affordable housing. The financial viability assessment submitted by the applicant had been reviewed independently by experts (this was standard practice for planning authorities), and she had every confidence in this process. The review had concluded that the proposed development could reasonably provide a financial contribution of £110,000 in lieu of on site provision. This contribution would help the Council to provide housing in the borough, for example, by bringing long-term vacant properties back into use. Furthermore, the viability review mechanism would allow the financial contribution to be re-assessed at a later date;

- the alleyway referred to by an objector to the scheme was not within the development site;
- condition 5 related to permitted development rights, and the applicant would require planning permission to convert any of the units into HMOs. This restricted the use from being anything other than a 'dwellinghouse' without applying for permission;
- no landscaping was proposed at the entrance to the site so as to not obstruct views for vehicles entering and exiting the site;
- the restricted width of the access road meant that it would not support two lanes. There was sufficient space between the two terraces for emergency vehicles to turn around.

Members expressed the view that this was an excellent scheme which would replace a derelict site with a new development that would provide much needed family homes.

The Committee received representations from an objector, Mr Welby and from, Ms Hanslip, the applicant's agent.

## **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 the officer report) or the legal agreement.

### **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 29<sup>th</sup> 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 Committee wished it to be recorded that the decision to grant the application was unanimous.*

**38. 2-01: 30 Westwood Avenue - P/1654/18**

**PROPOSAL:** Erection of a single storey rear extension.

**DECISION: GRANTED**, planning permission, subject to the conditions set out in the officer report.

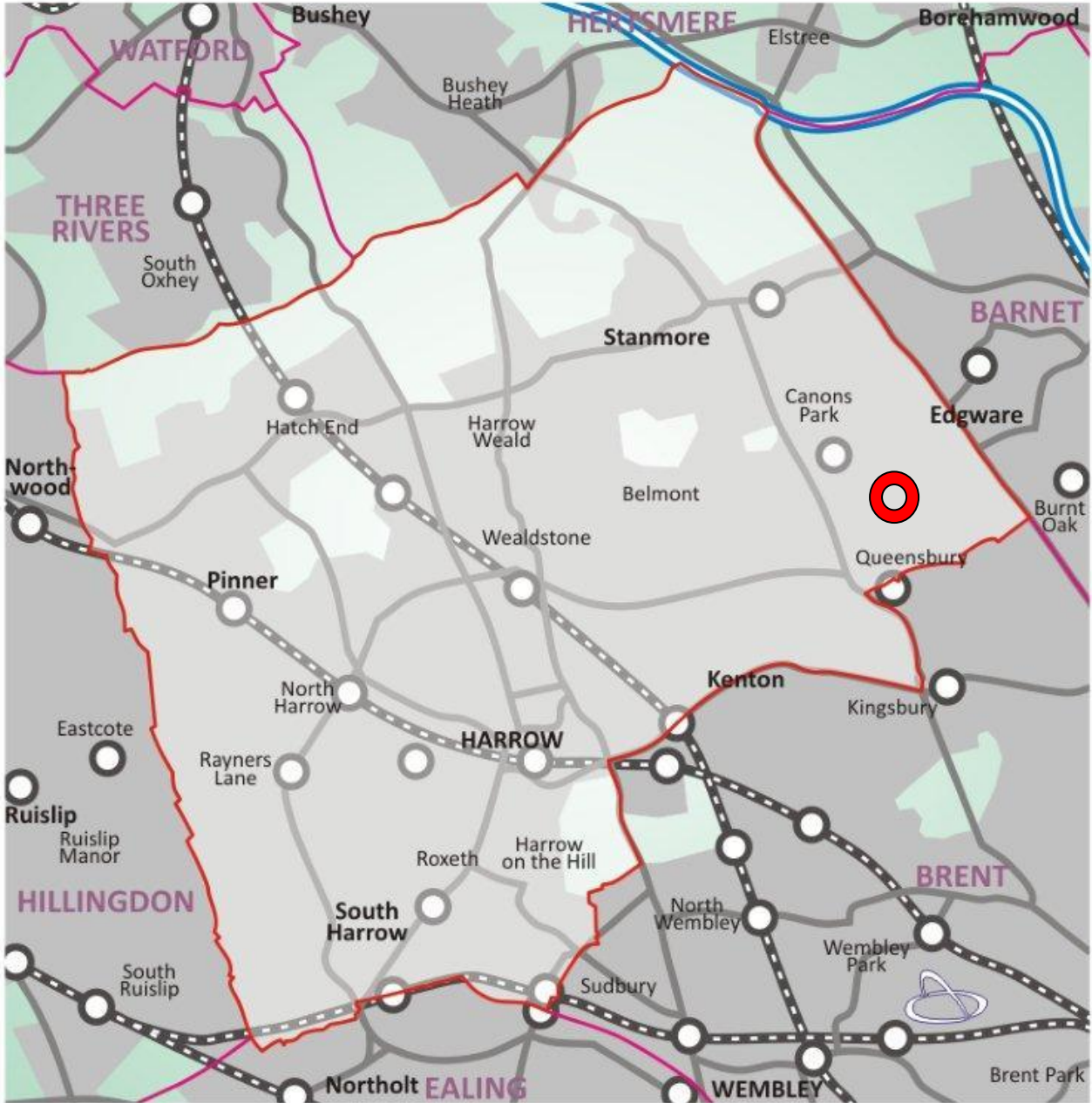
*The Committee wished it to be recorded that the decision to grant the application was unanimous.*

(Note: The meeting, having commenced at 6.30 pm, closed at 7.18 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chair

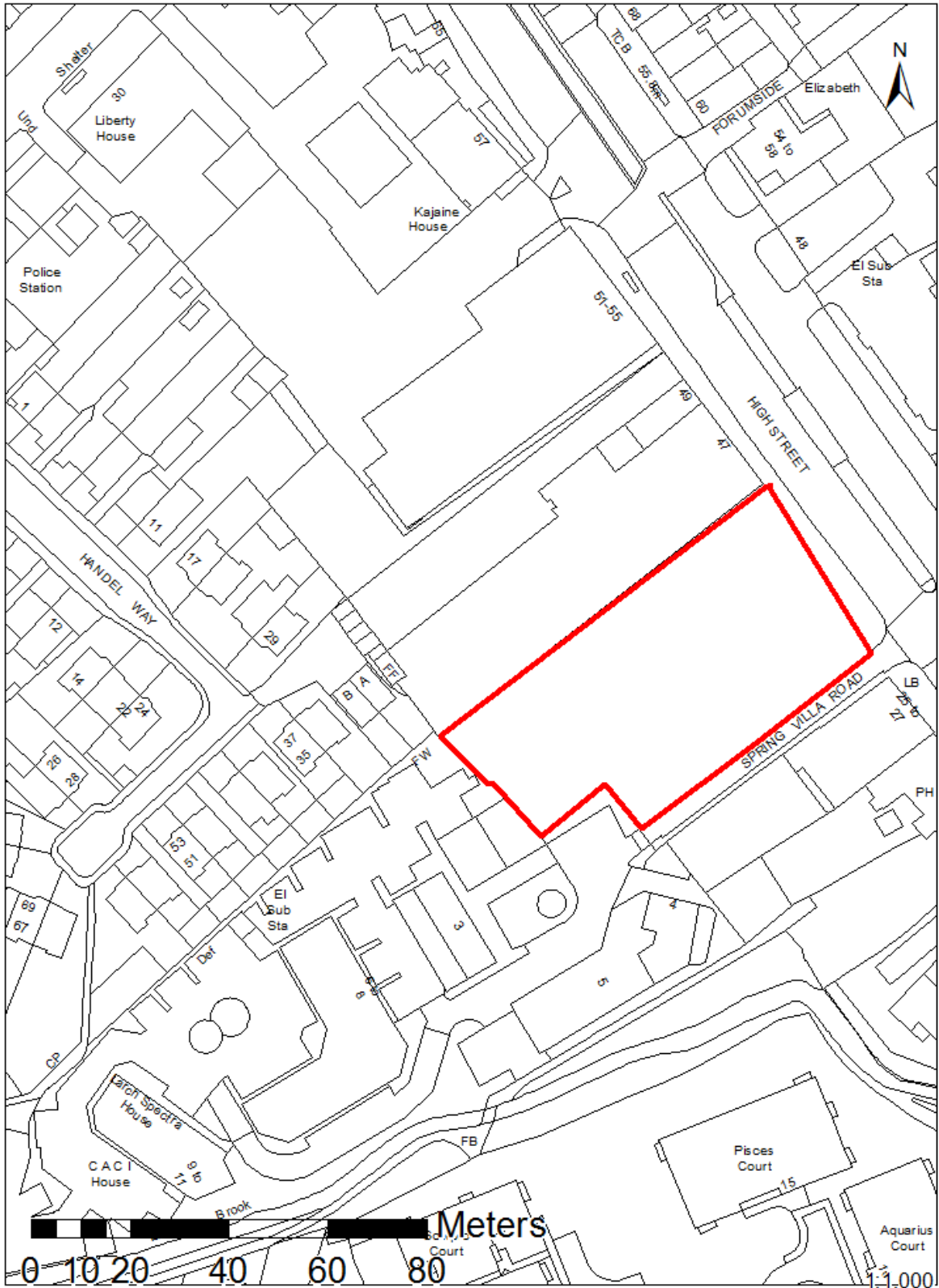
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 = application site



<b>Middlesex Hse, 29-45 High Street</b>	<b>P/0178/18</b>
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# Middlesex Hse, 29-45 High Street



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

25<sup>th</sup> July 2018

**Application Number:** P/0178/18  
**Validation Date:** 28/03/2018  
**Location:** MIDDLESEX HOUSE 29 - 45 HIGH STREET  
EDGWARE  
**Ward:** EDGWARE  
**Postcode:** HA8 7UU  
**Applicant:** EDGWARE ROAD PROPERTIES LIMITED  
**Agent:** PLANNING ENVIRONMENT AND DEVELOPMENT  
SERVICES  
**Case Officer:** DAVID BUCKLEY  
**Expiry Date:** 27/07/2018

### 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 Two And Three Storey Extensions; Recladding of Existing Building and External Alterations; Change Of Use Of Part Raised Ground Floor and Above From B1 Office to Residential Use Class C3; Creation of 111 Residential Units; Retention of 338.6 sq m of Existing B1 Office Accommodation on Part Raised Ground Floor; Creation of Internal Courtyard; Car and Cycle Parking; Landscaping; Refuse Storage.

## **RECOMMENDATION A**

The Planning Committee is asked to:

- 1) Agree a resolution to 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:

### **Heads of Terms for the Legal Agreement**

- i) Employment and Recruitment Plan; Projected cost £43,500 based on payment of £3,000/£1m of development cost.
- ii) Children's Play Space payment based payment of £2,876 based on child yield of 7.5, requirement of 4 sq m/child, £95/sq m of requirement.
- iii) Carbon offsetting payment in accordance with Policy 5.2 of the London Plan: Contribution of £23,228.24 towards carbon reduction programmes within the Borough
- iv) Affordable Housing: Provision of 11 x affordable housing units. Affordable Housing Tenure – Discount Market Rent Tenure - rental levels at 20 per cent below local market rent
- v) Planning permission monitoring fee.
- vi) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## **REASON**

The proposed development of the site would provide a quality development comprising of a satisfactory level of residential accommodation, thereby contributing to the Borough's housing stock. The housing development would be appropriate in terms of material presence, attractive streetscape, and good routes, access and make a contribution to the local area, in terms of quality and character.

The proposed development would provide a meaningful contribution to the Boroughs housing stock, and on balance would provide a satisfactory mix of housing throughout the development. Whilst the proposed affordable housing would not be fully policy compliant, and acceptable amount of affordable housing that would be London Plan space standard compliant, would be provided.

The proposed redevelopment of the site would result in a modern design that responds positively to the local context, and would provide appropriate living conditions which would be accessible for all future occupiers of the development. The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the borough.

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, by 25<sup>th</sup> October 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 review mechanism in relation to provision of an appropriate level of affordable housing and by failing to off-set the carbon emissions of the proposed development would fail to comply with the requirements of policies 3.11, 3.12, 5.2 of The London Plan 2016 and policy CS1.J/T of the Harrow Core Strategy 2012, policy DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

### **INFORMATION**

This application is reported to Planning Committee as the development would be for 111 new residential units and it is subject to a Section 106 Agreement. It therefore falls outside Schedule 1 of the Scheme of Delegation.

**Statutory Return Type:**

(E) All Major  
Developments

**Council Interest:**

None

**Gross Floor Area:** 5,521 sq m (Applies to the Change of Use from B1 Office to C3 Residential Use and additional Floors in C3 Residential Use:

**Net Additional Floor Area:** 2,449 sq m (New Floors Only)

**GLA Community Infrastructure (CIL) Contribution (provisional):** £ 99,552.40 (based on a £35 contribution per square metre of additional floorspace)

**Harrow Community Infrastructure (CIL) Contribution (provisional):** £ 311,482.18 (based on a £110 contribution per square metre of additional floorspace)

## **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	Middlesex House 29 - 45 High Street Edgware, HA8 7UU
Applicant	Edgware Road Properties Limited
Ward	Edgware
Local Plan Allocation	Business Use Area
Conservation Area	No
Listed Building	No
Setting of Listed Building	Yes
Building of Local Interest	No
Tree Preservation Order	No
Other	No

Housing		
Density	Proposed Density hr/ha	589 hr/ha (165 rooms/0.28 ha)
	Proposed Density u/ph	286 u/ha
	PTAL	PTAL 6a
	London Plan Density Range	Urban Setting: 200-450 hr/ha Central Setting: 650-1100 hr/ha
Dwelling Mix	Studio (no. / %)	59/53%
	1 bed (no. / %)	41/37%
	2 bed (no. / %)	8/7%
	3 bed (no. / %)	3/3%
	4 bed (no. / %)	0
	Overall % of Affordable Housing	35% Of Units Within New Floors 10% Of Overall Development
	Affordable Rent (no. / %)	Discount Market Rent 35% Of Units Within New Floors
	Intermediate (no. / %)	0%
	Private (no. / %)	101 units / 90% of Overall Development
	Commuted Sum	N/A
	Comply with London Housing SPG?	Yes
	Comply with M4 <sup>(2)</sup> of Building Regulations?	Yes Subject to a planning

		condition, the scheme will meet accessibility requirements
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<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	70
	No. Proposed Car Parking spaces	70 Total: 66 Residential (Includes 4 disabled) 4 Office Use
	Proposed Parking Ratio	0.59:1 (Residential Use Only)
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	124
	Cycle Parking Ratio	1.2:1
Public Transport	PTAL Rating	6a
	Closest Rail Station / Distance (m)	Edgware Tube 750m
	Bus Routes	142, 340, 186
Parking Controls	Controlled Parking Zone?	On eastern side of High Street Edgware (LB Barnet)
	CPZ Hours	8am-8pm
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	Private car park at application site. Double yellow lines on High Street Edgware and Spring Villa Road
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	Large communal refuse bin areas located in lower ground floor.

<b>Sustainability / Energy</b>	
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	Yes, Details in Report



## **1.0 SITE DESCRIPTION**

- 1.1 The application site is located on the south-western side of High Street, Edgware and within a designated Business Use Area. The High Street forms a boundary between the London Boroughs of Harrow and LB Barnet which covers the opposite, eastern side of High Street Edgware.
- 1.2 Within the Business Use Area there is a business park to the rear/south-west of the application site. Accessed via Spring Villa Road, immediately south of the application site. To the rear/west of the application site, north of the business park, there are residential dwellinghouses on Handel Way.
- 1.3 The site to the south at No. 25-27 High Street is a community centre; with only a small caretaker flat in terms of residential it is not considered that there would be harm to this unit. The site at No. 47 to the north is in kitchen and otherwise non-residential use.
- 1.4 The existing building on site consists of a podium and two towers, with the podium element set at lower and upper ground floor. The front tower, which faces on to High Street Edgware, consists of two storeys above the raised ground floor, with the taller building at the rear currently standing 7 storeys above the raised ground floor. The façade of the building is set out in a regular grid in a style typical of this type of mid-20th century development.
- 1.5 Existing parking is located at the rear and in the undercroft/lower ground floor of the building which is currently in use as car parking serving the office building.
- 1.6 As mentioned, the building is currently in office use. However, substantial information has been submitted to demonstrate that the building has already been partly vacated and that notice has been served on remaining office tenants to vacate the building. There is already extant Prior Approval to change the use of the entire upper floor levels of the building from B1 Office to C3 residential, with only an office use retained at the front of the site at the upper ground floor.
- 1.7 The site is rated with a public transport accessibility level (PTAL) of 6a, which is the highest possible level, owing to its close proximity to tube and bus networks.
- 1.8 The site is partly within fluvial flood zone 1, 2, and 3, as well as Strategic Flood Risk Assessment flood zones 3a and 3b, and a Critical Drainage Area.
- 1.9 The adjacent public house to the west, the White Hart Hotel at No. 21 High Street is a statutorily Grade II Listed Building. This is located to the south of the Shishu Bhavan Centre at No. 25-27 which is immediately to the south.

1.10 Overall the application site sits within a varied street scene with a number of taller buildings and aside from the White Hart, there is very little in the immediate street scene that is of architectural merit.

## **2.0 PROPOSAL**

### *External Appearance*

2.1 The initial development description only referred to the new floors and external alterations as the new flats in the existing floors would have been undertaken as part of extant prior approval permission. The description has been altered and now includes the flats in the existing floors. This is explored in more depth in the 'Principle' section below.

2.2 The proposed development would result in an increase in height to a maximum of 3 storeys to the front tower, increasing from 2 storeys above raised ground floor, to 5 storeys above raised ground floor. The taller rear building would be increased from 7 storeys above raised ground floor to 9 storeys. The additional floors would follow the same massing as the existing building.

2.3 In addition, the entire existing building would be re-clad in a finish to create a new, coherent appearance and balconies would be added to the existing and proposed floors of both the front and rear tower.

2.4 The roof of the raised ground floor would be removed to create a communal courtyard for the flats proposed on the raised ground floor.

### *Residential/Office Accommodation*

2.5 The proposal would provide 111 units in total, comprising 80 units within the existing building and 31 units in the proposed new floors. An area of 338.6 sq m office space would be retained at the front of the upper ground floor, with a new entrance installed.

2.6 As mentioned, initial proposal within this application did not include the lower floors of the building, which would have been completed to a lower standard as they have an extant prior approval for change of use. The current proposal offers accommodation much closer to The London Plan space standards, which is addressed within the body of the report, with an altered unit mix and with 3 fewer units than would have been created within the prior approval scheme. This issue will be addressed in greater detail in the sections below.

## **Car and Cycle Parking, Refuse Storage**

- 2.7 There would be capacity for 70 car parking spaces at lower ground floor level, with 66 for the residential use and 4 are for persons with disability. There are 20% active electric parking spaces proposed and another 20% passive electric parking spaces, i.e., electric enabled. Cycle parking has also been indicated on the lower ground with 124 long stay places and 10 short stay places. 4 motorbike spaces are proposed.
- 2.8 The refuse storage would be similar to existing arrangement, with a total of 19 x 1,000 litre waste and recycling bins provide on the Lower Ground Floor for the residential and commercial units. This storage would be separate for the residential and commercial uses.
- 2.9 Deliveries and refuse collation would take place within the site, away from the public highway and sufficient space has been provided within the carpark to accommodate a 10m refuse vehicle which would be able to stop within 10m of the refuse collection point.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 As separate dwellinghouses, each of the houses have prior approval for deeper rear extensions as follows:

**P/5753/17/PRIOR** - Conversion Of Offices On Raised Ground Floor (Class B1A) To 12 Self-Contained Flats (Class C3) (Prior Approval Of Transport & Highways Impacts Of The Development Contamination And Flooding Risks On The Site And Impacts Of Noise From Commercial Premises On The Intended Occupiers Of The Development)  
Granted: 14/02/2018

**P/0133/17** - Prior Approval Office To Residential- Conversion Of Offices (Class B1a) On First To Seventh Floors To 71 Self-Contained Flats (Class C3) (Prior Approval Of Transport & Highways Impacts Of The Development, Contamination And Flooding Risks On The Site And Impacts Of Noise From Commercial Premises On The Intended Occupiers Of The Development)  
Granted: 25/04/2017

**P/3745/17/PRIOR** - Prior Approval Office to Residential - Conversion of Offices on Raised Ground Floor (Class B1a) to 18 Self-Contained Flats (Class C3) (Prior Approval Of Transport & Highways Impacts Of The Development, Contamination And Flooding Risks On The Site And Impacts Of Noise From Commercial Premises On The Intended Occupiers Of The Development)  
Granted: 30/10/2017

**P/4255/16** - Prior Approval Office to Residential - Conversion of Offices (Class B1a) on First to Seventh Floors to Seventy One Self-Contained Flats (Class C3) (PRIOR APPROVAL OF TRANSPORT & HIGHWAYS IMPACTS OF THE DEVELOPMENT, CONTAMINATION AND FLOODING RISKS ON THE SITE AND IMPACTS OF NOISE FROM COMMERCIAL PREMISES ON THE INTENDED OCCUPIERS OF THE DEVELOPMENT)

Refused: 14/11/2016

Reasons for Refusal:

*In the absence of an adequate Flood Risk Assessment, and given the location of the site in Environment Agency designated Flood Zones 2 and 3, and Harrow Strategic Flood Risk Assessment zones 3a and 3b, insufficient information exists for the local planning authority to make a determination as to whether the proposal would result in unacceptable risks in terms of flooding impacts on site and whether appropriate mitigation measures can and would be implemented. The proposal cannot therefore be determined to be in compliance with provision O.2 (c) of the Town and Country Planning (General Permitted Development (England) Order 2015, as amended.*

*In the absence of an adequate Noise Impact Assessment, insufficient information exists for the local planning authority to make a determination as to whether the proposal would result in unacceptable impact in terms of noise on the future occupiers of the site. The proposal cannot therefore be determined to be in compliance with provision O.2 (d) of the Town and Country Planning (General Permitted Development (England) Order 2015, as amended.*

#### **4.0 CONSULTATION**

4.1 A total of 226 consultation letters were sent to neighbouring properties regarding this application in the initial consultation. A site notice was displayed at the site and an advertisement was placed in The Harrow Times on 29<sup>th</sup> March 2018. The initial public consultation period expired on 18<sup>th</sup> April 2018 for the letters and 21st April 2018 for the site notice.

4.2 A second consultation process was undertaken, due to the amended development description which includes the entire building rather than just the additional floors, for neighbouring occupiers expired on 17<sup>th</sup> July 2018. The newspaper advert for reconsultations was placed in the Harrow Times on 5<sup>th</sup> July 2018. The site notice was displayed on site on 3<sup>rd</sup> July 2018, expiring 24<sup>th</sup> July 2018. Neighbouring borough letters will expire on 25<sup>th</sup> July 2018, due to information on relevant addresses being supplied after the deadline by LB Barnet. For this reason the decision will have to be made with delegated authority if the recommendation were to be agreed by the Members of the Planning Committee.

4.3 Adjoining Properties

Number of Letters Sent	226 (Each Consultation)
------------------------	-------------------------

Number of Responses Received	01
Number in Support	0
Number of Objections	01
Number of other Representations (neither objecting or supporting)	0

4.4 Names and addresses of neighbours who objected is listed in the box immediately below, while the box below that gives a summary of comments received with officer response.

4.5 Details of Representation:

Name/Address	Nature of Representation	Officer Comment
<b>Jaimini, 79 Chester Drive</b>	Objection to loss of a park	The application does not relate to the loss of a park and is not in close proximity to Chester Drive. This is assumed to be a comment mistakenly returned on this case, the respondent has been informed.

4.6 Statutory and Non Statutory Consultation

The following consultations have been undertaken and were reconsulted on the revised development description:

- LBH Highways
- Planning Policy
- Drainage Engineering Officers
- Waste Management Officers
- Landscape Architect
- Design Officer
- Transport for London
- Met Police Designing Out Crime Officers
- Campaign for a Better Harrow Environment
- Environmental Health Officers

4.7 External Consultation

4.8 A summary of the consultation responses received along with the Officer comments are set out in the Table below. In the interests of clarity, where there have been ongoing discussions and a series of preliminary responses, only the relevant or latest comments have been included.

Consultee	Summary of Comments	
Transport for London	Comment not received.	
Met Police Designing Out Crime Officers	Comment not received.	
Thames Water	<p>Waste Comments</p> <p>The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p> <p>'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing <a href="mailto:www.riskmanagement@thameswater.co.uk">www.riskmanagement@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a>."</p> <p>Thames Water would advise that provided the developer followed the sequential approach to the disposal of surface water we would have no objection to the proposed development.</p> <p>Officer Comment: Thames water comments are noted and the informative has been attached as requested.</p>	

#### 4.9 Internal Consultation

4.10 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
Design Officer	The revised proposal has addressed the concerns in relation to design and is now considered to be acceptable, subject to conditions on materials and colours.	Comments noted and are addressed in the relevant section of the report below.

Planning Policy Officer	No objection to the proposal. Issues related to principle, in particular loss of office space, quality of residential accommodation and affordable housing issues are included in the body of the report.	Comments noted and are addressed in the relevant section of the report below.
Landscape Architect	No objection to the proposal, subject to landscaping conditions. S.106 contribution should be made for play space	Comments noted, see relevant section of the report below.
LBH Highways	No objection to the principle of this development. The overall proposal does not result in a severe highways impact.  Revised car park layout is acceptable.  A parking management plan should be secured by pre-occupation condition setting out how parking spaces would be allocated and controlled.	Comments noted and are addressed in the relevant section of the report below.
Drainage Engineering Officers	No objection to the proposal. Submitted Flood Risk Assessment details are satisfactory.	Comments noted and are addressed in the relevant section of the report below.
Conservation Officer	The justification provided in the Heritage Statement for the slight harm to the Listed Building due to the increased height and is not sufficient and further justification should be provided.	Comments noted and are addressed in the relevant section of the report below.
Housing Officers	Scheme is not policy compliant in terms of the affordable housing provision.	Comments noted and are addressed in the relevant section of the report below.

## 5 POLICIES

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

- a. '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.'
- b. 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.
- c. 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].
- d. 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.
- e. 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.
- f. 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 and Appearance
- Amenity of Neighbouring Occupiers
- Amenity of Future Occupiers
- Development and Flood Risk
- Traffic, Parking, Servicing and Construction Issues
- Secure by Design Issues
- Affordable Housing
- Sustainable Development
- Community Engagement
- Section 106 Agreement

## **6.2 Principle of Development**

### *Spatial Strategy*

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 main policy concerns in this case relates to the loss of the existing offices in the existing building the overall quality of accommodation and provision of the affordable housing in an existing part of the building rather than as part of the new development, all within the context of an existing prior approval to change the use from office to residential.

### *Loss of Offices*

6.2.3 In terms of loss of the existing offices, it is acknowledged that there is a fall-back position for the building to become residential, as a result of the prior approval references P/0133/17 for the upper floors and P/3745/17/PRIOR for the raised ground floor for change of use of the entire building from B1 Office to C3 Residential (aside from an office on the upper ground floor, which relate to the entire existing building. This is used to circumvent the need to justify the loss of the employment

floor space (noting that some is still to be retained on the ground floor, which is a benefit of the scheme). As such, there would be no requirement to justify the loss of employment space in this instance. This fall-back position allows for the property to be in a residential use.

6.2.4 This is supported by a number of Planning Inspectorate appeal decisions where Planning Inspectors have stated that where prior approval has been granted this is a material planning consideration. Furthermore, the weight given to this consideration was found to be dependent on whether the prior approval has been implemented and if not implemented, the extent to which the prior approval is likely to be implemented. The applicant has submitted a number of documents which indicate that office tenants have vacated the building or have been served notice to vacate. While this cannot be taken as an absolute guarantee, on the balance of probabilities, the greater likelihood is that the prior approval would be implemented and this is a material planning consideration.

6.2.5 However, this does not automatically require the local planning authority to accept the internal arrangements as detailed within the prior approval scheme and the Local Planning Authority must give due consideration to the policy suite that is adopted.

#### *Accommodation Unit Size and Unit Mix*

6.2.6 Amendments have been made to the scheme, so that the layout within the existing section of the building would largely meet London Plan space standards. On this basis, 3 units have been omitted from the scheme and the number of studio flats has been increased significantly, while the number of 1 and 2 bedroom flats has been reduced. While on the surface this does not appear a positive change in the original submission, the plans submitted for the existing building were as per the prior approval scheme, with very few of the units meeting London Plan space standards as this is not a requirement of prior approval.

Comparative tables of the Unit Mix of the prior approval scheme and current proposal are indicated below (this relates to units within the existing sections of the building only):

	Studio	1B2P	2B3P	Total
<b>1st</b>	<b>5</b>	<b>13</b>	<b>0</b>	<b>18</b>
<b>2nd</b>	<b>5</b>	<b>11</b>	<b>2</b>	<b>18</b>
<b>3rd</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>7</b>
<b>4th</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>7</b>
<b>5th</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>7</b>
<b>6th</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>7</b>
<b>7th</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>7</b>
<b>Sub-total</b>	<b>15</b>	<b>49</b>	<b>7</b>	<b>71</b>
<b>Total</b>	<b>18</b>	<b>57</b>	<b>8</b>	<b>83</b>

<b>Unit Mix in Current Proposal (Existing Building Only)</b>				
	<b>Studio</b>	<b>1B2P</b>	<b>2B3P</b>	<b>Total</b>
<b>GF</b>	1	9	1	11
<b>1st</b>	14	3	0	17
<b>2nd</b>	14	3	0	17
<b>3rd</b>	6	1	0	7
<b>4th</b>	6	1	0	7
<b>5th</b>	6	1	0	7
<b>6th</b>	6	1	0	7
<b>7th</b>	6	1	0	7
<b>Total</b>	<b>59</b>	<b>20</b>	<b>1</b>	<b>80</b>

6.2.7 The current proposal would deliver 80 units within the existing floors, with the breakdown consisting of 59 studios, 20 1b 2p units and 1 x 2b 3p unit (on the raised ground floor). The majority of these units would meet the London Plan space standards. The majority of the studios would have a GIA of 37 sq m and above and a number at 36 sq m, which due to their regular shape, access to natural light/outlook and provision of balconies is close enough to be considered acceptable. In the taller rear tower, there would be 5 studio units (one each on floors 1 to 5) which would measure only 33 sq m, which is markedly below the required 37 sq m in London Plan SPG space standards. However, the layout for these studios would be acceptable and there is also a 5 sq m balcony provided. While this is not policy compliant and would not usually be considered acceptable, it is taken in to the balance of planning considerations.

- 6.2.8 The other major concern in terms of accommodation quality is that the currently proposed unit mix would lead to a higher than desired proportion of studio style accommodation, which would not lead to a satisfactory housing choice. With regard to the new floors of the scheme, no studio flats are proposed, with the majority being 1b2p and 2b3p and some 2b4p units. This and the excellent Public Transport Accessibility Level (6a) both help to balance concerns about the currently proposed mix. This is addressed in greater depth later in the report.
- 6.2.9 This provision is a considerable improvement on proposed accommodation that would otherwise be created under the extant prior approval for change of use. The proposal would offer significant improvements, including the ground floor terrace garden area) and with regard to the numerous other benefits that the scheme would offer, the LPA would insist on the Affordable Housing being provided on the uplift of units only in this instance. For clarity, this would be for the units located in the upper, proposed floors of the building, rather than the existing building, which has extant prior approval permission for residential units, which is a material planning consideration which carries significant weight.
- 6.2.10 Based on the above considerations, the Local Planning Authority would be in a position to support the scheme in principle. The unit mix issue and affordable housing is addressed in more detail in the Housing section of the report.

## 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 The loss of the existing office space would not contribute to the Council's regeneration agenda in some regards. However, this has already been established as a material planning consideration due to the extant permission for prior approval and a section of office space will be retained at the front of the building. The increased accommodation at the site would contribute to the existing business within the area and during the construction phase, new jobs would be created.

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 of the Area and Setting of the Listed Building

6.4.1 The National Planning Policy Framework (NPPF) was published by the Government on March 27th 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38 (6) of the Planning Act). The development plan for Harrow comprises The London Plan 2016 [LP] and the Local Development Framework [LDF].

6.4.2 The NPPF states (paragraph 64) that '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'. The NPPF continues to advocate the importance of good design though it is notable that the idea of 'design-led' development has not been carried through from previous national policy guidance to the National Planning Policy Framework.

6.4.3 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. Core Strategy 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'. Draft London Plan policy D1 'London's form and characteristics' and D2 'Delivering Good Design', while they have not yet been adopted, are material considerations.

- 6.4.4 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".
- 6.4.5 The proposal comprises of additional floors to the existing towers, three to the front and two to the rear, as well as re-cladding and addition of balconies and other alterations included proposed courtyard and new entrance for the office section.

#### Scale, Bulk and Massing

- 6.4.6 In terms of the immediate context, there are a number of taller buildings in the immediate context of the site. This includes the flatted development on Zodiac Close to the south which includes several buildings of up to 5 storeys in height. Grosvenor House, also to the south of the application site fronting on to High Street Edgware, which stands a maximum of 7 storeys, with a podium section at a height of 4 storeys (all including ground floor). On the opposite site of High Street Edgware to the south-east, at No. 18-14 High Street Edgware is Berkeley House, which stands 7 storeys above ground level, plus raised plant on the roof. Also on the opposite side of High Street Edgware to the north-east is No. 54-58 which stands 8 storeys in height.
- 6.4.7 The rear tower would be a total of 9 storeys above the raised ground floor, while at present it is 7 storeys above the ground floors. The front tower would be increased to 5 storeys above ground floors, while at present it is 2 storeys above ground floor. The front tower is adjacent to lower rise buildings and while these are not of special architectural merit, they do form the local context. The response from Council's Design Officer states that the massing has been generally well considered. And that the High Street has a varied character with a number of individual taller buildings, and no buildings of much architectural merit. The Design Officer response on the massing concludes that, while it will be one of the taller buildings in the surrounding area, it is considered that the increased height will not be detrimental to the immediate context.
- 6.4.8 The comments received from the Council's Conservation Officer do raise concerns over the height of the proposed building in the context of the setting of the adjacent public house to the west, the White Hart Hotel at No. 21 High Street which is a statutorily Grade II Listed Building and ask for additional justification. The applicant has submitted a Heritage Statement which acknowledges that there would be slight harm to the setting of this listed building. However, overall it is considered that the existing site context of taller buildings some of which are fairly recent developments is a material planning consideration. Another important material planning consideration is the fact that there would be significant overall benefits to the scheme, i.e., the improvement to the appearance of the building and new residential

affordable and market accommodation to ensure that the benefits of the scheme would outweigh the slight harm to the listed building and this would therefore not represent a reason or refusal. Overall, the increase in height is limited and is considered to be acceptable in the context of the local area as highlighted above.

#### Elevations/ Materials

6.4.9 The proposal involves over cladding the existing elevations. The existing elevations are set out in a regular grid in a style typical of this type of mid-20th century development. The response from the Council's Design Officer states that the proposed new cladding responds to the existing composition of the elevations and, subject to agreeing materials and details would be a simple design that sits comfortably in the existing context. The Design Officer response puts a particular emphasis on materials and detailing to be of a high quality, with a limited palette of colours and textures, in order that the proposal does not appear too dominant. The Design Officer has specified that everything relating to materials still needs to be agreed, including types of material, colour etc., rather than choosing a specific product from a limited range offered. The physical samples are required, which will comprise (including colour), windows, external doors, balcony treatment and details will be secured via planning condition to ensure that the finish is of a high quality.

#### Access

6.4.10 In terms of access, there would be a new entrance serving the retained office section in the front elevation. The existing access with steps at the front entrance which lead to Core A (front) would serve the residential accommodation. The existing entrance at the side/rear entrance to Core B (rear) at the southern side of the building would serve the rear tower. Existing lifts adjacent to both these stair cores respectively would be retained and extended to the existing floors and there is a second staircase 2 serving both Core A and Core B.

#### Landscaping/Communal Courtyard

6.4.11 Policy DM23 of the Harrow Development Management Policies Local Plan (2013) states that proposal should make appropriate provision for hard and soft landscaping of forecourts.

6.4.12 While there is no forecourt which could be landscaped, the communal courtyard, with the removal of the stair and lift to the car park from the ground floor communal courtyard is welcomed. More detail is needed to understand the landscape scheme for the courtyard, and how this would function in terms of defensible space to the units and communal amenity space for the residents. The Council's Design Officer and Landscape Architect have requested further information and that this should be addressed via planning condition.

6.4.13 Comments from the Council's Landscape Architect indicated that given the level of landscaping proposed and the uncertainty of species, a condition requiring further detail regarding both soft and hard landscaping, along with a long term maintenance plan, as well as details of levels, is attached to the application. Details

of boundary fencing will also be required, which could be secured via planning condition.

6.4.14 The landscape requirements would relate particularly to the courtyard area and winter gardens on the upper floors, also to demonstrate whether there are any further areas where soft landscape or green/brown roofs could be included to improve biodiversity in the area.

6.4.15 A landscape strategy is also required and this will be secured via planning conditions. A further comment indicated that with the density of the proposed development and the large number of people likely to occupy the building there would be additional pressure on local green space. There is limited space for soft landscape or any play provision and therefore a suitable Section 106 agreement should be secured, for play and green amenity space in the nearby vicinity, such as in Chandos Park. This point is recognised and was made when the scheme only applied to the 31 flats in the extended parts of the building. This sum will be calculated and included in the legal agreement Heads of Terms.

6.4.16 The Harrow Planning Obligation s.106 Supplementary Planning Document (SPD) Chapter 11 addresses Children's Play Space. Paragraph 11.4 states that all major residential development, including mixed-use development resulting in a child yield will be required to make provision for on-site children's play space. All major residential developments, including mixed-use development resulting in a child yield will be required to make provision for on-site children's play space.

6.4.17 On this basis, subject to the conditions requested above, the proposed courtyard/landscaping to the scheme is considered acceptable in accordance with policy DM23 as highlighted above.

#### *Other Issues*

6.4.18 Parking and other traffic related matters and waste management are to be assessed under the relevant section of this appraisal.

#### *Conclusion*

6.4.19 It is considered that the proposed layout, bulk, scale and height of the proposed development would not result in an unacceptable impact on the character and appearance of the existing site, streetscene, or wider area. Subject to planning conditions, the proposed materials are considered acceptable in principle subject to conditions highlighted above.

6.4.20 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.

## 6.5 **Amenity of Neighbouring Occupiers**

- 6.6 Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 Achieving a High Standard of Development sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also produced a Residential Design Guide SPD.
- 6.7 There are no residential occupiers in close proximity to the application site along Edgware Road. The nearest residential occupiers who could be impacted are residential neighbours on Handel Way. A Daylight and Sunlight Report has been submitted with the planning application. The conclusions of this report are that the additional height of the building would still allow an acceptable level of light and outlook in to nearby residential properties in accordance with BRE Guidelines. The distance between the taller rear building and these houses on Handel Way would be a minimum of 38m. This distance in conjunction with the fact that the building would only add 2 additional floors to the building would not result in an unacceptable impact in terms of light and outlook impact.
- 6.8 In terms of overlooking and privacy, the degree of actual and perceived overlooking from the building windows would be greater than at present, due to the increased height and changed use from office to residential. But it should be noted that the 'fall-back position' of the prior approval to convert the existing building to residential accommodation is a material consideration. On this basis, the windows to the new floors would not result in significantly greater overlooking to houses on Handel Way than the existing floors and on this basis, the degree of overlooking/privacy impact would be acceptable in accordance with policy DM1 of the Harrow DM Policies.

- 6.9 The building would have balconies to this rear elevation and it is noted that these would result in some degree of increase in actual and perceived overlooking. However, based on the distance between the buildings, the fact that the houses on Handel Way are at an oblique angle rather than directly behind the application site, with the building at Middlesex House facing the side of rear gardens on Handel Way, rather than facing directly towards rear windows. On this basis, the balconies would not result in an unacceptable degree of actual or perceived degree of overlooking in accordance with policy DM1.
- 6.10 The site to the south at No. 25-27 High Street is a community centre; with only a small caretaker flat. In terms of residential, it is considered that there would not be harm to this unit. The site at No. 47 to the north is in non-residential use. Buildings to the rear/west are within the Business Use Area and so are not in residential use. The front balconies would be facing towards Edgware Road and so would not be harmful to neighbouring amenity. The balconies facing in towards the site will be addressed in the future occupier amenity section immediately below.
- 6.11 Overall, acceptable the proposal is considered acceptable in terms of neighbouring occupier amenity in accordance with Development Management Policy DM1.
- 6.12 **Future Occupier Amenity**
- 6.13 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.
- 6.14 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 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.
- 6.15 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.

### Internal space

- 6.16 The units within floors 8 and 9 of the rear building and 3, 4 and 5 of the front building, i.e., the new floors all meet the London Plan Space Standards, for 1b2p, 2b3p and 2b4p units respectively and would provide an acceptable level of light and outlook.
- 6.17 While the units in the existing building would still need to be assessed against London Plan Space Standards, the fact that they benefit from a 'fall back' position of prior approval, does form a material planning consideration.
- 6.18 The units on the raised ground floor all meet London Plan Space Standards. The proposed accommodation on existing floors would deliver 80 units within the existing building, with the breakdown consisting of 59 studios, 20 1b2p units and 1 x 2b3p unit (on the raised ground floor). The majority of these units would be London Plan compliant, with the majority of the studios at a GIA of 37 sq m and above, and a number at 36 sq m, which due to their regular shape, light and balcony provision is close enough to be considered acceptable. Five studio units, in the rear building, one each on floors 1 to 5 would measure only 33 sq m, which is markedly below the required 37 sq m. However, a layout has been shown on the proposed first floor which would be acceptable and there is also a 5 sq m balcony provided. While this would not usually be considered acceptable, it is taken in to the balance of site and planning considerations.

### Privacy

- 6.19 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.
- 6.20 There are privacy concerns particularly in relation to the ground floor units, as there is potential for these to be overlooked by passers-by using Spring Villa Road to access the business park at the rear and this particularly applies to the 3 units on the southern side of the site. It should also be noted that these are specified for affordable use. However, as these units significantly exceed the London Plan space standards and they are dual aspect with only the kitchen/living area facing towards Spring Villa Road, they are considered to be acceptable. Also, these are raised ground floor units and so measures could be taken by a future occupier to reduce overlooking from the street to the lower part of the windows. Also these serve kitchen/living rooms, with the bedrooms facing in to the courtyard. Furthermore, there is a fall-back position that these could be created under the prior approval which is a material planning consideration and so while the

shortcomings of this privacy relationship are acknowledged, this would not form a reason for refusal.

- 6.21 In the front building, there are no privacy concerns on those north facing units as they look on the street on Edgware Road which is relatively wide and so would not be overlooked by properties opposite. The rear flats on the front building and the front flats on the rear tower face towards each other and all have balconies. The minimum distance from balcony to balcony is 16m which is relatively close. However, these are relatively small units and as there is a fall back on prior approval, it is considered that in this urban context with other considerations taken into account this is acceptable.

Dual Aspect/ Daylight, Sunlight and Outlook

- 6.22 Policy DM1 Achieving a High Standard of Development, in seeking a high standard of amenity for future occupiers of a development, has regard to the adequacy of light and outlook within buildings (habitable rooms and kitchens). The Mayor of London 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 three or more bedrooms. The SPG establishes no baseline standard for daylight or sunlight. The weight to be attached to this consideration, within the context of the whole amenity that would be afforded to future occupiers of the development, is ultimately a question of judgement.
- 6.23 As mentioned previously, the units are either north-west facing or south-east facing. While single aspect north-west facing units would not allow the greatest degree of natural light, they would be considered acceptable in terms of policy and guidance. Moreover, the submitted Daylight and Sunlight report has stated that all of the units, including the north-west facing single aspect units, would have an acceptable degree of natural light and this has been confirmed by the independent assessment response. As such, it is considered that they would receive a satisfactory level of daylight and sunlight.
- 6.24 The orientation of the development results in north-west and south-east facing units. However, the north-westerly facing units are within 45 degrees of north (they are at 35 degrees). However, there are extenuating circumstances in this regard. Firstly, as mentioned, they are not true north facing units. Also, due to the shape of the units the level of natural light to the units is high in the front building; with all of the habitable rooms enjoy a long elevation containing fenestration and a recess winder garden balcony which would increase access to natural light. Additionally, none of these units contain more than 2 bedrooms, in accordance with the Mayors SPG cited above. The submitted Daylight/Sunlight report states that the degree of natural light to all of the units is at an acceptable level. Furthermore, the corridors will have an improved degree of lighting with windows installed at either end, which applies to both the new and existing floors.
- 6.25 On this basis, it is considered that the proposal would provide an adequate level of daylight, sunlight and outlook for future occupiers.

### Internal Noise

- 6.26 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.
- 6.27 The accommodation in the new floors duplicates the units/room layout and so the vertical stacking would be acceptable. In the existing floors, the units are largely studios and so this would be less of a concern. Overall the vertical and horizontal stacking is considered to be acceptable.

### Floor to Ceiling Heights

- 6.28 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 plans (Sections) indicate that the proposal would achieve a floor to ceiling height of over 2.5m throughout the building. The proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers. As such, the floors to ceiling heights are considered acceptable in this instance.

### Outdoor Amenity space

- 6.29 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.
- 6.30 For private amenity space, the SPG recommends a minimum of 5 sq m per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. The ground floor would provide balconies of 5 sq m for the units at the rear units, with a depth of 1.70m, which would meet the recommended standard. A shared amenity space of 168 sq m for the ground floor units. The ground floor therefore, is well served for both private and shared amenity space.
- 6.31 The majority of units within the development would have a balcony that meets the recommended dimensions above, either a projecting balcony for the rear units or a recessed winter garden for the front units. A number of the units in the existing building do not have a balcony. This only relates to the units located in the existing floors. Due to the fall-back position of prior approval for the change of use, where balconies would not be required, this is a material planning consideration. However, the majority of these units in the existing floors do have a balcony and so these provide a better standard of accommodation than would be the case

under prior approval. These balconies offer an acceptable degree of outlook and privacy, although they will be secured via planning condition in terms of details to ensure they reach an acceptable standard.

- 6.32 The communal areas would supplement the private balconies and would provide a welcome additional component to the amenity afforded to future occupiers of the development. The SPG calls for adequate natural surveillance, wheelchair access and management of such areas. The proposed communal amenity space would be overlooked by the units 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.

**6.33 Traffic, Parking, Access, Servicing and Sustainable Transport**

- 6.34 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. London Plan policy 6.3 states that 'development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed'. Policies 6.9 and 6.10 relate to the provision of cycle and pedestrian friendly environments, whilst policy 6.13 relates to parking standards. Core Strategy policy CS1.Q seeks to 'secure enhancements to the capacity, accessibility and environmental quality of the transport network', whilst policy CS1.R reinforces the aims of London Plan policy 6.13, which aims to contribute to modal shift through the application of parking standards.

*Car Parking*

- 6.35 A Transport Statement has been submitted with the application. The application site is located in an area with a PTAL of 6a which is very high. Revised parking plans provide 70 parking spaces for the entire site, with 66 for residential, including 4 spaces for persons with disability. This would provide a parking ratio of 0.59, which meets London Plan requirement. Four spaces would be retained for the office units. 20% active and 20% passive electric parking spaces will be provided.

### *Cycle Parking*

- 6.36 The Transport Statement shows a total number of cycle parking spaces of 134 for the entire number of units, which would meet London Plan standards.
- 6.37 The Highways Authority has stated that the parking arrangements would meet London Plan standards and overall would be considered acceptable.
- 6.38 The Highways Authority has also responded to state that a parking management plan should be secured by pre-occupation condition setting out how parking spaces would be allocated and controlled.

### *Access and Highways*

- 6.39 The existing site is accessed from High Street Edgware and this would be retained in the proposed development.

### *Refuse, Servicing and Emergency Services Access*

- 6.40 Refuse storage would be provided within the building to be accessed from the car park to the rear of the building, following the existing arrangement for refuse storage. Drawing 001 in Appendix C shows a swept path of a 10m long refuse vehicle which is the largest vehicle that would be expected to access the site on a regular basis and is of sufficient size that an appropriate vehicle can access and exit in forward gear as required. Refuse will be collected as per the current arrangements and the refused vehicle will be able to stop within 10m of the proposed refuse store as required.

### *Construction Logistics Plan*

- 6.41 The Highways Authority requires a construction logistics plan which has been addressed through a planning condition. An Air Quality Assessment has been submitted and air quality would be one of the requirements within the construction plan. A consultation response has not yet been received from the Council's Environmental Health Officers in relation to this. If a response is received prior to determination of the case, this will be taken in to consideration.

### **Flood Risk and Development**

- 6.42 The Council's Strategic Flood Risk Assessment maps show that the site is located within Flood Zones 2 and 3. The initial Flood Risk Assessment proposed that surface water run-off be guided through a new piped network in to a cellular attenuation tank to the west of the site, beneath the external car parking area. While this was considered acceptable, the Council's Engineering Drainage Section requested information on accurate flood extent, depth and velocity maps. A revised Flood Risk Assessment was submitted subsequent to the submission of

the application, which was found to address all of the concerns of the Engineering Drainage Section. The soft landscaping to the ground floor would also reduce the level of hard surfacing and as a result the volume of surface water would also be reduced. Subject to a condition requiring the recommendations within the Flood Risk Assessment to be implemented, the proposal would be considered acceptable in terms of flood risk.

- 6.43 Subject to the conditions securing the above, it is considered that the proposed development would accord with policy 5.2 of The London Plan (2016) and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

### **Sustainability and Climate Change**

- 6.44 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
- 6.45 Table B of policy 5.2 of The London Plan states that residential buildings should reach a zero carbon level. Policy 5.2 E concludes by stating that: *“The carbon dioxide reduction targets should be met on-site. Where it is clearly demonstrated that the specific targets cannot be fully achieved on-site, any shortfall may be provided off-site or through cash in lieu contribution to the relevant borough to be ring fenced to secure delivery of carbon dioxide savings elsewhere.”*
- 6.46 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.



- 6.47 Policy DM13 of the Harrow DM Policies 'Decentralised Energy Systems' states that the proposal for decentralised energy networks will be supported. Policy DM14 'Renewable Energy Technology' states that proposals that incorporate renewable energy technology will be supported where feasible.
- 6.48 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 35%.
- 6.49 The energy strategy proposes a strategy that follows the energy hierarchy outlined in the London Plan, namely prioritising energy efficiency measures first, followed by 'clean' (low carbon) technologies and followed by 'green' technologies i.e. renewables.
- 6.50 An Energy Statement has been submitted, which outlines the proposed strategy to reduce the overall energy demand, by implementing energy efficient measures, low carbon and renewable energy technologies, with reference to the 'Be Lean, Be Clean and Be Green' energy hierarchy principles within the London Plan, Policy 5.2A. The specific measures would include a reduction of CO2 of approximately 39.7% reduction compared to the baseline. The energy solution for the development submitted with the Energy Statement would comply with Part L 2013 Building Regulations and meets Target Fabric Energy Efficient (TFEE) requirements. Other elements include a decentralised energy system with CHP design to supply 80% of the thermal energy demand of the development, PV renewable technology. Furthermore, it meets the London Plan 35% regulated energy CO2 emissions uniform reduction target and zero carbon minimum requirements.
- 6.51 The London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires all new residential development to be zero carbon from 1 October 2016 and a 35% reduction in carbon emissions from non-residential development (relative to the 2013 Building Regulations Part L). The energy hierarchy should be followed, prioritising energy efficiency / building fabric measures (Be Lean) first, followed by low carbon / clean energy (Be Clean), and finally renewable energy sources (Be Green). For residential development, at least 35% carbon reductions should be achieved on-site, with a monetary contribution paid to offset any remaining carbon emissions so that the development achieves zero carbon. Harrow uses the Mayor's rate of £60 / tonne / year for 30 years [equivalent to £1,800 tonnes per carbon (£60/tonne/year x 30 years)] to calculate any required offset contribution.
- 6.52 The Energy Strategy submitted with the application is dated January 2017. For the residential element of the development, the strategy identifies that energy efficiency measures will reduce carbon emissions from the 2013 baseline by 4.1%. The strategy correctly identifies that there are no district heating networks available for connection in the vicinity of the development. It however proposes a site-wide communal network [powered by a Combined Heat and Power (CHP) engine], which achieves a 35.8% reduction in carbon emissions through 'Be Clean' measures. The cumulative reductions are 39.9%, achieving the required 35% on-site reductions. No renewable energy (attributable to the residential element of the

scheme) is proposed. The remaining carbon emissions from the residential element are calculated to be 72.5 tonnes / year. To achieve zero carbon development, a monetary contribution for carbon offsetting should be secured by way of s106 agreement. The scale of potential carbon offset contribution has been discussed with the applicant in the context of the unique site and proposal specific characteristics.

- 6.53 The applicant has noted that the SILVER Energy Statement submitted in support of the planning application identified that there would be 164.6 tonnes of CO2 emissions per annum post PV technology. However, this figure includes both the new and existing building elements of the scheme, and also refers to both regulated and unregulated emissions. As a carbon offset contribution would not normally be sought for the existing building and significant on-site carbon reductions will be achieved as a result of the site wide CHP engine, it is proposed that any contribution is based upon the net increase / new build element of the scheme only, pro-rating the total requirement for the 31 flats would be 28% of the total scheme amounting to a total required carbon-offset contribution of £23,228.24. The carbon offset figure should be verified through submission of 'As-Built' Part L Building Regulations calculations prior to occupation and a further contribution made for any carbon emissions above the 20.3 tonnes (28% of 72.5 tonnes) already offset
- 6.54 For the non-residential element of the development, the development achieves a 10.2% reduction in carbon emissions through energy efficiency, 11.3% reduction from the proposed CHP and 16.0% from solar PV panels (i.e. electricity) attributable to the non-residential element of the scheme. The cumulative carbon reductions are therefore 37.5%, meaning the non-residential element of the development achieves the 35% reduction required under the London Plan.
- 6.55 Given the above, provided the development is implemented in accordance with the submitted energy strategy and the s106 attached to any planning permission secures a monetary contribution of £23,228.24 (payable upon commencement) to offset the remaining carbon emissions from the new build residential element of the scheme and includes a verification mechanism of the actual carbon emissions once the building is built (and payment of any required further carbon offset), the proposal is acceptable with respect to energy / carbon emissions.

## **Affordable Housing Provision**

### *Affordable Housing Policy and the Proposal's Affordable Housing Offer*

- 6.56 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.
- 6.57 The strategic part of London Plan Policy (2016) 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.
- 6.58 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.
- 6.59 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.
- 6.60 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.

- 6.61 The proposed development would provide for 111 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.
- 6.62 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. However, the Mayor has recently highlighted that Harrow Council performs very well in terms of securing consents for additional housing but, has performed poorly in terms of securing affordable homes. The Mayor notes that the “proportion of Harrow’s housing approvals during the last three years, the provision of net affordable housing units equates to just 10%”. As such, there is an emphasis to secure additional affordable housing within the Borough.
- 6.63 The Draft London Plan policy H7 which addresses affordable housing states that The Mayor is committed to delivering genuinely affordable housing and that the following split of affordable products should be applied to development:
1. a minimum of 30 per cent low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent/ London Affordable Rent)
  2. a minimum of 30 per cent intermediate products which meet the definition of affordable housing, including London Living Rent and London Shared ownership
  3. 40 per cent to be determined by the relevant borough based on identified need provided they are consistent with the definition of affordable housing.

This draft policy goes on to state that only schemes delivering the threshold level of affordable housing with a tenure split that meets the requirements set out in part A can follow the Fast Track Route for viability

- 6.64 The tenure split required by Harrow Council's latest Affordable Housing Guidance is for 60% social (affordable rent) and 40% intermediate (shared ownership) and this would normally be secured through a s106 Agreement. However, the offer in this instance while it meets the number of units (this is discussed further in the 'Principle' section of the report) would be provided as 100% Discount Market Rent tenure, and as such would not meet Harrow Council standards.
- 6.65 The proposed development which is the subject of this planning application would result in an uplift of 31 new dwellings, which are in the extended part of the building and would trigger a requirement for both affordable housing and wheelchair units. The level of affordable housing offered has been revised upwards to be provided on-site to 35% (11 units) which is an increase of two units on the scheme originally submitted. This level of affordable housing is now in accordance with the Mayoral Affordable Housing 'Homes for Londoners' SPG 2017. On this basis, it will not be necessary to provide a viability assessment in relation to affordable housing provision.
- 6.66 In terms of provision of the affordable housing units it is proposed to provide 1 x studio unit, 9 x 1 bedroom two-person units and 1 x 2 bedroom 3-person unit, all to be located on the upper ground floor.
- 6.67 The provision of all of the affordable units all on one floor means they can be independently accessed separately to the rest of the building for management purposes, which would facilitate management for a Registered Provider. Three of the affordable units on the ground floor will be provided as wheelchair accessible.
- 6.68 The Council's Housing Team have enquired as to whether the whole scheme will be by a Private Rental Scheme under single management and have also asked what the Affordable Housing Discount Market Rent levels would be and have highlighted that in the Mayor of London Housing for London Supplementary Planning Guidance, the Mayor has shown a preference for 'London Living Rent levels'). These issues will be determined as part of the legal agreement
- 6.69 The housing response has raised concerns about the provision of accommodation: Firstly stating that the scheme is offering 1x studio flat, 9x 1bed 2 p units and 1x 2 bed 3p unit which does not meet Harrow's priority need for 2 followed by 3 bed units, making the scheme non-compliant. They have objected to the provision of studio flats as they do not meet housing requirements. The housing response has also raised concerns that a concentration of 1 bed units in the same location may focus the number of vulnerable single people nominated onto the scheme into 1 location which may have an impact on management of the scheme. A final point made is that for the 2 bed unit, Harrow's preference is for 2 bed 4 person to make it compliant.
- 6.70 It is acknowledged that the units do not fully comply with affordable housing requirements. However, they provide an acceptable number of units and the units provided all meet and in most cases exceed London Plan Space Standards, which is a requirement for affordable housing provision. Furthermore, more broadly the scheme must be taken in the context of the prior approval fall-back position, which

is a material planning consideration in this instance. This is addressed in further detail in the 'Principle of Development' section of this report and also in the context of other improvements that would be made to the building, which may not be achieved if only the prior approval for change of use were undertaken. On this basis, on balance the affordable housing is considered acceptable in this instance.

- 6.71 In light of the compliance with the Mayor's Affordable Housing SPG 2017, with the associated expedited process, and the benefits of an increased on-site affordable housing provision; the recently approved revised ground floor layout to achieve a reduced number of larger compliant units with internal space standards; and the provision of 10% (3) wheelchair units with access to the central amenity area, it is the case that the proposed provision of affordable housing units now represent an enhanced and more easily managed provision on-site and should be considered as acceptable in this instance.
- 6.72 For these reasons, 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).

## **Housing Density and Overall Housing Mix**

### *Housing Density*

- 6.73 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.
- 6.74 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 111 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 and to fulfilling the Core Strategy's target for the borough.
- 6.75 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). This SPG states that the density matrix as only one part of a wider policy to optimise development on sites in different settings, with different levels of public transport and accommodating homes of different sizes.

- 6.76 The application site area is 0.28 hectares and it has a public transport accessibility level (PTAL) score of 6a indicating a very good level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an Urban or Central setting. Based on the supporting text to Table 3.2, the fact that it has a large footprint, within an area of dense and mixed use development and a height of over four storeys, it would correspond to 'Central' setting. However, the nearest centre Edgware is a Town Centre rather than a Major/Metropolitan.
- 6.77 The proposal, taken as a whole, equates to a density of 286 units per hectare and of 589 habitable rooms per hectare. In this regard as a development within less than average 2.7 habitable rooms per units, it falls within the acceptable range of units per hectare which is 215-405 and is close to the middle part of this range. While it is noted that this is not the highest density possible, based on the other considerations of the site, i.e., existing building, is already on site, high risk flood zone in the undeveloped section of the site, as well as other issues such as neighbouring amenity and heritage concern which could restrict increasing the height of the building.
- 6.78 The London Plan states that it is not appropriate to apply the density matrix mechanistically without considering other factors. The GLA Housing SPG sets out exceptional circumstances where densities above the relevant density range may be appropriate, taking into account local context and character, infrastructure capacity.

## Overall Housing Mix

6.79 The following is a breakdown of the proposed housing mix across the scheme.

<b>Detailed Housing Mix- Current Proposal Entire Scheme</b>		
<b>Unit Size</b>	<b>No. of Units (Total)</b>	<b>% of All Units</b>
Studio:	59	53%
1 Bed (2 Person):	41	37%
2 Bed (3 Person):	8	7%
2 Bed (4 Person):	3	3%
<b>Total:</b>	<b>111</b>	<b>100%</b>

<b>Detailed Housing Mix- Proposed on Existing Floors</b>		
<b>Unit Size</b>	<b>No. of Units (Total)</b>	<b>% of All Units</b>
Studio:	59	74%
1 Bed (2 Person):	20	25%
2 Bed (3 Person):	1	1%
2 Bed (4 Person):	0	0%
<b>Total:</b>	<b>80</b>	<b>100%</b>

<b>Detailed Housing Mix- Proposed on New Floors</b>		
<b>Unit Size</b>	<b>No. of Units (Total)</b>	<b>% of All Units</b>
Studio:	0	0%
1 Bed (2 Person):	21	68%
2 Bed (3 Person):	7	23%
2 Bed (4 Person):	3	10%
<b>Total:</b>	<b>31</b>	<b>100%</b>

6.80 Within Harrow or London policy there are no specific requirements for the unit size/mix for market properties and it is stated in Policy DM: 24 'Housing Mix' that the appropriate mix of housing will be determined having regard to 'the location of the site, the character of its surroundings and the need to optimise housing output on previously-developed land'.

6.81 The supporting text goes on to state that to policy DM 24 'Housing Mix' the Council does not consider it justified to prioritize dwelling sizes for market housing and advocates a more balanced and flexible approach that, whilst having regard to identified needs, seeks to match housing mix to the location and nature of allocated sites, or sites likely to become available.

6.82 All of the proposed residential units would be flats and as the table shows, there is a very high proportion of studio flats within the development. There are obvious drawbacks to studio flats, as they generally are only appropriate for a single occupier, while most of the remainder of the flats are 1 bedroom. However, these studios are wholly within the part of the building with a prior approval fall back, in which most of the units would not have complied with The London Plan space standards, while in the current proposal most of the units do meet the space standards. In the new floors where there is no fall-back, there are no studios and a



number of the units are 2 bedrooms. In the context of the area, i.e. within a mixed use urban area, with a very high PTAL, these sizes of units are considered appropriate. In this context, while this would not be the unit mix sought in a new development, even in this urban area, it is considered acceptable on balance in the context of considerations highlighted above.

### *Accessibility*

- 6.83 London Plan policy 3.8 which addresses housing choice, requires 90% of new housing to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% of new housing to meet Building Regulation requirement M4 (3) 'wheelchair user dwellings, i.e., is design to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. Applied to the current proposal, it would be considered appropriate to apply this to the new build section of the development.
- 6.84 The wheelchair accessible units would be located on the raised ground floor, and at 3 units this would represent approximately 10% of the units in the new floors of the building, i.e., the units which would not benefit from a fall-back position related to prior approval for change of use. The entrance to these units would be via the lower ground floor. This would not be entirely convenient as it would require access along Spring Villa Road and under the parking undercroft for wheelchair users who were not travelling by car. However, this is due to constraints of retrofitting an existing building and it would still allow level access to the units. This will be secured via planning condition that these units must meet M4 (3) and this will be secured via building regulations as well.
- 6.85 The remainder of the new building section of the building would be required to meet M4 (2) requirements. In terms of the existing parts of the building, it is recognised that the prior approval fall-back position is in place and is a material planning consideration. However, it would still be beneficial and in keeping with the aspirations of the London Plan policy that the building as a howl is as accessible as possible and so the units within the existing building would be expected to be as accessible as possible in the context of the practicalities of retrofitting an offices building. This applies to issues such as level access, ramps, door widths and services and controls. Detailed information related to this requirement has not been submitted, but in a new development on this scale, this is an important requirement. This should be shown on submitted plans due to the fact that wheelchair user accommodation is typically larger in terms of the floor plan.

### **Conclusion**

- 6.86 The principle of providing a residential development on the application site is acceptable. 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 building 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.

- 6.87 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**

#### **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: 2360\_GA\_P\_LG P12; 2360\_GA\_P\_L00 P8; 2360\_GA\_P\_L01 P10; 2360\_GA\_P\_L02 P6; 2360\_GA\_P\_L03 P4; 2360\_GA\_P\_L04 P4; 2360\_GA\_P\_L05 P4; 2360\_GA\_P\_L06 P4; 2360\_GA\_P\_L07 P4; 2360\_GA\_P\_L08 P4 ; 2360\_GA\_P\_L09 P4; 2360\_GA\_BP P2; 2360\_GA\_RP P1; 2360\_GA\_AX0-01 P1; 2360\_GA\_E01 P4; 2360\_GA\_E02 P2; 2360\_GA\_E03 P2; 2360\_GA\_E04 P2 ; 2360\_GA\_S\_A-A P2; 2360\_EX\_P\_SP B; 2360\_EX\_P\_Lg ; 2360\_EX\_P\_L00 B ;2360\_EX\_P\_L01 B; 2360\_EX\_P\_L02 B; 2360\_EX\_P\_L03-7 B; 2360\_EX\_P\_RP ; 2360\_EX\_E01 P1 ; 2360\_EX\_S\_A-A P1; 2360\_EX\_E02 P1; 2360\_EX\_E04 P1; 2360\_EX\_E03 P1; Air Quality Assessment dated January 2018; Daylight and Sunlight Report dated January 2018; Design and Access Statement dated January 2018; Flood Risk Assessment dated January 2018; Flood Model Report Appendix E; Flood Risk Basement Appendix D- Environment Agency Data; Heritage Statement Reference R13139; Noise Impact Assessment 175650-01 dated January 2018; Planning Statement dated January 2018; Sustainability Statement dated 11/01/2018; Transport Statement dated January 2018.

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 until samples of the materials to be used in the construction of all of the external surfaces, including, but not restricted to those listed below have been submitted to, and approved in writing by, the local planning authority:

- a) Facing materials and roof,
- b) Windows and doors;
- c) Rainwater goods
- d) Boundary treatment
- e) Hardsurfacing

f) Balconies

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

REASON: To ensure that good quality and acceptable materials would be used for the development in order to safeguard the appearance of the locality. To ensure that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

4. Construction Logistics Statement

No development shall take place, including any works of demolition, until a Construction 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

REASON: To ensure that the construction of the development does not unduly impact on highway safety and the amenities of the existing occupiers of the properties adjacent to the site. These works would form part of the construction process and for this reason, this is a PRE-COMMENCEMENT Condition.

5 Flood Risk and Development

The development hereby approved shall be undertaken in accordance with the measures described and recommended within the approved Flood Risk Assessment and appendices and shall be retained in that form thereafter.

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.

6 Refuse Storage

The refuse and waste bins shall be stored at all times 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.

7 Landscape

A landscape plan and management plan, including 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 plan and management plan shall be carried out as approved and shall be retained thereafter.

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

8 Landscape Management

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, 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.

9 Further Landscape Details

The development hereby approved shall not be occupied until the following details have been submitted to and approved in writing by the local authority:

Tree planting and fixing details; minor artefacts and structures (such as furniture, courtyard garden, winter gardens, bin stores, bike stores, green walls, permeable surfacing, gates, details for landscaped podium deck courtyard garden, together with any proposed irrigation systems and venting - platforms incorporating vents, vent grilles, screens to vents. The development shall be completed in accordance with the approved details.

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

10 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 interest of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

11 Communal Facilities

Prior to the occupation of the development hereby permitted, additional details of a strategy for the provision of communal facilities for television reception (e.g. 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.

12 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 front elevations of the buildings hereby approved, unless agreed in writing by the Council.

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

13 Cycle Storage

Notwithstanding the approved plans, prior to occupation of the development hereby approved details shall be provided of safe and secure cycle storage for 134 x bicycles and 4 x motorcycles. The approved details shall be implemented and shall thereafter be retained.

REASON: To provide sufficient bicycle and motorcycle parking space for the use of future occupiers.

14 Car Park Management Plan

Notwithstanding the approved plans, prior to occupation of the development hereby approved, details shall be provided of a car parking management plan to clarify how parking would be allocated 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 provide an acceptable car parking situation for the use of future occupiers and to avoid congestion in surrounding streets.

15 Part M Dwellings

A minimum of 3 of the units on the raised ground floor shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings' as indicated on the approved plans.

All residential units within floors 8 and 9 of the rear tower and floors 3, 4 and 5 of the front tower, i.e. the new floors 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.

All residential units within raised ground floor, floors 1-7 inclusive of the rear tower and floors 1-2 of the front tower, i.e., the existing floors shall be 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 shall thereafter be retained in that form

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

16 Restriction of HMO

The proposed residential accommodation within the development hereby permitted shall be used for Use Class C3 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.

17 Sustainability and Energy

The development hereby permitted shall be built in accordance with approved documents Sustainability Statement dated 11<sup>th</sup> January 2017. The details approved within these documents shall be implemented and retained thereafter. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development.



# 1 **INFORMATIVES**

## 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 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
- 3.9 Mixed and Balanced Communities
- 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
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 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
- 7.1 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

### **Draft London Plan 2017**

- D1
- D2 Design
- H7 Affordable Housing

## **Local Development Framework**

Harrow Core Strategy 2012

CS1 Overarching Policy

Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM10 On Site Water Management and Surface Water Attenuation

DM12 Sustainable Design and Layout

DM22 Trees and Landscaping

DM23 Streetside Greenness and Forecourt Greenery

DM24 Housing Mix

DM27 Amenity Space

DM42 Parking Standards

DM43 Transport Assessments and Travel Plans

DM45 Waste Management

## **Supplementary Planning Documents**

Mayors Supplementary Planning Guidance: Housing (2016)

Harrow Supplementary Planning Document: Residential Design Guide 2010

Harrow Supplementary Planning Document: Planning Obligations 2013

### 2 Grant with 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 Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £99,552.40 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 £99,552.40 for the application, based on the levy rate for Harrow of £35/sq m and the stated increase in floorspace of 2,449 sq m.

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: £311,482.10

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: £311,482.10

#### 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](mailto: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

8 Notwithstanding the details set out in condition 16 above, the Construction Management Plan should also be produced in accordance with Transport for London guidance. Further information can be found at: <https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/guidance-by-transport-type/freight>

## 9 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](mailto: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.

## 10 STREET NAMING AND NUMBERING INFORMATIVE

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](mailto:technicalservices@harrow.gov.uk) or on the following [link](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering).  
[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

**Plan Numbers:**

2360\_GA\_P\_LG P12; 2360\_GA\_P\_L00 P8 ; 2360\_GA\_P\_L01 P10;  
2360\_GA\_P\_L02 P6; 2360\_GA\_P\_L03 P4; 2360\_GA\_P\_L04 P4;  
2360\_GA\_P\_L05 P4; 2360\_GA\_P\_L06 P4;  
2360\_GA\_P\_L07 P4; 2360\_GA\_P\_L08 P4 ; 2360\_GA\_P\_L09 P4; 2360\_GA\_BP  
P2; 2360\_GA\_RP P1; 2360\_GA\_AX0-01 P1; 2360\_GA\_E01 P4; 2360\_GA\_E02  
P2; 2360\_GA\_E03 P2; 2360\_GA\_E04 P2 ; 2360\_GA\_S\_A-A P2; 2360\_EX\_P\_SP  
B; 2360\_EX\_P\_Lg ; 2360\_EX\_P\_L00 B ;2360\_EX\_P\_L01 B; 2360\_EX\_P\_L02 B;  
2360\_EX\_P\_L03-7 B; 2360\_EX\_P\_RP ; 2360\_EX\_E01 P1 ; 2360\_EX\_S\_A-A P1;  
2360\_EX\_E02 P1; 2360\_EX\_E04 P1; 2360\_EX\_E03 P1; Air Quality Assessment  
dated January 2018; Daylight and Sunlight Report dated January 2018; Design  
and Access Statement dated January 2018; Flood Risk Assessment dated  
January 2018; Flood Model Report Appendix E; Flood Risk Basement Appendix  
D- Environment Agency Data; Heritage Statement Reference R13139; Noise  
Impact Assessment 175650-01 dated January 2018; Planning Statement dated  
January 2018; Sustainability Statement dated 11/01/2018; Transport Statement  
dated January 2018.

## APPENDIX 2: SITE PLAN



### APPENDIX 3: PHOTOGRAPHS



Raised ground floor and front elevation of the rear tower, viewed from south on Spring Villa Road



As above





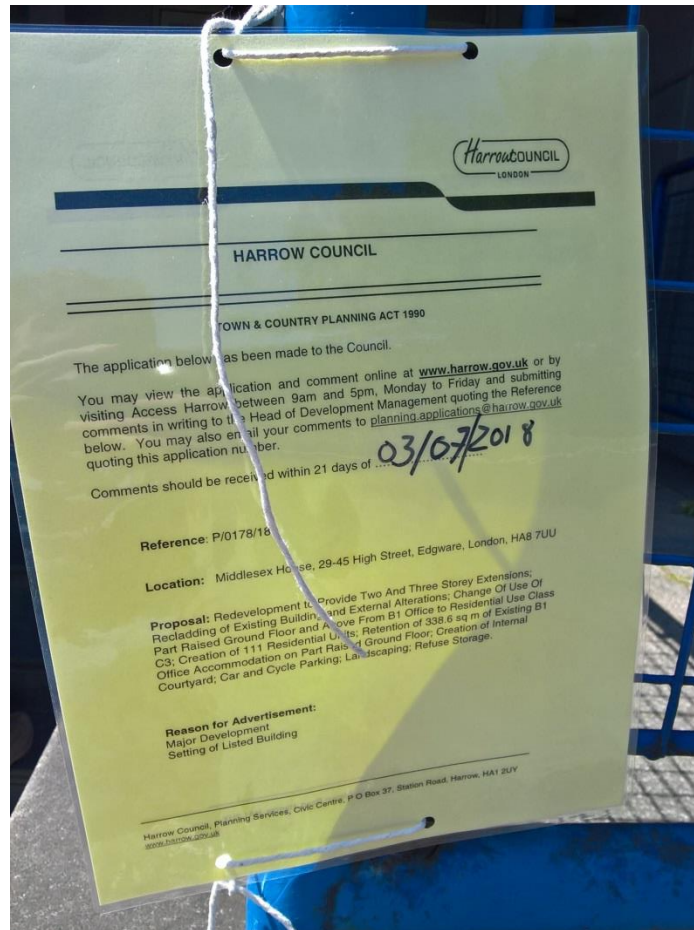
Rear of existing front tower and raised ground floor



Rear car park facing Business Park and Handel Way



Rear elevation, rear tower building



View from High Street Edgware, facing north

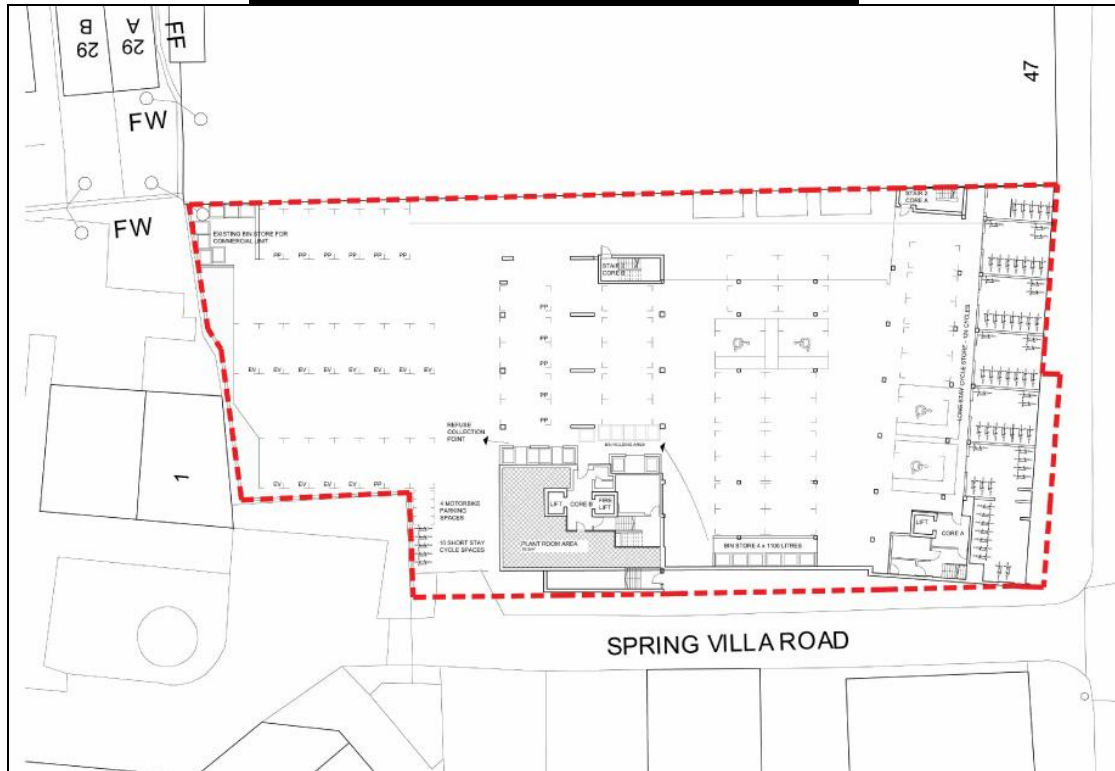


View from High Street Edgware, facing south

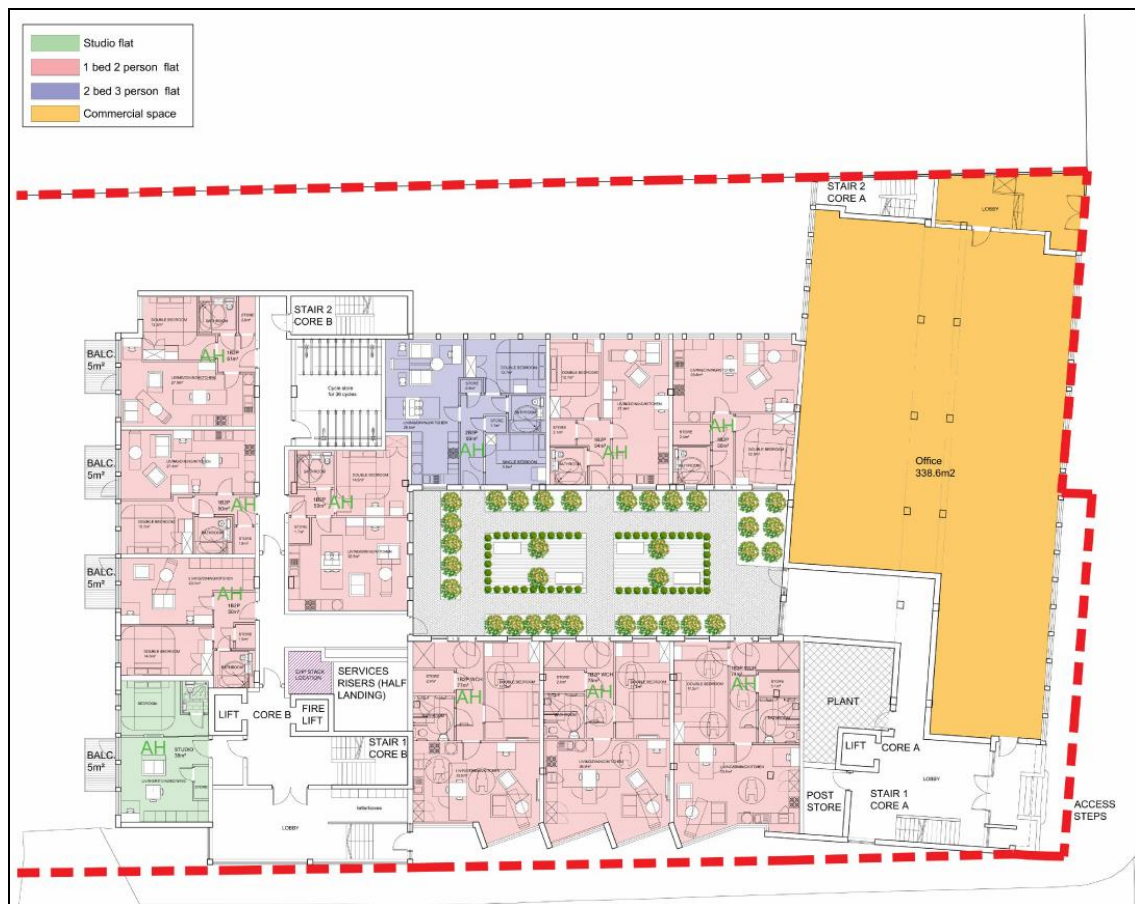


Aerial View

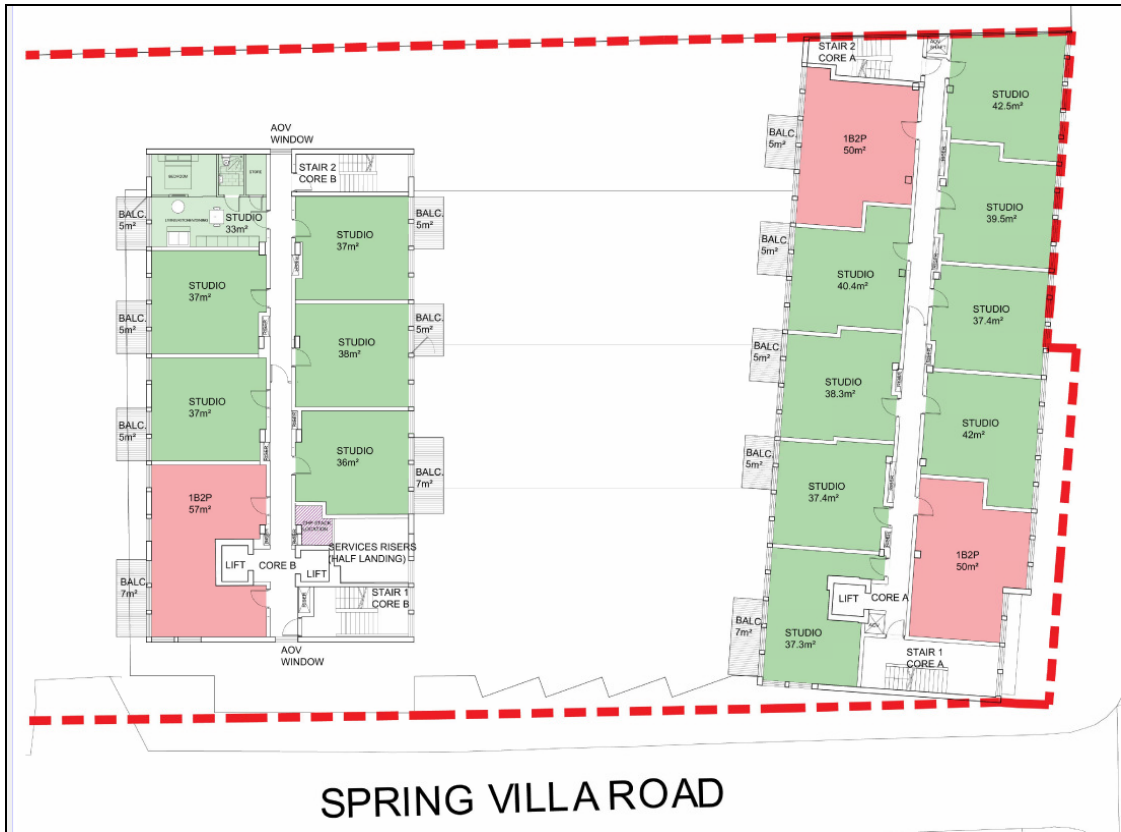
## APPENDIX 4: PLANS AND ELEVATIONS



Proposed Lower Ground Floor



Proposed Ground Floor

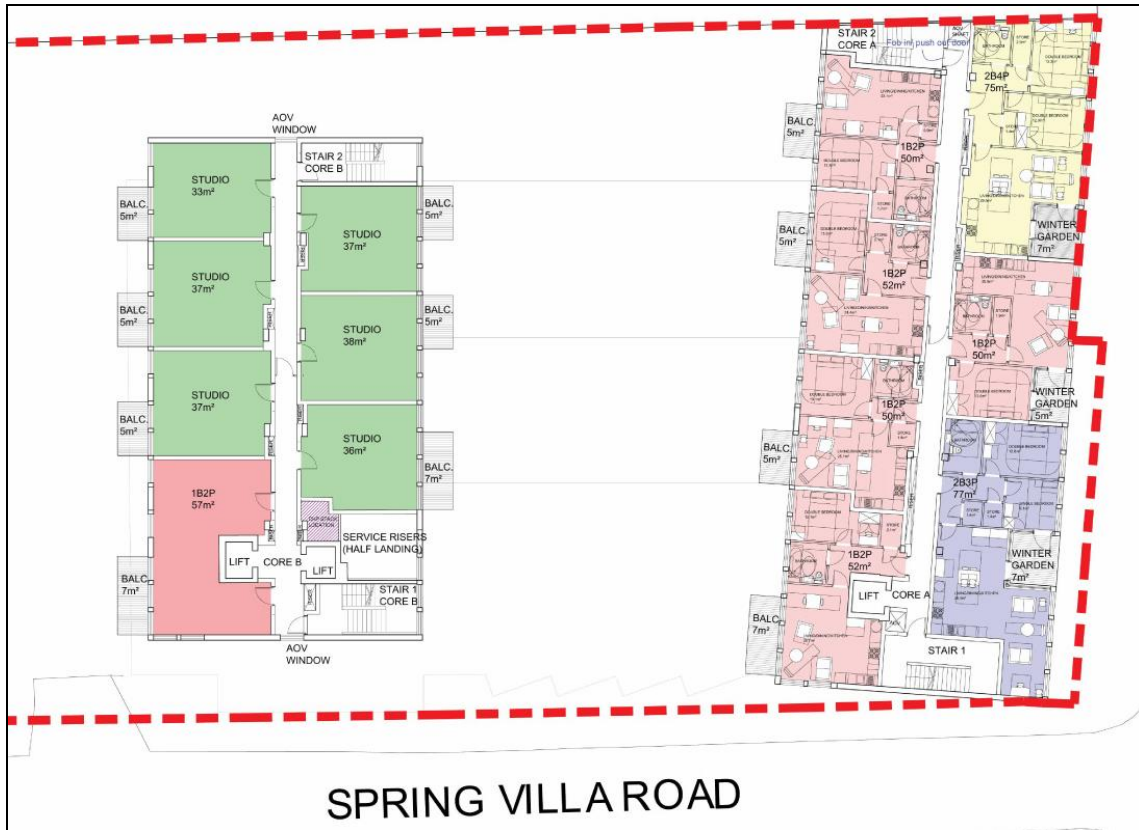


SPRING VILLA ROAD  
Proposed First Floor



SPRING VILLA ROAD

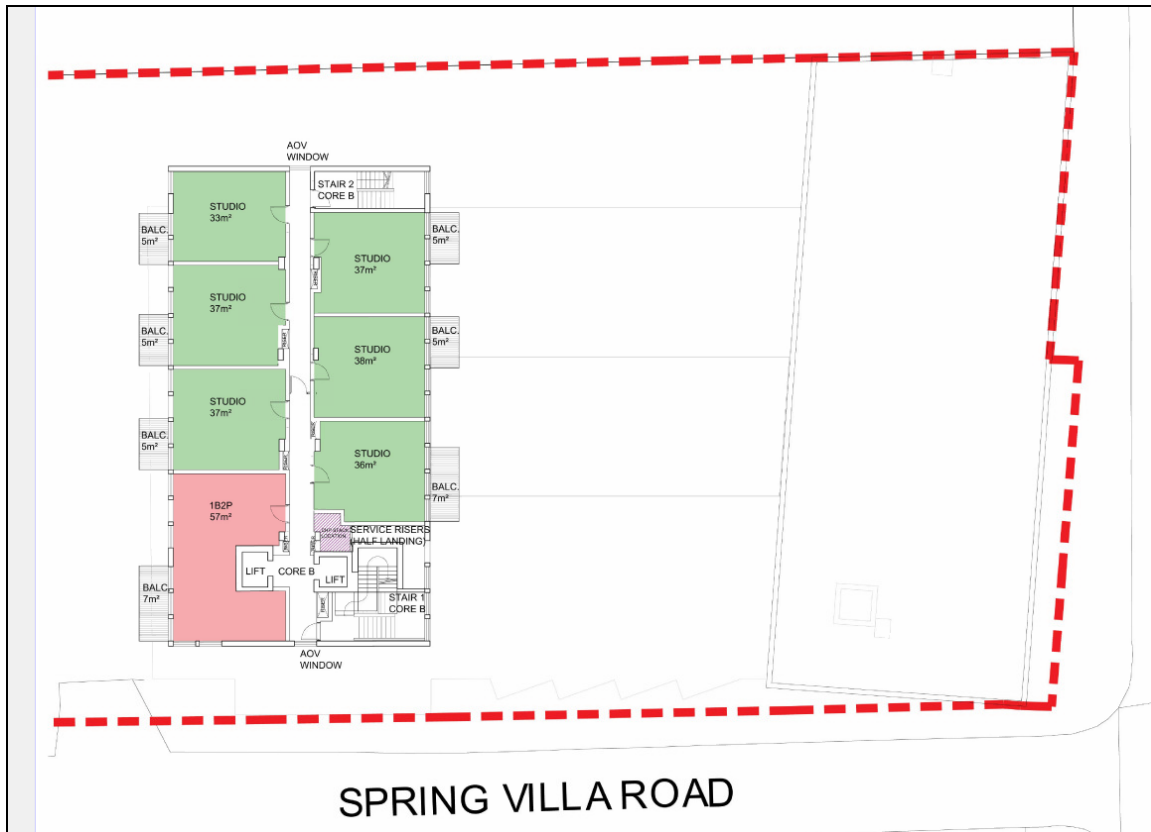
## Proposed Second Floor



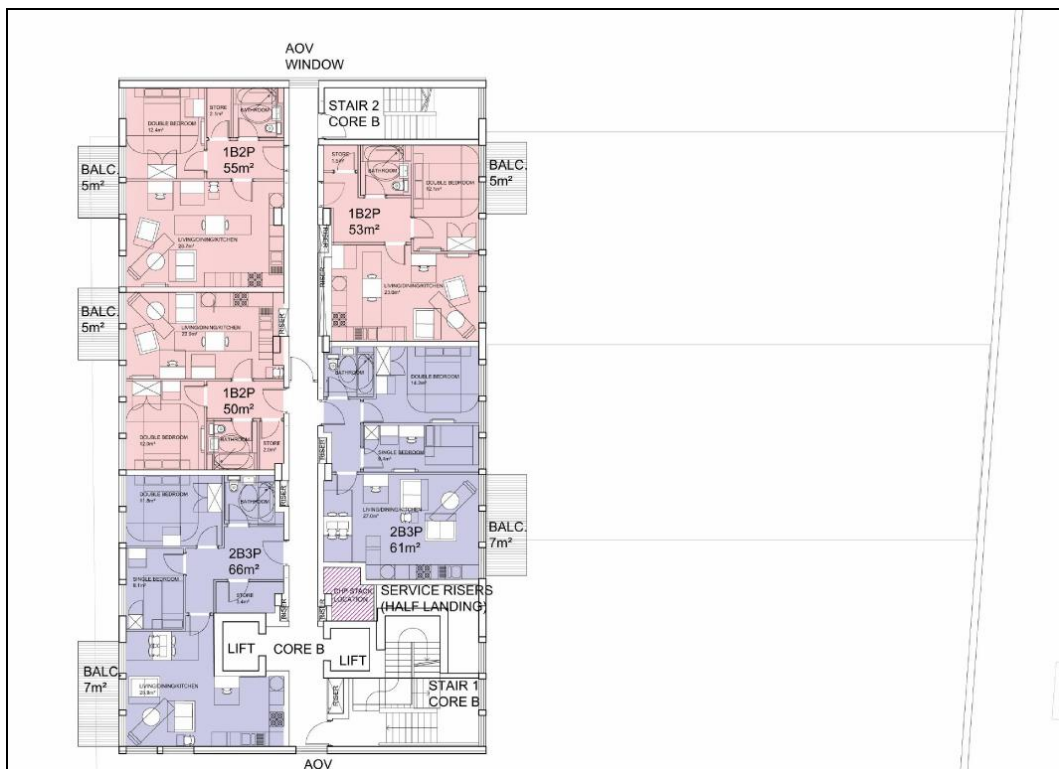
**SPRING VILLA ROAD**

Proposed Third/Fourth/Fifth Floor





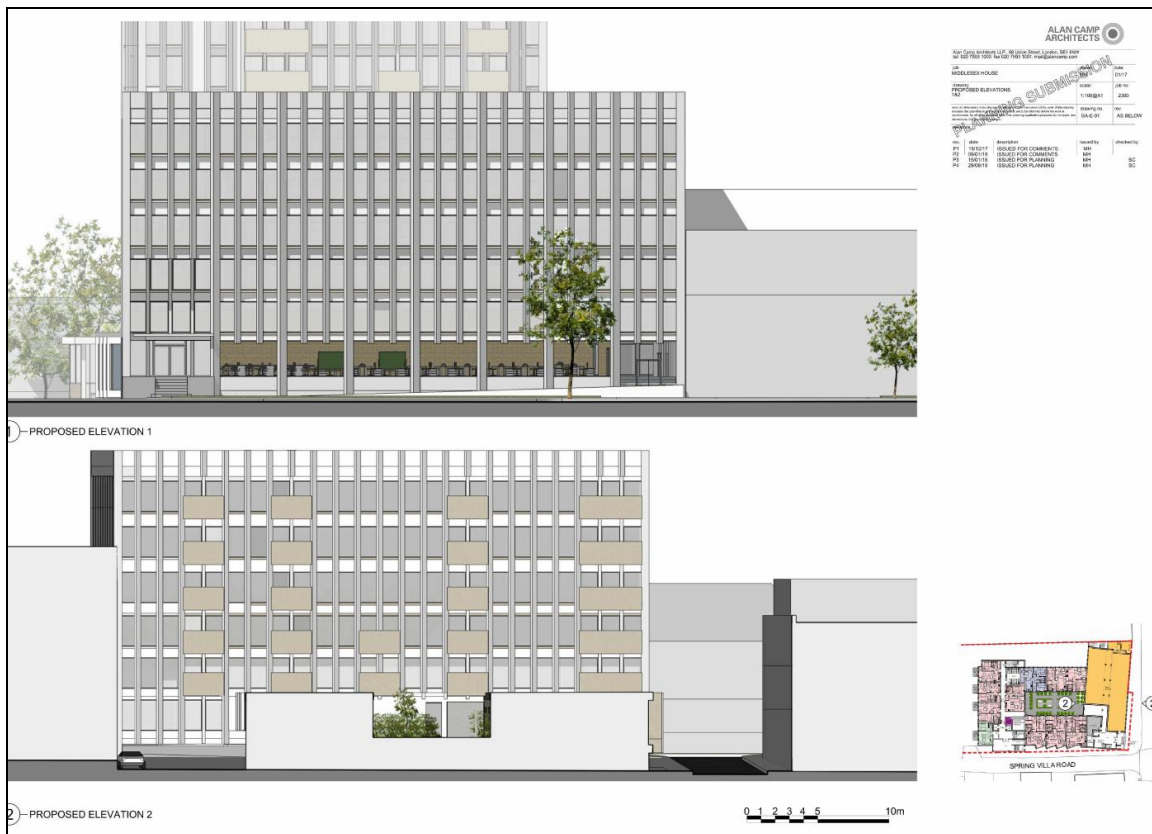
Proposed Sixth/Seventh Floors



Proposed Eighth/Ninth Floors



Proposed Roof Plan



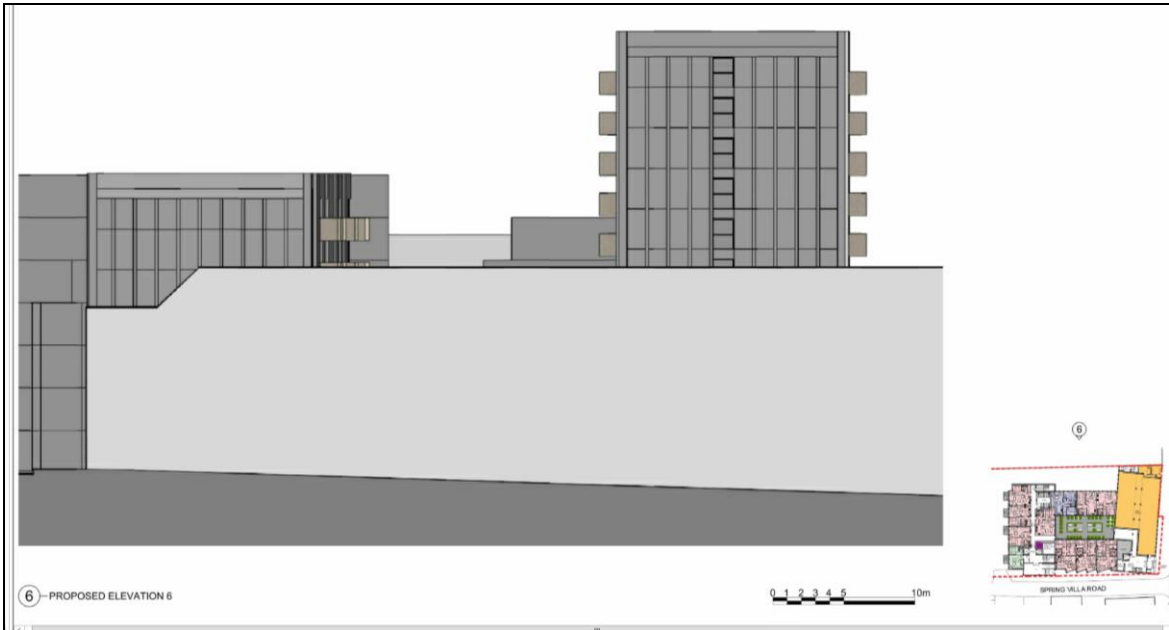
Proposed Elevations



Proposed Rear Elevation



Proposed Side Elevation (South)

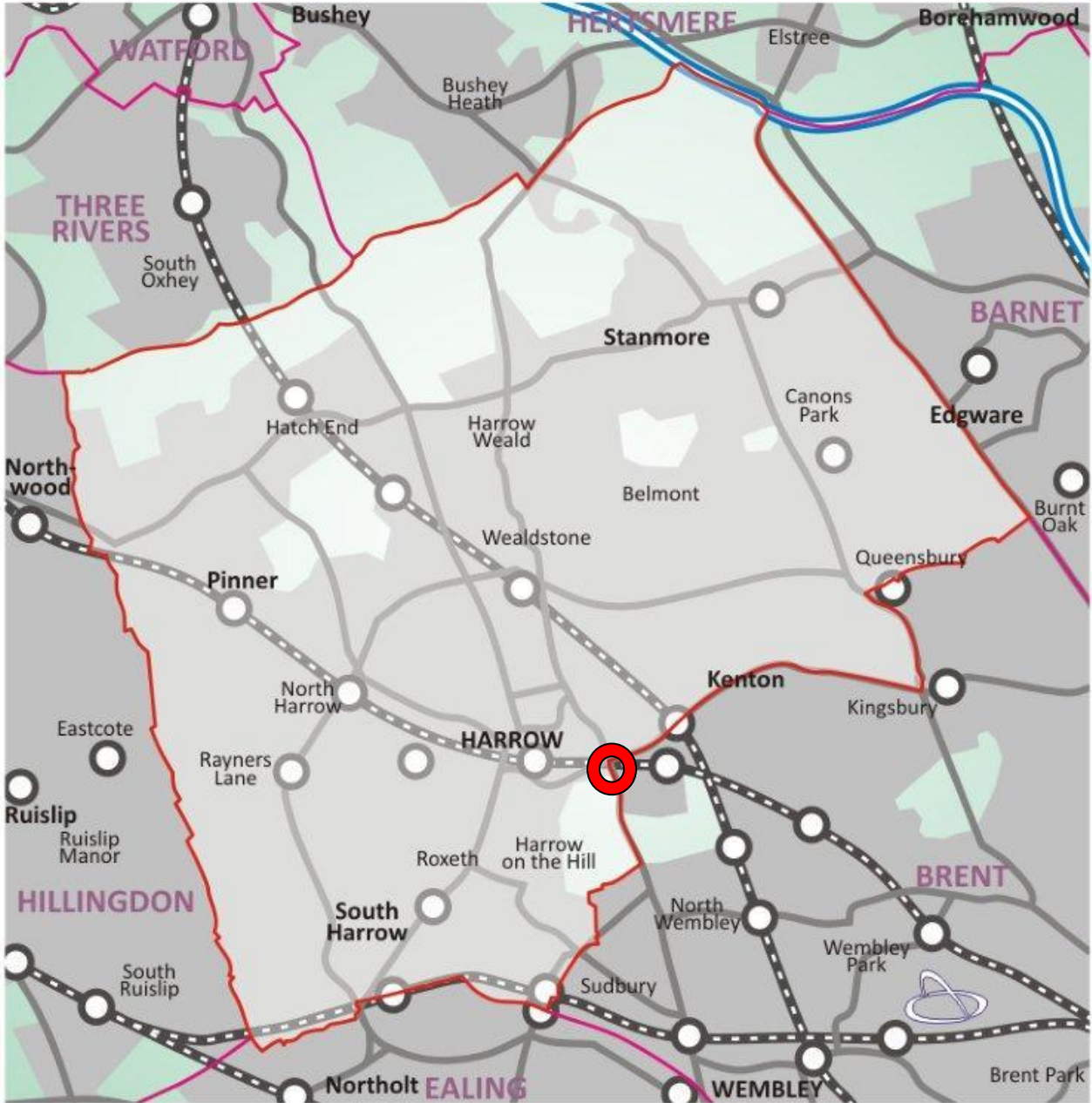


Proposed Side Elevation (North)

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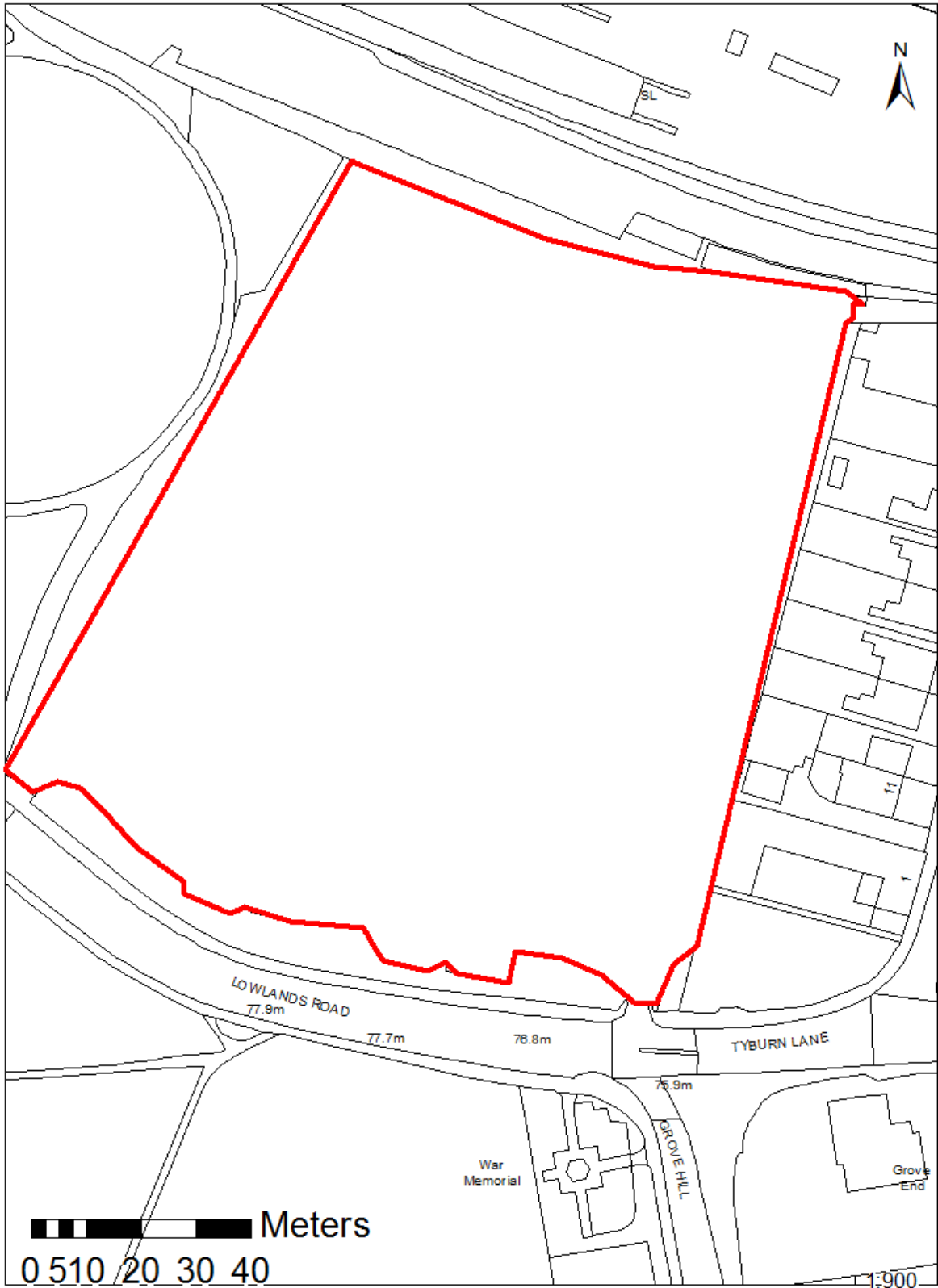
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 = application site



<b>Harrow College, Lowlands Road</b>	<b>P/1375/18</b>
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# Harrow College, Lowlands Road



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**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**25<sup>th</sup> July 2018**

**Application Number:** P/1375/18  
**Validate Date:** 12/04/18  
**Location:** Harrow College, Lowlands Road, HA1 3AQ  
**Ward:** Greenhill  
**Postcode:** HA1 3AQ  
**Applicant:** Mr Robert Drury  
**Agent:** Hnw Architects  
**Case Officer:** Justine Mahanga  
**Expiry Date:** 27/07/18 (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.

Partial demolition and single storey front to side extension to the Armstrong building to create an entrance foyer; external alterations including overcladding to the Armstrong building; single storey side extension and three storey aluminium framed lift core with glazed panels to Brunel building; metal railings to southern boundary (Lowlands Road); alterations to parking layout and landscaping (revised proposal)

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 proposal would improve and rejuvenate the existing Harrow College Campus, by introducing a new entrance foyer, external works to the existing buildings and reconfiguring several of the existing teaching spaces. The proposed works also include improved pedestrian links, a rationalisation of car parking layout and a new landscape scheme to enhance the College frontage and visibility from the Road. Overall, the proposed works are considered to successfully regenerate the existing College. The proposal would be preserve the setting of the adjoining Conservation Area and listed building.

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2016, the Harrow Core Strategy 2012, and the Development Management Policies Local Plan 2013, as well as to all relevant material considerations including any responses to consultation.

## **INFORMATION**

This application is reported to Planning Committee as the proposed development exceeds 400sqm and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Minor
Council Interest:	None
GLA Community	Nil
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 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	Harrow College, Lowlands Road, HA1 3AQ
Applicant	Mr Robert Drury
Ward	Greenhill
Local Plan allocation	N/A
Conservation Area	Within the setting of Roxborough Park & The Grove Conservation Area
Listed Building	No
Setting of Listed Building	Yes. White Building Grade II Listed
Building of Local Interest	No
Tree Preservation Order	No

Transportation		
Car parking	No. Existing Car Parking spaces	45 spaces within red line development boundary
	No. Proposed Car Parking spaces	45 spaces within red line development boundary
	Proposed Parking Ratio	As existing
Cycle Parking	No. Existing Cycle Parking spaces	90
	No. Proposed Cycle Parking spaces	90
	Cycle Parking Ratio	As existing
Public Transport	PTAL Rating	6a
	Closest Rail Station / Distance (m)	Harrow on the Hill Station – 0.2 miles
	Bus Routes	Bus stop – 0.05miles away (opposite site) serves routes - A & METF. Bus stop – 0.2miles away serves routes – 182, 186,223,258, 483, H14, H17, H19 & N18.
Parking Controls	Controlled Parking Zone?	Yes. Within controlled Zone E.
	CPZ Hours	8:30-6:30, Mon-Sat
	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
Parking Stress	Summary of results of survey	N/A

Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Refuse / recycling remains as existing.
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## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The subject is located within the north-western section of the Harrow College site fronting the Harrow on the Hill Station Car Park to the north and Lowlands Recreation Ground to the east.
- 1.2 Harrow College site itself is located on the northern side of Lowlands Road. Part of the front boundary of the site lies within the Roxborough Park and The Grove Conservation Area.
- 1.3 The southern boundary of the site features mature vegetation.
- 1.4 Harrow College comprises a number of two and three storey buildings, with some temporary modular buildings.
- 1.5 The most prominent building on the site is the two-storey brick faced Brunel building adjacent to the southern boundary of the site. This building has a long central axis parallel to Lowlands Road and two further axes perpendicular to the main axis.
- 1.6 The building to the north-west of the Brunel building, the White House is a Grade II Listed building and by virtue of the buildings linking the Brunel building and the White House, the Brunel building is also considered to be listed.
- 1.7 The section of the site that relates to this application comprises the temporary two storey modular buildings facing the Harrow on the Hill Station car park and the three storey Armstrong building located to the east, fronting Lowlands Recreation Ground (now demolished).
- 1.8 Directly to the east of the subject site, is the three storey 1980's extension to the college which links back to the main Brunel building.

### **2.0 PROPOSAL**

- 2.1 Proposed works to improve the existing College, including single storey extensions, external alterations to existing buildings and internal reconfiguration.
- 2.2 External alterations are proposed as follows:

- 2.3 Re-cladding and internal works to existing three-storey Armstrong building. The proposed cladding would include zinc standing seam, Trespa Panels and yellow PPC Aluminium trim;
- 2.4 Demolition of existing plant building and projection located on the western side of the Armstrong building (256sqm);
- 2.5 Single storey front to side extension to the Armstrong building (approximately 422sqm) to provide a new entrance foyer and student services. The extension has been designed as a semi-circle, comprising a glazed frameless elevation;
- 2.6 New connecting walkway linking the Armstrong building to the Brunel building. The extension would be constructed of a lightweight glass façade;
- 2.7 One and a half storey brick extension to the Brunel building (approximately 140sqm) to accommodate the relocation of the sports hall;
- 2.8 Extension of lift overhang to the north-east end of the Brunel building;
- 2.9 External improvements to enhance campus frontage, including landscaping works, improved pedestrian access and rationalization of car parking;
- 2.10 Reconfiguration of parking spaces, including one additional wheelchair parking bay;
- 2.11 Re-landscaping at the front of the site to improve way finding and safety;
- 2.12 Black painted metal railings proposed along Lowlands Road.

Revisions to Proposal:

- 2.13 Existing pedestrian and vehicle-in access on Lowlands Road is to be retained and the external works proposals, including landscaping, have been updated accordingly;
- 2.14 No longer proposed to remove two mature trees along the campus frontage;
- 2.15 Amendments have been incorporated to address comments raised by the Conservation and Design Officers, relating to the impact on the listed White Building.

### 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
EAST/1082/99/FUL	Extension within courtyard to provide lift	Granted: 03/12/99
EAST/290/01/FUL	Two storey link building to accommodate lift	Granted: 10/05/01
EAST/465/02/FUL	Alterations to roads and paths and provision of gates at entrance	Granted: 28/06/02
P/1051/06/DFU	Insertion of door and window in south facing elevation of Brunel building	Granted: 19/06/06
P/3889/13	Demolition of existing temporary classrooms and part demolition of teaching block and construction of 4 storey and 5th storey building for plant teaching accommodation with external landscaping works	Granted: 12/03/13
P/2606/14	Variation of condition 13 (approved plans and documents) of planning permission p/3889/13 dated 12/03/2014 to amend the approved scheme including the external appearance materials and location of the plant including amendments to the roofline and removal	Granted: 03/10/14

## 4.0 CONSULTATION

- 4.1 19 consultation letters were sent to neighbouring residents, over two consultation periods.
- 4.2 The first public consultation period expired on 11<sup>th</sup> May 2018 and the second period expired on 28<sup>th</sup> of June 2018.
- 4.3 Adjoining Properties

Number of letters Sent	19
Number of Responses Received	0
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	0

- 4.4 Site notice: 26/04/18  
Second consultation: 15/06/18

Press notice (character of conservation area / setting of listed building): 26/04/18

## 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 Drainage	No objections subject to standard drainage conditions.	Noted. Standard conditions attached.
LBH Conservation Officer	Revised proposal acceptable.	Noted
LBH Highways	Objection: the proposal represents a missed opportunity to reduce the amount of on-site parking, in line with London Plan standards.	Addressed within section 6.7.
LBH Landscape Officer	The amendments are acceptable and an	Noted. Conditions attached.



	improvement to retain the existing trees along the frontage. The impact of the new proposed natural aggregate footpath on the existing mature trees, on the amenity space to the east of the reconfigured car parking, needs to be taken into account with a no dig solution above the tree roots and canopy spread. Overall, no objections, subject to conditions relations to landscaping, implementation, boundary treatment and levels.	
LBH Tree Protection Officer	No objections, subject to conditions relating to tree protection plan, no-dig construction and details of arboricultural supervision.	Noted. Conditions attached.
London Underground	No Comments on application	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 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 and Appearance of the Area/ Setting of Listed Building/ Setting of Conservation Area/ Landscaping and Trees  
Residential Amenity (Neighbouring Residents)  
Drainage & Flood Risk  
Traffic and Parking  
Accessibility  
Land Contamination

### **6.2 Principle of Development**

- 6.2.1 London Plan Policy 3.18C seeks to support development proposals which will enhance education and skills provision, including new build, expansion of existing facilities and change of use to education purposes.
- 6.2.2 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 change of uses proposed within this area will be considered against the policies contained within AAP along side the adopted

Development Management Policies Local Plan (DMP) (2013) and the overarching policies contained in the Harrow Core Strategy 2012 and The London Plan 2016.

- 6.2.3 The application site falls within the sub area of Harrow Town Centre Central as set out in the AAP. The subject site is not an allocated site as defined in the Site Allocations Local Plan (2013), however it is noted that the Harrow on the Hill Station Car park directly to the north of the site is defined as an opportunity site within the AAP.
- 6.2.4 There is no specific policy contained within the AAP that refers to education establishments, as primarily development within the intensification area comprises commercial and residential uses. However policy AAP16 relating to supporting the service sector in Harrow Town Centre does refer to new major community development and will support the development of such within the Harrow Town Centre subject to proposals being consistent with other relevant policies in the AAP, contributes to the delivery of the objectives of the Harrow Core Strategy and is conducive within the residential environment within and surrounding the town centre. More specific detailed policy set out under policy DM46 of the DMP will support the provision for new community, sport and education uses, on the proviso that such uses are located within the community that they intend to serve, are safe and located in an area of good public transport accessibility and that there would be no adverse impact on residential amenity or highway safety.
- 6.2.5 The education use of this site is established, there is no in principle objection to the extension of the existing education facilities, subject to detailed consideration as set out above.
- 6.2.6 Detailed consideration of these and other policy requirements and material considerations are undertaken in the sections below. The proposed new extension to Harrow College is considered to be acceptable as the proposed extension would provide modernised education facilities for the existing college.

### 6.3 Regeneration

- 6.3.1 The proposed development seeks to improve and rejuvenate the existing Harrow College Campus in order to address falling student numbers. The proposal seeks to make better use of the site and create a more inviting and safe environment for both staff and students. In this respect, the proposed development would meet the overarching principles of regeneration into the area.
- 6.3.2 The proposed development would also result in a number of temporary jobs that would also be created during the construction phase of the development.

6.4 Character and Appearance of the Area/ Setting of Listed Building/  
Setting of Conservation Area/ Landscaping and Trees

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 the 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 Policies AAP1 and AAP4 of the AAP seek 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. Criterion A(a) of policy AAP seeks to ensure that development proposals conserve and enhance the significance of heritage assets, including their setting. This is also emphasised under policy 7.8 of The London Plan. Detailed consideration will also be made against policy DM7 of the DMP. Policy AAP6 sets out that development heights within the town centre should be in scale to the site surrounding area.

6.4.4 Policy AAP8 seeks to enhance the setting of Harrow Hill and will seek to resist development proposals that would adversely affect the view of or from Harrow Hill and St. Mary's Church.

Design, Layout, Scale & Appearance

6.4.2 The proposed scheme seeks to improve and renovate the existing college, primary through the construction of a new entrance foyer, re-cladding of the existing Armstrong building and an extension to the Brunel Building. Rationalisation of the car parking layout and re-landscaping is also proposed to enhance the College frontage and visibility from the road.

6.4.3 The external alterations to the existing buildings are discussed below:

*New Entrance Foyer to the Armstrong Building:*

6.4.4 A new entrance foyer is proposed to the south side of the existing Armstrong building. The extension would be single storey and has been designed as a semi-circle. The extension would be finished with a glazed frameless elevation. The primary entrance would include a solid grey surround.

6.4.5 The proposed layout and scale of the front extension is considered to be a proportionate extension to the Armstrong Building, which would sit comfortably within the site. Whilst the LPA raised concerns in regards to the architectural detailing and use of materials, in particular the heavy frame around the entrance door, on balance, given the modest scale and siting of the extension within the site, the proposed design is accepted. Furthermore, the proposed extension is considered to create an improved and inviting access to the College.

*Recladding of the Armstrong Building:*

6.4.6 The proposal seeks to amend the external finish for the Armstrong building by replacing the existing external materials with two contrasting cladding materials. The proposed materials include zinc standing seam, Trespa Panels and Trespa Meteon Rainscreen Cladding, offset with yellow PPC aluminium trim. The proposed re-cladding would not alter the existing scale of form of the Armstrong Building.

6.4.7 The existing Armstrong building does not provide a high quality of design or materiality. The building appears dreary in appearance and in need of maintenance and modernisation. In this context, the proposal to upgrade the external finish of the building is welcomed.

6.4.8 Notwithstanding this, throughout the application process, the LPA raised concerns regarding the choice of external materials proposed and the impact on the setting of the White Building. In response to these concerns, the yellow cladding panels to the front elevation of the building have been replaced with grey panels with yellow trim to the windows.

6.4.9 The LPA acknowledge that the appropriateness of the proposed colour and material palette is a subjective matter, however, on balance, the proposal is considered to represent an improvement to the existing building. Furthermore, it is considered that the materials for the external walls of the building can be controlled by condition and as such a refusal on such grounds would not be warranted in this case.

6.4.10 Whilst the proposed plans include an internally illuminated 3D signage on the western side of the Armstrong Building, this aspect of the development has not been assessed and requires a separate application for advertisement consent. An informative is recommended to advise of this.

*Proposed replacement connection from the Armstrong Building to the Brunel Building:*

6.4.11 The proposed replacement link building would be finished in glazed panels and as such, would have a lightweight and non-obtrusive

appearance. Accordingly, this aspect of the development is considered to be acceptable.

- 6.4.12 Based on the above and notwithstanding the concerns raised with the choice of the external materials, for which an appropriate condition is attached, the proposed building works would not give rise to any conflict with the above stated policies and should therefore be approved.

*Extension to Brunel Sports Facility, including extension to lift overrun*

- 6.4.13 The proposal includes a single storey extension to the existing Brunel building. The extension would be constructed in brickwork to match the existing building. Given the modest scale of the extension and the location towards the rear, north-east corner of the site, the extension would not be visually prominent. Accordingly, no issues arise in this respect.
- 6.4.14 The proposed lift overrun would be constructed of glazed panels with an aluminium frame and would be located centrally within the site. In this respect, the extension would not be visually dominant and as such, no objections are raised.

*Setting of the Conservation Area*

- 6.4.15 The special interest of the Roxborough Park and the Grove Conservation Area is defined by the Conservation Area Appraisal and Management Strategy (CAAMS) as relating to its 'historic interest and a high quality of architecture throughout [including] mainly Victorian and Edwardian buildings providing a good variety of architectural styles... However, properties are united by their common scale, siting and use of high quality materials and similar features ...Public and private greenery also contributes greatly to the area's appearance. This helps soften the streetscene and provide an attractive setting for the architecture of the area. ...The open land is also an important characteristic as it marks a clear division between the relatively low density and historic development covering Harrow on the Hill and the higher density, more modern and commercial development in the centre of Harrow'.
- 6.4.16 Whilst the proposed recladding of the Armstrong building and the extension of the entrance foyer would increase the prominence of this building from the adjacent conservation area, the proposal would not increase the height or massing of the existing building. Furthermore, there will be sufficient soft landscaping between the building and the recreation ground which will help soften the setting, which can be controlled by an appropriate condition. Accordingly, on balance, the proposed works would not have a detrimental impact on the setting of the conservation area. The Council's Conservation officer has raised no objection to the proposal in this respect.

## Setting of the Listed Building

- 6.4.17 The list description of the Harrow College building listed on 25th May 1983 reads: 'Circa 1820 asymmetrical house, now a part of the school. Two-storeys. Stuccoed with slate roof. Simple projecting porch left with semi-circular arch. Lean-to glass house right. Sash windows with wing lights to first floor'.
- 6.4.18 Currently the existing buildings on site have respected the scale and prominence of the listed building by being of similar height and the taller ones set well back and not exceeding 3 storeys. This means the listed building remains a focal point on site albeit clearly surrounded by modern development.
- 6.4.19 The proposed extensions and alterations to the Brunel building would not impact the setting of the listed building, due to their location within the site. The Armstrong building, is however located immediately adjacent to the locally located White building and as such, has the potential to impact the setting of the listed building.
- 6.4.20 As previously discussed, the front extension to the Armstrong building is single storey and has been designed as a semi-circle. With the exception of the entrance frame, the extension is largely constructed of glazed panels. Accordingly, whilst it is acknowledged that the proposed extension would extend closer to the listed building, the scale and siting of the extension has been carefully designed so as to not impact the setting.
- 6.4.21 In terms to the amendments to the façade of the building, it is noted that the proposed materials would have an increased prominence within the site. As previously discussed, following concerns raised by the LPA, the colour palette of the cladding panels has been revised from yellow to grey. Whilst it is acknowledged that the modern appearance of the Armstrong building directly contrasts with the more traditional appearance of the White Building, this is considered to be an appropriate approach in respecting the style and uniqueness of a listed building. Furthermore, the replacement of the yellow cladding with a more subtle grey cladding ensures that the appearance of the building does not overwhelm the adjacent listed building. On balance, the proposal ensures that the setting of the listed building would be maintained. The Council's Conservation Officer has confirmed this position.

## Landscaping & Trees

- 6.4.22 The landscaping proposals aim to improve accessibility and connectivity within the south-western corner of the site. The proposal aims to separate pedestrian and vehicular routes in order to improve way finding and safety, as well as providing a new pedestrian access

path that shows a clear approach to the entrance foyer. The existing parking area would be reconfigured as part of the site wide improvement works.

6.4.23 The following palette of materials are proposed for the hard landscaped areas:

- Access roads: tarmac, to match existing;
- Parking spaces: paved with concrete permeable block work; and,
- Pedestrian routes: block work paving.

6.4.24 The proposed soft landscaping areas would be primarily developed along the sites frontage with Lowlands Road and around the White Building. A large area of soft landscaping would also be provided towards the front of the site, under two mature trees.

6.4.25 Whilst no concerns are raised in terms of the layout of the proposed hard and soft landscaping or the materials palette proposed, a condition of approval would require the submission of comprehensive site wide landscape strategy.

6.4.26 The submitted Arboricultural Impact Assessment confirms that the proposed layout would require the removal of existing ornamental vegetation within the existing car park and perimeter of Armstrong building. The majority of the existing trees would be retained, with the exception of 1 no. cherry plum tree (T21, Cat C1) which is required to be removed to enable the extension to the Armstrong building. Subject to standard conditions, the Council's Tree Protection Officer has no objection to the proposed works or removal of 1no. cherry plum tree.

#### Boundary Treatment

6.4.27 The existing boundary treatment would be retained throughout most of the site. A new 1.1m high metal rail fence is proposed to the frontage along Lowlands Road, to replace the close-board wooden fencing currently in place. The proposed vertical metal railings are proposed to be painted black. The existing metal gates would be maintained and painted black to match the proposed fence. The boundary tree planting would be reinforced by mixed-species native and ornamental ground cover planting.

6.4.28 The proposed works to the Lowlands Road boundary are considered to be acceptable and the revised proposals to retain the existing trees along the frontage are welcomed. The Council's Landscape Officer has no objections to the proposed works, subject to a condition of approval requiring further detail, including the specification of the proposed boundary fence.



6.4.29 In conclusion, for the reasons outlined above and subject to the imposition of appropriate conditions, it is considered that the overall built form and external alterations to the College would have no detrimental impact upon the character and appearance of the area or have any significant impact upon the settling of the listed building within the site or the adjoining conservation area. The proposal as such would not give rise to conflict with the above stated policies.

## 6.5 Residential Amenity

6.5.1 Policy DM1 of the DMP seeks to “ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded.

6.5.2 Policy 7.6B, subsection D, 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.

6.5.3 The applicant has confirmed within the submitted documents that the proposed works would not result in an increase in either student or staff numbers. The additional floorspace it intended to provide fit for purpose space and as such, halt the decline in student numbers attending the College. Therefore, following the proposed works, any coming and goings from the site would be similar to that which is currently experienced and as such, would not be unreasonably harmful to surrounding residential amenity, in terms of noise and disturbance.

6.5.4 In terms of the physical impacts of the proposed works, it is acknowledged that the proposed extension and works to the Armstrong Building would not impact surrounding residential amenity due to the location on the western side of the site, adjacent to Lowlands Recreation Grounds, over 80m from the nearest residential property.

6.5.5 The proposed extension to the Brunel Building would be sited adjacent to the eastern site boundary, which adjoins the rear gardens of no. 23-29 Grove Hill Road. The common boundary currently includes dense planting, over 3.0m high, which restricts any views into the rear gardens of the adjoining properties. The proposed extension would maintain a 7-8m setback from the common boundary with these properties. In terms of massing and scale, the extension would reach a maximum height of 5.0m and would include a footprint of 140sqm. Given the modest scale of the extension, the separation from the boundary and the existing screening provided by boundary fences and planting, the proposed extension would not have an undue impact in terms of loss of light or outlook. Furthermore, whilst the proposal would include windows facing the properties, for the aforementioned

reasons, no undue loss of privacy would occur to the adjoining properties.

- 6.5.6 Based on the above, the proposed development would not present any conflict with the above stated policies and accordingly the proposal is considered to be acceptable.

## 6.6 Drainage & Flood Risk

- 6.6.1 Policy DM9 of the DMP seeks to ensure that the risk of flooding on site and elsewhere is minimised in line with the guidance set out in the NPPF. Policy AAP9 of the AAP seeks where appropriate for new development proposals to manage the use of mains water and the control and reduction of surface water run off.

- 6.6.2 The application site is not located within a Flood Zone or a Critical Drainage Area as defined by the maps held by the Environment Agency and the Council's Strategic Flood Risk Assessment. The surrounding area is however within the surface water flood zone 3a and 3b.

- 6.6.3 It is acknowledged that the proposed increase in soft landscaping would inevitably improve the existing on-site drainage. The Council's Drainage Engineer has raised no objection to the proposed development subject to the imposition of conditions relating to surface water storage and attenuation. On this basis, the proposed development would not give rise to conflict with the above stated policies.

## 6.7 Traffic & Parking

- 6.7.1 The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use.

- 6.7.2 The London Plan (2016) 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. The Parking Addendum to Chapter 6 of The London Plan (2016) sets out maximum parking standards for new development dependent upon their use and level of public transport accessibility. Policy AAP 19 of the AAP 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.

- 6.7.3 The applicant has confirmed that the proposal would not result in an increase in either student or staff numbers. Furthermore, whilst the proposed works include the reconfiguration of two on-site parking areas, there is no change in the level of parking provision and the existing pedestrian and vehicle entrance is to be retained. The reason for the reconfiguring the car parking areas and pedestrian ramps, aside from the safety consideration, is to complement the aesthetic enhancement of the point of arrival to the College. The proposed external amendments also seek to improve the setting of the Listed Building.
- 6.7.4 Whilst the Council's Highways Officer considers the proposed reconfiguration of the parking area to represent a missed opportunity to reduce the level of on-site parking in line with London Plan standards, on balance, it would be unreasonable to withhold planning permission on this basis. Notwithstanding this, should any future redevelopment of the College be proposed, the LPA would be seeking to restrict parking spaces.
- 6.7.5 The applicant has confirmed that the existing on-site parking is strictly limited for use by staff, disabled persons, vulnerable students and visitors. Students are not permitted to park on campus. A review of the planning history of the site indicates that a Travel Plan, by Mayer Brown, dated February 2014, was approved within application P/2606/14. At the time of the application, the Highways Department confirmed that there were no objections.
- 6.7.6 In terms of cycle parking, as the proposed works would not increase pupil or staff numbers, the existing approved cycle parking is considered adequate to meet the needs of the College. The approved Travel Plan (Feb 14) confirms that 90 cycle parking spaces (45 stands) are provided, in line with London Plan standards of 1 space per 8 students. The cycle parking is located to the west of the site. As the proposal would not increase student / staff numbers, the provision will remain as existing. Accordingly, no changes are proposed in this respect.
- 6.7.7 Accordingly, whilst the Highways Officer's comments are noted, it is noted that the subject application seeks to reconfigure existing approved spaces and does not seek to alter provision. It is considered that the existing parking provision has previously been assessed in terms of the requirements of Chapter 6 of the London Plan. In order to ensure the previous requirements are carried through within the proposed reconfiguration, a condition of approval is attached to ensure works comply with the approved Travel Plan and Cycle parking details.

## 6.8 Accessibility

6.8.1 Policy 7.2 The London Plan requires all future development and change of use proposals to meet the highest standards of accessibility and inclusion. The Council's has adopted a Supplementary Planning Document 'Access for All' 2006, which provides detailed guidance on achieving an accessible design.

6.8.2 The applicant's Design and Access Statement has confirmed that the proposed extensions would comply with Part M of the Building Regulations. Specifically, the proposed building would include level threshold entrance and wheelchair accessible WC facilities on all floors. The upper floors would also be served by a lift. In this regard the proposed development would give rise to no conflict with the above stated policies.

## 6.9 Land Contamination

6.9.1 Policy DM15 of the DMP in relation to re-use of existing contaminated land, such as the subject site, will have regard to a) the findings of a preliminary land contamination risk assessment, b) the compatibility of the intended uses with the condition of the land and c) the environmental sensitivity of the site.

6.9.2 The subject site is not known for any land contamination; however, the applicants have undertaken a Phase 1 desk study to assess whether there is any likelihood of land contamination. This report concludes that the site is suitable for the proposed development, however, it recommends that the applicant undertake a Phase 2 investigation which will incorporate ground investigation for contamination. Accordingly a condition is attached on this basis. Notwithstanding this, it is considered that the proposed development would not give rise to conflict with the above policy.

## 7.0 **CONCLUSION AND REASONS FOR APPROVAL**

7.1 The proposal would improve and rejuvenate the existing Harrow College Campus, by introducing a new entrance foyer, external works to the existing buildings and reconfiguring several of the existing teaching spaces. The proposed works also include improved pedestrian links, a rationalisation of car parking layout and a new landscape scheme to enhance the College frontage and visibility from the Road. Overall, the proposed works are considered to successfully regenerate the existing College and would have a satisfactory impact on the setting of the Listed Building and Conservation Area.

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:

Heritage Statement (ref: 4195A); Design & Access Statement rev D; 18001-HNW-00-02-DR-A-P005 rev F; Location plan; 18001-HNW-00-GF-DR-A-P011 rev A; 18001-HNW-00-02-GF-A-P012 rev A; 18001-HNW-00-02-DR-A-P013; 18001-HNW-00-02-GF-A-P014 rev A; 18001-HNW-00-GF-DR-A-P200; 18001-HNW-00-GF-DR-A-P201; 18001-HNW-00-GF-DR-A-P202; 18001-HNW-00-GF-DR-A-P203; 18001-HNW-00-GF-DR-A-P204 rev A; 18001-HNW-00-GF-DR-A-P205 rev A; 18001-HNW-00-GF-DR-A-P206; 18001-HNW-00-GF-DR-A-P207; 18001-HNW-00-GF-DR-A-P208; 18001-HNW-00-GF-DR-A-P210 rev B; 18001-HNW-00-GF-DR-A-P211 rev B; 18001-HNW-00-GF-DR-A-P212 rev B; 18001-HNW-00-GF-DR-A-P213 rev B; 18001-HNW-00-XX-DR-A-P300 rev B; 18001-HNW-00-XX-DR-A-P301 rev D; 18001-HNW-00-XX-DR-A-P302 rev B; 18001-HNW-00-XX-DR-A-P303; 18001-HNW-00-XX-DR-A-P304 rev B; 18001-HNW-00-XX-DR-A-P306; 18001-HNW-00-XX-DR-A-P307; 18001-HNW-00-XX-DR-A-P308; 18001-HNW-00-XX-DR-A-P316; 18001-HNW-00-XX-DR-A-P320 rev B; 18001-HNW-00-XX-DR-A-P321; 18001-HNW-00-XX-DR-A-P322 rev D; 18001-HNW-00-XX-DR-A-P323; 18001-HNW-00-XX-DR-A-P324 rev C; 18001-HNW-00-XX-DR-A-P325; 18001-HNW-00-XX-DR-A-P326; 18001-HNW-00-XX-DR-A-P327; CS/095219; Site Energy Strategy Review; Harrow College Geo-Environmental Desk Study; LLD1407-ARB-DWG-001 rev 02; LLD1407-ARB-DWG-002 rev 02; Arboricultural Impact Assessment and Method Statement; Existing Tree Schedule; LLD1407-ECO-FIG-001; LLD1407-ECO-REP-001; LLD1407-LAN-FIG-001 rev 03; Landscape Design Strategy and Outline Plant Specification; Travel Plan, Feb 14.

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 building;
- b. windows/ doors;
- c. boundary fencing;
- d. ground surfacing;
- e. hard landscape materials;

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.

4. 'No Dig' Construction

No development shall take place, including any works of demolition, until the following details have been submitted to, and approved in writing by, the local planning authority:

Details of the working methods to be employed and a detailed drawing for the installation of the drive and path within the Root Protection Areas of retained trees or on land adjacent to the site, in accordance with the principles of 'No-Dig' construction. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the construction of the development does not unduly impact on the protected trees. To ensure that measures are agreed and in place to avoid any impact to the group of protected trees during the demolition and construction phases of development, this is a PRE-COMMENCEMENT condition.

5. Tree Protection

No development shall take place, including any works of demolition, until details of Arboricultural supervision and site monitoring by an appointed arboricultural consultant, including details of reporting of inspection and supervision, 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.

REASON: To ensure that the construction of the development does not unduly impact on the protected trees. To ensure that measures are agreed and in place to avoid any impact to the group of protected

trees during the demolition and construction phases of development, this is a PRE-COMMENCEMENT condition.

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. 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. Details of any proposed ground level changes within the RPA (Root Protection Area) of any retained tree or on land adjacent to the site should be included. 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 that appropriate site levels are agreed before the superstructure commences on site, this condition is a PRE-COMMENCEMENT condition.



8. Hard & Soft 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. 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.

9. Planting Schedules

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

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

10. Landscape Management and Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the landscaped areas, including the communal amenity space, within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow.

11. 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.

12. 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.

13. Active and Passive Parking Spaces

Notwithstanding the approved plans, prior to the occupation of the development, details of electrical car charging points to be installed in at least 20% of the car parking area on site (with capacity for an additional 20% passive spaces) shall be submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details prior to the occupation of the development and shall be retained as such thereafter.

REASON: To ensure that the development achieves suitable levels of electrical car charging points consistent with Policy 6.13 of the London Plan.

14. External Lighting

Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence beyond damp proof course level until details of the external lighting to the building and the site 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: To safeguard the appearance of the locality.

15. Contamination

No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A site investigation scheme, based on the approved Geoenvironmental Report-Phase 1 Site Appraisal (Desk Study) Dated December 2013, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To protect the sensitive groundwater beneath the site, in light of the soil contamination revealed.

16. Cycle Storage

The approved development shall provide cycle parking has been provided in accordance with the approved Travel Plan (90 spaces).

REASON: To ensure the satisfactory provision of facilities for all users of the site and in the interests of highway safety.

## Informatives

### 1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2016):

Policies 3.18, 5.1, 5.2, 5.3, 5.7, 5.9, 5.10, 5.12, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6, 7.8, 7.13

Draft London Plan (2018):

D2, D3, D7, T5, T6

The Harrow Core Strategy (2012)

Core Policies CS 1

Harrow and Wealdstone Area Action Plan (2013)

AAP1, AAP4, AAP8, AAP9, AAP16, AAP19, AAP20

Development Management Policies Local Plan (2013)

Policies DM1, DM2, DM10, DM12, DM15, DM22, DM23, DM42, DM46

### 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. 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.

5. 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](mailto: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.

# 1. APPENDIX 2: SITE PLAN



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No.	Amendments	By	Date
A	Site entrance relocation	WJS	11/04/18



**hnw**  
 architects

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 Telephone: 01243 333300 | E-mail: hnw@hnw.co.uk | www.hnw.co.uk

Project:  
 Harrow College  
 Harrow on the Hill Campus  
 Lowlands Road  
 Drawing No:  
 Site/Block Plan

Drawing Code	Drawn/Checked No.
PLANNING	18001
Scale	As Shown
AT - 1:500	A
Drawn by	Checked by
LJS	KW
Drawn Date	Checked Date
	FEB 2018
Drawing Name	
18001-HNW-00-GF-DR-A-P011	
HNW Architects Ltd. - Registered No. 3388064	

**APPENDIX 3: SITE PHOTOGRAPHS**







# APPENDIX 4: PLANS AND ELEVATIONS



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No.	Description	Date	By	Checked	Scale
1	Site Layout Plan	15/07/2018	HNW	HNW	1:1000

Key  
■ Proposed New Build Foot Print

**hnw**  
 architects

HNW Architects, 11 South Street, Chesham, West Sussex, PO12 1RH  
 Telephone: 01243 821111 Fax: 01243 821112  
 Email: info@hnwarchitects.co.uk

Client:  
 Harrow College  
 Harrow on the Hill Campus  
 Lowlands Road

Drawing No:  
 Site Layout Plan  
 Proposed  
 New Build Areas

Drawing Title:  
 PLANNING 15001

Scale:  
 A1-1250 A

Client:  
 LBS K18 MAY 2018

Drawing No:  
 15001-HNW-00.02-GF-A-P1012

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 Drawing Date/Version: 180101

No.	Description	By	Check	Date
1	Issue for comment			



Enterprise Armstrong Building



Armstrong Building SOUTH ELEVATION - PROPOSED

WEST ELEVATION - PROPOSED



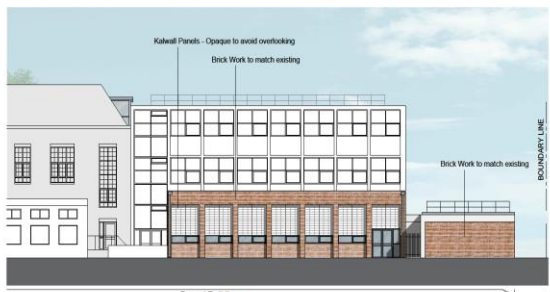
**hnw architects**

HW Architects, 11 Bank Street, Chesham, West Sussex, PO16 1HP  
 Telephone: 01243 820001 Email: enquiries@hwaarchitects.co.uk  
 Project: Harrow College

Client: The  
 Proposed Elevations  
 Armstrong Building  
 South & West Elevations

Service No: PLANNING  
 Scale: 1:750  
 Date: A1 - 100 D  
 Drawn by: LJS  
 Checked by: KW  
 Date: FEB 2018

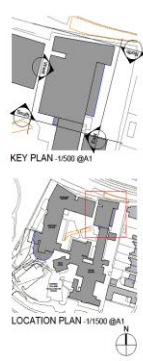
Drawing No: 18001-HNW-00-XX-DR-A-P301  
 HW Architects Ltd. Architects & Planners



Brunel Building EAST ELEVATION - PROPOSED



Brunel Building WEST ELEVATION - PROPOSED



Ice Centre Brunel Building Sub Station/Services SOUTH ELEVATION - PROPOSED



Sub Station/Services Brunel Building

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 Project: Harrow College  
 Harrow on the Hill Campus  
 Lowlands Road

Client: The  
 Proposed Elevations  
 Brunel Building  
 New Sports Facilities & Lift Access

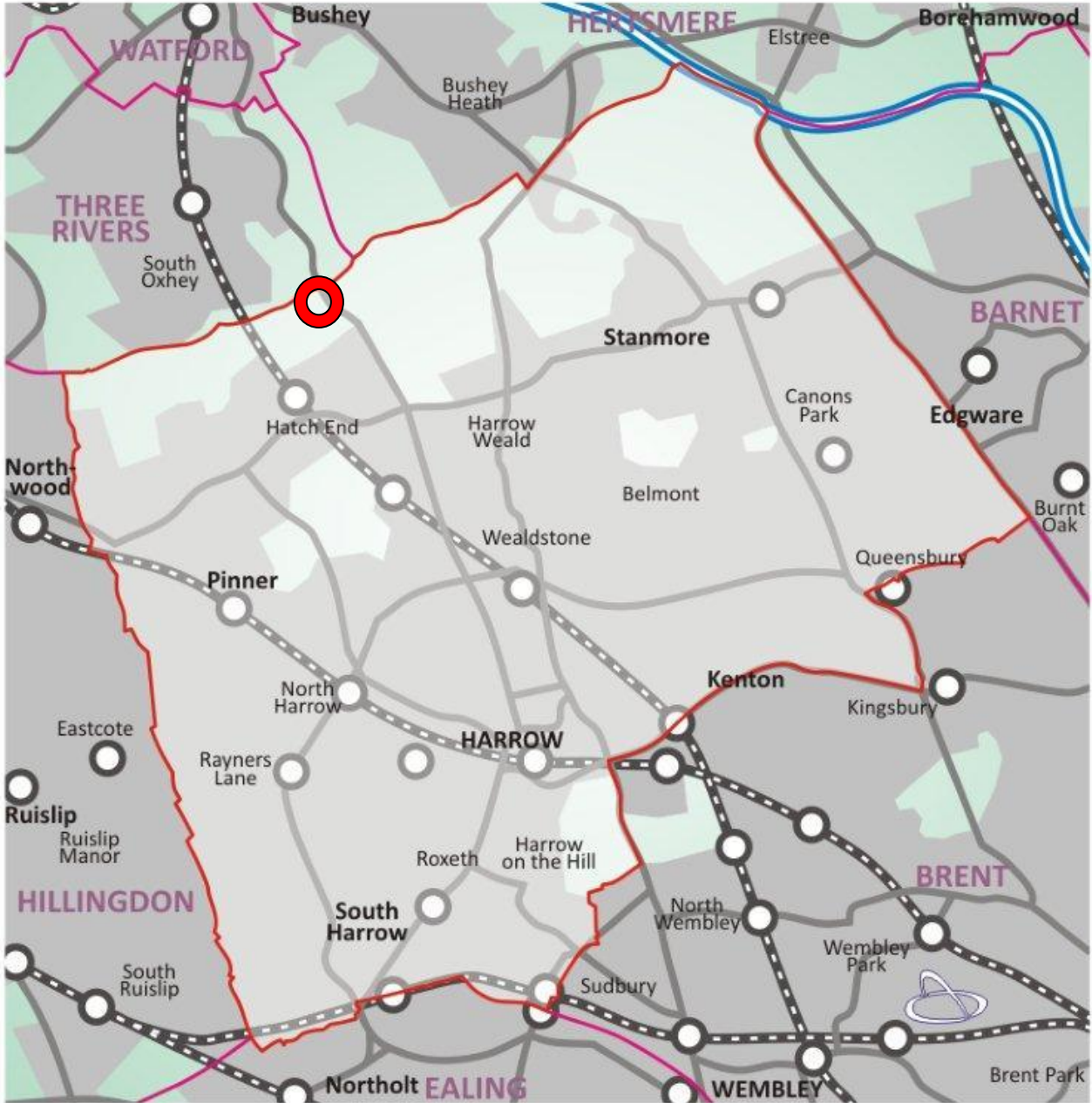
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 Drawn by: LJS  
 Checked by: KW  
 Date: MARCH 2018

Drawing No: 18001-HNW-00-XX-DR-A-P304  
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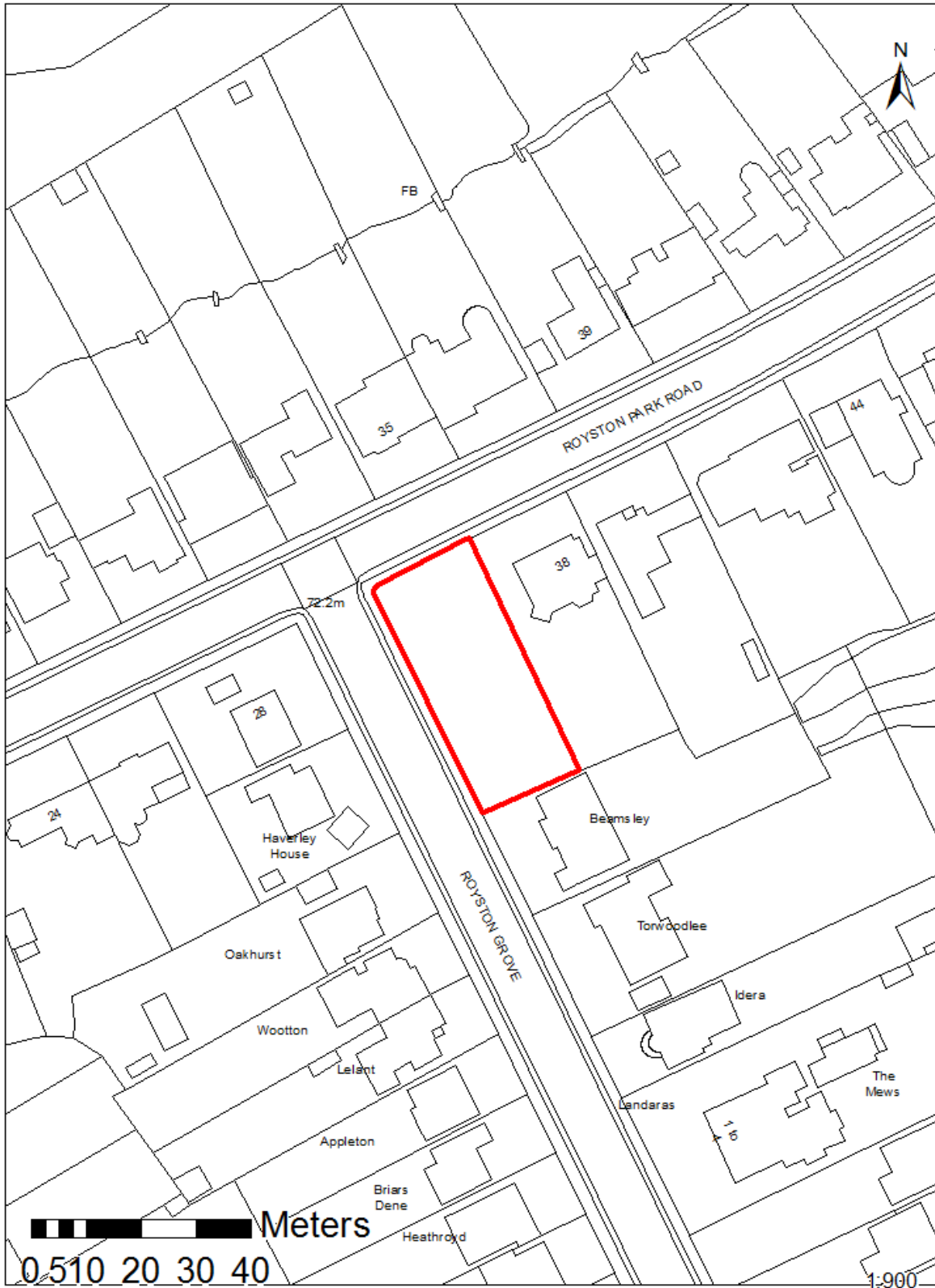
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 = application site



'Glencara', Royston Grove	P/1110/18
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# Glencara, Royston Grove



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**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**25<sup>th</sup> July 2018**

**Application Number:** P/1110/18  
**Validate Date:** 11/04/2018  
**Location:** 'GLENCARA', ROYSTON GROVE, HATCH END  
**Ward:** HATCH END  
**Postcode:** HA5 4HF  
**Applicant:** MR PRITESH LAD  
**Agent:** PWP ARCHITECTS  
**Case Officer:** GRAHAM MANSFIELD  
**Expiry Date:** 30<sup>TH</sup> MAY 2018 (EXTENDED EXPIRY: 27<sup>TH</sup> JULY 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 a three storey building comprising three flats; Parking, Bin and Cycle stores.

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 scheme seeks to replace the existing bungalow on site with a three storey building containing three flats. The proposed residential units would contribute the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). Furthermore, 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 two 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):	£15,855.00
Local CIL requirement:	£49,830.00

## **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	'Glencara', Royston Grove, Hatch End, HA5 4HF
Applicant	Mr Pritesh Lad
Ward	Hatch End
Local Plan allocation	N/A
Conservation Area	No
Scheduled Ancient Monument	Yes – Grims Ditch to the rear of the application site
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	Yes – Numerous around the site
Other	Critical Drainage Area

Housing		
Dwelling Mix	Studio (no. / %)	0
	1 bed ( no. / %)	0
	2 bed ( no. / %)	3 (100%)
	3 bed ( no. / %)	0
	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	Detached garage and hard standing to front of dwelling
	No. Proposed Car Parking spaces	3
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	N/A
	No. Proposed Cycle Parking spaces	6
	Cycle Parking Ratio	1:2
Public Transport	PTAL Rating	0
	Closest Rail Station / Distance (m)	Hatch End station approximately 1,235m to the south.
	Bus Routes	Bus stop located approximately 1,047m to the south (Uxbridge Road), serviced by: H12, H14 and R17
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	N/A
	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site is located on the corner of Royston Grove and Royston Park Road.
- 1.2 The site is currently occupied by a detached bungalow which has been in state of dereliction for a number of years.
- 1.3 A detached garage is situated to the north east of the dwellinghouse and is accessed via vehicle crossover from Royston Park Road.
- 1.4 The surrounding area is predominately residential and is characterised by large detached dwellings on generous plots with varied designs and styles.
- 1.5 The property has four trees subject to a TPO: two in the front garden and two in the rear, and a group of trees in the rear garden which are also covered by a TPO
- 1.6 There are two mature healthy street trees immediately outside the site, one on Royston Park Road and one on Royston Grove
- 1.7 The rear garden of the application site adjoins 'Beamsley' (located on Royston Grove) at a right angle.
- 1.8 The application site is located in area with low transport links and as such has a PTAL rating of 0.
- 1.9 There are no on-street parking controls in force within the immediate area.
- 1.10 The site is located in a critical drainage area of Harrow and within Flood Zone 1, as defined on the Environment agency Flood Map.
- 1.11 To the rear of the application site is Grims Ditch, which is a Scheduled Ancient Monument. There are no further constraints in relation to the application site.

### **2.0 PROPOSAL**

- 2.1 It is proposed to demolish the existing bungalow and erect a three-storey building which would accommodate three flats.
- 2.2 The proposed building would create frontages with Royston Grove and Royston Park Road. The building would be 20.0m in depth adjacent to the common boundary and 8.3m in width, with a number of stepped features along the frontage with Royston Grove.
- 2.3 The building would include a front elevation that would generally align with the established front building line of properties along Royston Park Road. The building would sit slightly forward of the adjoining property at 'Beamsley'

(Royston Grove) and would have a separation distance from this property of 20.0m.

- 2.4 The proposed three-storey building would have a pitched roof with gable ended features and a glazed atrium which would accommodate the communal staircase. The proposed building would have a maximum height of approximately 10.8m.
- 2.5 The proposed building adopts a simple contemporary design rationale, finished in a combination of brick, render and timber framing.
- 2.6 Cycle and bin storage would be provided at the rear together with a soft landscaped area, which would provide shared amenity space.
- 2.7 Car parking for the proposed development would be located on the forecourt (3 spaces). The front parking area would be accessed via an existing crossover on Royston Park Road.

### 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/12130	Layout and Building Plot (Beamsley & Glencara, Royston Grove).	Granted:30/07/1956
HAR/12130/A	Erect Bungalow and Detached Garage	Granted: 10/05/1957
P/781/05/CFU	Redevelopment: Two-storey block with rooms in the roof to provide three flats, 1 integral garage and conservatory; detached double garage with access	Granted: 11/10/2005
P/1956/07/CFU	Demolition of two houses (Glencara and 38 Royston Park Road) and construction of 13 flats with underground parking  Reasons for Refusal: <i>1. The proposed development would, by reason of excessive site coverage by building, hard-surfaced areas and underground parking with associated disturbance and general activity, be an over-intensive use, and</i>	Refused: 19/09/2007

	<p><i>amount to an overdevelopment of the site to the detriment of neighbouring residents and the character of the area, contrary to policies D4, D5, EP25 of the Harrow Unitary Development Plan 2004, policies 4B.1, 4B.4 of The London Plan 2004, and Supplementary Planning Guidance Designing New Development (March 2003).</i></p> <p><i>2. The proposed development, by reason of its excessive size and bulk, would be visually obtrusive, would be out of character with neighbouring properties which comprise mainly two storey detached houses and single storey bungalows in single family occupation, and would not respect the scale and massing of those properties, to the detriment of the visual amenities of the neighbouring residents and the character of the area, contrary to policies D4, D5 of the Harrow Unitary Development Plan 2004, policies 4B.1, 4B.4 of The London Plan 2004, and Supplementary Planning Guidance Designing New Development (March 2003).</i></p> <p><i>3. The proposed development, by way of poor internal layout and inadequate room size, would fail to meet requirements of Lifetime Homes Standards and Wheelchair Homes Standards, contrary to policy H18 of the Harrow Unitary Development Plan 2004 and the Council's Supplementary Planning Document on Accessible Homes.</i></p> <p><i>4. The proposed development, by reason of unacceptable loss of trees of significant amenity value, would be detrimental to the character and appearance of the proposed scheme and wider</i></p>	
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	<p><i>street scene, contrary to policies D4, D9, D10 of the Harrow Unitary Development Plan 2004, policies 4B.1, 4B.4 of The London Plan 2004, and Supplementary Planning Guidance Designing New Development (March 2003).</i></p> <p><i>5. The proposed development, by way of poor design and layout, would fail to meet the key principles of Secured By Design and Safer Places and would create opportunities for crime contrary to policy D4 of the Harrow Unitary Development Plan 2004 and Supplementary Planning Guidance: Designing New Development, March 2003.</i></p> <p><i>6. The proposed development, by reason of failing to demonstrate how the building will incorporate renewable energy and energy conservation and efficiency measures, would result in an inefficient and unacceptable development contrary to policies 4A.7, 4A.8, &amp; 4A.9 of The London Plan 2004.</i></p> <p><i>7. The proposed development, by reason of the positioning of a habitable room window on the 1st floor east elevation, would result in unacceptable overlooking of the neighbouring property at number 40 Royston Park Road to the detriment of neighbouring amenity and would prejudice future development of this site contrary to policy D5 of the Harrow Unitary Development Plan 2004.</i></p>	
P/1591/10	<p>Outline application for layout and scale: Three dwellinghouses; demolition of existing dwellinghouse</p> <p>Reasons for Refusal:</p> <p><i>1. The proposed residential development, by reason of the detached house in the rear</i></p>	<p>Refused: 23/09/2010</p>

	<p><i>garden, would take place on previously undeveloped land, as defined by Annex B of Planning Policy Statement 3 (2010), contrary to saved policy EP20 of the Harrow Unitary Development Plan (2004).</i></p> <p><i>2. The proposal would represent an overdevelopment of the site that would fail to respect the context and local pattern of development, to the detriment of the character and appearance of the area, contrary to policies 3A.3, 4B.1 and 4B.8 of the London Plan (2008) and saved policy D4 of the Harrow Unitary Development Plan (2004).</i></p> <p><i>3. The proposal would result in the loss of street and other trees of significant amenity value, to the detriment of the character and appearance of the area, contrary to saved policies D4, D9 and D10 of the Harrow Unitary Development Plan (2004).</i></p> <p><i>4. The proposal, by reason of the inappropriate provision of private amenity space to the proposed detached dwellinghouse shown as house 3 on drawing number GOP/2A, would be detrimental to the residential amenities of the future occupiers of that dwellinghouse, contrary to saved policy D5 of the Harrow Unitary Development Plan (2004).</i></p>	
P/4415/15	Redevelopment for a two storey detached dwellinghouse with habitable roofspace; rooflights in front side and rear roofslopes parking vehicular access boundary fence and bin / cycle storage.	Granted: 04/12/2015



## 4.0 CONSULTATION

4.1 A total of 8 letters were sent to neighbouring residents regarding this application on the first round of consultation. The scheme was amended during the course of the application to omit the rear parking area and alter the fenestration on the proposed building. Consultation letters were resent to neighbours and those who had previously raised objections on 23<sup>rd</sup> May 2018. A further ten objections were received as a result.

4.2 The overall public consultation period expired on 13<sup>th</sup> June 2018.

### 4.3 Adjoining Properties

Number of letters Sent	8
Number of Responses Received	48
Number in Support	0
Number of Objections	48

4.4 Objections are summarised in the table below:

Summary of Comments	Officer Comments
<p>Objects to the application due to:</p> <p>Principle of the Development</p> <ul style="list-style-type: none"> <li>• Proposed flats would set a precedent for the area.</li> <li>• Council restricts flats to the lower end of The Avenue</li> <li>• Proposal will lead to other similar developments</li> <li>• Proposal is in conflict with policy CS1.A as site is not suitable location for flats given the low ptal rating.</li> </ul>	<p>Issues relating to the principles of the development are assessed within section 6.2 of this report.</p>
<p><u>Design, Massing, Scale and Height</u></p> <ul style="list-style-type: none"> <li>• Proposed building is out of character</li> <li>• Building is architecturally not in keeping with the area</li> <li>• Concerns with scale and bulk</li> <li>• Development footprint exceeds existing buildings</li> <li>• Proposal does not respect</li> </ul>	<p>Issues relating to bulk, scale and architecture are assessed within section 6.4 of this report.</p>

<p>building lines</p> <ul style="list-style-type: none"> <li>• Flats are not in keeping with the area</li> <li>• Overdevelopment of the plot, which is only suitable for a single family dwelling Out of scale with plot and other dwellings.</li> <li>• Appearance of building is unlike any other buildings in the area.</li> <li>• Application for two houses in 2010 was refused for bulk and this application is much larger.</li> </ul>	
<p><u>Amenity Impacts (Neighbours)</u></p> <ul style="list-style-type: none"> <li>• Proposal breaches 45 degree code</li> <li>• Glazed stairwell and landing provides opportunity for overlooking</li> <li>• Proposal would intensify the area which are predominately single family dwellinghouses</li> <li>• Overlooking into neighbouring properties</li> </ul>	<p>Issues relating to the impact on neighbouring properties are addressed in section 6.7 of the report</p>
<p><u>Amenity Impacts (Future Occupiers)</u></p> <ul style="list-style-type: none"> <li>• No fire lobby</li> <li>• No private gardens/privacy impacts</li> <li>• Introductions of balconies at rear would lead to overlooking.</li> </ul>	<p>Issues relating to the quality of the accommodation are addressed in section 6.5 of the report.</p> <p>A fire lobby is shown on the proposed plans. However, matters such as this are dealt with under Building Regulations.</p>
<p><u>Traffic and Highway Impacts</u></p> <ul style="list-style-type: none"> <li>• Second vehicle access would have safety implications</li> <li>• Parking spaces proposed are inadequate</li> <li>• Proposed vehicle crossing would destroy green verge</li> <li>• Vehicular access is against Councils policy</li> <li>• Parking overspill onto road</li> <li>• Site has a low PTAL and high density development should be directed towards locations with better transport accessibility</li> <li>• Traffic generation as result of the</li> </ul>	<p>Issues relating to parking and highway safety are covered in section 6.8 of the report</p>

<p>proposal</p> <ul style="list-style-type: none"> <li>• Property has no integral garage</li> <li>• Parking pressure due to the requirement of parking for the proposed flats</li> </ul>	
<p>Scheduled Ancient Monument</p> <ul style="list-style-type: none"> <li>• Proposal encroaches onto historic monument</li> <li>• Grims Ditch is not reflected correctly on submitted plans</li> <li>• Reference to letter submitted by Historic England in relation to Grims Ditch.</li> </ul>	<p>Issues relating to archaeology are addressed within section 6.10 of this report.</p>
<p>Trees</p> <ul style="list-style-type: none"> <li>• Reference to a storm damaged tree.</li> <li>• Loss of TPO tree</li> <li>• No supporting information in relation to trees</li> <li>• In accuracies in the TPO plans presented.</li> <li>• Reference to the loss of a tree within the area of the scheduled ancient monument.</li> </ul>	<p>Issues relating to trees are addressed in section 6.11 of this report</p>
<p><u>Other</u></p> <ul style="list-style-type: none"> <li>• Application should be conditioned to restrict use of flats</li> <li>• Conditions should be attached to restrict the use of flats for retirement only</li> <li>• Restricting building to family use is unenforceable</li> <li>• Restrictive covenants exist on site</li> <li>• Inconsistencies in design and access statement.</li> <li>• No site notice posted</li> <li>• Comments re: applicants company and intentions</li> <li>• Impact on house prices</li> <li>• Maintenance issues for proposed flats</li> <li>• Application for two houses in 2010 was refused for bulk and this application is much larger.</li> <li>• Repeated applications at the site</li> <li>• Impacts of the existing state of 'Glencara'</li> <li>• Current property is an eyesore</li> </ul>	<p>This type of condition would not be enforceable.</p> <p>This is a legal matter rather than a planning issue.</p> <p>This issue is noted.</p> <p>The Council notified adjoining and opposite properties in accordance with its statutory obligations.</p> <p>These are not material planning considerations.</p>

	<p>There is not a restriction on the amount of planning applications submitted.</p> <p>This is noted. However, there is no record of enforcement action in regards to the state of the property.</p>
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4.5 Statutory and Non Statutory Consultation

4.6 The following consultations have been undertaken, together with the responses received and officer comments:

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
LBH Policy	<p>Planning Policy would not object to a residential use in a residential area. The use, albeit at a higher intensity than that of the existing site and surroundings, would remain consistent with the prevailing pattern of development insofar as use. Whilst it is agreed that growth would be directed to the Harrow &amp; Wealdstone Intensification Area (Now Opportunity Area), this does not preclude appropriate development across the rest of the Borough. As noted above, the principle of the development is considered acceptable, and if all other material considerations are considered acceptable, then permission ought</p>	Noted.

	<p>to be granted.</p> <p>There is no objection to the principle of the development.</p>	
LBH Drainage	No objections subject to standard conditions relating to surface water and waste water.	Noted; condition attached.
LBH Highways	<p>We have no objection to this proposal.</p> <p>A construction method statement (to include the demolition phase) should be secured by pre-commencement condition.</p>	Noted; condition attached in relation to construction method statement.
LBH Tree Officer	<p>The arb report and details of protection etc dates from 2015 and from what I can tell the proposals re the driveway and other hardstanding areas, appear to differ from then compared to the latest plans.</p> <p>The latest plans look to show larger driveway / HS plus additional pedestrian access / HS areas at the rear. I can't see these shown in the 2015 tree report</p> <p>The footprint of the building is unchanged but if plans relating to the driveway location, size, and other hardstanding, have changed, then these need to be considered via an up to date impact assessment &amp; survey.</p> <p>There is x 1 TPO tree proposed for removal –</p>	Noted. Conditions attached.

	<p>the Cypress – this should not have a significant impact on the streetscene and is of relatively low amenity value &amp; quality.</p> <p>Comments on amended arboriculture report dated 21<sup>st</sup> June 2018: One low quality Cypress (T1 in report) is to be removed, this will not impact on the overall tree cover and street scene and should also actually give more space for the adjacent street tree. Another Cypress was windblown and has been previously removed. All other existing trees are to be retained.</p> <p>The proposed details relating to tree protection are acceptable and provided they are implemented exactly as recommended the existing retained trees should not be adversely impacted by the development. The development will require close monitoring and arboricultural supervision at key stages / phases and inspections carried out and reported back to the LA where appropriate.</p>	
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<p>Historic England</p>	<p>I welcome the removal of the car parking spaces which addresses my concerns regarding the setting of the Grim's Ditch Scheduled Monument. This also negates the requirement for Scheduled Monument Consent.</p> <p>I would point out, however, that the position of the Scheduled Monument polygon on the architects drawing does not appear accurate, as reflected in the screenshot of the scheduling map taken from our website (see attached). I raise this as you seemed to indicate in our telephone conversation that the polygon, as it appeared on your systems, may not match what is shown on our maps. This may be something you would wish to investigate further to avoid future issues.</p> <p>Please note that the advice of my colleague Laura O'Gorman still stands in respect of archaeological monitoring on groundworks associated with this development, due to the proximity of the</p>	<p>Noted</p>
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	<p>prehistoric earthwork.</p> <p>Response Dated 21<sup>st</sup> June 2018:</p> <p>I have, along with my colleagues in the Development Management team, Greater London Archaeological Advisory Service (GLAAS) and the Listing Group reviewed the information provided by Mr Deed along with the original scheduling file for the Grim's Ditch. It does indeed appear that the polygon as shown on our own GIS systems is partially incorrect in its alignment, particularly in respect to the above property. It is not possible to ascertain the precise extent of this, although it is not believed to be more than a few meters.</p> <p>The advice we have given previously was based on our current understanding of the location of the Grim's Ditch (including its archaeological remains) and of the statutory constraint area as it presently stands. We do not intend to prejudice the planning case on the basis of the new evidence, particularly as it has not been fully assessed, but would</p>	
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	<p>urge the local authority to judge the application in line with the policies as set out in the NPPF, the London Plan and the boroughs own core strategy guidelines in respect of nationally important heritage assets. As per our submitted advice no development should take place until a Written Scheme of Investigation (WSI) for archaeological works has been submitted to and approved by the planning authority in writing (as advised by GLAAS).</p>	
<p>Greater London Archaeology Advisory Service (GLAAS).</p>	<p>Summary: The planning application lies in an area of archaeological interest. The application site is located partially on a section of the Grim's Ditch – a prehistoric boundary ditch – which has been designated as a scheduled monument. The scheduled area extends into the southern part of the site.</p> <p>Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development is likely to cause some harm to</p>	<p>Noted- Condition attached.</p>

	archaeological interest but not sufficient to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding.	
Hatch End Association	<p>Summary: Lack of trust in the applicant and intentions of the applicant to develop the site.</p> <p>Royston Park Road has no flats, which are traditionally only allowed on the southern end of The Avenue. As the site is not close to public transport facilities, the proposal does not match Harrow Council policy on higher density developments.</p> <p>The previous application for a single house included a garage within the building structure; this application has no integral garage for 4 parking spaces for three flats. This is insufficient to meet today's lifestyle requirements and will lead to on street parking at a busy junction. Residents concerns re: previous dropped curb and access on Royston Grove not taken into account under</p>	The response from the Hatch End Association is noted and the main concerns are dealt with in the body of the report.

	<p>approved application in 2015.</p> <p>Introduction of flats will change the character of the road which is single family dwellinghouses set in large gardens.</p> <p>Precedent will be set for degradation of community through higher density and parking displacement on street.</p> <p>Planning application for two houses was refused in 2010 on grounds of bulk. This proposal is larger, and now there is living space at first and second floors overlooking neighbouring gardens.</p> <p>The glazed atrium presents itself as multi-occupancy rather than flats.</p> <p>Original covenants of houses in Royston Park Road are for a single residential dwelling on each plot to be used as a private residence.</p> <p>The bulk of the apartment block is excessive for the plot and of greater scale than other buildings in the road. Glazed entrance and tower reflects flats rather than a residential house. The building does not match the building line of either Royston Park Road or Royston Grove. It also blocks the 45 degree</p>	
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	<p>vision line from neighbouring 38 Royston Park Road. The loss tree cover and TPO tree are of a concern.</p>	
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## 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 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 for Future Occupiers  
Residential Amenity (Neighbouring Residents)  
Traffic and Parking  
Drainage  
Archaeology  
Trees

### **6.2 Principle of Development**

- 6.2.1 Objections have been received in relation to the proposal for flats on Royston Park Road. It has been highlighted that the Council has only allowed flatted developments on the lower end of The Avenue. However, each site is assessed on its own merits. It is also noted that the site is not within a conservation area and therefore there is no restriction on either converting existing properties into flats or redeveloping such properties.
- 6.2.2 The principle of residential development (Class C3) has already been established at the site due to the existing residential dwelling. The proposed development to replace the existing detached bungalow with a detached building incorporating three self-contained flats. It is also noted that permission was granted under planning reference P/4415/15 for a building of similar scale.
- 6.2.3 The Council's policy team have been consulted as part of the proposal and note that the use, albeit at a higher intensity than that of the existing site and surroundings, would remain consistent with the prevailing pattern of development insofar as its proposed residential use. Whilst it is agreed that growth should be directed to the Harrow & Wealdstone Intensification Area (Now Opportunity Area), this does not preclude appropriate development across the rest of the Borough. As noted above, the principle of the development is considered acceptable, and if all other material considerations are considered acceptable, then permission ought to be granted.
- 6.2.4 Accordingly, the proposed scheme for providing residential accommodation in the form of flats is considered to contribute to the overall housing need of the borough and be in conformity with the Government's objectives of planning for growth and presumption towards sustainable development as outlined within the NPPF. The proposal at the site is considered acceptable in principle, subject to compliance with the relevant development plan policies and supplementary planning guidance that seeks to provide high quality residential development.

### 6.3 Regeneration

- 6.3.1 The proposed development intends to replace a family dwellinghouse with a flatted development. The proposed redevelopment allows the site to be used in a more efficient way that would generate additional housing stock within the Borough. In this respect, the proposed development would meet the overarching principles of regeneration into the area.
- 6.3.2 In addition to the above, the site has been in a state of dereliction for a number of years. The proposal would see a regeneration of the site which would benefit the general visual amenity of the surrounding area.

### 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 Objections have been received in relation to the impact on the character of the area as a result of the proposed development. While it is noted that the majority of houses on Royston Park Road are of Victorian and Edwardian origins there are a number of infill properties which differ in character, including that of the existing property on site 'Glencara'.
- 6.4.4 Royston Grove itself is more mixed with houses in a variety forms and styles. In this context, it is considered that the proposed development would not be out of character as there is no common pattern of prevailing development. In addition it is noted that the external appearance of the proposal would be similar to that approved dwellinghouse under granted planning permission P/4414/15.
- 6.4.5 Scale and Siting and Layout
- 6.4.6 Objections have been received in relation to the building line, scale and architecture of the proposed development. The development would essentially be three storeys, with a maximum height of 10.8m. However, the external appearance of the second floor would appear as habitable roof space, this is consistent with many other houses within the streetscene, such as 29 and 31 Royston Park Road. Furthermore, the height of the proposal is consistent with surrounding properties on Royston Park Road and as such, relates appropriately to the character of the surrounding locality.

- 6.4.7 In terms of the siting and footprint of the building, the proposed development adopts an 'T' shape, to reflect the corner location of the site and to ensure appropriate frontages to both Royston Park Road and Royston Grove.
- 6.4.8 As demonstrated on the proposal plans, the proposed development would sit slightly forward of the existing building line owing to the inclusion of square bay windows. Notwithstanding this, the proposed building generally aligns with the established front building lines on this side of Royston Park Road.
- 6.4.9 In terms of the relationship with Beamsley on Royston Grove, the proposal sits forward of this building by approximately 2.9m. However, given the separation provided between this neighbouring property of approximately 20m, the forward projection would not be visually dominant within the street scene.
- 6.4.10 In terms of the layout of the site, the proposal is consistent with the surrounding properties in the area which include large forecourts and front parking areas. The siting of the building allows for a generous communal amenity area at the rear of the site.
- 6.4.11 Overall, the appropriate siting, scale and massing of the proposed development ensures that the building sits comfortably within the streetscene and generally maintains the existing relationship between the application site and adjacent properties. In this respect, the proposal complies with the intent of London Plan Policies 7.4 and 7.6 and Policy DM1 of the DMP.

#### Architecture

- 6.4.12 The proposed building would be of a similar style to that approved under planning reference P/4415/15. The proposed building, in terms of architecture, takes cues from the local vernacular with the use of gabled roofs. However, there would be contemporary elements such as the glazed tower which would serve the stairwell and the floor to ceiling windows located in the gable ends.
- 6.4.13 The proposed building would echo many features of a recently built property at the former 'Horning Reach' site at 2b Royston Park Road. Notwithstanding this, the architecture within the immediate area is mixed. This is most notable on Royston Grove which features many different styles of dwellinghouse from the Edwardian era, the 1930's, 1950's and 1980/90's.
- 6.4.14 In terms of materiality, the proposal seeks to use a combination of brick, render and timber detailing. Whilst the application of these materials appears to lack rationale in some areas, on balance, the materials are considered to break up the bulk and massing of the facades.
- 6.4.15 Considering the established character of the surrounding locality, it is considered that the design and architecture for the proposed building would be acceptable for this corner location. Notwithstanding the above, a condition has been attached requiring the submission of sample details of all building materials for the proposed development.

## Landscaping

- 6.4.16 The proposal seeks to retain the majority of the trees on site, except for a Leyland Cypress adjacent to the highway with Royston Grove, and this is covered in the tree section of the report.
- 6.4.17 The proposal seeks to retain the existing vehicular access point from Royston Park Road. The proposal would also involve reconfiguration of the frontage to enable the existing hardstanding area to be extended to allow for off street parking. This would be considered acceptable subject to a condition of approval for the ground surface material.
- 6.4.18 Overall, the proposed site plan demonstrates that there would be sufficient greening around the building. Accordingly, the proposed development offers the opportunity to provide meaningful landscaping across the site. A condition of approval is attached requiring the submission of hard and soft landscape details.

## 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 detailed 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 proposed development would provide the following accommodation:

Flat	Type	Area (sq m)
1	2 bedroom, 4 persons	163
2	2 bedroom, 4 persons	163
3	2 bedroom, 4 persons	127

- 6.5.4 The proposed flats would be generous in size and in all instances exceed the required GIA for the respective occupancy levels. Furthermore, all units demonstrate 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.



- 6.5.6 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 2.8m on the ground and first floor and 2.5m for 75% of the GIA on the second floor. The proposed layouts are functional and would provide a satisfactory level of accommodation for future occupiers.
- 6.5.7 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. It is noted that the proposed floor plans generally provide vertical stacking that is considered to be satisfactory.
- 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 highways of Royston Grove and Royston Park Road or to the rear communal garden area. Each flat would be afforded dual aspects.
- 6.5.9 Whilst the proposal plans do not demonstrate any landscape planting to the ground floor windows or amenity areas, it is considered that a screening to these areas could be agreed through a suitably worded condition.
- 6.6 Accessibility and Secure By Design
- 6.6.1 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.
- 6.6.2 Specifically, policy 3.8.c of the London Plan (2016) requires 'ninety per cent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'. Criterion d requires 'ten per cent of new housing 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.
- 6.6.3 Whilst the applicant has not specifically confirmed compliance with the requirements of Part M, the proposal plans and design demonstrate that level access would be provided to the property. A lift would then provide access to the upper floors. Furthermore, each flat would be of a good size and functional layout.
- 6.6.4 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).

6.6.5 The proposed development generally demonstrates compliance with Secure by Design; Designing out Crime principles. Whilst specific design details relating to SBD have not been provided, it is considered that these details can be secured by way of condition. Specifically, a planning condition would require the proposal to achieve Secured by Design certification (silver or gold) from the MET Police, prior to the occupation of the development. Accordingly, subject to this condition and further conditions relating to maintenance and landscaping the proposed development is considered to provide a safe and secure environment for future occupiers and members of the public, in accordance with Policy 7.3 of The London Plan.

#### Amenity Space

6.6.7 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.

6.6.8 Objections have been received in relation to the lack of the separate amenity space for each of the three flats. Whilst these concerns are noted, the proposed floor plans indicate that the rear garden space would be approximately 220sqm and would serve as a communal amenity space. For a development of this size i.e. 3 self-contained flats, the proposed layout and nature of the amenity space is deemed acceptable.

6.6.9 The proposed open space to the rear of the building would offer an acceptable amount of amenity afforded to future occupiers of the development. 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. A condition would be attached requiring the submission and approval of a maintenance and management plan for this area.

#### 6.7 Residential Amenity (Neighbouring Residents)

6.7.1 London Plan Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy, overshadowing, wind and microclimate.

6.7.2 Given the corner location of the application site and the siting of the proposed building towards the frontage with Royston Park Road and Royston Grove, the proposed development would have the greatest impact on the occupiers of no. 38 Royston Park Road to the north east.

6.7.3 The proposed development would project beyond the rear elevation of no. 38 Royston Park Road by approximately 9.0m. However, there would be a separation distance between the side flank walls of 7.0m.

- 6.7.4 Objections state that the proposed development would breach a 45 degree splay from the adjacent first floor rear window at no. 38. While this small breach is noted, the window in question appears to serve a dual aspect room. Such a small breach would not result in any demonstrable harm. Furthermore, the footprint of the proposed building is consistent with what was approved under planning application P/4415/15. Under this application the proposed building was deemed to be acceptable in terms of residential amenity impacts.
- 6.7.5 Whilst the proposal includes 6 flank wall windows facing the common boundary with no. 38, these windows would be small and serve bathrooms and are proposed to be obscurely glazed. In this context no undue impacts in terms of overlooking would occur. Furthermore, given the relationship between the properties, the rear facing windows of the proposed development would only provide oblique views to the rear garden of 38 Royston Park Road. This degree of mutual overlooking is not uncommon in suburban residential environments.
- 6.7.6 Objections have been received in relation to impacts on the property to the rear at 'Beamsley'. However, as previously stated, the rear elevation of the proposed development would be located approximately 20.0m from 'Beamsley' and at a right angle.
- 6.7.7 Given the site circumstances, and the lack of habitable windows on the facing side flank of 'Beamsley' it is considered that no undue impacts in terms of daylight, outlook or overshadowing would occur to the occupants of this property.
- 6.7.8 In terms of privacy, the rear windows on the proposed development would be 20.0m from the side flank of 'Beamsley'. Due to the distances and orientation between 'Glencara' and 'Beamsley' it is considered that no undue impacts in terms of overlooking or perceived overlooking would occur.
- 6.7.10 For the reasons outlined above, it is considered that the proposed development would comply with policy 3.5.C of The London Plan 2016, policy CS1.K of The Harrow Core Strategy 2012 and policy DM1 of the Harrow Development Management Policies Local Plan 2013 in failing to ensure high quality design for the development.
- 6.8 Traffic, Parking and Servicing
- 6.8.1 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. A number of objections have been received which state that the parking provision is not sufficient and that parking will overspill into the adjacent roads.
- 6.8.2 The proposal was amended during the course of the application which saw the removal of the parking and vehicular access off the highway of Royston Grove. Notwithstanding, the omission of this element the Council's Vehicular Crossing officer had no objection to the additional crossing, subject to a separate application to the Highways Authority.

- 6.8.3 The proposal seeks to provide 3 parking spaces, resulting in a parking ratio of 1:1. The spaces would be located to the front of the property. Whilst it is noted that the draft London Plan (2017) calls for a lower provision of car parking, given the low PTAL rating for the area, the provision of parking is satisfactory in this instance.
- 6.8.4 In addition to the above, secure and readily accessible cycle parking is provided, at one space per room, in line with the The London Plan (2016) requirements. This has been provided on site in the rear garden and is therefore considered acceptable.
- 6.8.5 As noted the proposed parking would be in line with London Plan (2016) standards. As such, the Council's Highways officers have no objection to the scheme in terms of both parking and highway safety. In relation to the residents concerns regarding parking overspill, a development of this size is not expected to generate undue impacts in terms of on street parking. It is noted that the Royston Park Estate is not covered by a controlled parking zone and that the surrounding roads are not known for high amounts of parking pressure.
- 6.8.6 Waste storage has been provided to the rear of the building and would be accessed via the side of the proposed building. The proposed location of the bin store does not comply with the Council's Refuse Code of Practice which encourages bin placement to be within 10.0m 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. A condition requiring a revised refuse strategy in compliance with the Refuse Code of Practice is recommended.
- 6.8.7 In addition to the above, given the physical site constraints and the location of the site within a predominately residential area, a construction method and management plan would need to be secured via planning condition to help minimise disruption to the local area.
- 6.9 Drainage
- 6.9.1 The site is located within a critical drainage area. In this respect, neither a Flood Risk Assessment or Drainage Strategy is required as part of the application.
- 6.9.2 Notwithstanding this, as the site is located within a critical drainage area, Policy DM10 of the DMP requires the provision of sustainable drainage measures to control the rate and volume of surface water run-off. The Council's Drainage officers have not objected to the application, but have recommended conditions to deal with on-site drainage and water attenuation.
- 6.9.3 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.
- 6.10 Archaeology

- 6.10.1 The rear of the 'Glencara' site contains a scheduled ancient monument in the form of Grims Ditch. An objection has stated that the true line of the scheduled ancient monument is not reflected in the plans submitted with the application. This is also reflected in the consultation response from Historic England who raised concern with the potential impact of the rear parking on Grims Ditch.
- 6.10.2 The application has been amended since the original submission and has now omitted the parking and hardsurfacing to the rear of the site. Historic England have confirmed that they are satisfied with the revised plan and that Scheduled Monument Consent (SMC) would no longer be required. Any amendment to the Council's policy maps to ensure the 'true' line of the scheduled ancient monument would fall outside the remit of this planning application.
- 6.10.3 Notwithstanding the above a condition has been recommended by Greater London Archaeology Advisory Service (GLAAS). The condition would be a pre-commencement condition and would require further investigation of the ground conditions to ensure no items of historic significance are impacted by the proposed development.
- 6.10.4 Subject to this condition it is considered that the proposal would comply with DM7 of the Harrow DMP in terms of impacts on heritage assets.
- 6.11 Trees
- 6.11.1 The application site includes a number of protected trees along the site's frontage with both Royston Grove and Royston Park Road. In addition there is another group of protected trees adjacent to the common boundary with 38 Royston Park Road.
- 6.11.2 It is noted that a number of objections have been received in relation to the impact on those protected trees. Reference has been made to a removal of a tree. However the original Tree Preservation Order made under No. 890 dated 14<sup>th</sup> September 2007 would suggest that all protected trees made under this order are still currently on site.
- 6.11.2 The applicant seeks to rely on the previous tree report submitted as part of planning permission P/4415/15. The Council's Tree officer has not objected to this course of action due to the fact the footprint of the proposed would be generally consistent with that approved under P/4415/15. However, an amended report had been requested during the course of the application to take into account the proposed hardstanding which would be required as part of the proposal.
- 6.11.3 The proposed site plan and accompanying tree report indicates that the one Leyland Cypress (subject to a TPO) to the south east of the site, adjacent to Royston Grove would be removed as part of the development. The Council's Tree officer has not objected to the removal of the cypress tree due to the fact that the tree in question is of relatively low amenity and quality.

- 6.11.3 The Tree Report concludes that the proposed development can be completed without having any undue impact on the retained trees. These trees would be protected during the construction phase.
- 6.11.4 The Council's Tree Protection Officer has confirmed that the tree protection measures outlined are generally acceptable. Notwithstanding this, details of supervision/ monitoring of the outlined activities would need to be secured. In this respect, a standard condition relating to the protection of the TPO trees is required. A further condition regarding site levels and the 'no dig' zone are also required.

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 The proposal would contribute to the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016) and would regenerate a dilapidated site. Furthermore, 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.
- 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: Design & Access Statement; 1400 Rev A; 1302 Rev A; 1100; Heritage Statement; 1200 Rev C; 1202 Rev B; 1301 Rev B; 1201 Rev B; 1300 Rev B; 1800 Rev A; Arboricultural Impact Assessment by SJ Stephens Associates at Glencara, Royston Grove, Pinner, HA5 4HF Survey Date: 5<sup>th</sup> October 2015; Report Date: 20<sup>th</sup> June 2018.

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 building;
- b. windows/ doors;
- c. boundary fencing;
- d. ground surfacing;
- e. hard landscape materials and,
- f. proposed materials for refuse/cycle storage areas

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.

#### 4. 'No Dig' Construction

No development shall take place, including any works of demolition, until the following details have been submitted to, and approved in writing by, the local planning authority:

Details of the working methods to be employed and a detailed drawing for the installation of the drive and path within the Root Protection Areas of retained

trees or on land adjacent to the site, in accordance with the principles of 'No-Dig' construction. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the construction of the development does not unduly impact on the protected trees. To ensure that measures are agreed and in place to avoid any impact to the group of protected trees during the demolition and construction phases of development, this is a PRE-COMMENCEMENT condition.

5. Tree Protection

No development shall take place, including any works of demolition, until details of arboricultural supervision and site monitoring by an appointed arboricultural consultant, including details of reporting of inspection and supervision, has been submitted to, and approved in writing by, the local planning authority. Following the approval of such details, a pre-commencement meeting shall be organised between the appointed arboricultural consultant, site manager and the Local Planning Authority to ensure that the tree protection measures have been installed in accordance with the approved details. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the construction of the development does not unduly impact on the protected trees. To ensure that measures are agreed and in place to avoid any impact to the group of protected trees during the demolition and construction phases of development, this is a PRE-COMMENCEMENT condition.

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. 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. Details of any proposed ground level changes within the RPA (Root Protection Area) of any retained tree or on land adjacent to the site should be included. 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 that appropriate site levels are agreed before the superstructure commences on site, this condition is a PRE-COMMENCEMENT condition.

8. Revised Refuse Strategy

Notwithstanding the details shown on the approved plans, the development hereby approved shall not progress beyond damp proof course until a Refuse Management Plan has been submitted to, and approved in writing by the local planning authority showing the relocation of the refuse storage area within 10.0m of the collection pick-up point. Alternatively, an additional kerbside storage area should be identified for the transfer of bins on collection days, in accordance with the Council's Refuse Code of Practice

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

REASON: To ensure adequate provision for refuse bins to serve the development and to safeguard the appearance and character of the surrounding area.

9. 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.

10. Hard & Soft 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 appropriate screening to ground floor windows and amenity space, where required. 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.

11. Planting Schedules

All planting, seeding or turfing comprised in the approved details of landscaping plans 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.

12. Landscape Management and Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the landscaped areas, including the communal amenity space, within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow.

13. 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.

14. 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.

15. 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.

16. Archaeology

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within 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 objectives, 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.

The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

REASON: To ensure that any artefacts of archaeological interests on the site are not prejudiced by the proposed development. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and as enforcement action after time may be unfeasible

17. Part M Dwellings

All 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.

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.

## 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; 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 sought and provided and the submitted application was in accordance with that advice.

### 3. Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £19,232.50 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 £19,232.50 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 549.5m<sup>2</sup>

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: £60,445.00

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](mailto: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](mailto: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.

# 1. APPENDIX 2: SITE PLAN





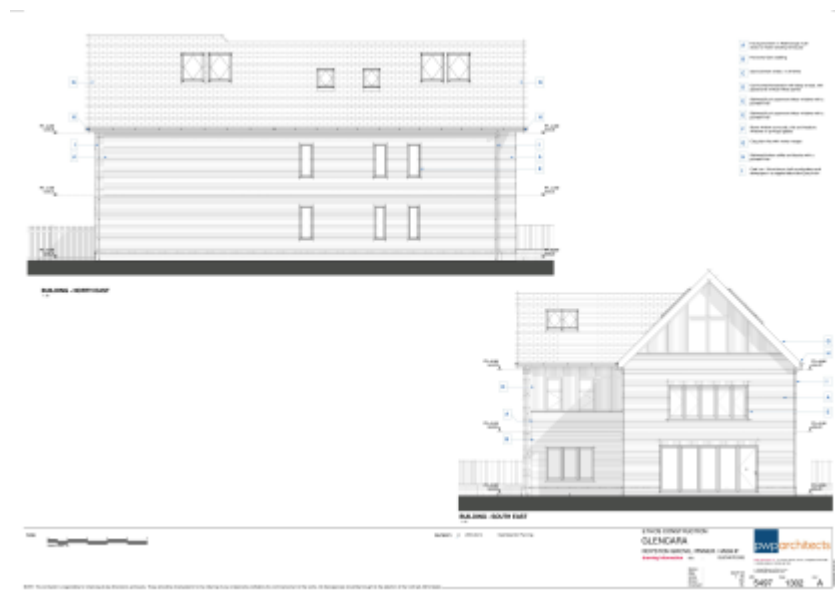
**APPENDIX 3: SITE PHOTOGRAPHS**







## APPENDIX 4: PLANS AND ELEVATIONS







VIEW FROM ROYSTON GROVE



VIEW FROM CORNER OF ROYSTON GROVE | ROYSTON PARK ROAD

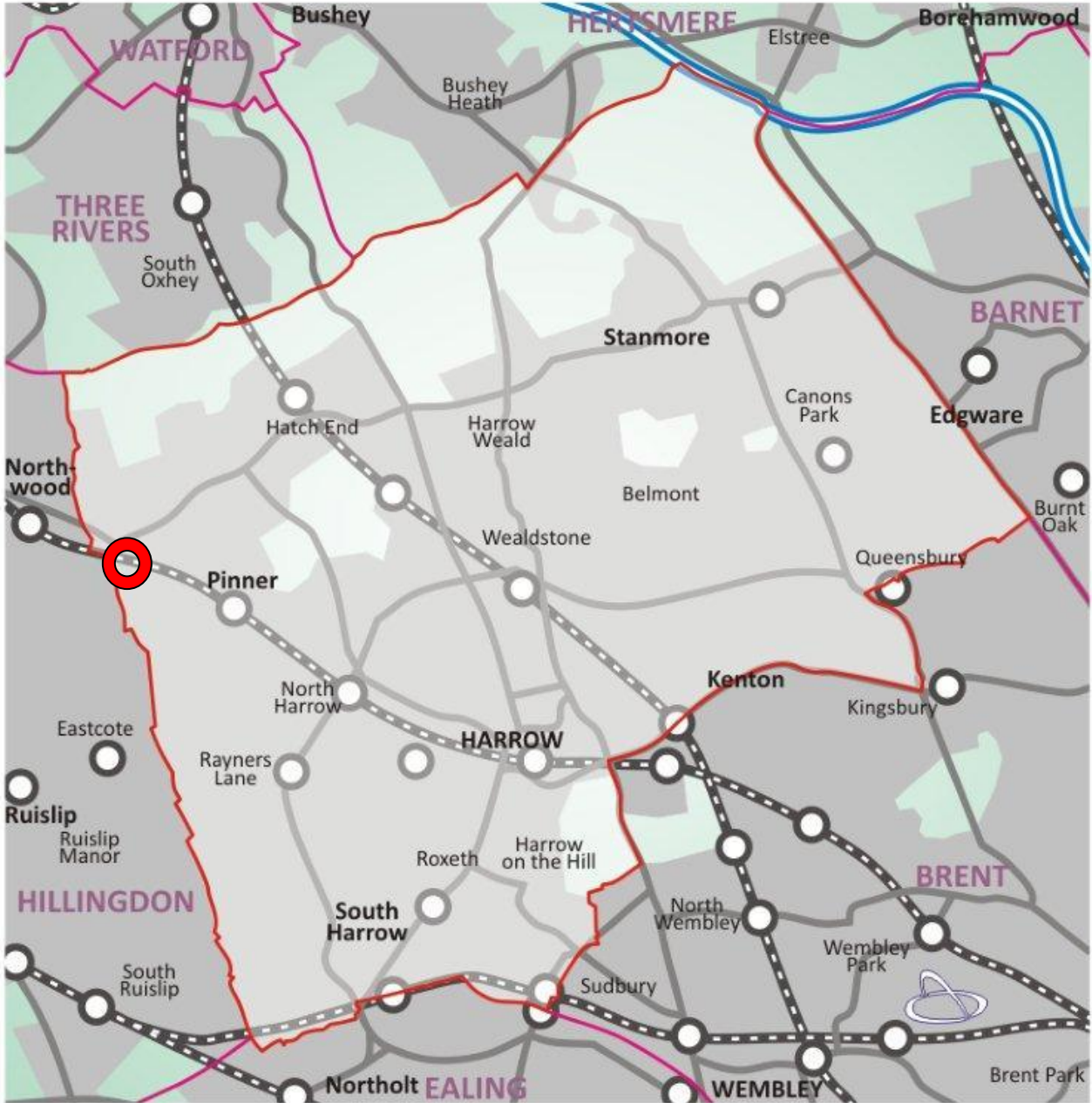
<p>DATE: 15/07/2018</p> <p>TIME: 10:30 AM</p> <p>LOCATION: ROYSTON GROVE</p>	<p>DATE: 15/07/2018</p> <p>TIME: 10:30 AM</p> <p>LOCATION: ROYSTON GROVE</p>	<p>DATE: 15/07/2018</p> <p>TIME: 10:30 AM</p> <p>LOCATION: ROYSTON GROVE</p>	<p>OTHER CONSTRUCTION</p> <p><b>GLENCARA</b></p> <p>ROYSTON PARK ROAD, ROYSTON</p> <p>PERMITTED BY: [unclear]</p> <p>DATE: 15/07/2018</p> <p>SCALE: 1:500</p> <p>PROJECT NO: 1800</p> <p>ARCHITECT: <b>dwp architects</b></p> <p>5497 1800 A</p>
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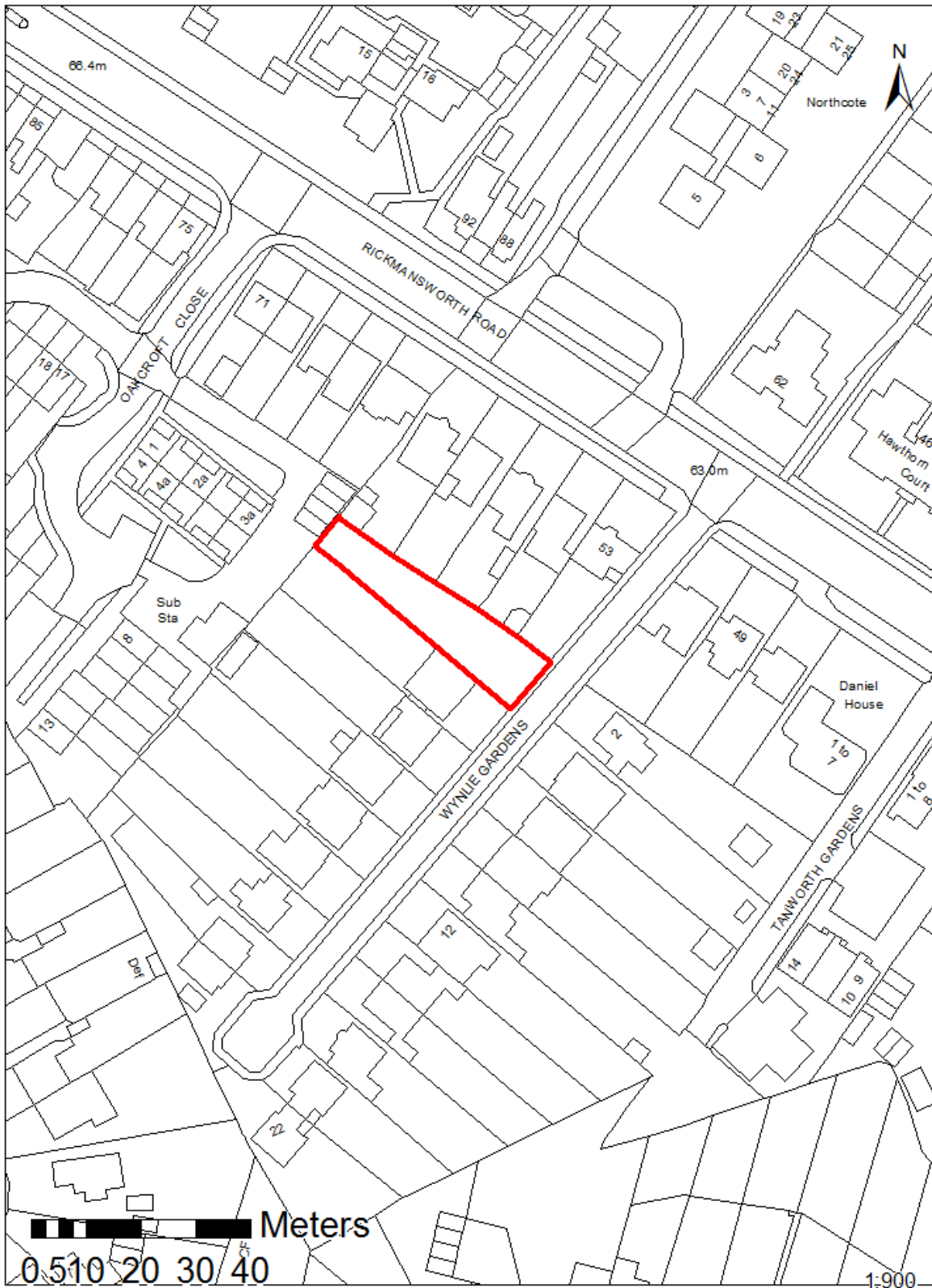


 = application site



1 Wynlie Gardens, Pinner	P/2297/18
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# 1 Wynlie Gardens



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

25<sup>th</sup> July 2018

**APPLICATION NUMBER:** P/P/2297/18  
**VALIDATE DATE:** 06/06/2018  
**LOCATION:** 1 WYNLIE GARDENS  
**WARD:** PINNER  
**POSTCODE:** HA5 3TN  
**APPLICANT:** MR G MATA  
**AGENT:** SIAW LTD  
**CASE OFFICER:** AADIL ESSA  
**EXPIRY DATE:** 26<sup>TH</sup> JULY 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:

*Front porch; Single storey and first floor rear extensions; Side dormers; 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 due to the public interest received under Part 1, Provisio E of the scheme of delegation dated 29<sup>th</sup> May 2013.

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	1 Wynlie Gardens, Pinner, HA5 3TN
Applicant	Mr G Mata
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	No

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application property is a two storey detached property located at the north-western side of Wynlie Gardens in Pinner.
- 1.2 The dwellinghouse features a side dormer within its east facing roofslope.
- 1.3 The adjacent neighbouring property to the south-west No.3 Wynlie Gardens is a detached property that has benefitted from a single and first floor side (in form of a side dormer) and rear extension.
- 1.4 The rear building lines of the neighbouring properties No's 53-61 Rickmansworth Road are perpendicular to the north-east boundary of the host dwelling.
- 1.5 The rear boundary of the site is shared with Oakcroft Close.
- 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 and first floor rear extension, and construction of two side dormers and front porch with external alterations.
- 2.2 The proposed ground floor rear extension would project 4m beyond the original rear elevation.
- 2.3 The proposed first floor rear extension would project 4m beyond the rear elevation and would maintain a gabled roof.
- 2.4 The proposal includes the replacement of the existing side dormer within the eastern roofslope with a larger dormer measuring approximately 8.5m in width, 2.2m high and 2m in depth and would be set back approximately 3.3m from the front elevation. In addition to this, the proposal includes the creation of a dormer within the western roofslope which would set back from the front elevation by 4.45m. It would measure 3.3m wide, 2.2m in height, and 2m in depth.
- 2.5 The front porch would project beyond the front elevation by approximately 0.8m. It would measure 2.3m in width and would have a maximum height of 2.9m.

### 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
WEST/655/93	SINGLE STOREY SIDE AND REAR EXTENSIONS	GRANTED (17/01/1993)
P/2265/05/DCE	CERTIFICATE OF LAWFUL EXISTING USE: OUTBUILDING AS AN ANNEX TO DWELLINGHOUSE	REFUSED (14/12/2005)

### 4.0 **CONSULTATION**

4.1 A total of 16 consultation letters were sent to neighbouring properties regarding this application.

4.2 The public consultation period expired on 27/06/2018.

4.3 Amended plans were received on 2/7/2018 and neighbouring properties were consulted again and were given a further 14 days to submit their comments.

4.4 The overall public consultation period expired on 17/7/2018.

#### 4.5 Adjoining Properties

Number of letters Sent	16
Number of Responses Received	2 + 1 Petition (11 Signatures)
Number in Support	0
Number of Objections	2 + 1 Petition (11 Signatures)
Number of other Representations (neither objecting or supporting)	0

4.6 2 objections were received from adjoining residents, along with 1 petition containing 11 signatures.

4.7 A summary of the response received along with the Officer comments are set out below:

Details of Representation	Summary of Comments	Officer Comments
Dorah Jones 53 Rickmansworth Road	<ul style="list-style-type: none"> <li>The length of the dormer would be excessive and would overlook the garden.</li> </ul>	Noted. Impact on amenity is discussed in Section 6.3 Residential amenity below.
Mr and Mrs Knight 57 Rickmansworth Road	<ul style="list-style-type: none"> <li>The windows in the dormer would look into the neighbouring bedroom and would lead to loss of privacy.</li> </ul>	Noted. The window has been removed from the proposed dormers in the revised drawings received on 3/7/18 and as such no loss of privacy would occur.
Mr and Mrs Knight 57 Rickmansworth Road	<ul style="list-style-type: none"> <li>The proposed extra metre would lead to loss of light and create a sense of enclosure.</li> </ul>	Noted. Impact on amenity is discussed in Section 6.3 Residential amenity below.
Mr Farshad Mardani 1 Wynlie Gardens – Lead Petitioner	<ul style="list-style-type: none"> <li>The proposal would alter the facade of the dwellinghouse that would result in a loss of character of the surrounding area</li> </ul>	Noted. Impact of character is discussed in Section 6.2 Character and Appearance of the area below.
	<ul style="list-style-type: none"> <li>The proposed dormer facing No.3 Wynlie Gardens would result in a loss of light to the neighbouring amenity. The proposed windows on the dormer will result in overlooking and loss of privacy.</li> </ul>	Noted. Impact on amenity is discussed in Section 6.3 Residential amenity below.
	<ul style="list-style-type: none"> <li>The proposed front porch exceeds the building line and would impact on the character of the neighbouring properties.</li> </ul>	Impact of character is discussed in Section 6.2 Character and Appearance of the area below.
	<ul style="list-style-type: none"> <li>The existing ground floor rear extension is over 3 metres in depth and as such the proposal would lead to an overall extension than is greater than 4m.</li> </ul>	Noted. The proposed extension in conjunction with the existing extension would not exceed 4m in depth.



	<ul style="list-style-type: none"> <li>• The drawings are inaccurate as they illustrate a gap between the rear right side of the subject dwelling and the adjacent fence. This is incorrect, in reality there is no gap that exists.</li> <li>• The extension would lead to an overdevelopment of the site and in conjunction with the existing outbuilding in the rear garden would result in parking issues.</li> </ul>	<p>The drawings do not illustrate a gap between the subject dwelling and the adjacent fence.</p> <p>Impact of character is discussed in Section 6.2 Character and Appearance of the area below. The Enforcement Team has been notified of the existing outbuilding in the rear garden and will be investigating the potential breach. However, this is not a material planning consideration in relation to this current application.</p>
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4.8 Statutory and Non Statutory Consultation

4.9 No statutory and non-statutory consultations were required for this scheme.

4.10 External Consultation

4.11 The Pinner Association was required for this scheme.

## **5 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 The NPPF makes it very clear that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (paragraph 56). It goes on to state that 'it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'.

- 6.2.2 The proposal is for the erection of a single and first floor rear extension and the construction of two side dormers and a front porch. Wynlie Gardens is predominantly residential and characterised mainly by detached and semi-detached single family properties. Original design features characteristic of these properties include a side dormer and single storey side extension.
- 6.2.3 The proposed single and first floor rear extension would not be visible from the streetscene. It is considered that the additional bulk of the extension created from the proposed depth of 4m from the original rear wall would not appear excessive or disproportionate or discordant with the original context of the dwellinghouse. and would accord with paragraph 6.59 of the Council's SPD Residential Design Guide in terms of depth. The roof form would match the existing dwelling and would therefore have an acceptable relationship with the host dwelling.
- 6.2.4 The subject property features an existing dormer within its east facing roofslope which is a predominant feature amongst the properties along Wynlie Gardens. The proposal aims to replace the dormer on the eastern roofslope with a larger dormer that would extend approximately 8.5m in width and would form part of the proposed first floor rear extension. There are other examples of such wide dormers along Wynlie Gardens. The proposal would also include a construction of a dormer within the western roofslope of the dwellinghouse which would be 3.3m in width. Whilst it is acknowledged that that the properties along Wynlie Gardens feature only one side dormer, some properties within the vicinity particularly along Rickmansworth Road do feature side dormers on both roofslopes and as such the streetscape and roofscape of the surrounding area is therefore not entirely uniform. Notwithstanding this, the lack of presence of side dormers on both sides along Wynlie Gardens does not necessarily preclude the acceptability of such forms of development. Each proposal has to be assessed on its own merits having regard to what harm arises from such proposals on the character and appearance of the area and taking a balanced view. Furthermore, given that the dormer on the eastern side is set back by 3.3m from the front elevation and whilst the dormer on the western side is set back by 4.45m, any perceived sense of visual obtrusiveness from the public domain would be mitigated by such set backs. It 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. Whilst the proposal would involve the removal of a chimney on the western side to accommodate the side dormer it would not constitute a significant change to the character of the original dwelling and surrounding properties.
- 6.2.5 The proposed porch would protrude 0.8m beyond the original main wall of the dwelling. The proposed porch would maintain a clear separation from the existing front bay window and would therefore comply with Paragraph 6.35 of the SPD. The addition of a gable roof over the and front porch with a maximum height of 2.9m is considered acceptable and would preserve the character and visual amenity of the streetscene.
- 6.2.6 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 front porch would offer views of the public domain and would not therefore harm neighbouring amenity.
- 6.3.3 Given the modest scale and siting of the proposed front porch, it is considered that the proposed front extension would not compromise the residential amenities of the neighbouring occupiers by means of overshadowing, loss of light, loss of outlook or loss of privacy.
- 6.3.4 The neighbouring house to the south-west No.3 Wynlie Gardens is a two storey detached house which benefits from a single and first floor side and rear extension. The western roofslope of the host dwelling is set-back from the side boundary shared with No.3 Wynlie Gardens by approximately 0.7m, and is approximately 3.8m from No.3’s side extension. Given that the proposed first floor rear extension would project 4m deep, it would ensure that the extension would be in line with No.3’s rear elevation. Furthermore, due to the absence of any windows within the proposed side dormer, and given its modest size and scale and its relationship with No.3 Wynlie Gardens, the proposal would not appear unduly prominent nor result in a detrimental impact to the residential amenities in terms of loss of light, outlook, loss of privacy or overlooking. Whilst it is acknowledged that No.3’s adjacent eastern flank elevation contains “protected” windows as per paragraph 6.26 of the Residential Design Guide SPD, given the site circumstances mentioned above, in particular the distance between the flank elevation of the proposed dormer and these windows, it is considered that the development would not result in an unreasonable degree of impacts in terms of overshadowing, daylight and outlook, and visual impact on the amenities of this adjoining property to warrant refusal on such grounds.
- 6.3.5 The neighbouring houses to the north-east No’s 53 – 61 Rickmansworth Road feature gardens that are perpendicular to the subject property. The proposed dormer on the eastern roofslope would be sited approximately 14m away from the rear elevations of these neighbouring properties. Furthermore, given that no windows are to be installed in the dormer, the proposal would not result in a detrimental impact to the residential amenities of the occupiers of No’s 53 – 61 Rickmansworth Road in respect of loss of privacy.
- 6.3.6 The proposed ground floor rear extension would project 1m deep and in conjunction with the existing rear extension it would project 4m in total from the original rear building line of the subject property. It would maintain a flat roof with a maximum height of 2.8m which would accord with the Council’s SPD Residential Design Guide in terms of depth and height. Furthermore, due to the presence of mature think vegetation along the common boundary shared with No.3 Wynlie

Gardens and No's 53 – 61 Rickmansworth Road, any amenity impacts on the occupiers of these neighbouring properties would to some extent be mitigated.

6.3.7 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 not located within a Critical Drainage Area. However given 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 GRANT

7.1 The proposal to extend the dwellinghouse with a front porch, single storey and first floor rear extensions, side dormers 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: A-100 Revision P0; A-101 Revision P0; A-102 revision P8; A-103 Revision P1; Site Location Plan

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.

#### 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s), other than those shown on approved plans shall be installed in the flank elevations of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

## **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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

#### 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**



*Front elevation of the subject dwelling No.1 Wynlie Gardens*



*Photo showing front elevation of No.5 Wynlie Gardens (Left) and No.3 Wynlie Gardens (Right)*



*Photo showing the relationship between No.1 Wynlie Gardens (Left) and No.3 Wynlie Gardens (Right). The photo shows an existing parapet wall and side extension at No.3 Wynlie Gardens.*



*Rear elevation of No.1 Wynlie Gardens.*



*Photo showing the relationship between the front elevation of No.1 Wynlie Gardens (Right) and No.3 Wynlie Gardens (Left)*



*Rear garden of No.1 Wynlie Gardens*



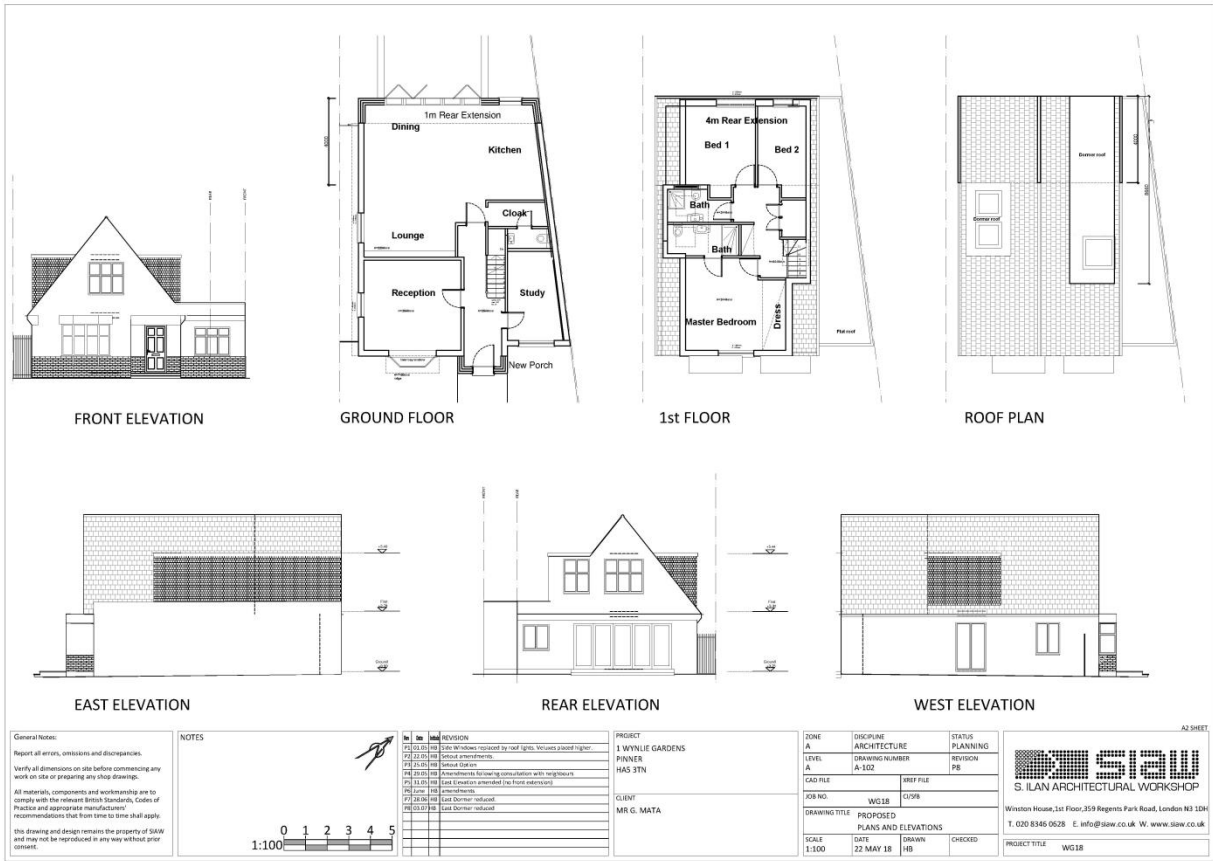
*No's 15 and 17 Wynlie Gardens*



*No.53 Rickmansworth Road*







*Proposed elevations and floorplans*



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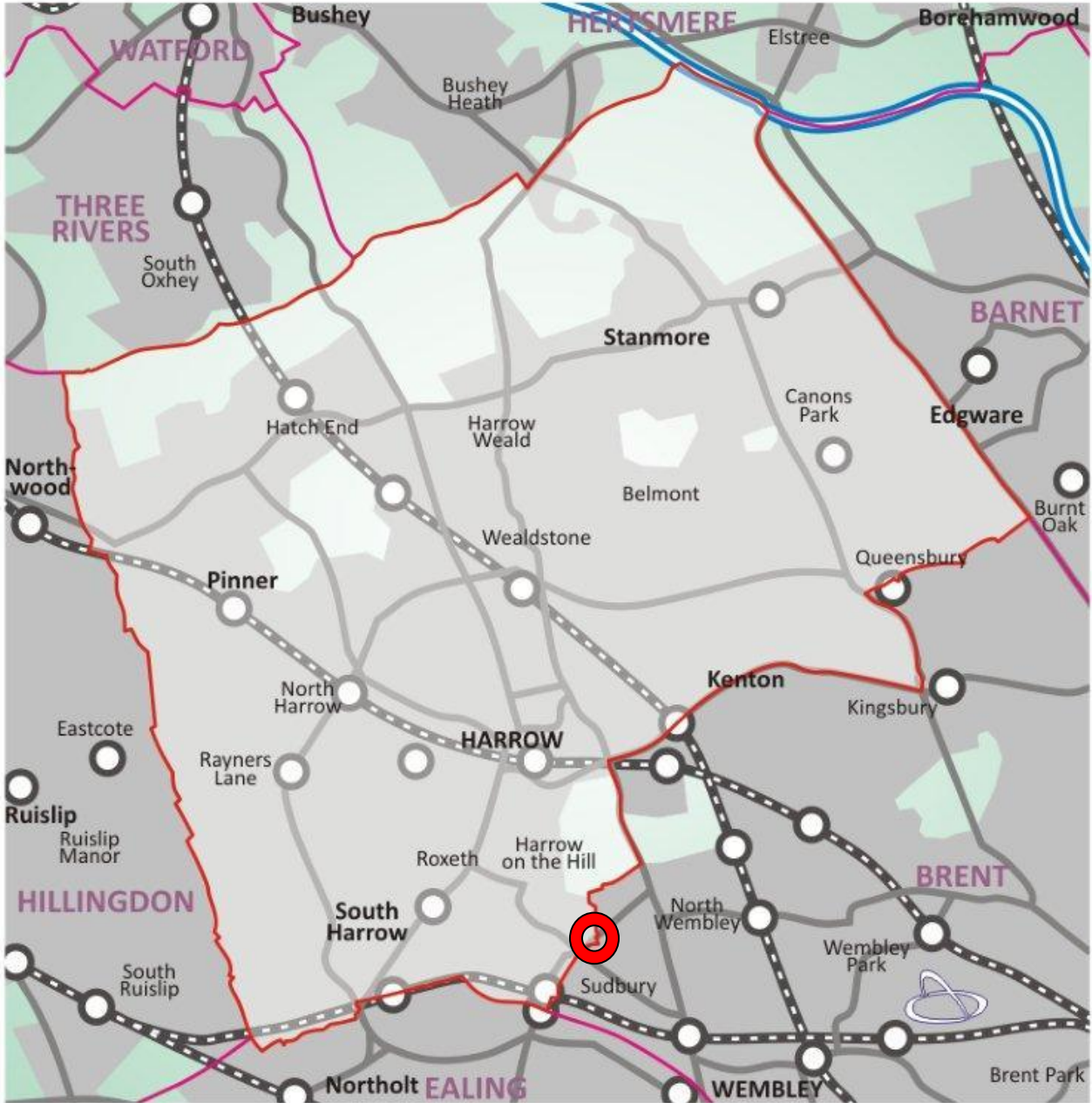






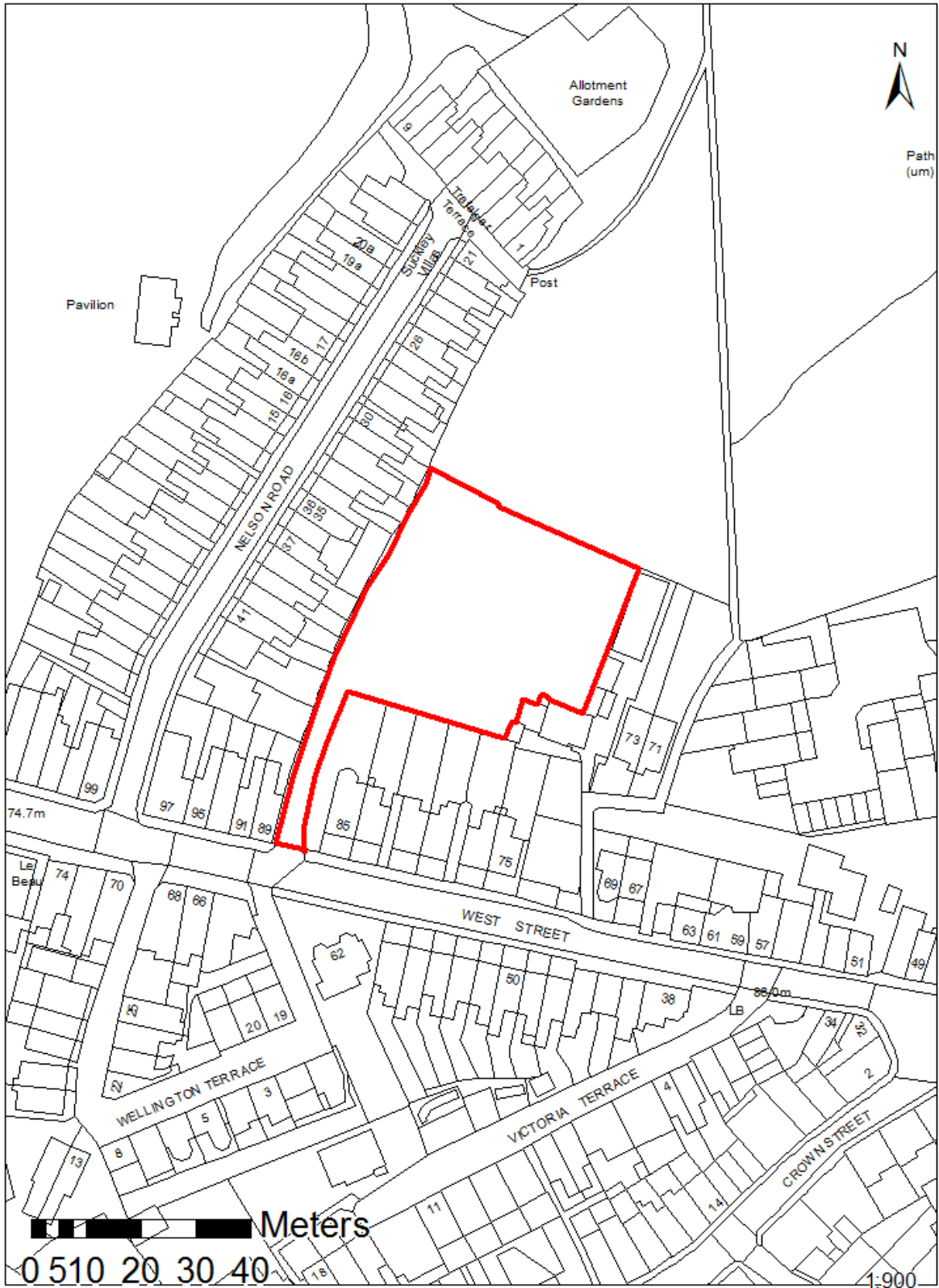
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 = application site



<b>The Powerhouse, 87 West Street</b>	<b>P/1604/18</b>
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# The Powerhouse, 87 West Street



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

25<sup>th</sup> July 2018

**Application Number:** P/1604/18  
**Validate Date:** 27/04/18  
**Location:** THE POWERHOUSE, 87 WEST STREET,  
HARROW-ON-THE-HILL  
**Ward:** HARROW-ON-THE-HILL  
**Postcode:** HA1 3EL  
**Applicant:** JASPAR HOMES LTD.  
**Agent:** ICENI PROJECTS LTD.  
**Case Officer:** GRAHAM MANSFIELD  
**Expiry Date:** 08/06/2018 (EXTENDED EXPIRY: 28<sup>TH</sup> JULY 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.

Creation of second floor to provide two flats (retrospective); changes to the fenestration comprising alterations to existing windows and doors, introduction of new windows and doors and part replacement of gabled roof to north east of the building (retrospective); Proposed Detached Single storey building to provide two cottages; external alterations; associated landscaping and parking; Refuse and cycle storage

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 development would provide 4 residential units. The residential units would contribute to the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). Furthermore the development would have a satisfactory impact on the character of the conservation area, the amenities of existing neighbouring occupiers and future occupiers of the development.

## **INFORMATION**

This application is reported to Planning Committee as both the existing and proposed development creates more than two residential units and therefore falls outside Schedule 1 of the Scheme of Delegation. In addition to the above, the application is reported to Planning Committee owing to the level of public interest.

Statutory Return Type:	Minor
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£ 9,730.00
Local CIL requirement:	£ 30,580.00

## **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
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- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
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- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

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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 Powerhouse, 87 West Street, Harrow-on-the-Hill
Applicant	Jaspar
Ward	Harrow-on-the-Hill
Local Plan allocation	N/A
Conservation Area	Harrow-on-the-Hill Village and Area of Special Character
Listed Building	N/A
Setting of Listed Building	Yes – Old Pye House located to the south
Building of Local Interest	75-85 West Street to the south are locally listed
Tree Preservation Order	All deemed protected as part of conservation area
Land Designations	Adjoins Metropolitan Open Land and Designated Open Space
	Archaeological Priority Area
	Adjoins Site of Importance for Nature Conservation (SINC)
Flood Zone	Critical Drainage Area and Flood Zone 3a and 3b

Housing		
Dwelling Mix	Studio (no. / %)	2
	1 bed ( no. / %)	0
	2 bed ( no. / %)	2 (Retrospective)
	3 bed ( no. / %)	0
	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



<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	Informal hard surfacing
	No. Proposed Car Parking spaces	4 (+ 14 under prior approval scheme)
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	N/A
	No. Proposed Cycle Parking spaces	24
	Cycle Parking Ratio	1:2
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Harrow-on-the-Hill approx. 866m to the north
	Bus Routes	Bus stop located on Lower Road approximately 243m to the west, served by: H10 and 395
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	N/A
	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
Refuse/Recycling Collection		Dedicated Refuse Storage

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site consist of a 0.18ha site located to the east of Nelson Road and to the north of West Street, Harrow-on-the-Hill
- 1.2 The site is occupied by a building dating from the 19<sup>th</sup> Century which was formerly used as a power station. In more recent years it was used for industrial purposes with its last use being as offices.
- 1.3 Permission was granted under P/2444/10 for an additional floor to the offices and this permission has since lapsed.
- 1.4 The ground and first floor of the building benefit from a prior approval change of use from office to residential under reference P/0326/17. There have been a number of internal amendments to this scheme and these changes are being assessed under a separate application P/1516/18
- 1.5 The site is located within the Harrow-on-the-Hill Village Conservation Area, the surrounding area is predominately residential with terraces of Victorian age located on West Street and Nelson Road (to the south and west respectively).
- 1.6 The application site is adjacent to a Grade II Listed building known as the 'Old Pye House', this site is linked to the Mission Hall on West Street and until recently was used for the purposes of plastics manufacturing, distribution and storage (light industrial).
- 1.7 Church Fields adjoins the site to the north, this land is designated as Metropolitan Open Land, Open space and is a site for Importance of Nature Conservation (SINC).
- 1.8 The application site is located in area with low transport links and as such has a PTAL rating of 2. However, the site is in walking distance from Harrow Town Centre.
- 1.9 The site is located in a critical drainage area of Harrow, Flood Zones 3a and 3b and an Archaeological Priority Area. There are no other constraints on site.

### **2.0 PROPOSAL**

- 2.1 The application seeks retrospective planning permission for the following:
- 2.2 Replacement of the tiled pitched roof towards the north east of the building.
- 2.3 Addition of a flat roofed second floor extension with lift over-run which includes two self-contained flats with terraced areas. The second floor structure measures approximately 14.1m in depth and 13.5m in width and is set back by 1.5m from the west, south and north sides of the lower floors.

- 2.4 The existing second floor contains two x 2 bedroom, 4 person flats with amenity space provided by a terrace
- 2.5 A series of external changes; including new windows and doors which are finished in a crittal style. Rendering of the eastern flank wall and replacement of a slate tiled roof in the north east corner of the site.
- 2.6 In addition to the retrospective elements it is proposed to erect a single storey building adjacent to the common boundary with properties on West Street. This element would be approximately 13.7m in width and 6.3m in depth and would have a part flat/part pitched roof which would be 2.9m in height adjacent to the common boundary with properties West Street and 4.2m maximum height on the northern flank.
- 2.7 The proposed single storey building would accommodate two studio units with dual aspect windows. Each would have a private amenity space in the form of terraces.
- 2.8 Car parking would be provided across the site on a 1:1 ratio with an additional visitor space, 4 electric charging points would be provided, together with cycle storage and a centrally located waste storage area.
- 2.9 During the course of the application, minor amendments have been made to the scheme. These include the removal of the domed cap on the lift over-run and its replacement with a black matt film, access to the second floor terraces would be restricted on the northern side of the building and the internal layout of the cottages have been modified so that they would be studio units with a shower.

### **3.0 RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status and date of decision</b>
LBH/28395	Change of use from light industrial to offices and light industrial	Granted: 12/09/1985
P/1319/04	Singles storey extensions; alterations to storage building to provide gatehouse/reception building	Granted: 11/11/2004
P/1065/07	Second floor extension to form additional office suite	Granted: 19/07/2007
P/2444/10	Second floor extension to form additional office suite	Granted: 15/12/2010
P/2714/13	Approval of details pursuant to condition 2 (materials) attached to P/2444/10 dated 15/12/2010 for second floor extension to form additional office suite	Approved: 12/11/2013
P/5401/16	Prior Approval: Conversion of offices	Refused: 05/01/2017

	(Class B1a) to 14 self-contained flats of main building and cottage (Class C3). Reason for Refusal: <i>The submitted Phase I Environmental Site Assessment has identified a moderate risk to human health and has recommended intrusive ground investigation to determine whether further action is necessary; and no additional information has been submitted to address these matters. It is therefore considered that insufficient information has been provided to enable the local planning authority to establish whether the proposed development would result in unacceptable impacts in terms of contamination risks for future occupiers of the development, contrary to condition O.2 (b) to Class O of Part 3 (of Schedule 2) of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.</i>	
P/0326/17	Prior Approval: Conversion of offices (Class B1a) to 14 self-contained flats of main building and cottage (Class C3).	Granted: 06/03/2017
P/5766/17	Creation of Second floor to provide two flats (Retrospective); Proposed Detached Single storey building to provide two cottages; Change of use of detached outbuilding from office (Class B1) to Residential (Class C3), External alterations; Associated landscaping and parking; Refuse and cycle storage	Withdrawn
P/5161/17	Changes to the Fenestration Comprising Alterations to Existing Windows And Doors and Introduction of New Windows and Doors and Part Replacement of Gabled Roof to North East of the Building' (Retrospective)	Withdrawn
P/1971/18	Details pursuant to Condition 1 attached to Prior Approval P/0326/18	Not Yet Determined
P/1516/18	Minor alteration to position of internal walls	Not Yet Determined

#### 4.0 **CONSULTATION**

4.1 A total of 62 consultation letters were sent to neighbouring residents, together with the erection of site notices.

4.2 The overall public consultation period expired on 2018.

4.3 Adjoining Properties

Number of letters Sent	62
Number of Responses Received, including a petition with 200 signatures	232
Number in Support	0
Number of Objections (including petition of 200 signatures).	232
Number of other Representations (neither objecting or supporting)	0

4.4 Following the amendments which were made to the scheme, neighbouring properties were re-consulted and invited to comment. A total of 63 consultation letters were sent on 22<sup>nd</sup> June 2018 with the 14 day re-consultation period expiring on 6<sup>th</sup> July 2018. No further comments/objections were received to the re-consultation.

4.5 The objections which were received from neighbouring residents are summarised in the table below:

<b>Summary of Comments</b>	<b>Officer Comments</b>
Objects to the application due to:	
<u>Principle of the development</u>	This has been addressed in section 6.4 of the report.
<ul style="list-style-type: none"> <li>• Overdevelopment and intensification</li> </ul>	
<u>Character of the conservation area</u>	The impact of the proposal on the character and appearance of the area, conservation area and listed buildings have been addressed in section 6.4 of the report.
<ul style="list-style-type: none"> <li>• Destruction of Heritage building</li> <li>• Impacts on conservation area</li> <li>• Impacts on adjacent listed building</li> <li>• Unsuitable materials</li> <li>• Impacts on protected views</li> <li>• Concerns regarding lift shaft</li> <li>• Unsightly and top heavy second floor extension</li> <li>• Block view of St. Mary's Church</li> <li>• Poor design</li> <li>• Impact of 2 cottages on the courtyard of the</li> </ul>	

<p>Powerhouse</p> <ul style="list-style-type: none"> <li>• External alterations and insertion of extra windows are inappropriate</li> <li>• White rendered walls to the side are out of character</li> <li>• White render has undue impact on setting of Grade II listed Old Pye House</li> <li>• New cottages will unduly impact the setting of Old Pye House</li> <li>• Windows and doors not in keeping with the local area</li> <li>• Height of building is now excessive</li> <li>• Removal of Iron railings</li> <li>• Current second floor and proposals do not enhance the conservation area.</li> <li>• Plastic windows do not mimic the originals</li> <li>• Brick balustrades have been removed and results in a modern looking building</li> <li>• Article 4 directions should be enforced</li> <li>• Conservation rules should be applied consistently</li> <li>• Second floor built with unapproved materials</li> <li>• Landscaping is out of character with the area</li> <li>• Second floor interrupts protected view contrary to policy DM3 of Harrow DMP.</li> <li>• The Powerhouse is outlined by Historic England as being one of four design used for Coal and Oil Fired Power Stations of 19<sup>th</sup> and 20<sup>th</sup> centuries</li> <li>• Existing outbuilding should not be replicated within the site.</li> <li>• Proposed cottages have no architectural merit.</li> <li>• Removal of corrugated external finishes and replacement with render on the eastern elevation, together with insertion of windows.</li> <li>• Insertion of gas flues into the external fabric of the building.</li> <li>• Differences in the previously consented second floor to what has been built now on site.</li> <li>• Bin and bike stores unduly impact the character of the area.</li> </ul>	
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<p><u>Residential Amenity Impacts (Neighbours)</u></p> <ul style="list-style-type: none"> <li>• Overlooking from windows</li> <li>• Overlooking from terraces</li> <li>• Overlooking from proposed cottages</li> <li>• Introduction of flank windows close to adjoining boundaries</li> <li>• Views for neighbouring residents would be ruined by additional second floor.</li> <li>• Privacy impacts on occupiers of Nelson Road.</li> <li>• Impact of windows on cottages facing the boundary with properties on West Street.</li> <li>• Noise impacts from balcony use.</li> <li>• Proposed second floor would interrupt 45 degree line in terms of privacy</li> <li>• Second floor overshadows rear gardens on West Street</li> <li>• Second floor windows overlook properties on West Street</li> </ul>	<p>The terraces to the southern and western elevations have been restricted for maintenance use only. A condition has been included to maintain this; The principle of the second floor and the resulting amenity impacts have been established in the previous planning permissions granted for the second floor; The impacts of the proposal on residential amenity has been addressed in section 6.6 of the report.</p>
<p><u>Residential Amenity Impacts (Future Occupiers)</u></p> <ul style="list-style-type: none"> <li>• Cottages are of poor quality and not laid out as studios</li> <li>• No privacy and poor outlook</li> <li>• Single aspect</li> <li>• Non-compliance with lifetime homes due to flood risk implications</li> <li>• In defensible space around cottages</li> <li>• Poor light levels for future residents</li> <li>• H&amp;S concerns due to location of electricity substation</li> <li>• Concerns regarding the potential contamination of the site</li> </ul>	<p>These comments have been addressed in section 6.5 of the report</p>
<p><u>Traffic, Parking &amp; Highways</u></p> <ul style="list-style-type: none"> <li>• Insufficient parking provision</li> <li>• Parking pressures on West Street</li> <li>• Breaches of Construction Management Plan</li> <li>• Vehicular access concerns within the application site</li> <li>• No provision of electric charging points</li> <li>• Parking is not accordance with one parking space per bedroom.</li> <li>• CPZ needs to be applied to the surrounding area</li> <li>• Car parking would encroach onto public right of way</li> <li>• Emergency access concerns to site and neighbouring properties on Nelson Road</li> <li>• PTAL rating of 2 is misleading</li> </ul>	<p>Traffic, Parking &amp; Highways matters have been addressed in section 6.7 of the report.</p>

<ul style="list-style-type: none"> <li>• Potential congestion and impact on highway safety.</li> <li>• Reference to breaches in construction management plan attached to the prior approval application.</li> </ul>	
<p><u>Trees &amp; Bio-diversity</u></p> <ul style="list-style-type: none"> <li>• Damage/removal to trees and hedges</li> <li>• Inaccuracies in bat survey</li> </ul>	<p>Extensive biodiversity conditions have been added and a landscape condition to ensure additional soft landscaping is provided where feasible</p>
<p><u>Drainage</u></p> <ul style="list-style-type: none"> <li>• Information in Flood Risk Assessment is inaccurate</li> <li>• Statements do not acknowledge flood zone 3a and 3b as noted by Harrow Council Drainage</li> <li>• Reference to previous flood risk assessments</li> </ul>	<p>Drainage matters have been addressed in section 6.8 of the report</p>
<p><u>Other</u></p> <ul style="list-style-type: none"> <li>• Misleading and incomplete plans</li> <li>• Impacts on public and private rights of way</li> <li>• Breaches and non-adherence to planning processes</li> <li>• Inability to enforce and setting precedence for other developers</li> <li>• Contamination risks have not been addressed</li> <li>• Impact of electrical substation on future occupants</li> <li>• Reference to developer's previous history at Harrow Magistrates Court</li> <li>• Failure of Council to deal with the applicant via enforcement procedures</li> <li>• Setting of precedence in terms of retrospective developments in the conservation area</li> <li>• Applicant should not be allowed to make further planning applications</li> <li>• New cottages will block rights of way</li> <li>• Bin and bike stores blocks right of way</li> <li>• Abuses in planning rules and permitted development rights.</li> </ul>	<p>Rights of access cannot be controlled or altered by the local planning authority, as they do not fall under planning legislation; each application is considered on its merit; previous breaches do not preclude the submission of an application as covered in section 6.1 of the report; legal proceedings with UK Power Networks is a private civil matter;</p>



<ul style="list-style-type: none"> <li>• A full retrospective planning application should be sought for the development</li> <li>• Legal issues in regards to 'development being a single operation'.</li> <li>• Reference to the proposed internal changes to Permitted development scheme</li> <li>• Legal proceedings have been commenced by UK Power networks</li> <li>• No consultation with fire services</li> <li>• Reference to planning reference P/3259/12 and appeal at 43-49 West Street</li> <li>• Jaspars' contempt for the planning authority and local residents</li> <li>• Reference to plans on permitted development scheme.</li> <li>• Fenestration on the north side of the building will cause light pollution to Church Fields</li> <li>• Reference and comparison to refused householder developments in the nearby vicinity</li> </ul>	
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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 Conservation Officer	<p>The building is located within the Harrow on the Hill Village Conservation Area and in the setting of the grade II listed Old Pye House</p> <p>The proposal is accepted with the exception of the lift overrun and AOV on top of the roof extension to the Powerhouse and there is concern over the impact of the two new cottages. This is due to the impact that would be created on the listed Old Pye House</p>	The comments have been discussed under section 6.4 of the report

	and the character and appearance of the Harrow on the Hill Conservation Area.	
LBH Drainage	Please note that the site 'Power House, 87 West Street, Harrow, HA1 3EL ' is within surface water flood zone 3a & 3b according to our surface water flood maps and as an LLFA the current design is unsatisfactory as the building is not flood resilient therefore the building heritage that the developers have highlighted as significant will remain at risk. The planning application can be conditioned for flood mitigation measures (flood proofing of both the existing and proposed buildings), foul water disposal, surface water disposal, surface water attenuation and SUDS.	The comments are acknowledged and conditions have been included to this effect.
LBH Highways	We have previously commented on the various applications for this site and do not consider that anything significantly different is proposed. The increase in number of dwellings is facilitated by an increase in the number of car and cycle parking spaces; we therefore have no objection to the proposal.	Noted and condition recommended.

LBH Bio-diversity Officer	There aren't grounds for outright objection to the scheme in relation to biodiversity issues but it doesn't satisfy requirements presently. Given the proximity to one of the borough's most significant wildlife sites, particularly within the context of the southern part of Harrow, the applicants should be expected to make every effort to deliver net gain for biodiversity within their scheme. Pre-commencement conditions are advised	The respective conditions have been included.
Landscape Officer	No Objection subject to conditions	Conditions included
Environmental Health	Awaiting Comments which will be included in the addendum	
LBH Building Control	OTIS Lifts Technical Services have confirmed that the 'crush zone' at this moment in time is critical in all instances for the welfare of the lift engineer who may be operating for maintenance purposes in that zone above the carriage itself. Until this time, the 'crush zone' is critical	The comments have been noted
Historic England (GLAAS) -	The planning application lies in an area of archaeological interest. The proposed impact is not extensive and could be sufficiently mitigated	Noted. Condition attached.

	through the implementation of an archaeological watching brief during development. No objection subject to condition requiring a written scheme of investigation.	
Historic England (Scheduled Ancient Monuments)	No Comments/Objections	Noted
Natural England	No Comments/Objections	Noted
Metropolitan Police (Designing Out Crime Officer)	No Objections	Noted
Harrow Hill Trust	Summary: Proposal for the cottages is overdevelopment of the site and not in keeping with conservation area. The design is inappropriate when compared to other cottages in the area.	This has been addressed in section 6.4 of the report.
CAAC	‘This was built before World War I as the Powerhouse for the hill. It was converted to offices. It is next to the Old Pye House which is listed. This site has been taken over by Jasper Homes.  The lift overrun is unacceptable. They should go for an alternative lift with no overruns which are possible. This is the most objectionable part for the main building, providing the rooftop extension on	The comments on the lift over-run has been addressed in section 6.4.16 of the report. Comments on the impact of the proposal on the character and appearance of the conservation area and listed building have been addressed in section 6.4.

	<p>the second floor is well-detailed. This can still be seen from Church Fields.</p> <p>The outbuildings are tiny. They have no amenity space and this pushes parking spaces up. They would be worried that they cannot meet minimum standards. This would be an over-intensive use of the site.</p> <p>The Powerhouse should be isolated too as it is a special building. The extra building would encroach on its footprint. The building is a strong, forceful industrial building. These would make it a bit too domesticated’.</p> <p>We add the following comments:  ‘There is much more glazing on the proposed. The glazing is too much. This would take away the randomness of what is there before. The windows are now too repetitious. It no longer looks like the brick box that it was.</p> <p>There would now be too many changes’.</p>	
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**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 Conservation Area  
Impact on Open Space and Biodiversity  
Residential Amenity for Future Occupiers  
Residential Amenity (Neighbouring Residents)  
Traffic, Parking & Servicing  
Drainage

### **6.1.1 Background**

The application site was subject to a prior approval application (P/0326/17) which allowed the applicant to exercise their permitted development rights to convert the former offices and the stand alone entrance building to 14 residential units.

- 6.1.2 After the above works had commenced on site the applicant proceeded to construct the second floor extension. The applicant initially provided evidence showing that the previous planning approval P/2444/10 for a Second floor extension to form additional office suite was implemented in 2013. After further investigation by the Council, it was found that the works at second floor level did not benefit from planning permission as the time-period for commencement of the development approved by application P/2444/10 expired prior to the current works commencing.
- 6.1.3 The Council also sought a legal position on whether the erection of the second floor together with the conversion of the lower floors to residential accommodation resulted in a development of a single operation.
- 6.1.4 The legal position on this at the time was that this is a matter of fact and degree and depends on the nature of the works. Merely because the works to the second floor were carried out at the same time as the Prior Approval works, does not make it a single operation. The main deciding factor in this case is that you can clearly distinguish between the Prior Approval works and the works necessary for the second floor development. Therefore, the works appeared to be quite separate, though commenced soon after the Prior Approval implementation.
- 6.1.5 The applicant sought to rectify this by the submission of planning application P/5766/17. However, during the course of this application it was brought to the attention of the Council that the layout and number of the flats under prior approval reference P/0326/17 were not in accordance with the approved plans.
- 6.1.6 This was investigated by the Council's enforcement team and the number of flats within the ground and first floor have reverted to what was approved under prior approval reference P/0326/17. A parallel non material amendment application has been submitted alongside this application and is being assessed under planning reference P/1516/18.
- 6.1.7 Noting the above, the Council are required to fully assess the expediency before taking any formal action and it must be pointed out that carrying out works without planning permission is not a criminal offence. So in the interests of being reasonable, the Council required a planning application to retain the second floor and external alterations and for the proposed cottages, whereby the Council can again assess the planning merits in accordance with national and local policy. The assessments of these elements are explored further below.

## 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 Objections have been raised in relation to the principle of the development. Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of residential dwellings here.
- 6.2.3 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
- 6.2.4 The site is not allocated for development but represents 'a previously developed' site, however 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.
- 6.2.5 Whilst it is noted that the draft London Plan (2017) can only be attributed limited weight, the proposal is considered to successfully reflect the intent of draft policy H2 'Small Sites' which recognises the importance in utilising smaller sites.
- 6.2.6 Accordingly, the proposed scheme for providing residential accommodation is considered to contribute to the overall housing need of the borough and would be in conformity with the Government's objectives of planning for growth and presumption towards sustainable development as outlined within the NPPF. The proposal to introduce residential units at the site is considered acceptable in principle, subject to compliance with the relevant development plan policies and supplementary planning guidance that seeks to provide high quality residential development.

### 6.3 Regeneration

- 6.3.1 The proposed development intends to replace an under-utilised brownfield site with residential units. The proposed redevelopment allows the site to be used in a more efficient way that would generate additional housing stock within the Borough. In this respect, the proposed development would meet the overarching principles of regeneration into the area.

### 6.4 Character of the Conservation 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 Policies DM7 of the Harrow Development Management Policies Local Plan (2013), and Policy 7.8D of the London Plan (2016) provide further guidance to ensure developments would not harm heritage assets. Policy CS1.B of the recently adopted Core Strategy requires all new development to respond positively to local context in terms of design, siting, density and spacing and reinforce the positive attributes of local distinctiveness.

6.4.4 The application site is located within the Harrow-on-the-Hill Village Conservation Area and adjacent to a Grade II Listed building (Old Pye House). As such, it is imperative that developments either maintain or enhance heritage assets.

6.4.5 Objections have been raised in relation to the second floor and the proposed cottages to the south of the site and the fact that these two elements would have an undue impact on the character of the conservation area and would unduly harm the setting of the Grade II Listed building. Each of these elements are assessed as follows:

#### Second Floor Extension

6.4.6 Objections have highlighted that the second floor as built is unduly bulky and tall in height.

6.4.7 It is noted that the principle of attaching a second floor to the main Powerhouse building has already been established through planning permissions P/1065/07 and P/2444/10, notwithstanding the fact these were proposed for office use, the principle of a second storey would still remain acceptable.

6.4.8 Officers note that what has been constructed on site differs slightly to what was previously granted. However, it is considered that the scale and size of the second floor is appropriate and retains as sense of subordination due to the set back from the first floor level. Overall the second floor would appear as a proportionate addition to the main building

6.4.9 In terms of the materials used in construction, the bricks used do not unduly harm the wider conservation area. Officers recognise that the bricks used in the construction of the second floor are not a perfect brick for brick match. However, weathering over time would ensure that the second floor would blend in with the main building. Furthermore, when viewed from the wider area in Church Fields the change in brick work cannot be fully appreciated.

6.4.10 Noting the above two factors it is considered that the materials used in the second floor extension do not unduly impact the character of the building or the wider conservation area.

6.4.11 Further objections state that the windows detract from the original industrial nature of the building and that the plastic windows are of a poor quality. However, the windows used are of a slimline metal, similar in profile to the

original Crittal style windows which existed prior to the development on site. Furthermore, the use of the arched window openings and profiles ensure that the second floor harmonises with the form of the lower floors of the Powerhouse.

- 6.4.12 Reference has been made to the lift over run that has been constructed on the roof of the second floor. Objections have noted that the lift overrun is an unacceptable addition to the building. In the context of the site and the existing building it is considered that the lift projection would not be unduly high.
- 6.4.13 Specific concerns relating to the use of a glazed dome have been noted and the applicant has provided minor amendments to omit the glazed domes for a flat cover which would match the black coloured over-run. Officers consider that this method of design would be acceptable.
- 6.4.14 The lift over run due to its limited height cannot be appreciated at ground level adjacent to the main building, due to its limited projection. However, when viewed from Church Fields, due to the changes in topography, the lift over run can be seen. It is considered that the lift over run does not appear unduly obtrusive when viewed in its wider context. The lift overrun is of an appropriate scale and does not look incongruous, considering the surrounding rooftop features which include dormers of various forms and sizes. Different roof levels due to the topography of the area also add to the roof profile variety. In addition, the lift over run due to its colour does not appear overly prominent against the dark coloured slate roofs of neighbouring properties.
- 6.4.15 Additional information has been provided by the applicant which details that the lift over-run does not house a mechanism and is a 'crush zone' that is required to comply with EU law of lift safety, specifically Euro Standards EN81-20 and EN81-50. Even if a hydraulic lift was to be used, this would also require a crush zone to comply with that legislation. These comments were relayed to the Council's Building Control team who after further considerations, verified that the 'crush zone' is critical at the time for safety purposes and required by the above standards.
- 6.4.16 The need for the lift over-run has been addressed above. It is appreciated that the lift-over run would be visible when viewed from Church Fields and has therefore been considered harmful by the Conservation Officer. However, there is an identified need for this structure as detailed above and it would be seen in the context of the surrounding roof forms and paraphernalia. For these reasons and on balance, officers consider that the lift over-run would be acceptable in this instance.

#### External alterations & Replacement Roof

- 6.4.17 A number of external alterations have been made to the existing Powerhouse building including the widening of window openings and the addition of new windows and doors. Works have also been carried out which involved the removal of corrugated cladding and its replacement with an external white rendered surface.

- 6.4.18 Objections outline that the external changes to the building including the rendering of the east elevation of the building has had a detrimental impact on the former industrial building and the wider conservation area. Reference has also been made to replacement windows and the insertion of extra openings within the external fabric of the building.
- 6.4.19 Officers consider that the replacement window openings would be sympathetic to the original building and the reinstatement of elements of the historic design is a welcome alteration. Furthermore, the alterations would enhance the quality and longevity of the building. Given the previous alterations that had been undertaken to the building during its lifetime and given the relatively modest and sympathetic changes made to preserve and maintain the building in the future with the new residential use, it is considered that this element of the proposal is considered acceptable and would not have a detrimental impact on the character or appearance of the conservation area or the setting of the listed building.
- 6.4.20 In addition, a pitched slate roof feature to the north east corner of the site has been replaced. This element has used materials which would appear to consistent with that of the original roof and therefore would maintain the character of the host premises and wider conservation area.

#### Proposed Cottages

- 6.4.21 The proposed element of the scheme seeks to erect a single storey structure adjacent to the rear boundaries with 77 to 83 West Street. The proposed building would accommodate two self-contained studio's which have been described as 'cottages'. A number of objections note that this proposed element of the scheme would be an overdevelopment of the site which would unduly impact on the character of the site and wider conservation area.
- 6.4.22 Officers consider that in relation to the wider site, the proposed self-contained residential units would not add significant bulk to the overall site. At a footprint of approximately 88sqm, the proposed building would not be unduly large considering the overall size of the application site.
- 6.4.23 The proposed cottages are considered to be a modest addition to the site and would appear subservient to the main Powerhouse building. The size and scale of the proposed cottages would reflect that of the existing detached building close to the entrance of the site and their single storey nature would ensure that the proposed cottages would not appear unduly bulky or obtrusive.
- 6.4.24 In terms of architecture, the proposed cottage building would be simple and would reflect that of the existing adjacent detached single storey building on site. It is indicated that the proposed cottage buildings would be finished in brick to match that of the existing buildings on site. Officers consider that the material treatments would be acceptable subject to a condition requiring samples to be submitted and approved by the Council.

### Protected Views

- 6.4.25 Objections have been received which indicated that the existing second floor addition, together with the lift overrun interrupt views towards St. Mary's Church and the Hill.
- 6.4.26 Policy DM3 Section B (b) states that developments in the wider setting consultation area should form an attractive element in its own right and preserve or enhance the viewers' ability to recognise and to appreciate the landmark.
- 6.4.27 The northern end of the application site is located within the wider setting of the West Harrow Recreation Ground (WHRG) Protected View. From the viewing location of WHRG, Harrow on the Hill is prominent on the skyline with St. Mary's Church a clearly visible feature at the top of the wooded hill rising above the terraces on Drury Road.
- 6.4.28 It is considered that the second floor that has been constructed on site would maintain the views of both St. Mary's Church and the Hill when viewed from the designated viewing area, in WHRG as it would not be appreciated due to its size distance from this location.
- 6.4.29 In addition to the above the Harrow on the Hill Village Conservation Area Character Appraisal sets out key views and vistas both in and out of the conservation area. Due to the limited height and size of the second floor it is considered that key views of the church and hill would not be interrupted when viewed from points on Bessborough Road and West Street.
- 6.4.30 It is also noted that comments refer to views out of the conservation from the top of the hill, most notably from 'Peachey Stone'. However, due to the modest height and location, it is considered that the development would not unduly impact on the long distance panoramic views from the conservation area.

### Landscaping

- 6.4.31 The application was referred to the Council's Landscape Architect who has raised no objections to the proposal provided that the existing surface material for the hardstanding is retained or matched. It is considered that there could be some scope for additional tree planting or soft landscaping within the site, which would create a more attractive space, soften the parked cars and enhance biodiversity in the area. Conditions are therefore included requiring a landscaping masterplan to be submitted and approved by the local planning authority.

### Impact on Open Space & Bio-diversity

- 6.4.32 The National Planning Policy Framework (2012) establishes a set of principles for conserving and enhancing biodiversity when determining planning applications. Policy 7.19 of the London Plan (2016) gives effect to the London-wide Biodiversity Action Plan and requires development proposals to make a positive contribution to the protection, enhancement, creation and

management of biodiversity. Policy DM21 of the Harrow Development Management Policies states that opportunities to enhance locally important habitats and to support locally important species will be sought. Where possible, proposals should secure restoration and re-creation of significant components of the natural environment as part of the design and layout of the development.

- 6.4.33 The application site adjoins a site of Importance for Nature Conservation and Metropolitan Open Land to the north. The application was referred to the Council's Biodiversity Officer who has advised that given the proximity to one of the borough's most significant wildlife sites, every effort to deliver net gain for biodiversity within the scheme should be sought.
- 6.4.34 A number of pre-commencement conditions are included to this effect such and cover the provision of herb-rich green roofs, provision of breeding locations for birds foraging within the vicinity of the site, provision of breeding locations for bat species foraging within the area, ongoing management to ensure value of biodiversity measures is realised and maintained and to ensure that protected wildlife and nearby areas of biodiversity interest are protected during construction.
- 6.4.35 The application site also adjoins Metropolitan Open Land (MOL) to the north. Policy 7.17 of the London Plan (201) affords to London's Metropolitan Open Land the same level of protection as applies nationally to the Green Belt, including the presumption against inappropriate development. As detailed earlier within the report, the principle and resulting impact of the second floor was established in previous planning permissions. The proposed cottages would be single storey and obscured from MOL views by virtue of their siting within the plot. The height of the lift overrun would be modest. For these reasons, it is considered that the proposal would not detract from the visual amenities of the MOL.

## 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 Both the retrospective and proposed elements of the development would provide the following accommodation:

Flat	Type	Area (sq m)
15	2 bedroom, 4 persons (retro)	83sqm
16	2 bedroom, 4 persons (retro)	74.5sqm
17	Studio	37sqm
18	Studio	37sqm

- 6.5.4 The dwellings in all instances meet the required GIA for the respective occupancy levels. Furthermore, Flats 15 and 16 demonstrate that a level of dedicated storage space for future occupiers, which accords with the minimum requirements for their respective occupancy levels. The residential 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 second floor as built and the proposed cottages would achieve a floor to ceiling height of over 2.5m. The proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers.
- 6.5.6 It is considered that the existing second floor residential units are satisfactory in terms of outlook and daylight. Each flat in the second floor benefits from generous dual aspect windows with views either looking within the site and rooftop level or towards Church Fields to the north.
- 6.5.7 In terms of the proposed cottages to the south of the site. Minor amendments have been made to the initial floor plans which result in both studio's being dual aspect units. Concerns have been expressed regarding the quality of accommodation for future occupiers and impacts in terms of privacy.
- 6.5.8 It is acknowledged that the proposed cottages would have north facing windows and therefore daylight levels would be expected to be low, this would be further impacted by the fact the Powerhouse building is located 4.0m away from the windows in question. However, the dual aspect nature of both studio units would be acceptable in this instance.
- 6.5.9 In terms of privacy, it is acknowledged that the access to the main entrance of the proposed cottages would be adjacent to the pathway serving the main entrance of the Powerhouse. Furthermore, the proposed north facing elevations of the cottages would only be sited some 4m away from the south facing windows of the Powerhouse. The proximity of the south facing windows to the pathway was already established with the change of use prior approval application and on this basis, it is considered that the close siting of the north facing windows for the proposed cottages would have a similar relationship and potential privacy impact. While there would be a smaller landscaped area to the front of the proposed cottages, the proposed terrace to the western unit and the space provided to the front of the eastern unit would still help mitigate potential overlooking and would be considered suitable defensible space.

- 6.5.10 A number of objections have been made in relation to the contamination risks on the site and the proximity to the electric substation. A Phase 1 Preliminary Risk Assessment report has been submitted in support of the application. This has been referred to the Council's Environmental Health Team for further consideration and comments which will be forthcoming. The comments will be reported to members through the addendum.

#### Accessibility and Secure By Design

- 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.
- 6.5.12 Specifically, policy 3.8.c of the London Plan (2016) requires 'ninety per cent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'. Criterion d requires 'ten per cent of new housing 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.
- 6.5.13 Whilst the applicant has not specifically confirmed compliance with the requirements of Part M, the proposal plans demonstrate that level access would be provided to each of the five properties. Furthermore, each property would be of a good size and functional layout.
- 6.5.14 Noting the above, the proposed development would be satisfactory in terms of accessibility, subject to a condition to ensure compliance with Building Regulations M4 (2) and M4 (3).
- 6.5.15 Concerns have been raised from neighbouring residents concerning vehicular and pedestrian access. Whilst highway matters are addressed later within the report, in terms of accessibility, the proposed development would utilise the existing access road. Proposed plans indicate that there would be separate pedestrian access.
- 6.5.16 Whilst specific design details relating to SBD have not been provided, it is considered that these details can be secured by way of condition. Specifically, a planning condition would require the proposal to achieve Secured by Design certification (silver or gold) from the MET Police, prior to the occupation of the development. Accordingly, subject to this condition and further conditions relating to maintenance and landscaping the proposed development is considered to provide a safe and secure environment for future occupiers and members of the public, in accordance with Policy 7.3 of The London Plan.

#### Amenity Space

- 6.5.17 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.

- 6.5.18 For private amenity space, the SPG requires a minimum of 5m<sup>2</sup> per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant. Both the existing and proposed residential units would meet these minimum dimensions. The amenity space for the four dwellings are considered to be functional and useable spaces.

## 6.6 Residential Amenity (Neighbouring Residents)

- 6.6.1 London Plan Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy, overshadowing, wind and microclimate.

- 6.6.2 Objections have been received in relation to the impacts of the second floor of the development on daylight to neighbouring properties. Whilst the development inevitably results in a distinctive new development on the application site, the appropriate massing and design of the building ensures that no undue harm would result to the residential amenities of the surrounding area.

- 6.6.3 In addition, comments received by neighbouring occupiers state that the addition of four residential properties, and those granted under the prior approval scheme would create undue impacts in terms of noise and disturbance to surrounding residential developments. Officers consider that the residential use is consistent with the surrounding land use. Although the development would generate more activity outside of normal working hours and into the evening and weekends, it is not expected that they would generate unacceptable levels of activity or noise and disturbance, given the existence of similar residential properties close to the site.

### Second Floor Extension

- 6.6.4 Objections have been received in relation to the height of the second floor and its impact on neighbouring residential properties on West Street and Nelson Road. The second floor results in an increase of height of approximately 3.5m. However there is a separation distance from the north flank elevations of properties on West Street of approximately 24.0m and 30.0m from the facing flanks of properties on Nelson Road.

- 6.6.5 Given this relationship between the adjoining properties, the second would not result in undue impacts in terms of loss of daylight, outlook or overshadowing. It is noted that the second floor flats have habitable windows facing the rear of properties on West Street and Nelson Road. Similarly, due to the separation distances it is considered that the impacts in terms of privacy would not be unacceptable, as this degree of mutual overlooking is not uncommon in urban residential environments.

- 6.6.6 In terms of the terrace area which wraps around the external walls of the second floor, objections have been received in terms of the impacts of this area on the privacy of neighbouring properties.



6.6.7 It is noted that the proposed terrace would be limited to the northern side of the second floor. The remainder of the terrace to the west and south has been denoted to be for maintenance purposes only. To ensure that the western and southern sides of the terrace are not used as an amenity space a condition has been attached to this permission restricting the use of these areas. Subject to this condition the second floor amenity areas would be acceptable in terms of privacy impacts.

#### Proposed cottages

6.6.8 The proposed cottages would be located adjacent to the rear of properties on West Street. Objections have been received which outline concerns regarding the impacts of this element of the proposal on neighbouring amenity.

6.6.9 It is noted that the proposed cottages to the south of the site would be of a similar scale to the existing cottage building which exists. Due to the single storey nature of the proposed building, it is considered that there would be limited impacts on the occupants of West Street to the rear by reason of overshadowing, loss of light or loss of privacy.

6.6.10 For the reasons outlined above, and noting the objections received, it is considered that the proposed development would comply with policy 3.5.C of The London Plan 2016, policy CS1.K of The Harrow Core Strategy 2012 and policy DM1 of the Harrow Development Management Policies Local Plan 2013 in failing to ensure high quality design for the development.

#### 6.7 Traffic, Parking and Servicing

6.7.1 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. A number of objections have been raised in relation to the parking arrangements and the pressures of parking within the immediate area.

6.7.2 The application site benefits from prior approval, taking into account the approved parking quantum and seeks to provide 4 additional parking spaces for the terraced dwellings, resulting in a parking ratio of 1:1. Whilst it is noted that the draft London Plan (2017) calls for a lower provision of car parking, given the low PTAL rating for the area, the provision of parking is satisfactory in this instance. Overall, there would be 19 residential parking bays on the site including one disabled bay, four active elective charging bays four passive electric charging bays and one visitor parking space.

6.7.3 Secure and readily accessible cycle parking is provided, at one space per room, in line with the The London Plan (2016) requirements. This has been provided on site in the rear garden and is therefore considered acceptable.

6.7.4 The proposed development would be serviced by 4 x 1280 litre waste and recycling bins to be provided near the western boundary for all residential units

on the site. Subject to a condition requiring further details on the location and design of the proposed refuse store, it is considered that the proposal would be acceptable in this regard.

6.7.5 The application was referred to the Council's Highways department who have raised no objection subject to a detailed construction method plan which has been accordingly conditioned.

## 6.8 Drainage

6.8.1 The application site is located within Surface Water Flood Zone 3a & 3b. As a result, there could be a risk posed to future occupiers in relation to flooding. For this reason, a site specific flood risk assessment which includes Emergency Planning information was required and submitted in support of the application, to ensure the safety of future occupiers in the event of (non-fluvial) flooding events.

6.8.2 The application was referred to the Council's Drainage Engineer who has advised that the safe access route submitted for the occupiers and users of the building is satisfactory. However, insufficient information has been submitted regarding fixtures and fittings for the new building and details of whether the new doors and windows on the ground floor of the Powerhouse building would be durable with good sealing's of joints. For these reasons, it is considered that insufficient information has been provided with regard to flood mitigation.

6.8.3 The Council's Drainage Engineer has advised that the outstanding details regarding flood mitigation could be conditioned, in addition to conditions for foul and surface water disposal, surface water attenuation and SUDS. Subject to these conditions, the proposal would accord with the relevant policies in this regard.

## 7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal would contribute to the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016) and would regenerate a brownfield site. Furthermore, the proposed development would, on balance, have a satisfactory impact on the character of the Conservation Area, setting of the Listed Building, the amenities of existing neighbouring occupiers and future occupiers of the development.

7.2 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:

JM 051 PL 0002, JM\_051\_PL\_0201, JM\_051\_PL\_0051, JM\_051\_PL\_0050, JM\_051\_PL-0049, JM\_051\_PL\_0053, JM\_051\_PL\_0052, JM\_051\_051\_0202, JM 051 PL 0105, JM\_051\_PL\_0101, JM\_051\_PL\_2100, JM\_051\_PL\_0104, JM 051 PL 0001, JM\_051\_PL\_2101, JM\_051\_PL\_0102 Rev A, JM\_051\_PL\_0100 Rev B, JM\_051\_PL\_0103 Rev A, JM\_051\_PL\_0201 Rev B, JM\_051\_PL\_4002, JM\_051\_PL\_4301, JM\_051\_PL\_4302, Delivery and Servicing Management Plan (April 2018), Outline Construction Management Plan (April 2018), Transport Statement (April 2018), Design and Access Statement (April 2018), Biodiversity Letter from AA Environmental Limited (27 July 2017), Flood Risk Assessment (Draft Rev 1 April 2018), Heritage Statement (April 2018), Planning Statement (April 2018), Assessment of Façade Sound Insulation to a Residential Development (March 2017), Archaeological Desk Based Assessment (November 2017), Phase 1 Preliminary Risk Assessment (March 2018), Proposed Lift Overrun and Smoke AOVS (20 June 2018), Response to Conservation Officer Comments (4<sup>th</sup> July 2018)

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 buildings;
- b. windows/ doors;
- c. boundary fencing;
- d. ground surfacing;
- e. hard landscape materials and,
- g. proposed materials for refuse/cycle storage areas

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.

4. 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.

5. Hard & Soft 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 appropriate screening to ground floor windows and amenity space, where required. 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.

6. Planting Schedules

All planting, seeding or turfing comprised in the approved details of landscaping plans 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.

7. Landscape Management and Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the landscaped areas, including the communal amenity space, within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow.

8. 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.

9. 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.

10. Flood Mitigation Measures

The development of the buildings hereby permitted shall not be commenced until Flood Mitigation Measures have been submitted to and approved in writing by the Local Planning Authority. To ensure that the structure is designed to mitigate the effects of any possible flooding on site or elsewhere and include resistance and resilience to flooding. The applicant should provide detailed description of building materials, foundations, floor, wall, fittings, services, doors and windows that minimise water entry whilst maintaining structural integrity, materials and construction techniques that facilitate drying and cleaning, in line with 'Improving the Flood Performance of New Buildings' publication taking into account the expected depth of flooding. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To build in resistance and resilience in managing, reducing and mitigating the effects of flood risk following guidance in the National Planning Policy Framework.

11. External Lighting Strategy

The development hereby approved shall not progress beyond damp proof course level until details of the lighting (full specification, light spill, elevations and location) of all public realm and other external areas (including buildings) within the site 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 be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles and achieves a high standard of residential quality.

12. Permitted Development Rights

Notwithstanding the provisions of 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 Classes A, B, C, D, E and F in Part 1 of Schedule 2 to that Order shall be

carried out in relation to the cottages hereby permitted 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 dwellings in relation to the size of the plot and to safeguard the amenity of neighbouring residents

13. Part M Dwellings

The proposed residential units, 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.

14. Archaeology

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within 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 objectives, 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 & 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 ensure that an appropriate scheme of archaeological investigation and recording is undertaken in accordance with The National Planning Policy Framework (2012), Policy 7.8 of the London Plan (2016) Policy CS1.D of the Harrow Core Strategy (2012) and Policy DM7 of the Harrow Development Management Policies (2013)

15. Biodiversity 1

The development hereby permitted shall not commence above Damp Proof Course level until details depicting the locations for enhancements for wildlife (breeding locations for birds and bat species), living green roofs for the second storey extension to the powerhouse and the proposed cottages and management and maintenance of biodiversity measures have been submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented before the occupation of the development and shall thereafter be retained.

REASON: To enhance the ecology and biodiversity of the area.

16. Biodiversity 2

Should the development hereby approved not commence in this calendar year and that the applicant's biodiversity consultant confirms in writing that an updated bat survey would have no benefit, then an updated bat survey will be required prior to the commencement of works. If the development hereby permitted commences during the bird breeding season (March to August) inclusive, trees and buildings in the vicinity of the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be, activities (e.g. tree felling / vegetation clearance / building dismantling / demolition) should cease and an appropriate buffer zone should be established. This buffer zone should be left intact until it has been confirmed that the young have fledged and the nest is no longer in use

REASON: To safeguard the ecology and biodiversity of the area.

17. Restricted use of Terrace

The terraces on the eastern, southern and western elevations on the second floor of the Powerhouse shall only be used for maintenance purposes and not as a private amenity space for the future occupiers of the residential units

REASON: To safeguard the residential amenities of the adjoining occupiers

18. Refuse and Waste

The development hereby approved shall not be occupied until details for the location and design of the refuse store has been 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 area to be approved.

REASON: To ensure a high standard of amenity for future occupiers of the development and to ensure that the bins do not impede inclusive access within the site\_\_\_\_

## 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; DM10; DM12; DM20; DM21; 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 sought and provided and the submitted application was in accordance with that advice.

3. Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £9,730 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 £9,730 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 278m<sup>2</sup>

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: £30,580

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](mailto: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.

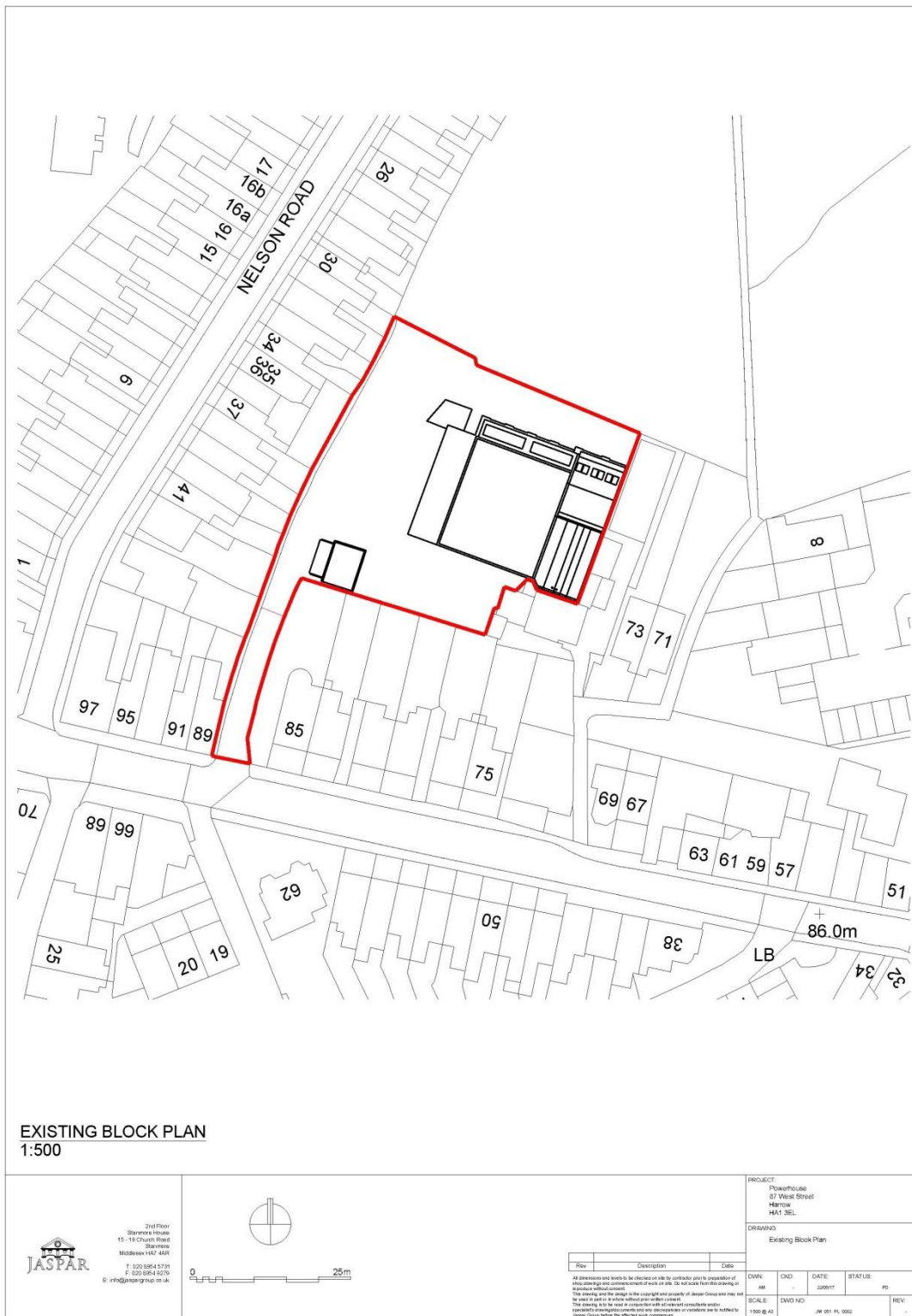
9. Sustainable Urban Drainage

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 (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.

# 1. APPENDIX 2: SITE PLAN



**APPENDIX 3: SITE PHOTOGRAPHS**

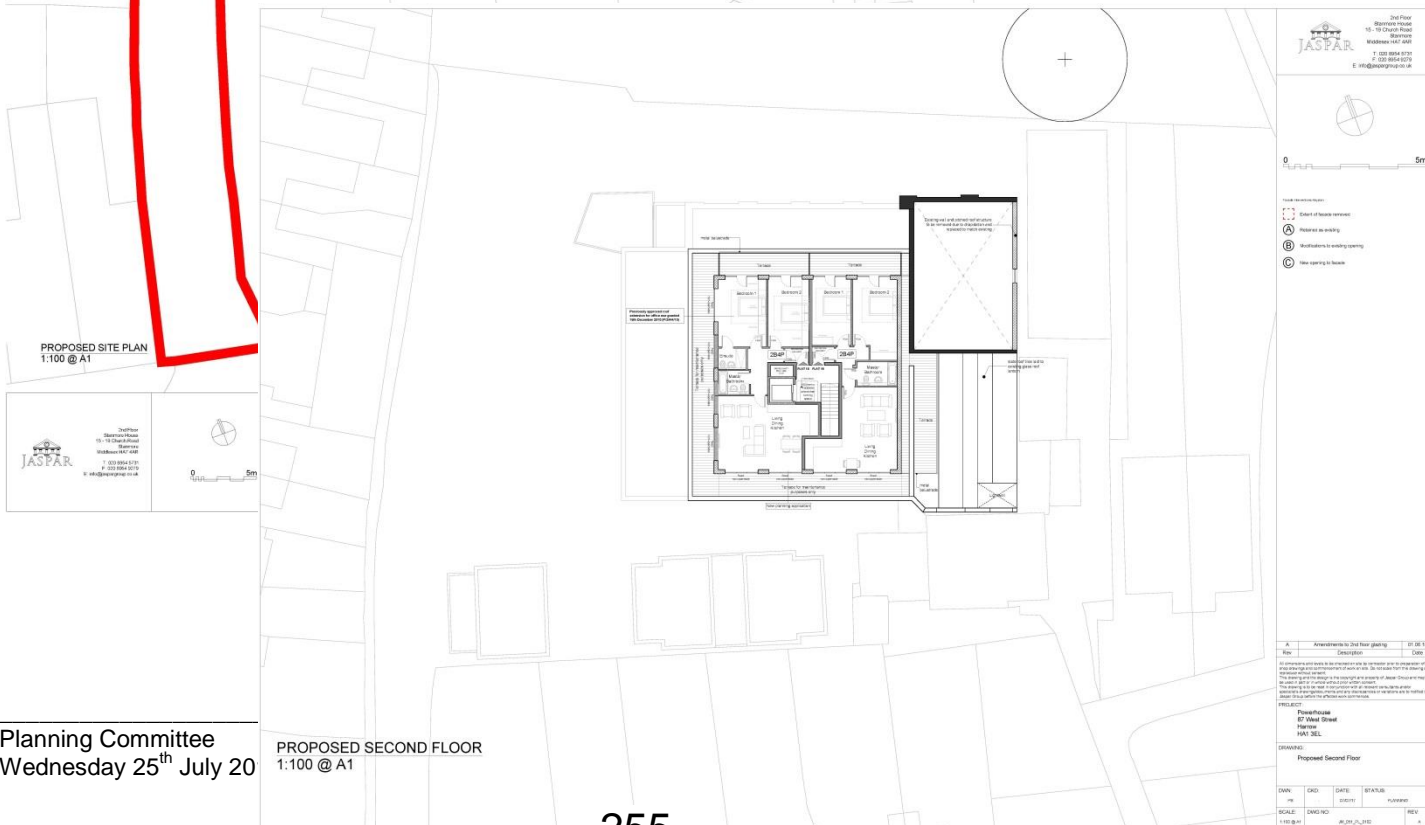
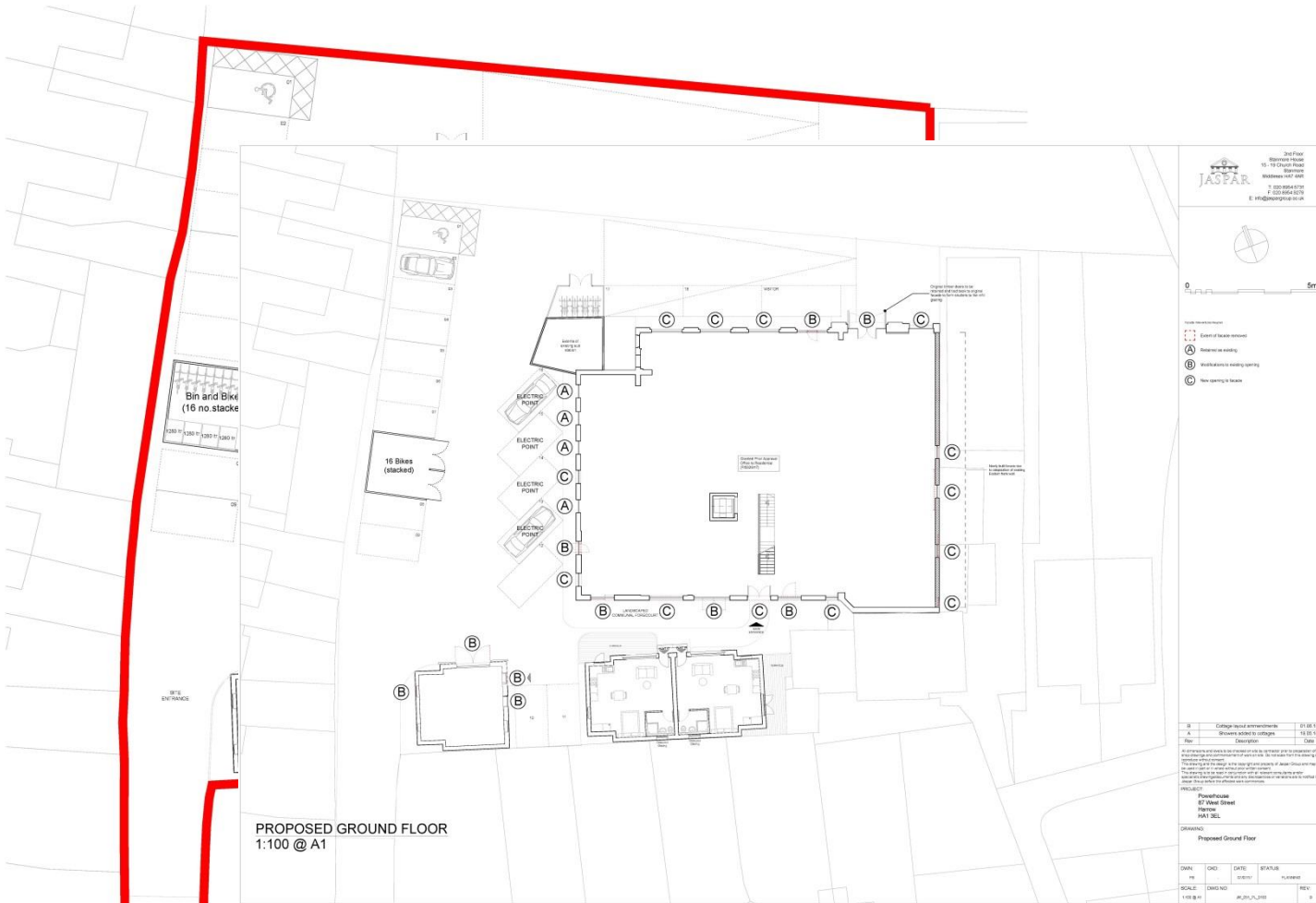


Plan  
Wednesday 25<sup>th</sup> July 2018

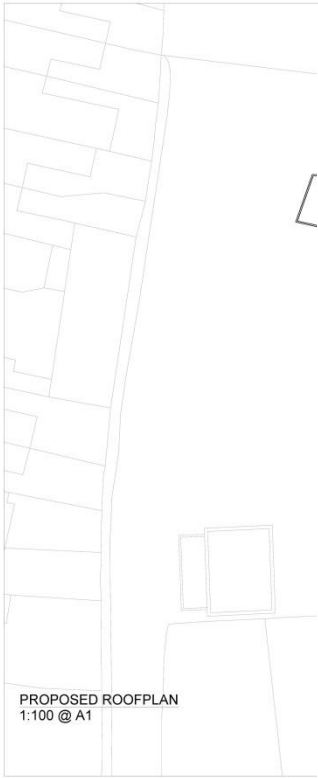
...e, 87 West Street



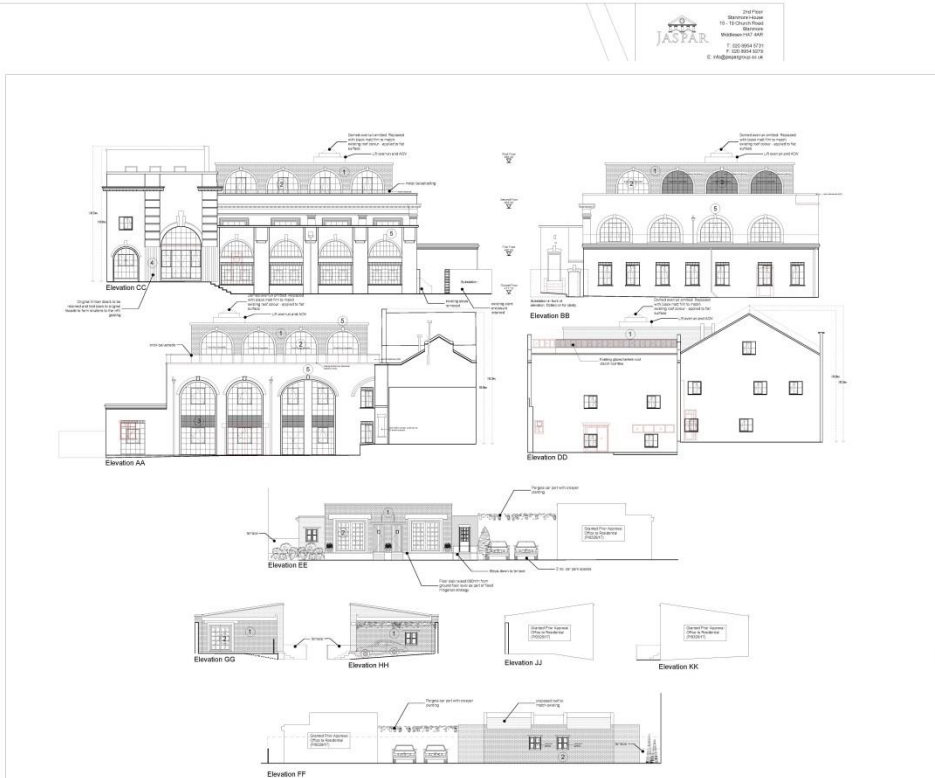
# APPENDIX 4: PLANS AND ELEVATIONS



Planning Committee  
Wednesday 25<sup>th</sup> July 20



PROPOSED ROOFPLAN  
1:100 @ A1



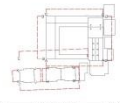
PROPOSED ELEVATIONS  
1:100 @ A1

2nd Floor  
 16, The Church Road  
 Brighton  
 BN1 1JF  
 T: 01273 805421  
 F: 01273 805422  
 E: info@jastar.co.uk

2nd Floor  
 16, The Church Road  
 Brighton  
 BN1 1JF  
 T: 01273 805421  
 F: 01273 805422  
 E: info@jastar.co.uk

0 5m  
 Extent of elements highlighted identified prior to roofline

- 1 New roof to be built existing
- 2 New roof to be built existing
- 3 New roof to be built existing
- 4 Existing roof to be replaced with new
- 5 New roof to be built existing



NO.	DESCRIPTION	DATE
1	Initial design	01/08/18
2	Revised design	01/08/18
3	Final design	01/08/18

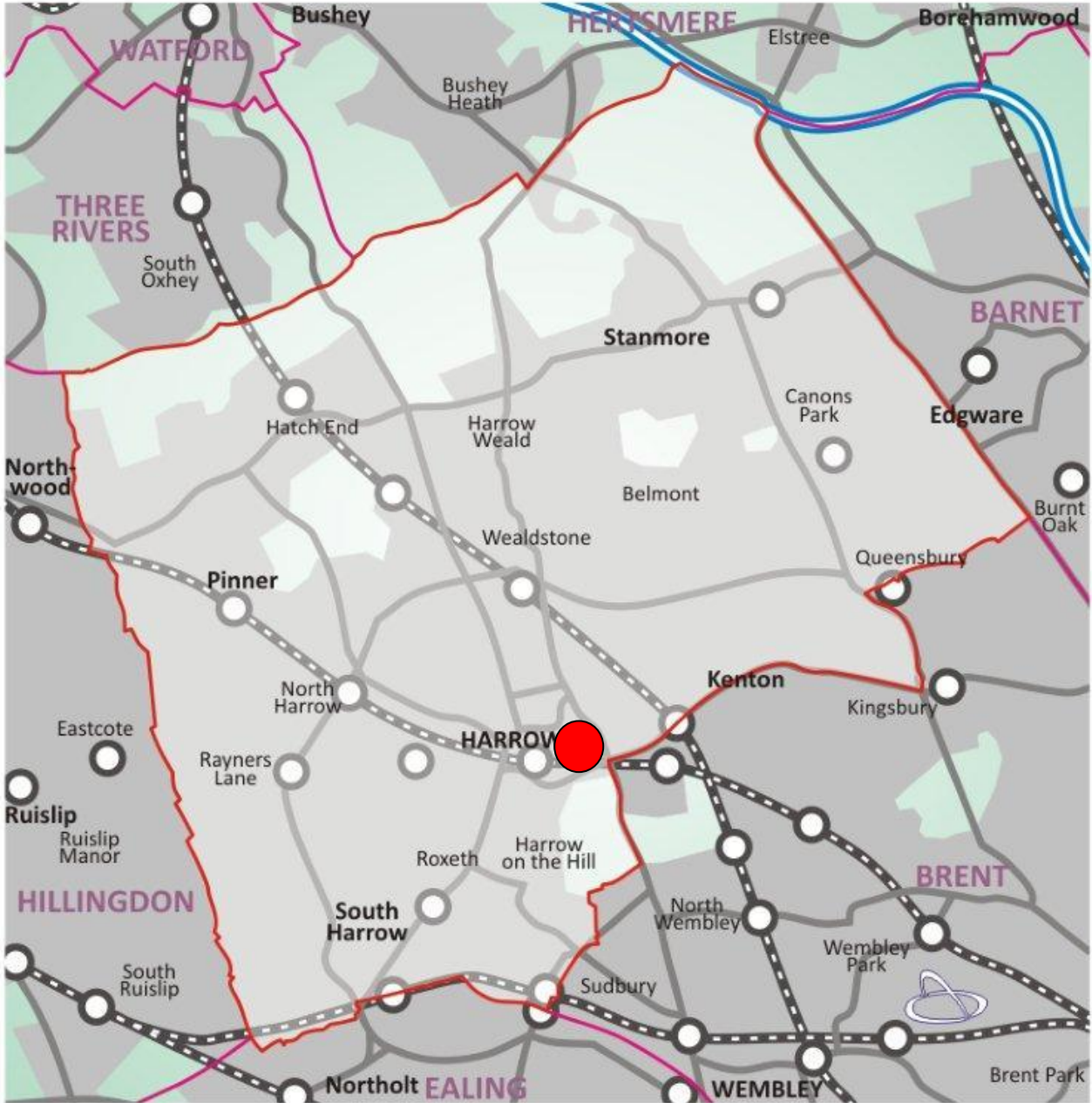
DATE	BY	CHKD	DATE	STATUS	REVISION
01/08/18	DMG	DMG	01/08/18	ISSUED FOR PERMIT	1



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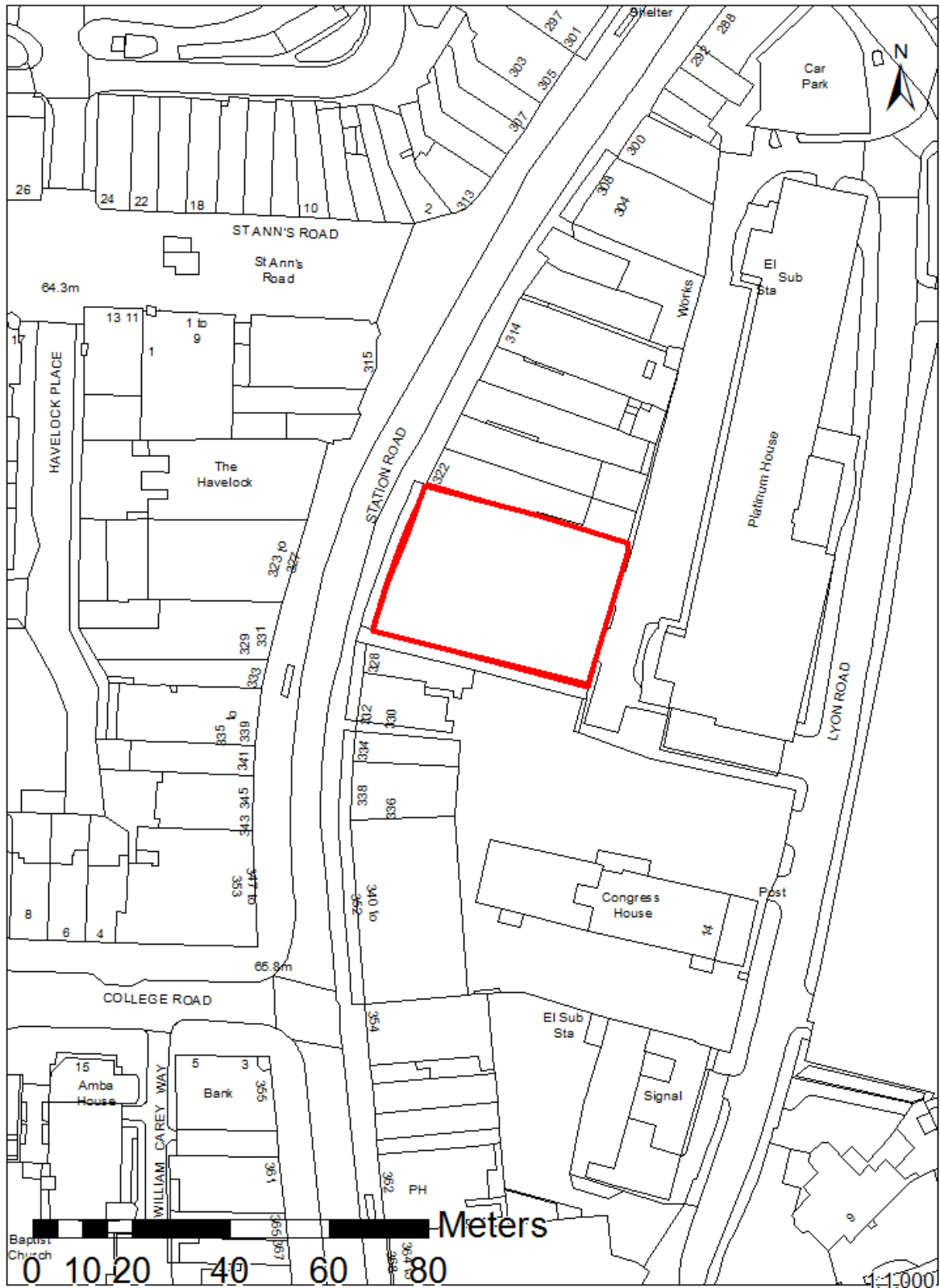
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 = application site



<b>Trinity House, 326 Station Road, Harrow</b>	<b>P/1342/18</b>
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# Trinity House, 326 Station Road



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

25<sup>th</sup> JULY 2018

**Application Number:** P/1342/18  
**Validate Date:** 09/04/2018  
**Location:** TRINITY HOUSE  
326 STATION ROAD  
HARROW  
**Ward:** GREENHILL  
**Postcode:** HA1 2DR  
**Applicant:** PREMIER WEALDSTONE REGENERATION LTD  
**Agent:** DANDI LIVING LTD  
**Case Officer:** TENDAI MUTASA  
**Expiry Date:** 04/06/2018 (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 of offices and non-residential institution use on the 1<sup>st</sup> floor (Use class B1/D1) to twenty room house of multiple occupancy with shared kitchen facilities and lounge (HMO) (Sui Generis)

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) Prior to Occupation of the Development notify all prospective owners, residents, occupiers or tenants of the 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.
- ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
- iii) Planning Administration Fee: Payment of £1580 administration fee for the monitoring and compliance of the legal agreement

### **RECOMMENDATION B**

That if, by 24th 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 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 20 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.

The layout of the units would provide high quality living space within a sustainable town centre location and the development would not adversely impact the amenities of surrounding occupiers or highway safety and convenience.

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.

## **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:	E12 Minor Dwellings
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£10,500.00
Local CIL requirement:	£33,000.00

## **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 – Plans and Elevations

Appendix 4 – Site Photographs



## OFFICER REPORT

### PART 1: Planning Application Fact Sheet

The Site	
Address	Trinity House, 326 Station Road, Harrow, HA1 2DR
Applicant	Premier Wealdstone Regeneration Ltd
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

<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	0
	No. Proposed Car Parking spaces	0
	Proposed Parking Ratio	0
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	0
	Cycle Parking Ratio	-
Public Transport	PTAL Rating	6a
	Closest Rail Station / Distance (m)	Metropolitan Lines and closer at Harrow Wealdstone
	Bus Routes	Several Town Centre Buses
Parking Controls	Controlled Parking Zone?	Yes
	CPZ Hours	Double Yellow Lines at the front
	Previous CPZ Consultation (if not in a CPZ)	-
	Other on-street controls	Double/ Single yellow lines
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	Refuse storage will be located at the rear of the site

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site is located on the eastern side of Station Road, to the south of the junction with St. Ann's Road. The site is within the Harrow Metropolitan Centre and the ground floor of the site is within the primary retail frontage of the town centre.
- 1.2 The site extends to the service road to Platinum House to the rear and the building has a footprint just over half the size of the site with car parking and storage facilities to the rear.
- 1.3 The building is three-storey in height with a plant store on the southern side of the building which has the effect of adding an additional storey to part of the building. The building also has a single storey projection across the rear.
- 1.4 The building has a slightly curved 'convex' front elevation following the curve in the highway and the ground floor has a canopy over part of the footpath.
- 1.5 The ground floor of the building is separated into five commercial units and the two upper floors have a lawful use for B1 and D1 uses. The upper floors are accessed via a communal entrance area at the southern end of the building.
- 1.6 A public access way abuts the southern boundary of the site and leads to Platinum House and Lyon Road to the east of the site.
- 1.7 Beyond the public access way, the neighbouring building, No.328 Station Road is a pitched roof two and three-storey building with commercial use on the ground floors and residential uses above.
- 1.8 The neighbouring building to the north, No.322 Station Road is a two-storey pitched roof building with the upper floor set back from the ground floor building lines. This property has a lawful use as Financial and Professional Services (Use Class A2).
- 1.9 The eastern side of the highway features a mix of different building types and heights, varying from two to three storeys in scale.
- 1.10 The western side of the highway has a more regular appearance and features building of three and four storeys in scale.

### **2.0 PROPOSAL**

- 2.1 It is proposed to change the use of offices (Use class B1/D1) to twenty room house of multiple occupancy (HMO) (Sui Generis).

2.5 Each of the units would have external amenity space and each of the units would have dual aspects to the west and east.

### 3.0 **RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status and date of decision</b>
P/4635/17	Creation of third floor to accommodate 7 self-contained studio flats	Granted at Committee but still pending S106 Agreement.
P/2854/12	Creation of new third floor to provide four self-contained flats; external alterations [resident permit restricted]	Granted 26/12/2012
P/5005/17/PRIOR	CONVERSION OF SECOND FLOOR OF THE BUILDING: OFFICES (CLASS B1A) TO 22 SELF-CONTAINED FLATS (CLASS C3) (PRIOR APPROVAL OF TRANSPORT & HIGHWAYS IMPACTS OF THE DEVELOPMENT, CONTAMINATION AND FLOODING RISKS ON THE SITE AND IMPACTS OF NOISE FROM COMMERCIAL PREMISES ON THE INTENDED OCCUPIERS OF THE DEVELOPMENT) [NOTE: AMENDED DESCRIPTION]	Granted
P/0730/09	CHANGE OF USE OF FIRST AND SECOND FLOORS FROM B1 USE TO FLEXIBLE B1 (BUSINESS) AND D1 (NON RESIDENTIAL INSTITUTIONS) USE	Granted: 03 July 2009
P/1091/12	CHANGE OF USE FROM RETAIL (CLASS A1) TO FINANCIAL AND PROFESSIONAL SERVICES (CLASS A2)	Refused: 15 June 2012

### 3.2 Revisions to previous application

N/A

### 3.3 Revisions to this application

N/A

## 4 CONSULTATION

4.1 A total of 118 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 11<sup>th</sup> May 2018.

### 4.3 Adjoining Properties

Number of letters Sent	118
Number of Responses Received	1
Number in Support	0
Number of Objections	1
Number of other Representations (neither objecting or supporting)	0

4.4 1 objection was 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
Freeholder consultation	Freeholder has not received consultation under certificate B. Also the plans are not clear which floor the application relates to.	This was communicated with the applicant who said they had done this and were happy to do it again The submitted plans are clear in that the application relates to the first floor and a new reception area at ground floor.

#### 4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken:

LBH Waste Officer LBH Highways Officer Metropolitan Police Secure by Design
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#### 4.8 Internal Consultation and External Consultations

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 Waste Management	No comments received	N/A
Highways	No objections however, a s106 for permit restriction is required.	Due to the location within an area of excellent public transport with a PTAL rating of 6a it is considered that a car free development would be acceptable.
Metropolitan Police Secure by Design	Secure by Design principles have not been incorporated in the scheme	This is noted and will be secured by condition

### 5 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], the Draft London Plan (2017) 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 The Draft new London Plan was published on 29th November 2017. The current 2016 London Plan is still the adopted Development Plan. However the Draft London Plan is a material consideration in planning decisions. It gains more weights as it moves through the process to adoption and the weight given to it is a matter for the decision maker. The Draft London Plan consultation takes place between 1 December 2017 and 2 March 2018, prior to Examination in Public in Autumn 2018 and that at this stage carries limited weight.

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.

5.6 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 Development  
Regeneration  
Design, Character and Appearance of the Area  
Refuse and Servicing  
Residential Amenity  
Internal Layout  
Impact on neighbouring properties  
Traffic, Safety and Parking  
Accessibility  
Sustainability

## **6.2 Principle of Development**

6.2.1 The National Planning Policy Framework sets out 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 tenets 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 continues to advocate that new development should firstly be directed towards previously developed land, recognising that “sustainable development” should make use of these resources first. The adopted Harrow Core Strategy 2012 sets out the spatial vision for the borough and along with the London Plan, identifies the Harrow and Wealdstone area and the corridor between these areas as an Intensification Area which should be the focus for regeneration, providing a significant portion of new development in the borough, including almost half of all new homes over the plan period. The Harrow and Wealdstone area has been identified as an Intensification Area in recognition of the ability of this area to

deliver the highest levels of “sustainable development” in terms of the available infrastructure and contribution that pooled resources can make to infrastructure in this area. 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 has lawful uses on the ground floor of A1 and A2 uses with B1 and D1 lawful uses on the upper floors. The proposal to provide additional residential accommodation would be compatible with these lawful uses and would also represent an appropriate town centre use on the upper floors of the building. The development would take place on previously developed land which, subject to appropriate impacts on the character and appearance of the area which are considered further below, is also supported by adopted policy, providing more effective and efficient use of land.
- 6.2.3 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. The proposed development would provide a driver for future investment in the town centre and would accord with the strategic aims of the Core Strategy in enhancing the vibrancy of the area and contribute towards the housing targets for the borough identified within the development plan.
- 6.2.4 It is noted that the loss of the flexible B1 /D1 uses on the first floor were already accepted by the Council under planning permission P/2467/13 which granted permission to C3 use. Further, recent planning permissions P/4635/17 and prior approval P/5005/17/PRIOR were granted for the creation of an additional floor to accommodate a total of 29 flats and as such it is considered that the principle of extending the building and provision of flats is already established and there has been no major policy change. On this basis, the proposal to develop this site is considered to be acceptable in principle. Accordingly, it is considered that the proposed development would accord with the strategic spatial strategy for the borough outlined in the Core Strategy in providing additional housing in the borough within a highly sustainable location and encouraging investment in the Harrow and Wealdstone Intensification Area [HWIA] and Harrow town centre, in accordance with policies 3.4 and 3.8 of The London Plan 2016, policies CS1.A and CS2.C of the Harrow Core Strategy 2012, policy DM1 of the Development Management Policies Local Plan (2013), and policy AAP1 of the emerging Harrow and Wealdstone Area Action Plan Development Plan Document [AAP].



### **6.3 Regeneration**

- 6.3.1 The proposed development of the site would provide investment in the Harrow Metropolitan Centre and would contribute towards the identified development plan housing delivery targets.
- 6.3.2 The layout of the units would provide high quality living space within a sustainable town centre location and the development would not adversely affect the amenities of surrounding occupiers or highway safety and convenience.

### **6.4 Design, Character and Appearance 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 the 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 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."
- 6.4.4 The site is located within Harrow Metropolitan Centre and within the primary retail shopping frontage of the town centre. The surrounding area has a strong urban character, without any significant coherence or commonality of design along the eastern side of Station Road, with the exception of the two-storey buildings further to the south of the application site. Buildings such as the Natwest Bank building, a Grade II Listed Building to the north-west of the site, and Platinum House and Signal House to the east of the site provide significant landmark buildings in the immediate area and the differences in form and design of these buildings is indicative of the variances in the built form in the locality. In close proximity to the site, these buildings nonetheless serve to contextualise the development site. The building on the application site itself also appears as a landmark building, given its scale in the context of the neighbouring two to three-storey scale buildings on the eastern side of Station Road and its close proximity to the eastern end of St. Ann's Road.
- 6.4.5 The subject application seeks to retain the existing structure albeit with minor internal alterations to allow the functionality of residential units. These changes would involve changing the access arrangements and windows where appropriate. 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.

6.4.6 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 Public Realm

6.5.1 No extensions are proposed and it is considered that the change of use to the existing building would not have any adverse impacts upon the character of the area, the development will nonetheless derive its setting from a high quality public realm adjacent to the site and within Harrow town centre from which residential occupiers will benefit. The alleyway adjacent to the site will lead residents from the Town Center to the rear of the site. The upgrading of this public realm adjacent to and around the site will require significant investment of public resources and the Council have put in place projects for the improvement of the public realm in the town centre. It is noted that a financial contribution towards investment in the public realm has already been sought from a previous scheme.

## 6.6 Refuse and Servicing

6.6.1 Within the approved application it was proposed that a refuse storage area is located to the rear of the site adjacent to the car parking area. The refuse store was accessible externally by residents and had doors which remained locked at all times when not in use. Harrow Council's 'Code of Practice for the Storage and collection of Refuse and Materials for recycling in domestic properties', was consulted to determine the amount of space needed for the refuse room. Due to this, the size and layout of the proposed refuse storage shelter reflects the capacity required for this development and complies with Policy DM45 of the Development Management Plan policies. Within this application, no further details have been provided regarding the provision of waste storage or scale and appearance of the storage structure. The applicant has however submitted a Waste Management Plan combining other planning applications which are running concurrently with this application. It is considered that the site has sufficient space to accommodate bins storage therefore a condition of approval will require further details in this respect. This is to ensure that specific bin storage relating to this application is provided.

6.6.2 In conclusion, the proposed development would provide a good quality development on the site. The contemporary design of the building would add positively to the built form, setting out a high quality contemporary design that other developments in the town centre will set as a standard. It is considered that the development proposal does not detract from the design within the recently approved applications and would accord with policies 7.4.B and 7.6.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.

## 7.0 Residential Amenity

### *Residential Amenity of Future Occupiers*

- 7.1.1 Policy 7.6B, subsection D, 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.
- 7.1.2 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”.
- 7.1.3 Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people’s needs.
- 7.1.4 The impact on neighbour amenity was accepted under the previously approved applications and as such it is considered that this application would not be significantly different from the approved. No new extensions are proposed.
- 7.1.5 The proposal features the formation of a 20 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 20 x one person rooms. This results in a potential of 20 occupiers within 20 rooms. As a result, the proposed development increase residential activity on the site, expressed through comings and goings taking into account the existing 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. A noise report has been submitted with this application and the Environmental Health Team have been consulted but have not commented to the scheme. The noise report details how noise impacts will be minimised and as such it is considered that the measures are acceptable.
- 7.1.6 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.
- 7.1.7 As such, it is considered that the proposed development would not adversely affect the amenities of any of the neighbouring occupiers, thereby according with policy 7.6.B of The London Plan 2016 and policy DM1 of the DMP.

## 7.2 Layout and Future Occupiers

- 7.2.1 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. The site is located in a town centre location and the surrounding land uses would not adversely affect the amenities of the future occupiers of the units. All of the proposed residential units would be dual-aspect and would provide good levels of outlook from all of the habitable rooms
- 7.2.2 The proposal includes 4 shared kitchen areas and a shared lounge, measuring 62.60m<sup>2</sup>. Each of the proposed units would meet and exceed the minimum space standards set out in the London Plan and Harrow's adopted SPD: Residential Design Guide 2010. The room sizes vary from a minimum floor space of 10.70sqm to 17sqm. 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).
- 7.2.3 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.

### **7.3 Traffic, Safety and Parking**

- 7.3.4 The development does not propose any car parking spaces within the site for use by the proposed residential units. It is considered that a car free development in this location is acceptable due to the Town Centre location. The Highway Authority have commented on the application and in recognition of the high PTAL level of the site of 6a, it is considered that a car free development will be acceptable. In order to encourage more sustainable modes of travel, a condition is attached requiring secure cycle spaces to be provided on site. In addition, and although unlikely, in order to ensure no adverse impact on the controlled parking areas in the locality, a S106 agreement and condition is attached to ensure no residents are eligible for on-street parking permits unless registered disabled.
- 7.3.5 Subject to a S106 agreement, it is therefore considered that the development would not result in any unreasonable impacts on highway safety and convenience and subject to safeguarding conditions would therefore accord with policies DM26 and DM42 of the DMP (2013).

## 8.0 Accessibility

- 8.1.1 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.
- 8.1.2 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document Accessible Homes 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.
- 8.1.3 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'.
- 8.1.4 No details have been submitted with this application to address the requirements of the above. However, it is considered that due to the scale of the proposed house in multiple occupation it will be unreasonable to expect the proposals to be accessible to all. This is a change of use application and as such it is not possible for it to be accessible to all.
- 8.1.7 Accordingly, it is considered that the proposed accommodation would be satisfactory and as such would comply with policy 3.5 of The London Plan (2016), standard 5.4.1 of the Housing SPG (2016).

## 9.0 CONCLUSION AND REASONS FOR APPROVAL

- 9.1 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.
- 9.2 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.
- 9.3 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.

## **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 92 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 documents and plans: Design and Access Statement dated March 2018, Operation Management Plan dated March 2018; Environmental Impact Statement, Travel Plan, Waste Management Plan, Flood Risk Assessment, Noise Report; (802/001, 802 102, 802 103, 802 104, 802 104, 802 105, 801 103, 802/002, 802/003, 8002 004; 802 005; 802 006; 802/009, 802/008, 802/007, 803/105, (All Rev A)

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

#### 3. Refuse storage

The refuse bins shall be stored at all times in the designated refuse storage area, as shown on the approved drawing plans.

REASON: To 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. Communal Facilities for Television Reception

Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to the Local Planning Authority in writing to be agreed. 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 relevant phase 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: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces.

5. Building appearance

Notwithstanding the approved plans, extraction plant, air conditioning units and any other plant or equipment that is required on the exterior of the building shall not be installed unless the details are submitted to and approved in writing before the commencement of the relevant works. The works shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that plant or equipment that may be required on the exterior of the building preserves the highest standards of architecture and materials

6. Secure by design

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.

**INFORMATIVES:**

1. Policies

**The following policies are relevant to this decision:**

**National Planning Policy Practice Guidance (2012)**

**The London Plan 2016**

3.3 Increasing Housing Supply  
3.5 Quality and Design of Housing Developments  
3.8 Housing Choice  
3.9 Mixed and balanced communities  
5.3 Sustainable Design and Construction  
6.9 Cycling  
6.13 Parking  
7.2 An Inclusive Environment  
7.3 Designing Out Crime  
7.4 Local Character  
7.5 Public Realm  
7.6 Architecture

**The Draft London Plan (2017):**

Policy D1 London's form and characteristics  
Policy D2 Delivering Good Design  
Policy D3 Inclusive design  
Policy D4 Housing Quality and Standards

Policy D5 Accessible Housing  
Policy H2 Small Sites  
Policy H12 Housing Size Mix  
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  
Policy 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  
DM 9 - Managing Flood Risk Policy  
DM 10 – On Site Water Management and Surface Water Attenuation  
Policy DM 11 – Protection and Enhancement of River Corridors and Watercourses  
Policy DM 12 – Sustainable Design and Layout  
Policy DM 24 – Housing Mix  
Policy DM 27 – Amenity Space Policy  
Policy DM 30 – Large House in Multiple Occupation  
Policy DM 42 – Parking Standards  
Policy DM 44 - Servicing  
Policy DM 45 – Waste Management

### **Harrow and Wealdstone Area Action Plan (2013)**

Policies AAP1, AAP4, AAP7, and AAP 19

### **Relevant Supplementary Documents**

Supplementary Planning Document: Sustainable Building Design (2010)  
Supplementary Planning Document: Garden Land Development (2013)  
The London Plan Housing Supplementary Planning Guidance (2016)  
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)  
Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings  
Harrow Council HMO Standards (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:

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](mailto:communities@twoten.com)

### 4. 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.

### 5. London Mayor's CIL Charges

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 a liability payment of £10,500.00 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 £10,500.00 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 300sqm

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>

## 6. Harrow Council CIL Charges

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: £33,000.00

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 contribution for this development is £33,000.00

## 7. 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.

## 8. 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](mailto:technicalservices@harrow.gov.uk) or on the following link.

[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

**APPENDIX 2: SITE PLAN**



# APPENDIX 3: PLANS AND ELEVATIONS

## Existing site plan

PROJECT DESCRIPTION  
TRINITY HOUSE, HARROW  
LOCAL AUTHORITY  
London Borough of Harrow

PHASE OF PROJECT  
Date: May 2017  
STATUS:  
P L A N N I N G

PROJECT TITLE  
TRINITY HOUSE  
PROJECT ADDRESS  
324-326 STATION RD HARROW HA1 2DR

DRAWING TITLE  
SITE PLAN AS EXISTING  
DRAWINGS SCALE  
1:500 @ A3  
DRAWINGS NUMBER  
802 / 001

A



SITE PLAN AS EXISTING

SCALE:  
0 5.0 10.0 20.0

## Proposed site plan

PROJECT DESCRIPTION  
TRINITY HOUSE, HARROW  
LOCAL AUTHORITY  
London Borough of Harrow

PHASE OF PROJECT  
Date: Sep 2017  
STATUS:  
P L A N N I N G

PROJECT TITLE  
TRINITY HOUSE  
PROJECT ADDRESS  
324-326 STATION RD HARROW HA1 2DR

DRAWING TITLE  
GROUND FLOOR AS PROPOSED  
DRAWINGS SCALE  
1:500 @ A3  
DRAWINGS NUMBER  
803 / 103

A

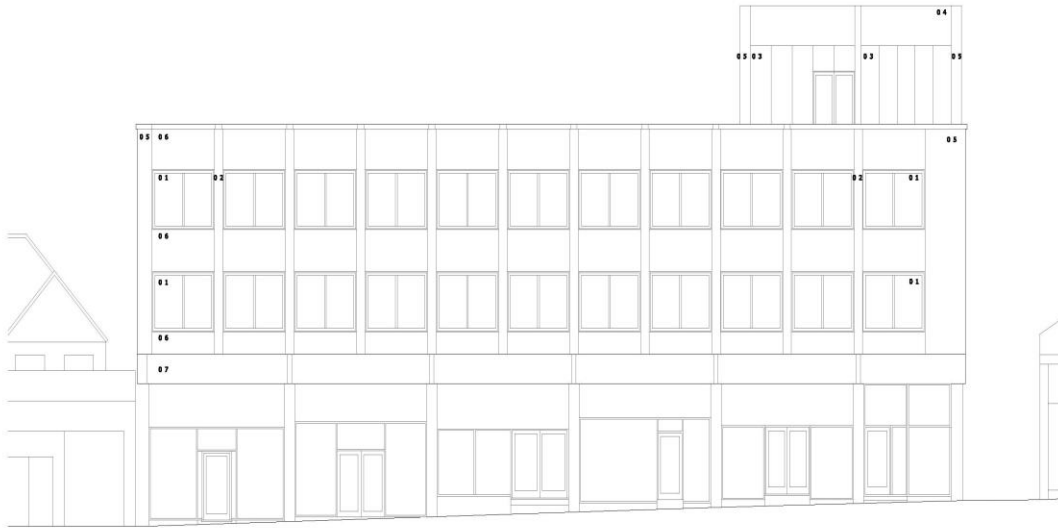


PROPOSED GROUND FLOOR PLAN  
GIA GR FLOOR= 4246.00/43246.75.

SCALE:  
0 5.0 10.0 20.0

# Front Elevation Existing Plans

FRONT ELEVATION AS EXISTING

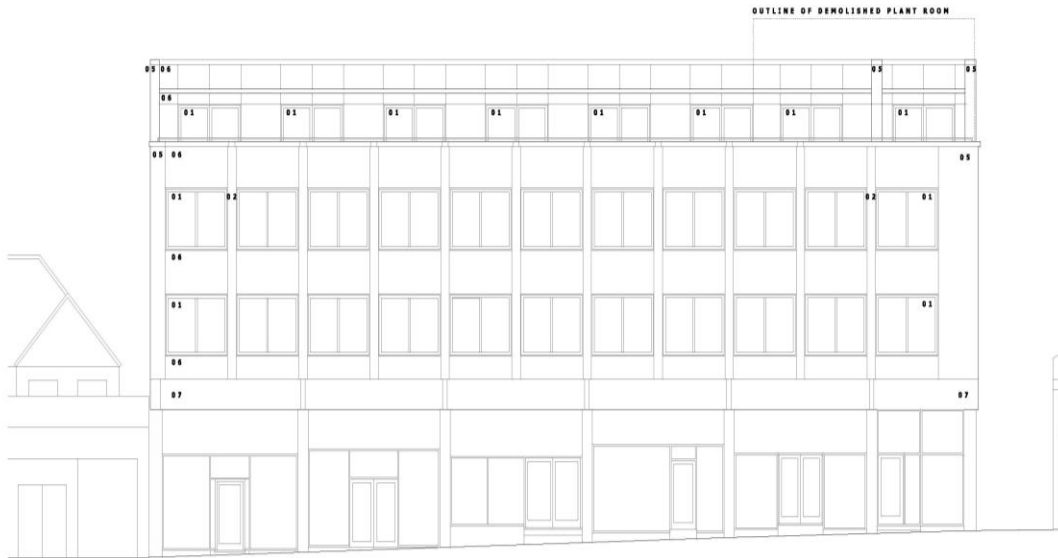


- 01 POWDER COATED METAL WINDOWS (DARK GREY)
- 02 STEEL STRUCTURE (DARK GREY)
- 03 TRANSLUCENT GLASS WALL PANEL
- 04 LEAD FLASHING
- 05 BUFF BRICK
- 06 GLAZED COLOUR PANEL (BROWN BRONZE)
- 07 RENDER CANOPY (BROWN)

SCALE:  
0 1.0 2.0 3.0

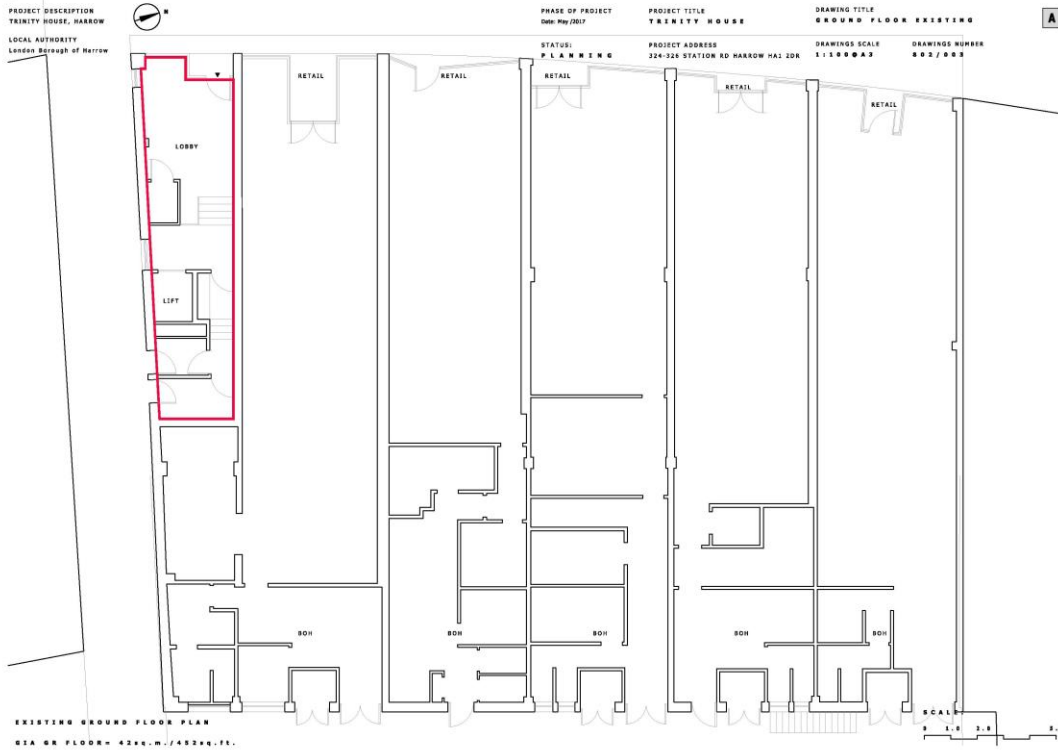
# Proposed Elevation

FRONT ELEVATION AS EXISTING

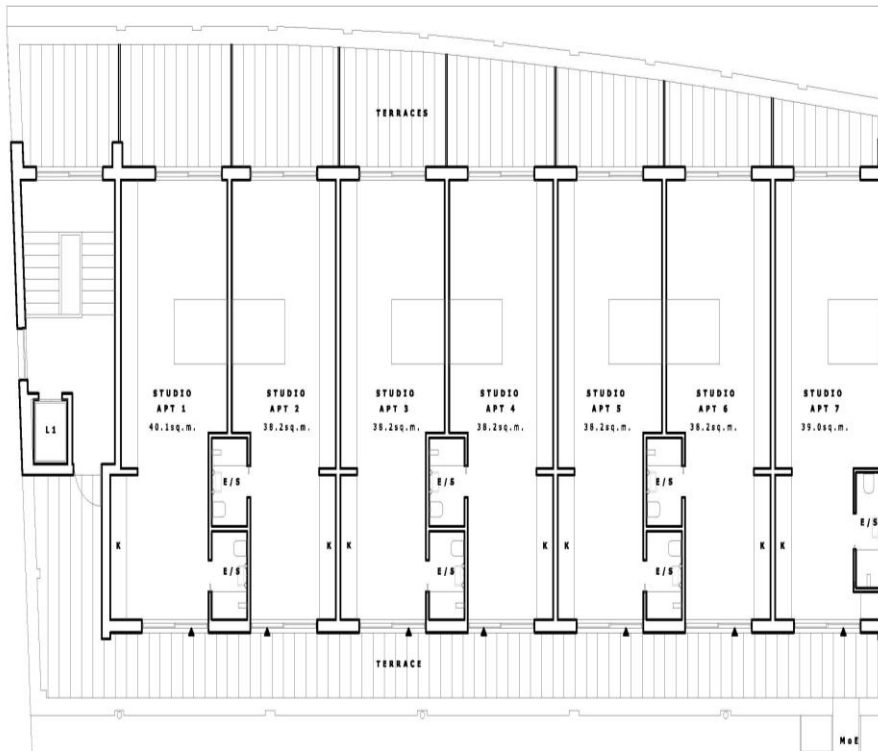


SCALE:  
0 1.0 2.0 3.0

# Existing Plan

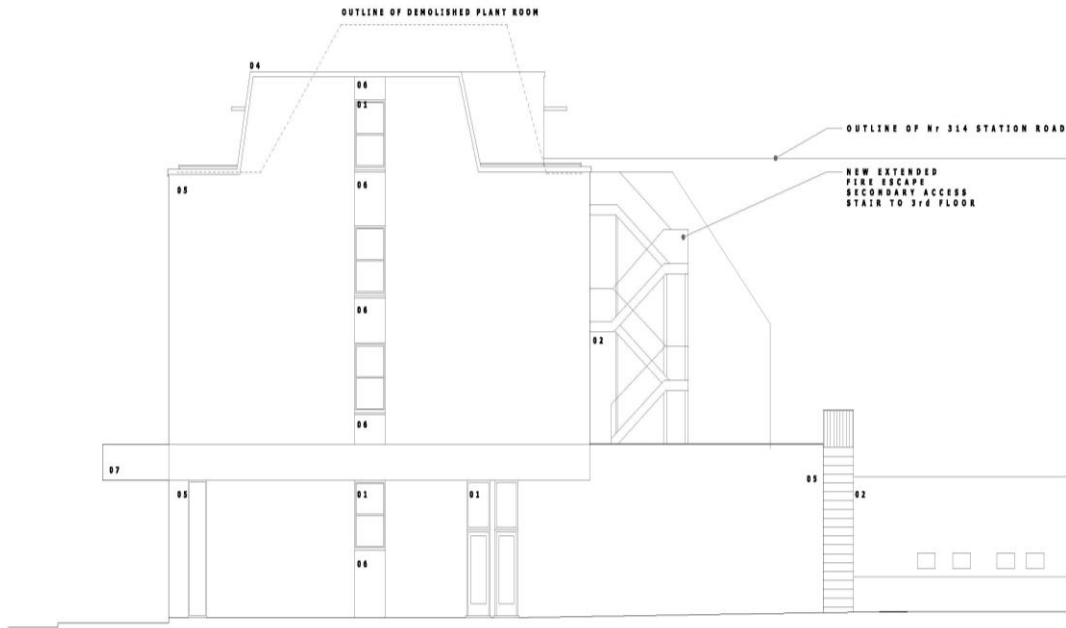


# Proposed plan



# Side elevation

SIDE ELEVATION AS PROPOSED



# Rear Elevation

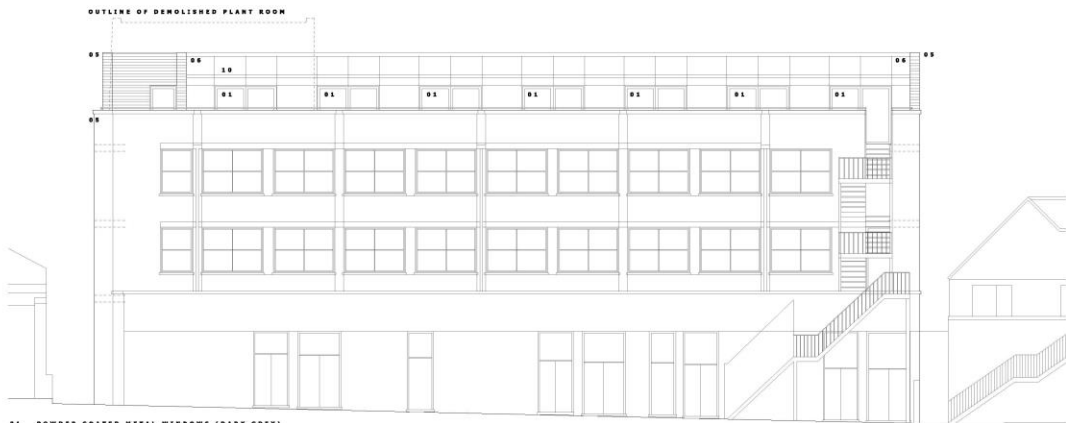
PROJECT DESCRIPTION  
TRINITY HOUSE, HARROW  
LOCAL AUTHORITY  
London Borough of Harrow

PHASE OF PROJECT  
Date: May 2017  
STATUS:  
P L A N N I N G

PROJECT TITLE  
TRINITY HOUSE  
PROJECT ADDRESS  
324-326 STATION RD HARROW HA1 2DR

DRAWING TITLE  
REAR ELEVATION  
AS PROPOSED  
DRAWINGS SCALE  
1:100 @ A3  
DRAWINGS NUMBER  
003 / 009  
REV  
A

FRONT ELEVATION AS EXISTING



- 01 POWDER COATED METAL WINDOWS (DARK GREY)
- 02 PAINTED METAL STAIR (BLACK)
- 03 TRANSLUCENT GLASS WALL PANEL
- 04 LEAD FLASHING
- 05 BUFF BRICK
- 06 GLAZED COLOUR PANEL (BROWN BRONZE)
- 07 KENNER CANOPY (BROWN)
- 08 PAINTED METAL LWP (DARK)
- 09 POWDERCOATED METAL PANEL (DARK GREY)
- 10 BRASS SOLEIL TO TOP FLOOR IN PPC STEEL

SCALE:  
0 1.0 2.0 3.0

**APPENDIX 4: Site Photographs**  
**Front Elevation**



**Rear Elevation**

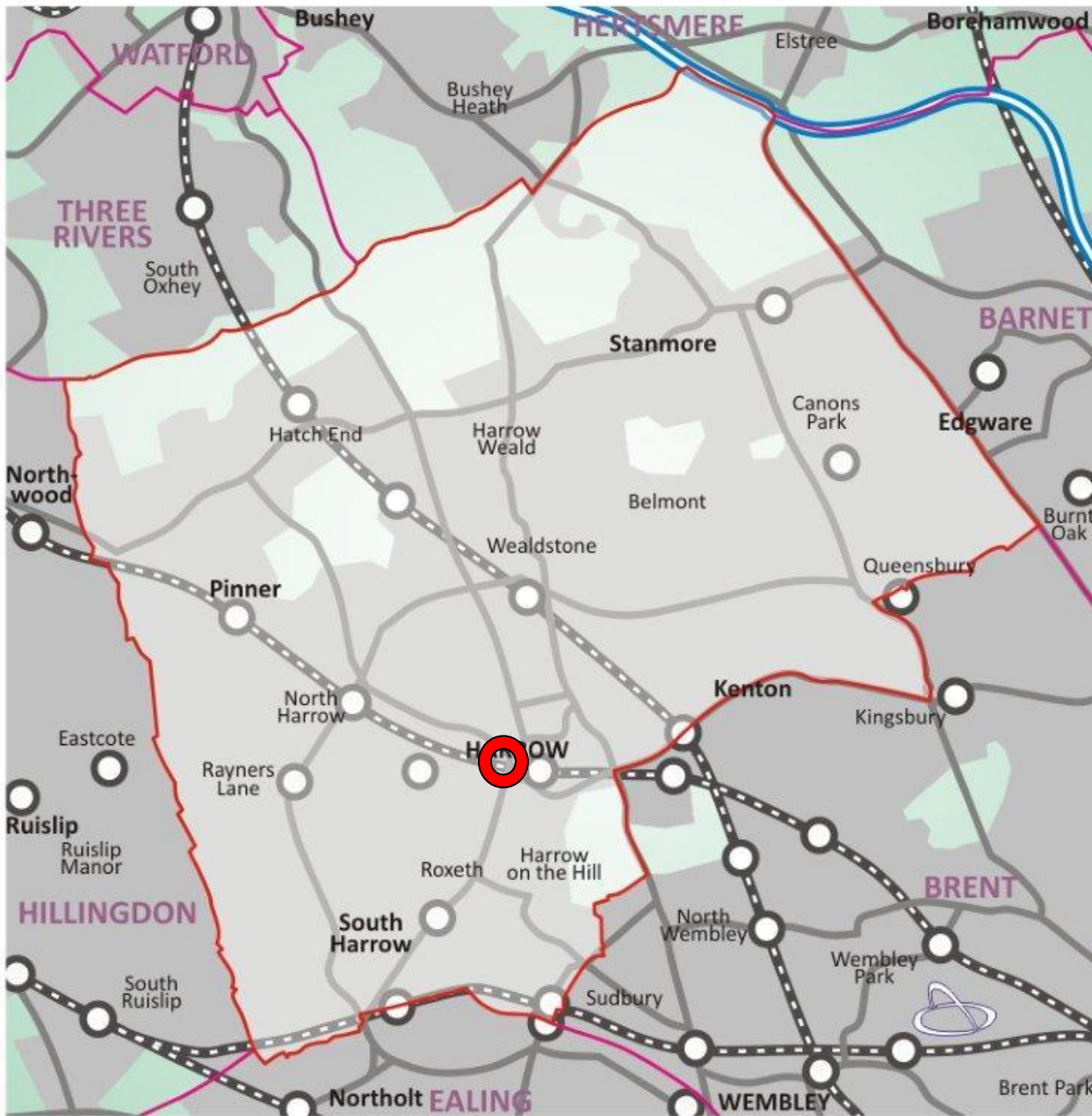






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 = application site



<b>Garages r/o 16-22 Buckingham Road, Harrow</b>	<b>P/3657/17</b>
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## Garages r/o 16 - 22 Buckingham Road



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

25<sup>th</sup> July 2018

**Application Number:** P/3657/17  
**Validate Date:** 13/09/2017  
**Location:** GARAGES REAR OF 16 TO 22 BUCKINGHAM ROAD, HARROW  
**Ward:** HEADSTONE SOUTH  
**Postcode:** HA1 4TD  
**Applicant:** MR LIONEL FREWIN  
**Agent:** MR MILES FREWIN  
**Case Officer:** GRAHAM MANSFIELD  
**Expiry Date:** 7<sup>TH</sup> NOVEMBER 2017 (EXTENDED EXPIRY: 27<sup>TH</sup> JULY 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 of 34 single storey lock up garages to create five three storey terraced dwellinghouses; amenity space and refuse storage to rear; cycle storage; detached garage block; landscaping; re-provision of surface level parking spaces to include 16 new dedicated spaces for Holly and Miles Lodge

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 scheme seeks to provide 5 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). 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 two 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):	£ 7,155.75
Local CIL requirement:	£ 22,489.50

## **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	Garages Rear of 16-22 Buckingham Road, Harrow, HA1 4TD
Applicant	Mr Lionel Frewin
Ward	Headstone South
Local Plan allocation	N/A
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	Critical Drainage Area

Housing		
Dwelling Mix	Studio (no. / %)	0
	1 bed ( no. / %)	0
	2 bed ( no. / %)	0
	3 bed ( no. / %)	100%
	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	34 lock up garages
	No. Proposed Car Parking spaces	5
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	N/A
	No. Proposed Cycle Parking spaces	10
	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Harrow & Wealdstone station approx. 1,017m to the east.  Harrow-on-the-Hill approx. 1,170m to the south east
	Bus Routes	Bus stop located on Harrow View approximately 445m to the east, served by: H14
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	N/A
	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
Refuse/Recycling Collection	Existing – N/A	Bins to rear gardens with collection point on Cunningham Park.

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site is approximately 0.2ha in area and is located between Buckingham Road and Cunningham Park.
- 1.2 The site is currently occupied by 34 lock up garages which are accessed at the south west end of Buckingham Road and located to the rear of maisonettes at 16-22 Buckingham Road, Miles and Holly Lodge. 12 of the lock up garages are accessed from the south east side of Cunningham Park, adjacent to 1-6 Cunningham Court.
- 1.3 There is surface level parking opposite the garages which provide 9 parking spaces for both Miles and Holly Lodge
- 1.4 The existing garages are leased out by the applicant with 4 out of the 34 used for the purposes of storing motor vehicles. The rest are either vacant or used for the purposes of storage.
- 1.5 The surrounding area is predominately residential with purpose built maisonettes and flats of varying forms and character.
- 1.6 Harrow Recreation Ground adjoins the site to the south west.
- 1.7 The application site is located in area with low transport links and as such has a PTAL rating of 2. However, the site is within walking distance of Harrow Town Centre.
- 1.8 The site is located in a critical drainage area of Harrow. There are no other constraints on site.

### **2.0 PROPOSAL**

- 2.1 It is proposed to demolish the existing blocks of lock up garages and provide five three storey terraced dwellinghouses with a dedicated detached garage block for 5 spaces.
- 2.2 The proposed terraced dwellings would face the rear of Miles and Holly Lodge with a separation distance of approximately 21.0m. There would be a back to back distance to properties on Cunningham Park at a distance of 21.0m
- 2.3 The building containing the 5 terraced dwellings would be 10.5m in depth and 25.0m in width. The proposed terrace would be 5.9m to the eaves and feature a mansard roof over at a maximum height of 9.0m
- 2.4 The proposed building adopts a simple contemporary design rationale, finished in a combination of buff brick, stone reveals and aluminium framing.

- 2.6 Cycle and bin storage would be provided at the rear together with a soft landscaped areas, which would provide private amenity spaces for front and rear gardens. A centralised bin storage area would be used on bin collection days and would utilise the existing rear access road leading from Cunningham Park.
- 2.7 Car parking for the proposed development would be located in a dedicated garage block (5 spaces) with the remaining of the site being laid out for 22 car spaces for Miles and Holly Lodge. The applicant has indicated that two of these spaces would be wheelchair accessible bays.
- 2.8 The site would be accessed from the existing access road, which would be widened in places to provide a pedestrian path.

### **3.0 RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status and date of decision</b>
HAR/11851 (16-20 Buckingham Rd)	Erect 4 flats and 4 garages	Granted: 01/06/1956
HAR/11364/A (Cunningham Court)	6 Flats & 6 Garages	Granted: 16/03/1956
LBH/23506 (Holly Lodge)	3 Storey Block with 12 Flats and 4 Garages	Granted: 14/07/1983
LBH/24092 (Miles Lodge)	3 Storey Block with 9 Flats; Access and Car Parking	Granted: 13/10/1983

### **4.0 CONSULTATION**

- 4.1 A total of 69 consultation letters were sent to neighbouring residents, together with the erection of site notices. Consultation letter were reissued on the 6<sup>th</sup> April 2018 owing to amendments to the plans in relation to waste storage and access.

- 4.2 The overall public consultation period expired on 27<sup>th</sup> April 2018.

#### **4.3 Adjoining Properties**

Number of letters Sent	69
Number of Responses Received	7
Number in Support	1
Number of Objections	6
Number of other Representations (neither objecting or supporting)	0

4.4 The objections which were received from neighbouring residents are summarised in the table below:

<b>Summary of Comments</b>	<b>Officer Comments</b>
Objects to the application due to:	
<u>Design, Massing, Scale and Height</u> <ul style="list-style-type: none"> <li>Proposed building would lead to overdevelopment of the site</li> </ul>	Issues relating to bulk, scale and architecture are assessed within section 6.4 of this report.
<u>Amenity Impacts (Neighbours)</u> <ul style="list-style-type: none"> <li>Proposal would impact on sunlight to rear of Holly and Miles Lodge</li> <li>Privacy impacts from potential pedestrian traffic</li> <li>Noise and increased general activity</li> </ul>	Issues relating to the impact on neighbouring properties are addressed in section 6.6 of the report
<u>Traffic, Highway and Servicing Impacts</u> <ul style="list-style-type: none"> <li>Consideration should be made for all parking provision on Buckingham Road</li> <li>The area is well known for parking pressure</li> <li>Clarity on the access required</li> <li>Loss of garages will lead to further parking stress</li> <li>Original permissions did not include a garage for each flat in Holly and Miles Lodge</li> <li>Construction and impact on the highway and wider area</li> <li>Noise impacts due to construction</li> <li>Increased waste provision and impact on Holly/Miles Lodge</li> </ul>	Issues relating to parking, waste and highway safety are covered in section 6.7 of the report

#### 4.5 Statutory and Non Statutory Consultation

4.6 The following consultations have been undertaken, together with the responses received and officer comments:

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
LBH Waste	Bins should be located 10.0m from kerb side. 40.0m	Noted.
LBH Drainage	No objections subject to standard conditions relating to surface water and waste water.	Noted
LBH Highways	We have no objections in principle to the parking levels as they seem OK.	Noted. Conditions attached.

	There needs to be adequate cycle storage provision and access to the bins stores needs to be clearly indicated. There will need to be provision for disabled parking.	
LBH Landscape Architect	No Response	Conditions attached.
LBH Tree Protection Officer	There are no protected trees and the arb report and details of protection provided are acceptable.	Noted. Condition attached.
LBH Urban Design Officer	Design is acceptable, downpipes should be centralised. Roof would be better if it had a flat element. Materials should be conditioned.	Noted; condition attached.

## 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  
Regeneration  
Provision of Housing  
Character of the Area  
Residential Amenity for Future Occupiers  
Residential Amenity (Neighbouring Residents)  
Traffic, Parking & Servicing  
Drainage

### 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 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.
- 6.2.3 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
- 6.2.4 The site is not allocated for development but represents 'a previously developed' site, however 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.

6.2.5 Whilst it is noted that the draft London Plan (2017) can only be attributed limited weight, the proposal is considered to successfully reflect the intent of draft policy H2 ' Small Sites' which recognises the importance in utilising smaller sites.

6.2.6 Accordingly, the proposed scheme for providing residential accommodation is considered to contribute to the overall housing need of the borough and be in conformity with the Government's objectives of planning for growth and presumption towards sustainable development as outlined within the NPPF. The proposal to introduce residential units at the site is considered acceptable in principle, subject to compliance with the relevant development plan policies and supplementary planning guidance that seeks to provide high quality residential development.

### 6.3 Regeneration

6.3.1 The proposed development intends to replace an under-utilised brownfield site with residential units. The proposed redevelopment allows the site to be used in a more efficient way that would generate additional housing stock within the Borough. In this respect, the proposed development would meet the overarching principles of regeneration into the area.

6.3.2 The proposed development would also result in a number of temporary jobs would also be created during the construction phase of the development.

### 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 character of the surrounding area is residential and comprises a mix of 2/3 storey semi-detached houses with pitched roofs as well as a number of three-storey purpose-built apartment blocks.

#### Scale and Siting and Layout

6.4.4 An objection has stated that the proposed development of 5 terraced dwellings would be an overdevelopment of the site. However, the proposed footprint of the scheme would be 14% of the total site area of the application site. The development is proposed to be three storeys, with a maximum height of 9.0m. The three-storey height of the proposal is consistent with surrounding properties at Miles and Holly Lodge in terms of height and scale, and as such, relates appropriately to the character of the surrounding locality.

- 6.4.5 The proposed dwelling houses would be situated towards the north east of the site. The private gardens of the houses would adjoin the rear gardens of the houses in Cunningham Park to the north, thereby providing separation with this group of properties. In terms of the southern elevation of the proposed terraces, these would be sited approximately 20.0 metres away from the rear façade of Holly and Miles Lodge. The proposed back to back residential layout is typical of many suburban locations and the siting and the relationship of the scheme with the surrounding neighbouring properties is considered by officers to be appropriate.
- 6.4.6 The dwellings would not be visually prominent when viewed from the surrounding roads to the north and south, due to their location within a back land, almost enclosed piece of land within the existing housing estate. The proposed terrace would run along an east –west axis and the front elevations would align with the building frontages of the closest properties in Cunningham Park and Buckingham Road, thereby integrating them into the surrounding street scene.
- 6.4.7 Overall, the appropriate siting, scale and massing of the proposed development ensures that the building sits comfortably within the streetscene and generally maintains the existing relationship between the application site and adjacent properties. In this respect, the proposal complies with the intent of London Plan Policies 7.4 and 7.6 and Policy DM1 of the DMP.

#### Architecture

- 6.4.8 The proposed building would be three stories in height with a mansard style roof. The building adopts a simplistic design rationale that introduces articulation to the facades through the use of projecting front porch canopies.
- 6.4.9 The Mayor's Housing SPG calls for entrances to residential developments to be visible from the public realm and clearly defined. The principal entrances to the terraced dwellings would face towards the access road and would be naturally overlooked by surrounding dwellings located opposite at Holly and Miles Lodge.
- 6.4.10 In terms of materiality, the proposal seeks to use a combination of buff brick with sandstone edge courses and reveals. Aluminium window frames would be used for the majority of the windows with blue/grey slate tiles for the mansard roof. The materials are considered to break up the bulk and massing of the facades.
- 6.4.11 In addition to the proposed terraced dwellings, it is proposed to erect a dedicated garage block to provide designated parking for each dwellinghouse. Given the existing site circumstances, the proposed garage block would have a satisfactory impact on the character of the area.
- 6.4.12 Considering the mixed character of the surrounding locality, it is considered that the design and architecture for the proposed building would be acceptable for this back land location. Notwithstanding the above, a condition has been recommended requiring the submission of sample details of all building materials for the proposed development.



## Landscaping

- 6.4.13 The existing site is predominately hardsurfaced with little soft landscaping and does not contribute positively to the character of the surrounding area.
- 6.4.14 As part of the development it is proposed to re-configure the existing ground surface which exist to the rear of 16-22 Buckingham Road and Miles/Holly Lodge. Each dwellinghouse would be provided with soft landscaping to the front and rear for the purposes of private amenity spaces.
- 6.4.15 In addition, new parking bays would be provided to the south of the site adjacent to the soft landscaped area which serves Holly and Miles Lodge. New footpaths would also be marked out which would provide pedestrian access to access the site.
- 6.4.16 Whilst the details of the landscaping scheme have not yet been finalised, it is considered that the overall proposed landscaping would be satisfactory. Accordingly, the proposed development offers the opportunity to provide meaningful landscaping across the site. A condition of approval is recommended requiring the submission of a comprehensive scheme of hard and soft landscaping details.

## Trees

- 6.4.17 The application does not contain any statutory protected trees. However, the application has been supported by a Tree Report. This report indicates that a number of category b and c trees would need to be removed as a result of the proposed development. The report states that these trees are low quality. The Council's Tree Officer has confirmed there are no objections to the removal of these trees.
- 6.4.18 The Tree Report concludes that the proposed development can be completed without having any undue impact on the retained trees. These trees would be protected during the construction phase.

## 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 proposed development would provide the following accommodation:

House	Type	Area (sq m)
1	3 bedroom, 6 persons	121.20sqm
2	3 bedroom, 6 persons	121.09sqm
3	3 bedroom, 6 persons	121.09sqm
4	3 bedroom, 6 persons	121.09sqm
5	3 bedroom, 6 persons	121.09sqm

6.5.4 The proposed dwellings in all instances exceed the required GIA for the respective occupancy levels. Furthermore, all 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 2.6m. The proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers.

6.5.6 It is considered that the proposed dwellings would have an acceptable amount of daylight and outlook with windows either facing towards the front gardens/access road and the rear garden areas.

#### Accessibility and Secure By Design

6.5.7 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.

6.5.8 Specifically, policy 3.8.c of the London Plan (2016) requires 'ninety per cent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'. Criterion d requires 'ten per cent of new housing 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.

6.5.9 Whilst the applicant has not specifically confirmed compliance with the requirements of Part M, the proposal plans demonstrate that level access would be provided to each of the five properties. Furthermore, each property would be of a good size and functional layout.

- 6.5.10 Noting the above, the proposed development would be satisfactory in terms of accessibility, subject to a condition to ensure compliance with Building Regulations M4 (2) and M4 (3).
- 6.5.11 Concerns have been raised from neighbouring residents concerning vehicular and pedestrian access. Whilst highway matters are addressed later within the report, in terms of accessibility, the proposed development would utilise the existing access road. Proposed plans indicate that there would be separate pedestrian access.
- 6.5.12 The garage area to the rear of Miles and Holly Lodge does not currently benefit from any external lighting. External lighting for the proposed development has not been explored in depth. However officers consider that this can be addressed by a condition, for further details to be submitted and approved in writing by the Council.
- 6.5.13 Whilst specific design details relating to SBD have not been provided, it is considered that these details can be secured by way of condition. Specifically, a planning condition would require the proposal to achieve Secured by Design certification (silver or gold) from the MET Police, prior to the occupation of the development. Accordingly, subject to this condition and further conditions relating to maintenance and landscaping the proposed development is considered to provide a safe and secure environment for future occupiers and members of the public, in accordance with Policy 7.3 of The London Plan.

#### Amenity Space

- 6.5.14 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.
- 6.5.15 For private amenity space, the SPG requires a minimum of 5m<sup>2</sup> per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant. The proposed private rear gardens would exceed these minimum dimensions. The proposed private amenity space for the five dwellings are considered to be functional and useable spaces. In terms of privacy, the proposed amenity space would be similar to the relationship that exists to the rear of properties on the southern side of Cunningham Park.

#### 6.6 Residential Amenity (Neighbouring Residents)

- 6.6.1 London Plan Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy, overshadowing, wind and microclimate.
- 6.6.2 Objections have been received in relation to the impacts of the proposed development on daylight to neighbouring properties. Whilst the proposal would inevitably result in a distinctive new development on the application site, the

appropriate massing and design of the building ensures that no undue harm would result to the residential amenities of the surrounding area.

- 6.6.3 In addition neighbours have stated that the addition of five residential properties to the area would create undue impacts in terms of noise and disturbance to surrounding residential developments. Officers consider that the proposed residential use is consistent with the surrounding land use. Although the new dwellings would generate more activity outside of normal working hours and into the evening and weekends, it is not expected that they would generate unacceptable levels of activity or noise and disturbance, given the existence of similar residential properties close to the site.

#### Impacts on Holly & Miles Lodge

- 6.6.4 Holly and Miles Lodge are three storey purpose-built flatted development to the south of the application site. The rear elevation of Miles & Holly Lodge sits approximately 20.0m behind the nearest front corner of the proposed development.
- 6.6.5 Given this relationship between the adjoining properties, the proposed terraced dwellings would not result in undue impacts in terms of daylight, outlook or overshadowing. It is noted that the proposed terraced dwellings would have habitable windows facing the rear of both Miles and Holly Lodge. Similarly, due to the separation distances it is considered that the impacts in terms of privacy would not be unacceptable, as this degree of mutual overlooking is not uncommon in urban residential environments.
- 6.6.6 The rear of Holly and Miles Lodge features an area of soft landscaping which acts as informal amenity space. Part of the proposal seeks to introduce a boundary fence to separate the proposed parking areas/access road from the rear of Holly & Miles Lodge. It is considered that the fencing would effectively protect the amenity space at Miles and Holly Lodge in terms of privacy impacts.

#### Impacts on Cunningham Park

- 6.6.7 There is a notable change in levels between the application site and properties to the north situated on Cunningham Park. The proposed terraced dwellings would be sited on a ground level which would be approximately 2.4m higher than those of the maisonettes at Cunningham Court to the rear.
- 6.6.8 Notwithstanding the changes in level, there would be a back to back distance between the rear of Cunningham Court and the rear of the proposed terraces by approximately 21.0m. This separation distance would ensure that there would be no undue impacts in terms of overshadowing, outlook and overshadowing.
- 6.6.9 The proposed rear gardens which would serve the terraced residential dwellings would be relatively short in length, and given the change in levels to the rear could potentially have impacts on overlooking to the gardens of adjoining Cunningham Court.

- 6.6.10 However, the proposed terraced dwellings have been designed to include a bathroom and study to the first floor rear. Both these windows would consist of obscure glazing and therefore would not result in views to the rear gardens of Cunningham Court.
- 6.6.11 In terms of the third floor windows on the proposed terraced dwellings, these would be rooflight style windows which would be angled, owing to the mansard style roof. Any views from these windows would be high level, oblique views over neighbouring rooftops, and therefore would not lead to any unacceptable impacts in terms of privacy or perceived overlooking.
- 6.6.12 For the reasons outlined above, it is considered that the proposed development would comply with policy 3.5.C of The London Plan 2016, policy CS1.K of The Harrow Core Strategy 2012 and policy DM1 of the Harrow Development Management Policies Local Plan 2013 in failing to ensure high quality design for the development.

## 6.7 Traffic, Parking and Servicing

- 6.7.1 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. A number of objections have been raised in relation to the parking arrangements and the pressures of parking within the immediate area.
- 6.7.2 As discussed, the proposal would utilise the existing access to the garage area. Part of the access would be widened to the rear and a swept path plan has been provided which demonstrates the suitability of the access, the Council's Highway's Officer has confirmed that the proposed access to the site is acceptable in accordance with Policy DM42 and there are no safety concerns.
- 6.7.3 The proposal would result in the loss of 34 lock up garages. However, these garages are not linked to any of the surrounding residential developments. The applicant has stated that only four of the garages are used for the purposes of car parking with the rest being used for storage. In addition, it is unlikely that the existing garages would be fit for purpose considering the size of today's motor vehicles.
- 6.7.4 The proposal seeks to provide 5 parking spaces for the terraced dwellings, resulting in a parking ratio of 1:1. Whilst it is noted that the draft London Plan (2017) calls for a lower provision of car parking, given the low PTAL rating for the area, the provision of parking is satisfactory in this instance.
- 6.7.5 In addition 22 surface car parking spaces would be provided. These would result in dedicated spaces for Holly and Miles Lodge on a 1:1 ratio. The proposed parking provision would seek to alleviate the parking pressures which exist on the highway to the front of Holly and Miles Lodge. The Council's Highway Officer consider that the quantum of parking spaces would be acceptable.

- 6.7.6 Secure and readily accessible cycle parking is provided, at one space per room, in line with the The London Plan (2016) requirements. This has been provided on site in the rear garden and is therefore considered acceptable.
- 6.7.7 Waste storage has been provided to the rear of the building and would be accessed via the existing access on Cunningham Park to the rear. Future occupiers of the proposed development would have their own storage units within their respective rear amenity spaces which would be required to be transferred to the dedicated storage off Cunningham Park on bin collection days. The proposed location of a centralised bin store would comply with the Council's Refuse Code of Practice which encourages bin placement to be within 10.0m of the point of pick up.
- 6.7.8 In addition to the above, given the physical site constraints and the location of the site within a predominately residential area, a construction method and management plan would need to be secured via planning condition to help minimise disruption to the local area.

## 6.8 Drainage

- 6.8.1 The application site is located within a critical drainage area, Policy DM10 of the DMP requires the provision of sustainable drainage measures to control the rate and volume of surface water run-off. The Council's Drainage officers have not objected to the application, but have recommended conditions to deal with on-site drainage and water attenuation.
- 6.8.2 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

## 7.0 **CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 The proposal would contribute to the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016) and would regenerate a brownfield site. Furthermore, 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.
- 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:

Planning Statement; Site Plan; Design & Access Statement August 2017; BS5837 Arboricultural Report dated 11<sup>th</sup> August 2017; BRH-17-P001; BRH-17-P002 Rev D; BRH-17-P003 Rev B; BRH-17-P004; BRH-17-P005; BRH-17-P006 Rev B; BRH-17-P007; BRH-17-P008 Rev B; BRH-17-009; BRH-17-P010 Rev B; BRH-17-P011 Rev B; CCL 09726 / TPP Rev 1, CCL 09726 / IAP Rev 1, CCL 09726 / TCP Rev 1,

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 buildings;
- b. windows/ doors;
- c. boundary fencing;
- d. ground surfacing;
- e. hard landscape materials and,
- g. proposed materials for refuse/cycle storage areas

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.

#### 4. Trees

The development hereby permitted, shall be undertaken in accordance with the recommendations of the BS 5837 Arboricultural Report carried out at R/o 12-14 and 16-22 Buckingham Road, Harrow , HA1 14TD by Crown Consultants, dated 11<sup>th</sup> August 2017. This will include that arboricultural supervision is undertaken

throughout the project and the development shall be carried out in accordance with the recommendations of the Arboricultural Survey. The tree protection measures shall be erected before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

5. 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.

6. 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. Details of any proposed ground level changes within the RPA (Root Protection Area) of any retained tree or on land adjacent to the site should be included. 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 that appropriate site levels are agreed before the superstructure commences on site, this condition is a PRE-COMMENCEMENT condition.

7. 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.

8. Hard & Soft 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 appropriate screening to ground floor windows and amenity space, where required. 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.

9. Planting Schedules

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

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

10. Landscape Management and Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the landscaped areas, including the communal amenity space, within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow.

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

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.

13. 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.

14. External Lighting Strategy

The development hereby approved shall not progress beyond damp proof course level until details of the lighting (full specification, light spill, elevations and location) of all public realm and other external areas (including buildings) within the site 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 be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles and achieves a high standard of residential quality.

15. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, C, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouses hereby permitted without the prior written permission of the local planning authority.

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

16. Part M Dwellings

All 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.

## 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; 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 sought and provided and the submitted application was in accordance with that advice.

### 3. Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £19,232.50 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 £7,155.75 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 204.45m<sup>2</sup>

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: £22,489.50

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](mailto: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](mailto: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.



**APPENDIX 3: SITE PHOTOGRAPHS**





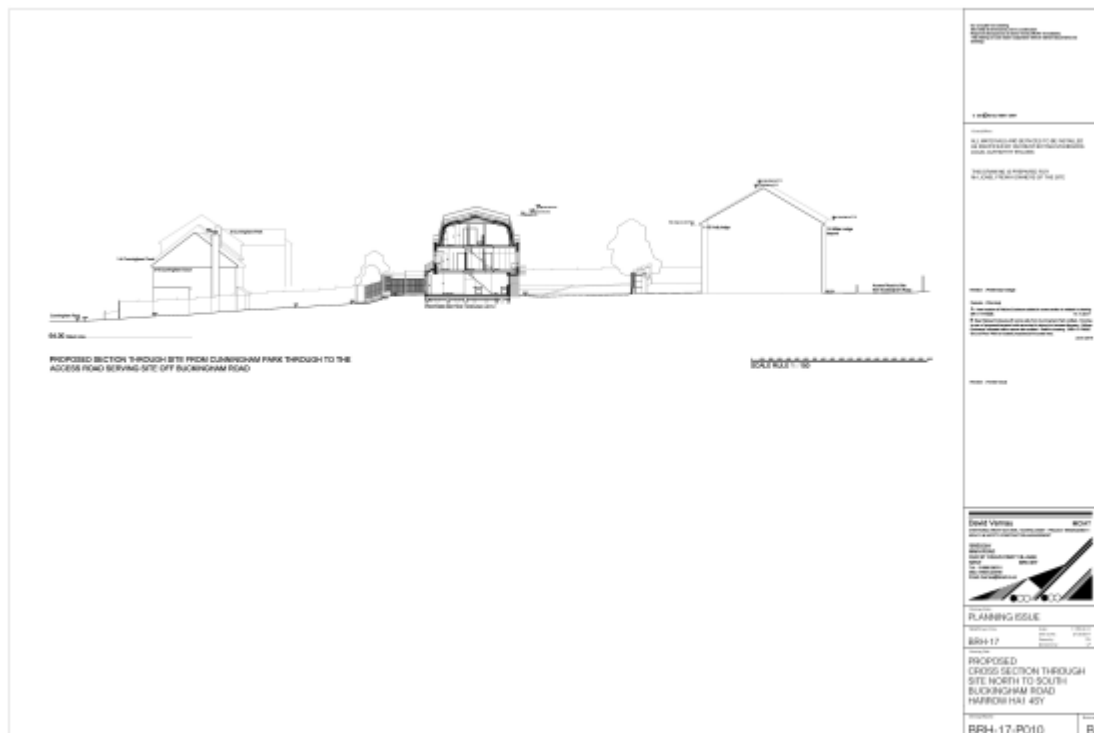
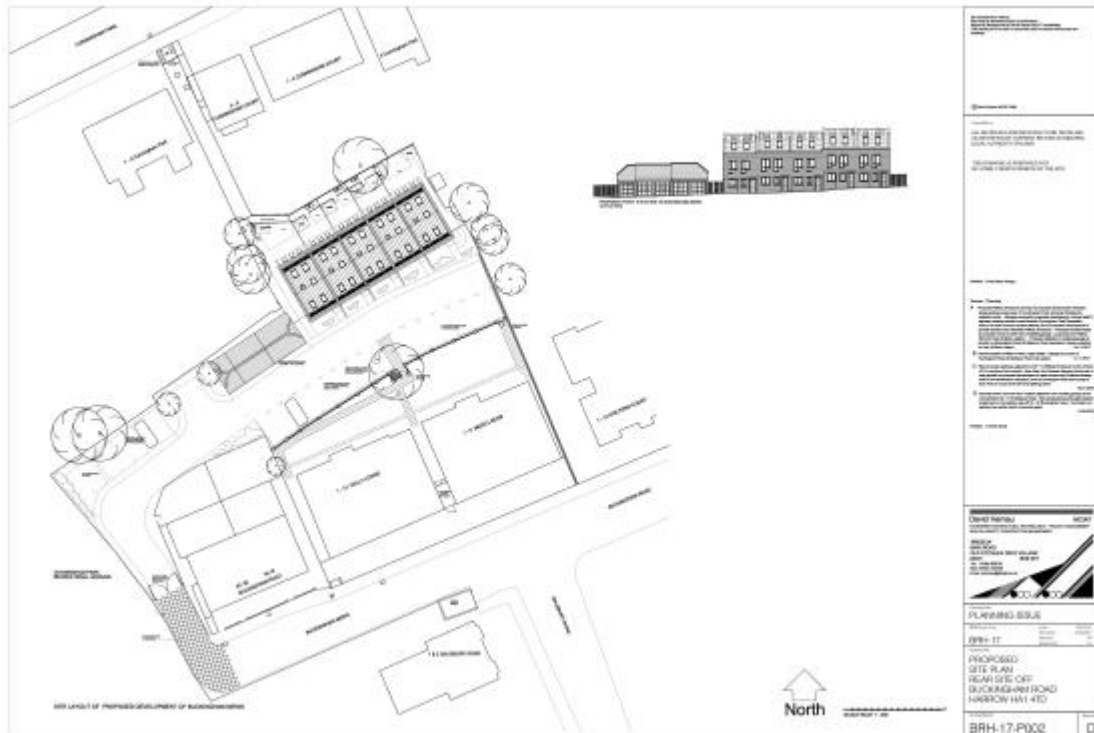


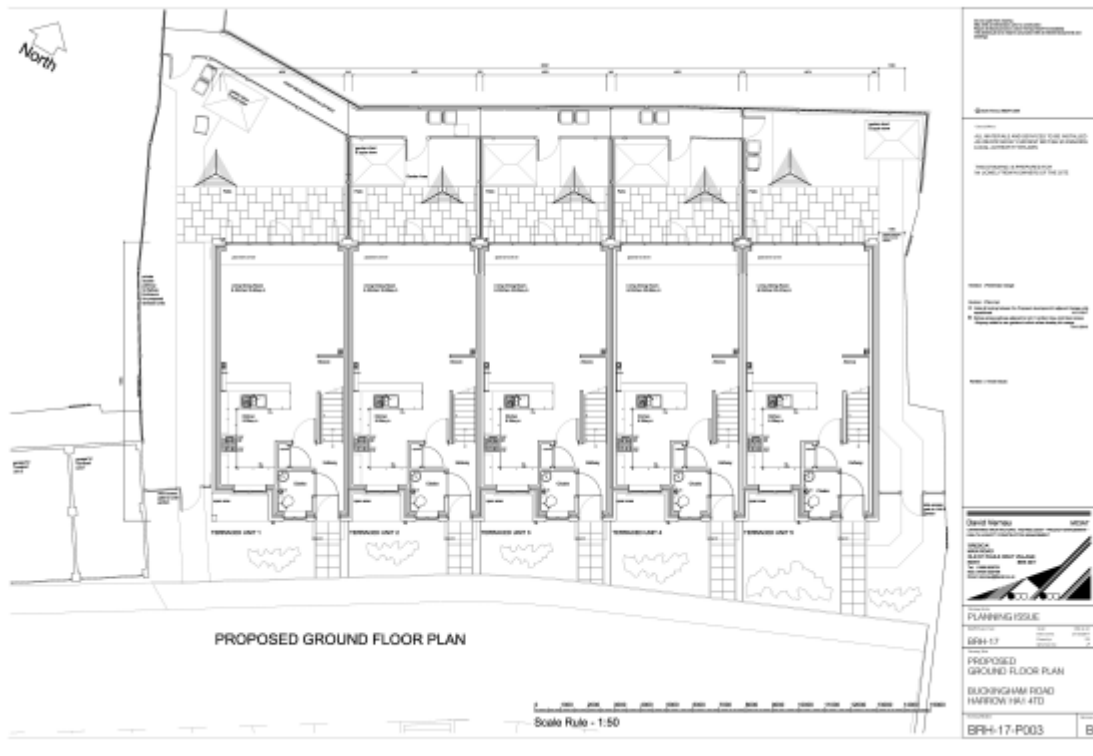


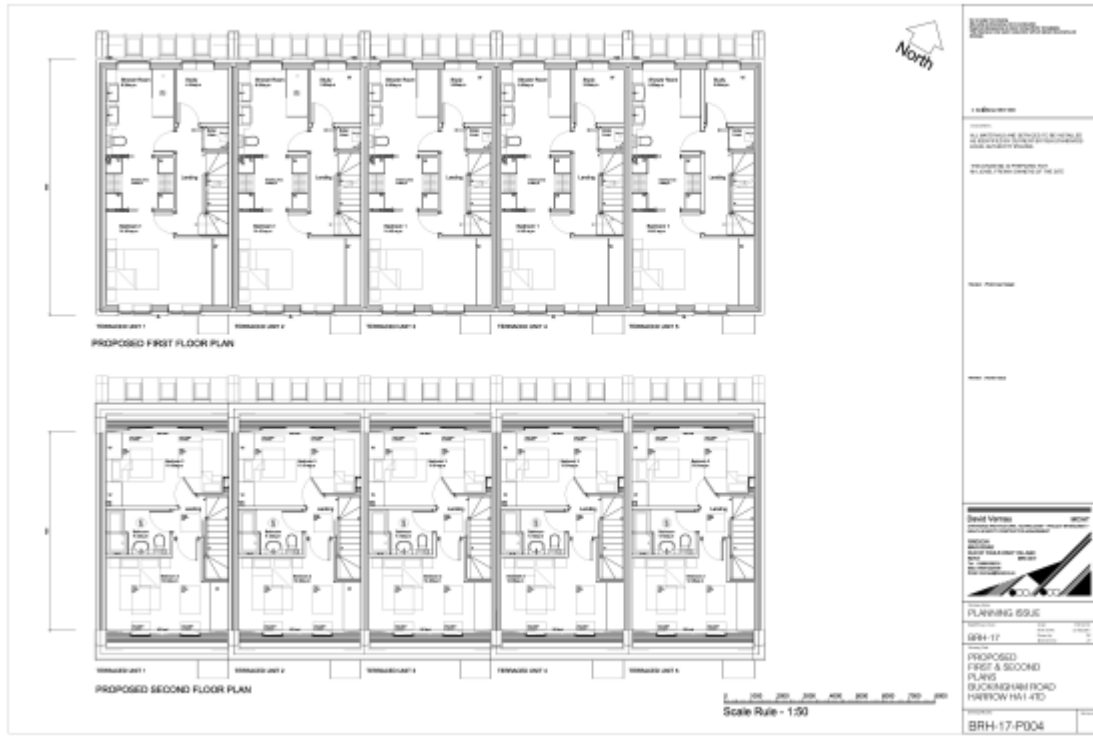




# APPENDIX 4: PLANS AND ELEVATIONS



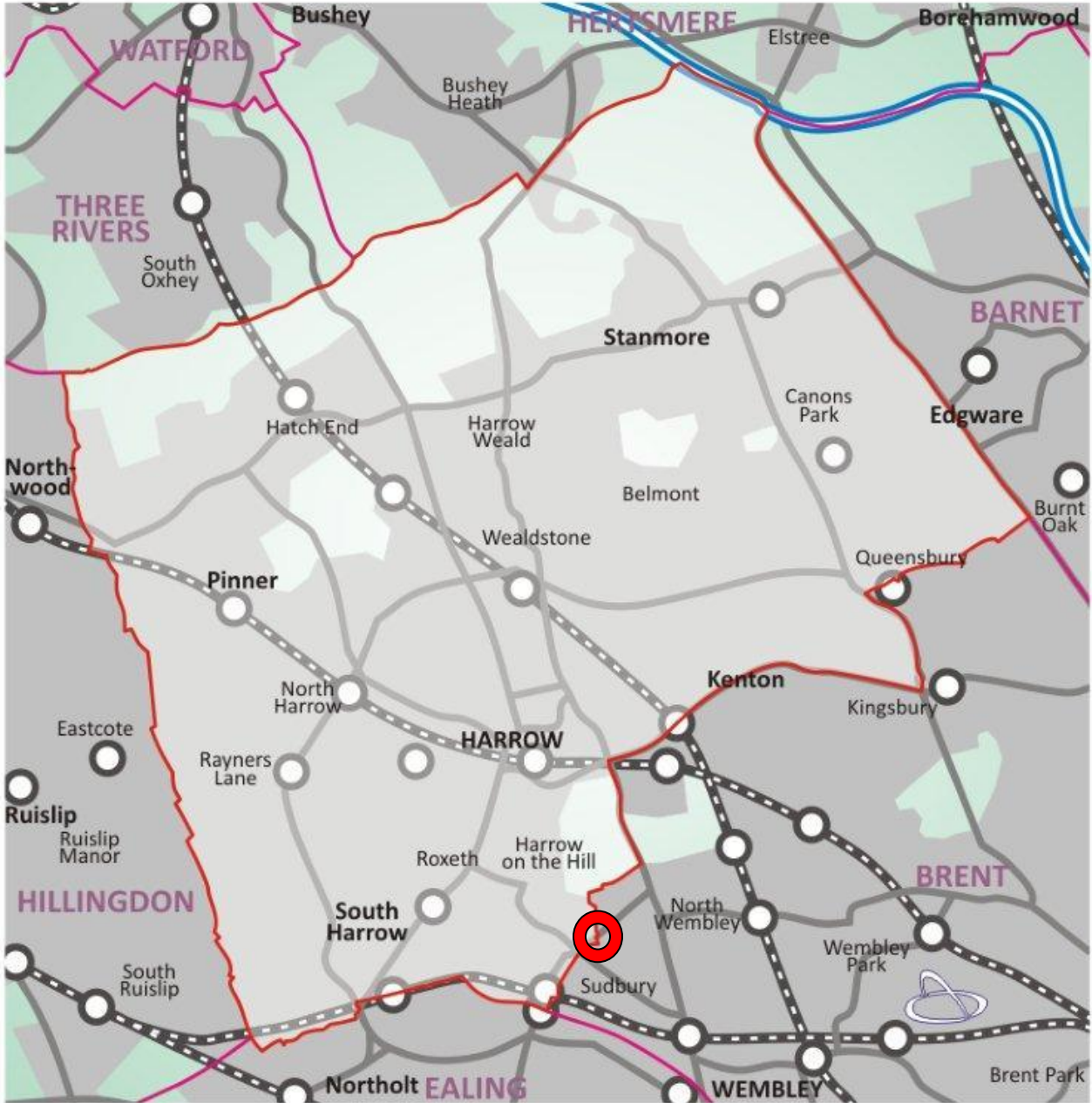




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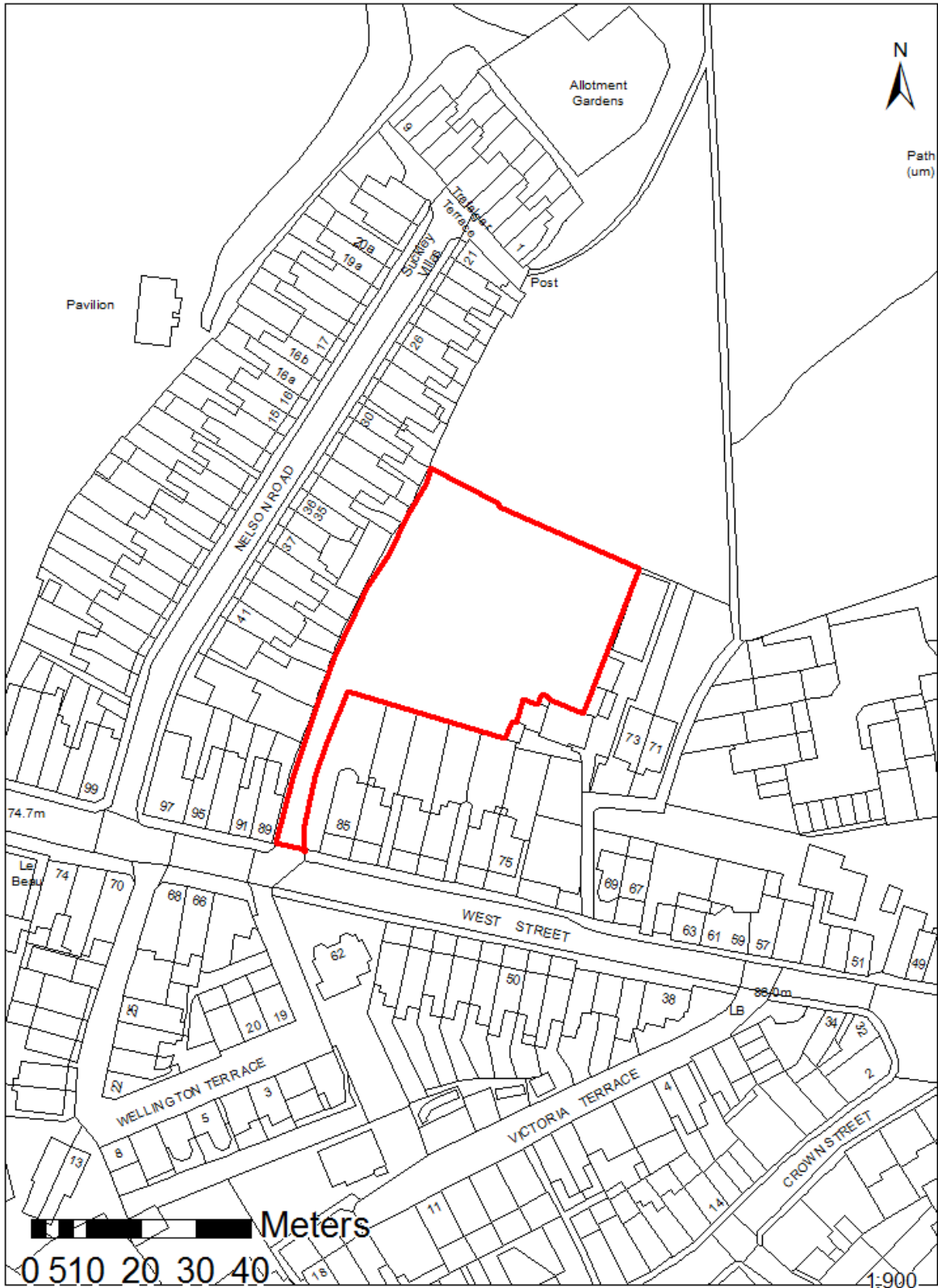


 = application site



<b>The Powerhouse, 87 West Street</b>	<b>P/1516/18</b>
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# The Powerhouse, 87 West Street



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

25<sup>th</sup> July 2018

**Application Number:** P/1516/18  
**Validate Date:** 09/04/2018  
**Location:** THE POWERHOUSE, 87 WEST STREET,  
HARROW  
**Ward:** HARROW-ON-THE HILL  
**Postcode:** HA1 3EL  
**Applicant:** JASPAR HOMES LTD  
**Agent:** JASPAR MANAGEMENT LTD  
**Case Officer:** KIMRY SCHLACTER  
**Expiry Date:** 07/05/2018

### **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 Amendments to Prior Approval P/0326/17 dated 06/03/2017 for Conversion of Offices (Class B1a) to 14 Self-Contained Flats.

The application proposed amended layouts for 13 of the 14 flats on the ground and first floors of the main building (excluding the stand-alone structure referred to as the "Cottage"). Two of the amended flats are changed from studio to 1-bedroom flats.

The Planning Committee is asked to:

### **RECOMMENDATION**

- 1) agree the reasons for approval as set out in this report, and
- 2) approve the amended details to P/0326/17 dated 06/03/2017.

### **REASON FOR THE RECOMMENDATIONS**

Within the context of the Prior Approval P/0326/17 dated 06/03/2017, the proposed amendments would be considered non-material changes, having regard to the specific matters set out for consideration by the local authority under Class O of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

## **INFORMATION**

This application is reported to Planning Committee as it was called in by a local councillor, due to high levels of public interest; and so as to present the Committee with a strategic overview of the relevant information across several applications pertaining to this site.

Statutory Return Type:	Other
Council Interest:	None
Additional Floor Area:	N/A
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£0
Local CIL requirement:	£0

**Plans Nos:** JM 051 SK 066; JM 051 SK 067; Cover letter dated 9<sup>th</sup> April 2018; Supporting Document titled "Area Comparisons"

The following plans from P/0326/17 would be superseded if the above are approved: P9/001; P9/005; P9/006

## **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.

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

- Application for Non-Material Amendment
- Statutory Register of Planning Decisions
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, Harrow & Wealdstone Area Action Plan, 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

## OFFICER REPORT

### PART 1: Planning Application Fact Sheet

<b>The Site</b>	
Address	The Powerhouse, 87 West Street, Harrow, HA1 3EL
Applicant	Jaspar Homes Ltd
Ward	Jaspar Management Ltd
Local Plan allocation	N/A
Conservation Area	Harrow-on-the-Hill Village Conservation Area and Archaeological Priority Area
Listed Building	A Grade II listed building (Old Pye House) is adjacent, however does not form part of the site, nor is the site within the curtilage of the listed building
Setting of Listed Building	N/A
Building of Local Interest	N/A
Other	Harrow Strategic Flood Risk Area (SFRA) zones 3a and 3b, and critical drainage areas

<b>Transportation</b>		
Car parking	No. Car Parking spaces proposed under P/0326/17	14
	No. Proposed Car Parking spaces	14
	Proposed Parking Ratio	1:1
Cycle Parking	No. Cycle Parking spaces proposed under P/0326/17	20
	No. Proposed Cycle Parking spaces	20
	Cycle Parking Ratio	1:1.4
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Harrow-on-the-Hill (Met Line): 1km
	Bus Routes	Harrow-on-the-Hill (Multiple routes): 1km
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	N/A
	Other on-street controls	N/A
Refuse/Recycling Collection	N/A (Not a consideration under Prior Approval)	(No changes proposed)

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The site comprises a two-storey main building and a smaller single storey building (referred to as the 'cottage'), with existing parking on site. The works for Prior Approval ref: P/0326/17 are largely complete.
- 1.2 Existing access is off West Street
- 1.3 Site is located in the Harrow-on-the-Hill Village Conservation Area and Archaeological Priority Area. It is also located adjacent to a designated Metropolitan Open Land and Site of Importance for Nature Conservation (the church fields), to the north
- 1.4 The Old Pye House, a Grade II Listed building, is sited adjacent, and an in-fill section of building work connects the main building of the application site to the Old Pye House. The south and east boundaries are backed by residential dwellings.
- 1.5 The site has a PTAL rating of 2
- 1.6 Located in Critical Drainage area, and Harrow Strategic Flood Risk Area (SFRA) zones 3a and 3b

### **2.0 PROPOSED DETAILS**

- 2.1 Proposed alteration to internal layout of the flats, as submitted under the Prior Approval ref: P/0326/17 dated 06/03/2017. The internal layout of both floors has been reconfigured also in terms of communal and utility areas.
- 2.2 The internal layout as constructed differs from the approved plans under P/0326/17, therefore the main purpose of the non-material amendment application is to regularise the internal layout.
- 2.3 The applicant's statement notes that amendments have been made in part to ensure compliance with Building Control regulations
- 2.4 The proposed amendments would not alter the number of flats from the approved plans under P/0326/17. The total number of flats would remain 14.
- 2.5 However, two flats which had previously been assigned as studio flats would be changed to 1-bedroom, 2-person flats. Thus the maximum number of occupant would be increased by 2 people.

- 2.6 The ground floor would still total 7 flats, comprised of: 5 x 1-bed flats, and 2 x 2-bed flats, with the studio flat modified to a 1B2P flat
- 2.7 The first floor would still total 6 flats, comprised of: 4 x 1-bed flats, and 2 x 2-bed flats, with the studio flat modified to a 1B2P flat
- 2.8 The 14<sup>th</sup> flat is the independent structure referred to as the “cottage”, which is not shown on the submitted plans and therefore not considered by this application.
- 2.9 Some external alterations are noted on the plans, however these are confirmed as being subject to separate planning permission reference P/1604/18, and so are not considered here. However the applicant is advised of minor discrepancies in the number and siting of windows shown on these plans compared to other concurrent permissions dealing with the external alterations. Specifically, there is one additional window and one window of a different size on the first floor.
- 2.10 An area between the existing substation and the side of the building is shown as proposed bike storage, with alterations to the doors along the return elevation. However, the external alterations are subject to a separate application for planning permission P/1604/18, while the details of the cycle storage are conditioned to be approved separately through an Approval of Details application. These details are therefore not considered here.

### 3 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
LBH/28395	Change of use from light industrial to office and light industrial purposes	Granted 12/09/1985
LBH/29789	Additional Floor for Extension of Existing Office and Light Industrial Use	Refused 24/04/1986
LBH/30262	Additional floor extension of existing office & light industrial use (revised)	Granted 19/03/1987
P/1319/04/CFU	Single storey extension and alterations to	Granted



	storage building to provide gatehouse/reception building	27/07/2004
P/1065/07	Single storey extension and alterations to storage building to provide gatehouse/reception building	Granted 27/07/2004
P/2444/10	Second floor extension to form additional office suite	Granted 15/12/2010
P/5401/16	Conversion of single storey detached office building (Class B1a) to 14 Self-Contained Flats (Class C3) (Prior approval of transport & highways impacts of the development, contamination and flooding risks on the site and impacts of noise from commercial premises on the intended occupiers of the development)	Refused 05/01/2016
P/0326/17	Conversion of single storey detached office building (Class B1a) to 14 Self-Contained Flats (Class C3) (Prior approval of transport & highways impacts of the development, contamination and flooding risks on the site and impacts of noise from commercial premises on the	Granted 06/03/2017

	intended occupiers of the development)	
P/3896/17/PRIOR	Conversion of offices (class B1a) to 15 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 of the development)	Refused 04/10/2017
P/1971/18	Details pursuant to Condition 1 (Amended plans) attached to Prior Approval P/0326/17 dated 6.3.17 for Conversion of Offices (Class B1a) to 14 Self-Contained Flats (Class C3) on Ground and First floors of main building and cottage (Prior approval of transport & highways impacts of the development, contamination and flooding risks on the site and impacts of noise from commercial premises on the intended occupiers of the development)	Refused 04/07/2018
P/1604/18	Creation of Second floor to provide two flats (Retrospective); Changes to the fenestration comprising	Undetermined

	<p>alterations to existing windows and doors, introduction of new windows and doors and part replacement of gabled roof to north east of the building (Retrospective);  Proposed Detached Single storey building to provide two cottages;  External alterations;  Associated landscaping and parking; Refuse and cycle storage</p>	
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#### 4 **CONSULTATION**

- 4.1. As an application under Section 96A of the Town and Country Planning Act 1990, this is not an application for planning permission. Therefore, the existing provisions under the Town and Country (General Development Procedure) Order 1995 (as amended) in respect of planning applications do not apply. Notifications are not normally sent. However, given the circumstances of the application and high degree of public interest, the Harrow Hill Trust was notified as a matter of courtesy.
- 4.2. For reference, although public representations are not a material planning consideration for applications such as this, those representations relevant to this application received are set out below.

Summary of Comments	Officer Comments
<ul style="list-style-type: none"> <li>Permitted development rights not undertaken in accordance with approved plans.</li> <li>External works undertaken at same time as internal works</li> <li>Misleading information, concealment of certain works</li> <li>Breaches of construction Management</li> </ul>	<p>The amendments sought here are one of the available paths for remedying the issue of changes to the approved plans under P/0326/17. It should be noted that under Class O Prior Approval (as is the</p>

<p>Plan</p> <ul style="list-style-type: none"> <li>• Damage to environment</li> <li>• Interference of public rights of way</li> <li>• Overall lack of merit of scheme, out of character with conservation area</li> <li>• Unsuitable parking arrangements</li> <li>• Proposed bike storage interferes with right of way</li> <li>• Impact on Grade II listed building (Old Pye House)</li> <li>• Illegal entry into Church Fields</li> <li>• Unauthorised landscaping works</li> </ul>	<p>case here), there is no assessment of internal layout, only of the total number and type of flats applied for.</p> <p>In this case, there is no restriction on implementing external work at the same time as the change of use, thus this situation does not represent a breach of planning.</p> <p>Other issues raised are not material planning considerations for this application.</p>
<ul style="list-style-type: none"> <li>• Lack of parking and congestion on West Street / Harrow on the Hill generally</li> <li>• Misleading information from applicant</li> <li>• Breaches of planning</li> <li>• Over occupation/high density</li> <li>• Disregard of conservation area status and Grade II listed building (Old Pye House)</li> <li>• Second storey overlooking adjoining residential properties, loss of privacy.</li> <li>• Unsuitable materials and out of character development</li> <li>• Damage to trees and hedges</li> <li>• Interference of public rights of way</li> <li>• Breaches of construction Management Plan</li> </ul>	<p>Parking and Traffic issues are material considerations to this application.</p> <p>Other issues raised are not material planning considerations for this application.</p>

Cover letter referenced in the documents which is not visible on the website	This was an error, and the letter was posted to the website in response.
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4.7 Statutory and Non Statutory Consultation

4.8 The following consultations have been undertaken:

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
LBH Highways	The proposed changes this change would not make any difference in highways terms	Noted
Historic England	It is not necessary for us to be consulted again on this application	This consultation appears to have been sent in error.

## 5 **POLICIES**

- 5.1 This application has been made under Section 96A of the Town and Country Planning Act 1990.
- 5.2 As the original application was made under Class O of Part 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, the framework of the assessment must reference the limitations and conditions of Class O development.
- 5.3 The details of the matters considered under Prior Approval are assessed in relation to the policies of the Development Plan. 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.’
- 5.4 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.
- 5.5 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]. The new draft London Plan, although not yet adopted, must also be given weight where relevant. 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.
- 5.6 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration. 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:

Materiality, Matters Considered Under Prior Approval

6.2 **Materiality, Matters Considered Under Prior Approval**

6.2.1 The question in this instance is whether the alterations proposed would have a material impact on the development, or alter the impacts in terms of the matters for consideration under Class O prior approval such that a re-consultation would be required under the provisions of Paragraph W to Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. For clarity, the grant of prior approval itself cannot be reversed or revisited here. An appropriate test of materiality is whether the alterations are of significance, of substance and of consequence.

6.2.2 The matters set out under Condition O.2 as requiring prior approval are: transport and highways impacts, contamination, flood risk, and impacts of noise from commercial premises on the future occupiers of the flats.

6.2.3 The revised layout would affect the relative size of the flats. Internal layout and room / unit sizes are not a material consideration under Class O. Nevertheless, it is noted that units shown in the revised layout either comply with the required Gross Internal Area for new dwellings in The London Plan (2016), or have a marginal shortfall.

6.2.4 The change to the size and layout of the flats also results in two of the units exceeding the size for studio flats; and instead becoming 1-bedroom 2-person flats, as a separate bedroom has been partitioned off. As the flats would thus each be capable of housing 2 people rather than 1, the total increase in maximum occupancy would be 2 people. The materiality of this change therefore requires assessment.

6.2.5 The alterations to the internal layout would not have a material impact on contamination; flood risk; or noise impacts on the future occupants. Furthermore, the revisions would not be contrary to any of the requirements under O.1 of Class O.

6.2.6 In terms of traffic and highways impacts, the agreed ratio of parking to units of 1:1, higher than normally allowed under existing policy, would remain the same. Current London Plan (2016) standards for cycle parking would likewise remain the same, as the same number of cycle spaces are required for 2 no. studio flats as for 2 no. 1-bedroom flats (ref: Table 6.3, The London Plan 2016) .

6.2.7 The Highways Authority have been consulted and have confirmed the increase of 2 people to the maximum occupancy it would not be considered to constitute a material change in terms of overall highways & traffic impacts

6.2.8 These alterations are therefore considered to be non-material amendments to prior approval P/0326/17/PRIOR.

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

7.1 Within the context of the Prior Approval P/0326/17 dated 06/03/2017, and the limitations and conditions of Class O development under Schedule 2, Part 3 of of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, the proposed amendments identified in the above schedule would be non-material amendments. Accordingly, it is considered that the application for non-material amendments should be approved.

7.2 For these reasons, this application is recommended for approval.



## **APPENDIX 1: Informatives**

### 1. Policies

The following policies are relevant to this decision:

#### **National Planning Policy Framework (2012)**

#### **Town and Country Planning (General Permitted Development) (England) Order 2015, as amended**

#### **The London Plan (2016):**

5.12 Flood Risk Management

6.3 Assessing Effect of Development on Transport Capacity

6.9 Cycling

6.13 Parking

7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes

#### **Draft New London Plan:**

Policy SI12 Flood risk management

Policy T4 Assessing and mitigating transport impacts

Policy T5 Cycling

Policy T6.1 Residential parking

#### **Harrow Development Management Policies Local Plan (2013):**

DM1 Achieving a High Standard of Development

DM9 Managing Flood Risk

DM10 On Site Water Management and Surface Water Attenuation

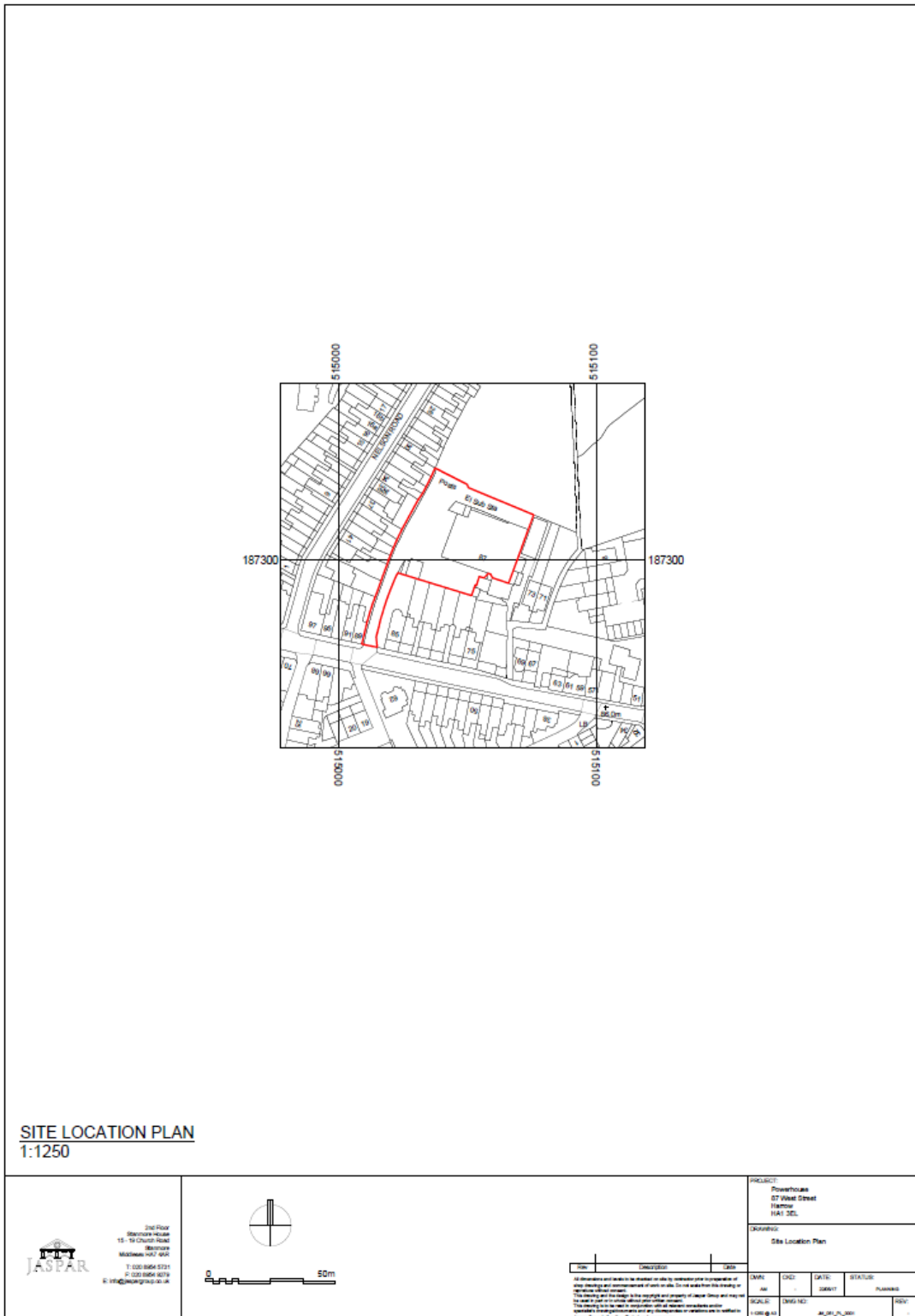
DM15 Prevention and Remediation of Contaminated Land

DM42 Parking Standards

2. The applicant is advised that the internal layout of the existing small, free-standing building known as the “cottage” does not form part of this application, and therefore the details of that unit must conform to the originally submitted plans approved under Prior Approval reference P/0326/17, in accordance with Paragraph W(12) (a) of the General Permitted Development (England) Order 2015, as amended.
3. The applicant is advised that any external alterations shown on the submitted plans do not form part of the non-material amendment application and so are not considered here. No permission for those details is implied or granted. However the applicant is advised of minor discrepancies in the number and siting of windows shown on these plans compared to other concurrent permissions dealing with the external alterations.

4. The applicant is advised that any variations in the proposed cycle storage from the plans submitted under the original Prior Approval P/0326/17 do not form part of this application and are not considered here. No permission for those details is implied or granted. As per condition 1 of P/0326/17, the details of the cycle parking and parking layout must be (separately) approved in writing with the Local Planning Authority prior to occupation of the site.

# APPENDIX 2: SITE PLAN



**APPENDIX 3: SITE PHOTOGRAPHS**



Western elevation of the property

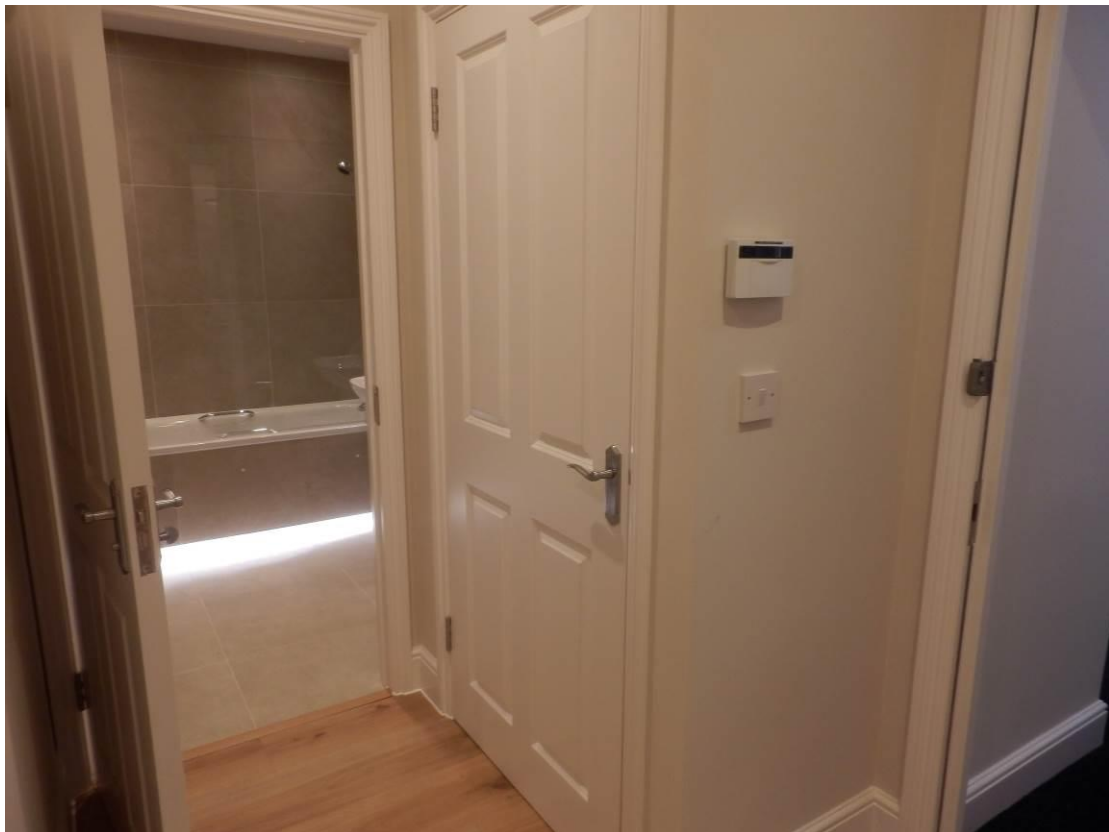


Southern elevation



Northern elevation

Flat 13, first floor [Note that Flat 7 on ground floor is identical]:



Bathroom and entrance

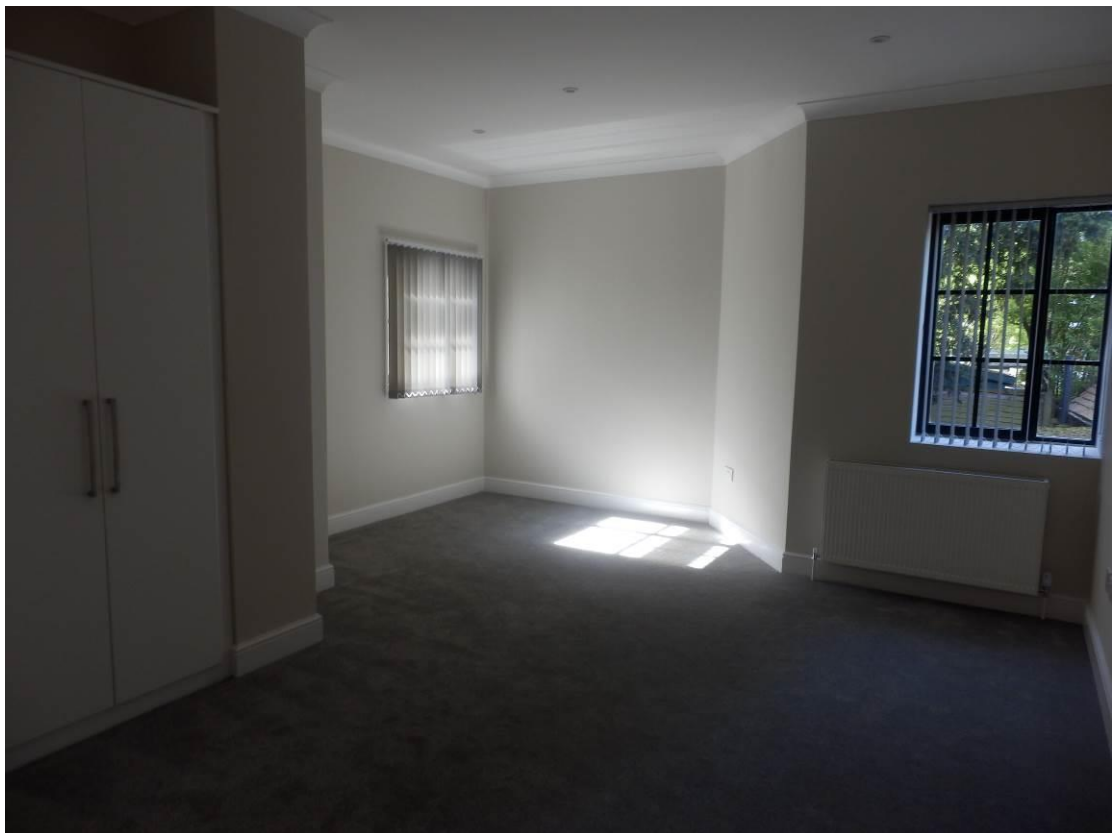


Kitchen and living area





Separation between living area and bedroom



Bedroom





# APPENDIX 4: PLANS



Proposed Ground Floor Plans

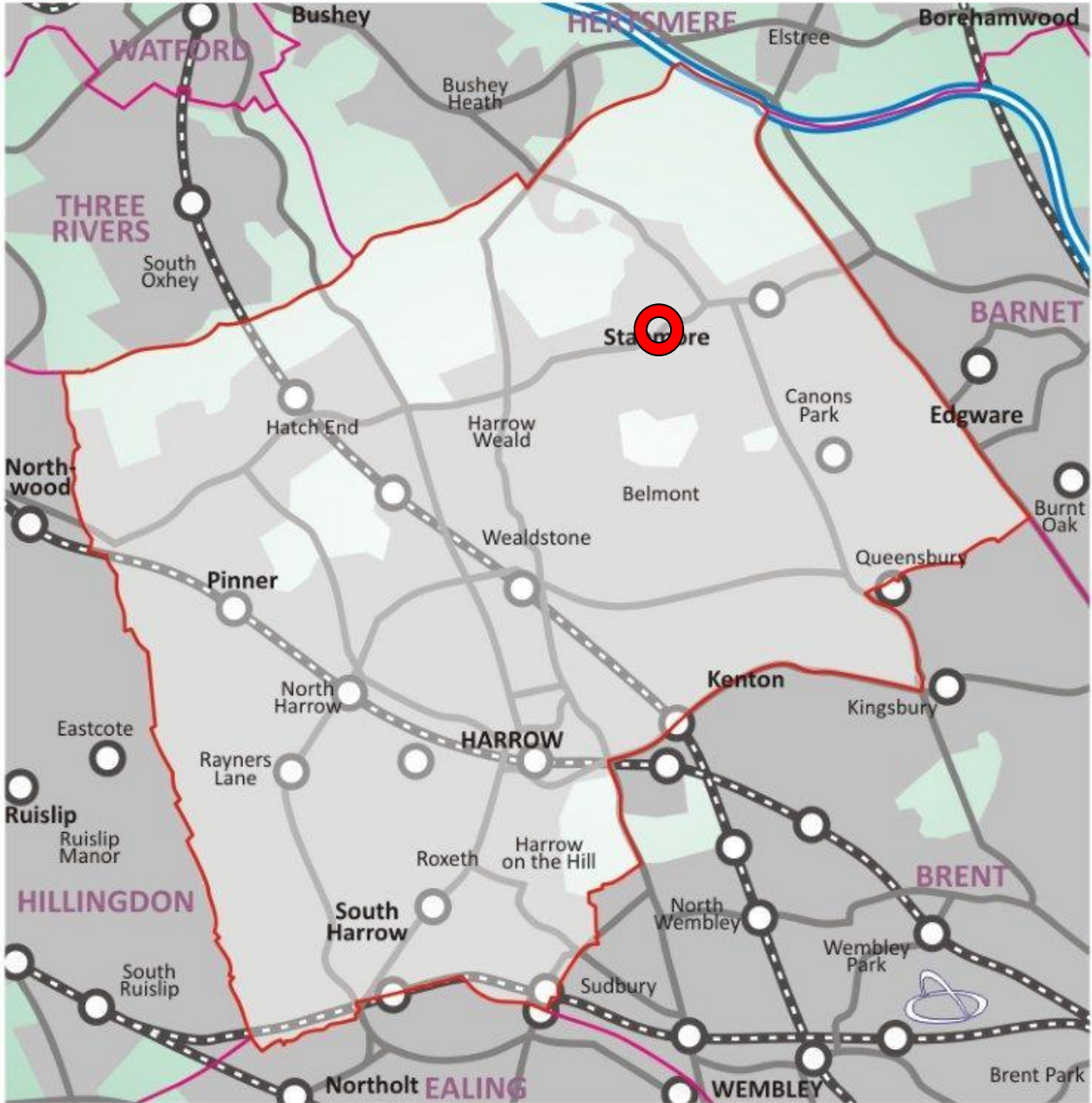


Proposed First Floor Plans

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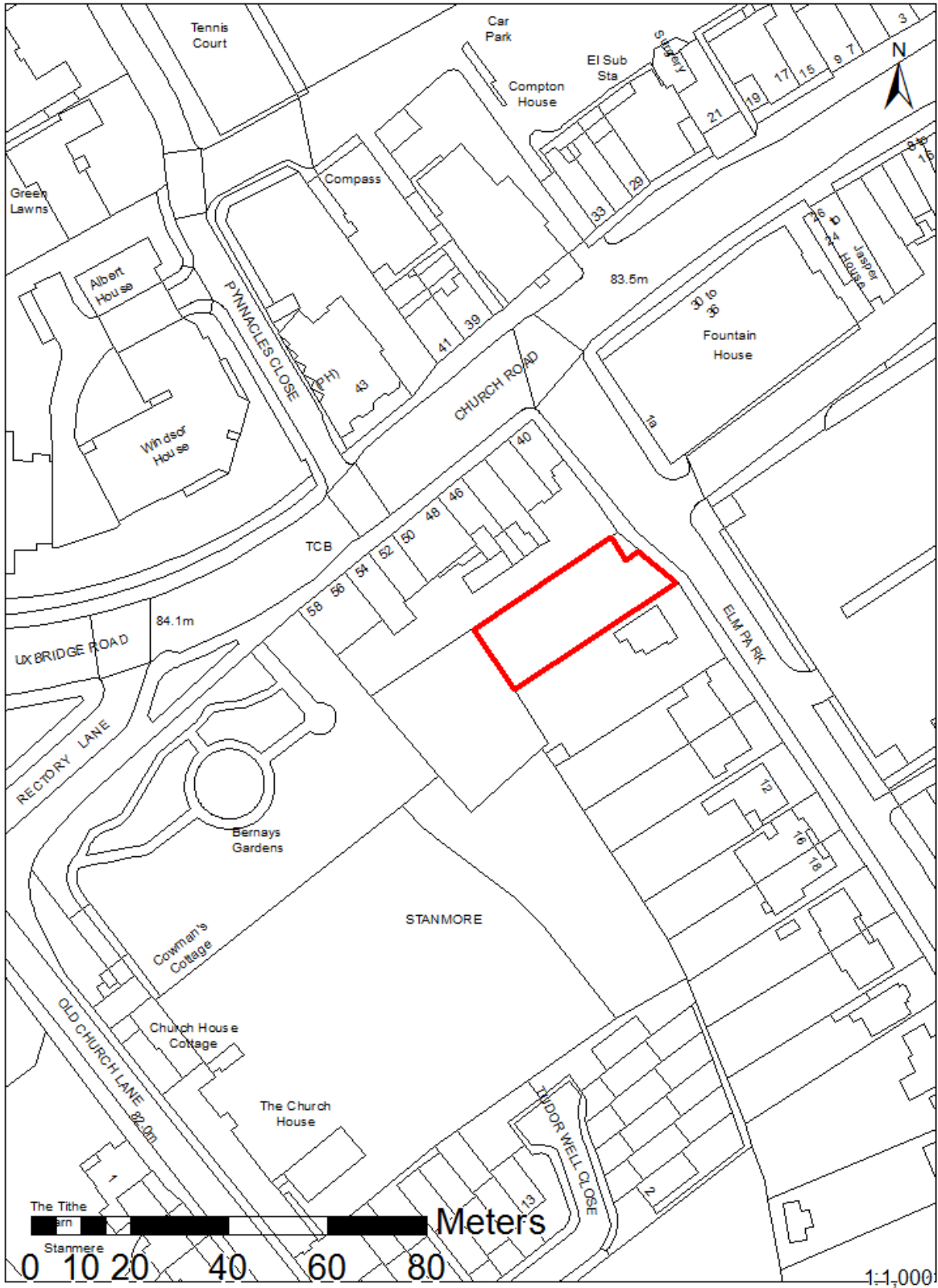
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 = application site



Garages adj & dwelling 4 Elm Park	P/2003/18
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# Linden House, South View Road



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

**25<sup>th</sup> July 2018**

**Application Number:** P/2003/18  
**Validation Date:** 18/05/2018  
**Location:** GARAGES ADJACENT AND DWELLING TO REAR  
OF 4 ELM PARK STANMORE  
**Ward:** STANMORE PARK  
**Postcode:** HA7 4BJ  
**Applicant:** HM II LTD  
**Agent:** MR STUART RACKHAM  
**Case Officer:** DAVID BUCKLEY  
**Expiry Date:** 27/07/2018

### **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 one two storey building for four flats; landscaping; separate and communal amenity space; bin / cycle storage

## **RECOMMENDATION**

The Planning Committee is asked to:

1) 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:

### **Heads of Terms for the Legal Agreement**

- i) Restriction of parking permits for future occupiers.
- ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement;

## **REASON**

The proposed development of the site would provide a quality development comprising of a satisfactory level of residential accommodation, thereby contributing to the Borough's housing stock. The housing development would be appropriate in terms of material presence, attractive streetscape, and good routes, access and make a contribution to the local area, in terms of quality and character.

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, by 25<sup>th</sup> October 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 appropriate mitigation measures to ensure the development would not exacerbate on street parking concerns of the proposed development, would fail to comply with the requirements of policies 6.9 of The London Plan 2016, Policy DM42 of the Harrow Development Management Policies Local Plan (2013), and core policy CS1.R of the Harrow Core Strategy 2012.



## **INFORMATION**

This application is reported to Planning Committee as the development is for four new residential units and it is subject to a Section 106 Agreement. It therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(E) Minor Developments
Council Interest:	None
<b>Net Additional Floor Area:</b>	293 sq m

**GLA Community Infrastructure (CIL) Contribution (provisional):** £ 10,255 (based on a £35 contribution per square metre of additional floorspace)

**Harrow Community Infrastructure (CIL) Contribution (provisional):** £32,230 (based on a £110 contribution per square metre of additional floorspace)

## **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	Garages adjacent and dwelling to Rear of 4 Elm Park Stanmore HA7 4BJ
Applicant	HM II Ltd
Ward	Stanmore Park
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	No

Housing		
Density (0.035 HA) 11	Proposed Density hr/ha	314 hr/ha
	Proposed Density u/ha	114 u/ha
	PTAL	PTAL 2
	London Plan Density Range	Urban Setting: 200-450 hr/ha
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	1 unit/ 25%
	2 bed (no. / %)	3 units/75%
	3 bed (no. / %)	
	4 bed (no. / %)	0
	Overall % of Affordable Housing	0%
	Affordable Rent (no. / %)	0%
	Intermediate (no. / %)	0%
	Private (no. / %)	4 units / 100%
	Commuted Sum	N/A
Comply with London Housing SPG?	Yes	
Comply with M4 <sup>(2)</sup> of Building Regulations?	Yes Subject to a planning condition, the scheme will meet accessibility requirement.	

<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	12 (disused garages)
	No. Proposed Car Parking spaces	0
	Proposed Parking Ratio	0
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	8
	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Stanmore Underground Station 1.0km
	Bus Routes	H12, 340, 142, 107
Parking Controls	Controlled Parking Zone?	Yes, CPZ Zone B
	CPZ Hours	3pm-4pm Mon Fri
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	Double yellow lines on Elm Park and London Road/Uxbridge Road
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	3 separate refuse storage areas, with one each for the front units and a shared storage area for the rear two units, located near the front of the site adjacent to the property at No. 4 Elm Park.

## **1.0 SITE DESCRIPTION**

- 1.1 The application site contains an existing house at No. 4 Elm Park, which has been divided in to 4 flats and also contains 12 garages running parallel to No. 4 Elm Park. These were previously rented out and are now no longer in use. The garages have a mono-pitched roof and measure 4.70m in height, with an eaves height of 2.85m and measure 34 m in depth, filling the full depth of the site along the northern side. The existing dwelling at the rear of the site measures 5m in height with a width of 8m and a small gap between this and the garages.
- 1.2 At the rear of the site facing No. 4 Elm Park is a two storey house facing towards 4 Elm Park, this was built without planning permission but it was regularised through a Certificate of Lawful Existing Development. To the south of the site is No. 6 Elm Park, a detached dwellinghouse, which has a similar roof form as No. 4 Elm Park. No. 4 Elm Park is a dwelling which was converted to flats and is under the same ownership as the development site.
- 1.3 The site to the rear is a currently vacant site that has planning permission for 6 new residential units on Church Road. To the north is a service road and retail units at the ground floor and upper floor flats on Church Road.
- 1.4 The site is located within a Critical Drainage Area. To the east of the site is the Old Church Conservation Area, although this does not abut the application site and so the site is not considered to have an impact on the character of the Conservation Area.
- 1.5 The PTAL level is 2 which is low.

## **2.0 PROPOSAL**

### *Scale and Massing*

- 2.1 The proposal is to demolish the existing garages and build 4 x residential units set over two floors including roof space. The building would be 'L' shaped, covering the area currently occupied by garages and also by the house to the rear that was built without planning permission. This house has been regularised through a Certificate of Lawful Development and as such it is a material planning consideration.
- 2.2 The main building facing towards Elm Park would be of similar design to the existing house at No. 4 Elm Park with a roof ridge at the same height and a similar roof form.

- 2.3 The front building would have a pitched roof with an eaves height of 5m and a full height of 8m. The width at the frontage would be 5.50m, with a depth of 16m, which is the same as the upper floor depth of the adjacent neighbour No. 4 Elm Park.
- 2.4 The rear building would have an eaves height of 4.50m and a full height of 7m. The width would measure 14m with a depth of the building of 5.50m.

#### *Elevations and Materials*

- 2.5 The main elevation materials would primarily be red brick, varied with red textured brick work. The roof tiles would be in red clay, with the side gate finished in painted timber.
- 2.6 The front elevation of the front building (Block A) would feature windows of a similar size and shape as that of the adjacent building at No. 4 Elm Park - The side elevation of block A would feature one window at first floor which would serve a stairwell.
- 2.7 The rear building, Block B, would have ground floor windows and rooflights, but no first floor windows facing in to the development. The rear elevation of Block B would feature small windows, rooflights and also a full-length set of windows/doors serving a living room with a recessed balcony.

#### *Residential Accommodation*

- 2.8 This would consist of 4 x residential units which are briefly described below:
- A.01 would be a 2 bedroom 3 person unit on the ground floor towards the front facing Elm Park.
  - A.02 would be a 2 bedroom 3 person unit on the first floor towards the front, immediately above A.01.
  - B.01 would be a 2 bedroom 4 person unit on the ground floor in the rear building.
  - B.02 would be a 1 bedroom 2 person unit on the first floor above unit B.01.

#### *Access, Outdoor Amenity Space and Landscaping*

- 2.9 The site would have two main access points. Units A.01 and A.02 which front on to Elm Park, would be accessed via a main entrance just off Elm Park, with stairs up to first floor flat A.02. The rear flats would be accessed via a side passage adjacent to the existing flatted development at No. 4 Elm Park. A staircase would run directly up to first floor flat B.02 and there would be a central entrance to flat B.01 on the ground floor.
- 2.10 The access would be set away from the flank wall of No. 4 Elm Park with a new landscaped zone and reconfigured pathway. Small gardens would be provided for Units A.01, A.02 and B.01, with a balcony for the upper floor, 1 bedroom flat B.02.

### *Car and Cycle Parking, Refuse Storage*

- 2.11 8 x cycle parking spaces are proposed, with separate storage areas for each respective unit.
- 2.12 No car parking spaces have been indicated and the Planning Statement states that it would be a car free development, due to the its town centre location in Stanmore. The existing space at the front of No. 4 Elm Park is currently used by the rear building that would be demolished.
- 2.13 The refuse storage would be located separately for Units A.01 and A.02 along the northern flank of the building, with a separate access to the bin stores. The refuse storage for B.01 and B.02 would be along the southern flank wall of the existing flats at No. 4 Elm Park.

### *Revisions to Current Application*

- 2.14 The current application has been revised as follows:
- The ground floor front window facing on to Elm Park has been increased in scale to improve outlook to the ground floor flat A.01.
  - Rooflights, which are intended to be clear-glazed have been added to the bedroom of the upper floor rear flat B.02.

### Revisions to Previous Application

- 2.15 The scheme has undergone significant revisions in comparison with the previously refused scheme reference P/2594/17. These can be summarised as follows, with the sub-headings following the reasons for refusal in the previous case:

#### *Character and Appearance/ Bulk and Scale*

- The scale of the development has been significantly reduced at the northern side, with the flank wall reduced in height from 3.50m to 2.20m.
- The rear building has been reduced in depth from 9m to 5.50m, leaving a low wall at a height of 2.20m along the side with a space of 12m between the two main buildings. This compared with a flank wall at a height of 3.50m in the previous scheme, with a space between the buildings of only 10m.

#### *Neighbouring Occupier Amenity- Overlooking/ Privacy*

- The first floor window and terraces facing upper floor flats on Church Road have been omitted

#### *Neighbouring Occupier Amenity- Light and Outlook*

- Reduced scale adjacent to No. 4 Elm Park

### *Refuse Storage*

- Refuse storage has been relocated away from neighbouring flats at No. 4 Elm Park.

### *Access Arrangements*

- The access arrangements have been amended so that only occupiers of the two rear flats (serving a maximum of 6 occupants in total) would pass the flank wall, with the pathway remodelled to take it further away from this flank wall.

### *Future Occupier Amenity*

- The number of units has been reduced from 5 to 4. While the occupancy of the development overall would be likely to be similar or slightly higher than in the previous proposal, all of the units are now located on one floor only, rather than two or even three in previous schemes and other issues related to light and outlook have been addressed.
- Purpose-built storage has been supplied within each unit

### *Outdoor Amenity Space*

- The quality of the outdoor amenity spaces have been significantly improved, with the outdoor spaces increased in size and located at ground floor only, with a greater degree of privacy and outlook.



### 3.0 RELEVANT PLANNING HISTORY

Reference Number	Development Description	Decision / Date	Reason for Refusal
P/2594/17	Redevelopment To Provide Single And Two Storey Building With Accommodation In Roof To Create A Total Of Five Flats; Refuse And Cycle Storage; Amenity And Landscaping	Refused: 31/08/2017	<ol style="list-style-type: none"> <li>1. The proposal, by reason of poor design, excessive bulk and scale, would result in a development of poor quality and incoherent design, that would appear cramped within the site and would be excessively bulky, particularly above ground floor and would result in a gross overdevelopment of the site, to the detriment of the character and appearance of the immediate locality, the street scene and the area generally, contrary to the high design aspirations of the National Planning Policy Framework (2012), policies 7.4B and 7.6B 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).</li> <li>2. The proposal, by reason of the close proximity and orientation of first floor windows, balconies and terraces facing habitable rooms in nearby existing buildings, would result in an unacceptable degree of perceived and actual overlooking and loss of privacy to the occupiers of upper floor flats at No's 40-54 (even numbers) Church Road, contrary to policy 7.6B of The London Plan (2016), policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document: Residential Design Guide 2010.</li> <li>3. The proposal, by reason of its excessive scale and bulk in close proximity to neighbouring gardens and habitable rooms, would result in an unacceptable sense of enclosure and loss outlook and visual amenity to the occupiers Flats at No. 4 Elm Park, contrary to policy 7.6B of The London Plan (2016), policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document: Residential Design Guide 2010.</li> <li>4. The proposal, by reason of lack of appropriately located refuse storage would result in an unacceptable servicing arrangement from a private access road outside the site boundary, contrary to policies DM1 and DM45 of the Harrow Development Management Policies Local Plan (2013).</li> </ol>

			<p>5. The proposal, by reason of lack of adequate access arrangements, would result in an excessive degree of nuisance and disruption to existing occupiers of the flats at No. 4 Elm Park and the dwellinghouse at No. 6 Elm Park, contrary to policies DM1 of the Harrow Development Management Policies Local Plan (2013).</p> <p>6. The proposed residential units, by reason of their lack of purpose built storage space, failure to demonstrate adequate floor to ceiling heights and poor degree of natural light and outlook, would result in substandard, cramped and poor quality accommodation, that would fail to be inclusive in design, to the detriment of the residential amenities of future occupiers, contrary to policies 7.6B of The London Plan (2016), policy DM1 of the Development Management Policies Local Plan (2013), the Supplementary Planning Document: Residential Design Guide (2010), the Technical Housing Standards Nationally Described Space Standards (2015) and the Mayor of London Housing Supplementary Planning Guidance (2016).</p> <p>7. The proposed outdoor amenity space would be unacceptable due to a poor degree of privacy and outlook, resulting in an inadequate standard of amenity for the future occupiers of the proposed units, contrary to policy DM1 and DM 27 of the Harrow Development Management Policies Local Plan (2013), the Harrow Residential Design Guide SPD and the Mayor of London Housing Design Guide SPG (2016).</p>
P/5010/16	Redevelopment To Provide Two X Two Storey Buildings With Accommodation In Roof To Create A Total Of Six Flats; Refuse And Cycle Storage; Amenity And Landscaping	Refused: 13/01/2017	<p>1. <i>The proposal, by reason of poor design, excessive bulk and scale, and use of inappropriate features including front balcony, would result in a development of poor quality and incoherent design, that would appear cramped within the site and would be excessively bulky particularly at higher floors and result in an overdevelopment of the site, to the detriment of the character and appearance of the street scene and the area, contrary to the high design aspirations of the National Planning Policy Framework (2012), policies 7.4B and 7.6B 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> <p>2. <i>The proposal, by reason of the close proximity and orientation of first and second floor windows</i></p>

			<p><i>directly facing neighbouring gardens and habitable rooms would result in an unacceptable degree of perceived and actual overlooking and loss of privacy to the occupiers of No. 6 Elm Park, Flats at No. 4 Elm Park and occupiers of upper floor flats at No's 40-54 (even numbers) Church Road, contrary to policy 7.6B of The London Plan (2016), policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document: Residential Design Guide 2010.</i></p> <p><i>3. The proposal, by reason of its excessive scale and bulk in close proximity to neighbouring gardens and habitable rooms, would result in an unacceptable sense of enclosure and loss of light and outlook to the occupiers of No. 6 Elm Park and Flats at No. 4 Elm Park, contrary to policy 7.6B of The London Plan (2016), policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document: Residential Design Guide 2010.</i></p> <p><i>4. The proposal, by reason of lack of appropriately located refuse storage and adequate access arrangement, would result in an excessive degree of nuisance and disruption to existing occupiers of the flats at No. 4 Elm Park and the dwellinghouse at No. 6 Elm Park, contrary/ to policies DM1 and DM45 of the Harrow Development Management Policies Local Plan (2013).</i></p> <p><i>5. The proposed residential units, by reason of their poor design and layout, inadequate sizes, lack of purpose built storage space and failure to demonstrate adequate floor to ceiling heights and poor degree of natural light and outlook, would result in substandard, cramped and poor quality accommodation, which would fail to be inclusive in design, to the detriment of the residential amenities of future occupiers, contrary to policies 3.5C, 7.2 and 7.6B of The London Plan (2016), policies DM1 and DM2 of the Development Management Policies Local Plan (2013), the Supplementary Planning Document: Residential Design Guide (2010), the Technical Housing Standards Nationally Described Space Standards (2015) and the Mayor of London</i></p>
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			<p><i>Housing Supplementary Planning Guidance (2016).</i></p> <p>6. <i>The proposal has failed to demonstrate that there would be been sufficient / acceptable provision made for private outdoor amenity space for the residential units, resulting in an inadequate standard of amenity for the future occupiers of the proposed units, contrary to policy DM1 and DM 27 of the Harrow Development Management Policies Local Plan (2013), the Harrow Residential Design Guide SPD and the Mayor of London Housing Design Guide SPG (2016).</i></p>
P/5010/16/52 06 APP/ APP/M5450/ W/17/317814 7	Planning Appeal for Planning Reference P/5010/16: Redevelopment To Provide Two X Two Storey Buildings With Accommodation In Roof To Create A Total Of Six Flats; Refuse And Cycle Storage; Amenity And Landscaping	Appeal Dismissed	

#### 4.0 **CONSULTATION**

4.1 A total of 25 neighbours were sent consultation letters on the initial consultation. The expiry date for the consultation was 08/06/2018. A second consultation was undertaken based on revised plans received. The expiry date for this was 12/07/2018.

#### 4.2 **Adjoining Properties**

Number of Letters Sent	25 (per consultation)
Number of Responses Received	03
Number in Support	0
Number of Objections	03 (in total)
Number of other Representations (neither objecting or supporting)	0

<b>Details of Respondents</b>	
<b>1.</b>	Elm Park Residents Association
<b>2.</b>	Mr Robert Stones, 40 Church Road, Stanmore (responded to consultation and reconsultations)

<b>Comments Objecting to the Proposal</b>		
<b>Subject of Comments</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
<b>Character and Appearance</b>	Out of character, poor visual amenity. Planning Inspectors previous decision highlights this.	The scale of the development on the character of the area is addressed in the 'Character and Appearance' section of the report below.
<b>Conservation Area</b>	Impact on nearby Conservation Area and adjoining Listed Wall in Bernays Garden.	The Conservation Officer concluded in previous schemes that there would be no harm to heritage assets. The current proposal is reduced in scale.
<b>Neighbouring Amenity/ Overdevelopment</b>	There are existing permissions for rear of church road, the proposal would create a dangerous 'back alley'	This is addressed in the body of the report below.
<b>Traffic and Parking</b>	<p>Already traffic problems in the area, due to Sainsbury's. Further residents, visitors, delivery vehicles etc. would exacerbate existing problems. Complaints by shop holders that they have difficulty accessing rear of their premises. No controls so would result in new residents parking without permission.</p> <p>The site is not a Town Centre, but a District Centre, no restriction on vehicles, will exacerbate existing problems, deliveries, etc.</p>	This is addressed in the body of the report below.

<b>Flood Risk</b>	Increased development, surface water run-off, sewers overflowing.	This is addressed in the body of the report below.
<b>Construction Issues</b>	Construction phase, difficulty of vehicle entry.  Businesses parking spaces could be affected during construction phase. Staff from their businesses coming and going.	Noise, fumes and working hours during the construction period will be addressed through planning conditions via a Construction Management Plan/ Construction Statement. There are also environmental health regulations which apply to construction work, but are outside the remit of planning.
<b>Planning Issues</b>	Existing garages and buildings on site have been extended without planning permission and represent an eyesore. Issues with Bats	The lack of planning permission for existing garages and rear building is acknowledged. However, due to the longstanding nature of these developments, their presence is considered a material planning consideration.  Biodiversity issues have been addressed within the report.
<b>Covenants</b>	Not a planning issue, but covenants do not allow more than 1 property per plot, can be legally challenged.	As stated in the comment this is not a material planning consideration as it would be covered under private property rights and so would not be assessed as part of this application.

#### 4.3 Statutory and Non Statutory Consultation

4.4 The following consultations have been undertaken:

- LBH Highways
- Planning Policy
- Design Officer
- Drainage Engineering Officers
- Waste Management Officers

#### 4.5 Internal Consultation

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

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
LBH Highways	<p>Highways response as follows:</p> <p><u>Summary</u> A development proposal of this size is not likely to generate excessive amounts of traffic or parking demand however, the site is within a PTAL 2 location. Attention should be given to DM42 is given with regard to the Council's position on car free developments in particular, the availability of on-street space and public car parks are considered a disincentive to use alternative modes of transport.</p> <p><u>Disabled Parking</u> It is also necessary to ensure that the parking needs of disabled people are met; at present the proposal does not appear to address this.</p> <p><u>Parking</u> If the garages are not currently in use it would be difficult to argue that parking would be affected. It is not possible to park on-street in the immediate vicinity as this section of Elm Park is covered by 'at any time' waiting restrictions. The car park opposite 4 Elm Park is privately operated and has a maximum stay of 2 hours, therefore this isn't really an option for parking for residents either.</p> <p>The only remaining concern in relation to parking would be the effect this development would have overnight; a parking survey would demonstrate</p>	Comments noted and are addressed in the relevant section of the report below.

	<p>whether there would be any capacity on-street however, due to the constraints involved with owning a car whilst living in this development, we would not anticipate high numbers seeking overnight parking</p> <p><u>Car-Free Development</u> To support the car free element, it would be appropriate to impose a resident permit restriction which would mean that residents of the development would not be entitled to apply for resident or visitor parking permits and couldn't park in the surrounding CPZ during hours of operation.</p> <p><u>Conclusion/ Required Conditions/Cycle Parking/Construction Plan</u> We would have no objection to the principle of the proposed development but would require information on parking for disabled residents. Should this application be granted there should be conditions applied for cycle parking storage – quantity, locations and type of storage; construction method statement/logistics plan and a legal agreement for resident permit restriction.</p>	
<p>Drainage Engineering Officers</p>	<p><b><u>Drainage Requirements:</u></b> 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:</p> <ul style="list-style-type: none"> <li>• The applicant should submit drainage details <b>in line with our standard requirements attached.</b></li> <li>• The applicant can contact Thames Water developer services <b>by email:</b> <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> or <b>by phone:</b> 0800 009 3921 or on Thames Water website <a href="http://www.developerservices.co.uk">www.developerservices.co.uk</a> for drainage connections consent.</li> <li>• <b><u>Proposed Hardstandings</u></b> 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.</li> </ul>	<p>Comments noted and are addressed in the relevant section of the report below.</p>



	Please be informed that the <b>requested details can be conditioned with pre-commencement conditions, attached are our standard drainage conditions/informative for reference.</b>	
Waste Management	No objection received	N/A
Biodiversity Officer	No objection to the proposal, subject to comments in the main body of the report.	See main body of the report.

## 5 **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, 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].

5.4 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 and Appearance
- Amenity of Neighbouring Occupiers
- Amenity of Future Occupiers
- Development and Flood Risk
- Traffic, Parking, Servicing and Construction Issues
- Secure by Design Issues
- Sustainable Development/Development and Flood Risk

### 6.2 Principle of Development

6.2.1 The proposal for residential development was found acceptable in principle for 6 flats and 5 flats respectively, in the previously refused applications, references P/5010/16 and P/2594/17. In the appeal decision on the former application, reference P/5010/16, (Harrow appeal reference P/5010/16/5206 PINS Reference APP/M5450/W/17/3178147) the Planning Inspector stated in paragraph 44 of his report that he took no issue with the principle of development on this site within the urban area for residential purposes and agreed that the proposal makes effective use of previously developed land in accordance with one of the core planning principle of the NPPF. Relevant policy and site circumstances have not changed significantly since then and so the same view is taken in regard to the principle of the current proposal for four flats.

### 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 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. The construction in the site would result in some temporary jobs within the Borough, which would be throughout the duration of the construction process.

- 6.3.3 It is therefore considered that while the development does not have a particular emphasis on regeneration, it would not be contrary to the objectives highlighted above.

## **6.4 Character and Appearance of the Area**

6.4.1 The National Planning Policy Framework (NPPF) was published by the Government on March 27th 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38(6) of the Planning Act). The development plan for Harrow comprises The London Plan 2016 [LP] and the Local Development Framework [LDF].

6.4.2 The NPPF states (paragraph 64) that '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'. The NPPF continues to advocate the importance of good design.

6.4.3 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. Core Strategy 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'. Policies D1 and D2 of the draft London Plan 2017 address issues of character and appearance and while this policy has not yet been implemented it is still a material planning consideration.

6.4.4 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".

### *Scale and Siting*

6.4.5 A neighbour objection has been made that the proposal is excessive in scale, resulting in overdevelopment of the site, which was referred to in the Planning Inspectors report previously.

6.4.6 In the Planning Inspector's report, in dismissing an appeal related to a previously refused scheme (appeal reference P/5010/16 and APP/M5450/W/17/3178147), attention was drawn to the lack of space between No. 4 and the proposal as it is uncharacteristic of the prevailing pattern of development along Elm Park, and would

appear odd and ill at east within the street scene. In addition, the ridge height beyond No. 4 Elm Park, to the full depth of the site with a wraparound was considered excessive. In the subsequently refused application reference P/2594/17, the proposal was reduced in depth and also refused partly by reason of excessive scale and bulk and the space between buildings was referred to. There is no appeal decision related to application P/2594/17 and so there is no guidance from the Planning Inspectorate as to the acceptability of that scheme.

- 6.4.7 In the current proposal, the depth of the front building is similar to that in the previously refused scheme and there is still the same lack of space between the proposed development and the neighbouring flats at No. 4 Elm Park. The ridge height would be in line with No. 4. However, the scale of the development overall has been significantly reduced. Due to the omission of the linking element between blocks A and B, the northern, flank wall would be reduced in height from 3.50m to 2.20m. Also, Block B, the rear building would be reduced in depth from 9m to 5.50m, leaving a low wall at a height of 2.20m along the side with a space of 12m between the two main buildings.
- 6.4.8 Overall in terms of its built mass and scale, the current proposal has overcome the previous reasons for refusal and is considered acceptable in this regard, in accordance with policy DM1.

#### *Appearance/ Materials*

- 6.4.9 In the previously refused scheme reference P/2594/17 part of the reason for refusal related to detailing, with the front elevation showing detailing similar to balconies which was not considered appropriate. It was also considered that the windows and other detailing would not be in keeping with the building at No. 4 Elm Park and the surrounding street scene. In the current proposal, the detailing is much more in keeping with the building at No. 4 Elm Park: the window proportions and heights are much more similar to No. 4, the balcony-style details have been omitted and the low wall has been reduced in height to correspond to that at No. 4. While it would not be appropriate to entirely reproduce the detailing of No. 4, this amended detail reduces the extent to which they contrast and has overcome previous concerns related to character and appearance.
- 6.4.10 The main elevation materials would primarily be red brick, varied with textured red brick work. The roof tiles would be in red clay, with the side gate finished in painted timber. This would be largely in keeping with the character and appearance of the area. The previous refusals did not relate specifically to materials and in the current proposal. Subject to a condition requiring submission of sample materials, the proposed materials are considered acceptable in accordance with policy DM1.

### *Landscaping*

- 6.4.11 Policy DM23 of the Harrow Development Management Policies Local Plan (2013) states that proposal should make appropriate provision for hard and soft landscaping of forecourts
- 6.4.12 In the previously refused scheme reference P/2594/17 and the scheme prior to that, reference P/5010/16 it was found that although the proposal would not have introduced any green landscaping, aside from at the side/rear which would not be visible within the street scene this would not represent a reason for refusal in itself. This is largely the same in the current scheme and as relevant policy and site circumstances have not changed, the same view would be taken, i.e., this would not represent a reason for refusal. There would be a small forecourt area and so a condition has been attached requiring landscaping details for this area.

### *Refuse Storage*

- 6.4.13 Policy DM45 addresses waste management. This states that: "A. 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:
- 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."
- 6.4.14 In the previously refused scheme reference P/2594/17 the refuse storage would have been inside the building with the cycle storage and would have been serviced off the service road to the north. This arrangement would have been considered unacceptable as the refuse bins would all have been accessed from outside the site with bins placed on the private access road itself. In the current proposal, only units A.01 and A.02 would access their refuse bins from this northern side. Moreover, Unit A.02 can also access their refuse bins via the staircase leading to their rear garden/courtyard. This, while not an ideal arrangement is significantly improved and would overall provide satisfactory location and positioning for collection. Moreover, with the number of units reduced from 5 to 4 this would also help to reduce concerns in this regard. The proposed refuse arrangements in the current scheme are considered to have overcome the previous reason for refusal in this regard, in accordance with policy DM45. Neighbouring amenity issues related to refuse storage will be addressed in the section below.

### Conclusion

6.4.15 Subject to the conditions mentioned above, it is considered that the external appearance and design of the development have overcome the previous reasons for refusal and 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, policies DM1 and DM23 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.

### **6.5 Amenity of Neighbouring Occupiers**

6.6 Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 'Achieving a High Standard of Development' sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also adopted a Residential Design Guide SPD.

### *Neighbours Light and Outlook*

6.4 In the previously refused scheme reference P/2594/17, it was considered that the proposed development at two storeys would enclose No. 4 Elm Park and would be in close proximity to No. 6 Elm Park at two storey height, with a scale significantly larger than the existing buildings on site.

6.5 The building height along the flank wall has been reduced significantly in the current scheme and with a full height of the flank wall of 2.20m, which would be much lower than the existing garages and would improve outlook for neighbours at No. 4 and No. 6 Elm Park in comparison to the existing relationship. The applicant has submitted a Daylight and Sunlight Report which is referred to in the applicant's submission and states that there would not be harm to the neighbouring occupiers in terms of daylight/sunlight. The findings of this report have not been verified by an independent source, but the reduced scale of the development in comparison to the previous scheme is such that it is considered that this previous reason for refusal has been overcome, in accordance with policy DM1. As per the previously refused scheme, the distance to flats to the north on Church Road is sufficient that it would not result in harm to these neighbours amenity in terms of light and outlook.

6.6 In the previously refused scheme reference P/2594/17, the balcony to the northern side wall was found unacceptable due to perceived and actual overlooking to neighbouring flats to the north on Church Road. In the current proposal these have been omitted, with the only flank window serving a corridor, which would be of a nature and distance sufficient to ensure an acceptable relationship in this regard.

- 6.7 In other respects the previously refused scheme was found acceptable in terms of overlooking and privacy. The current scheme is reduced in scale and would not result in a greater degree of overlooking to neighbours at No. 4 and 6 Elm Park than is the case in the current arrangement.
- 6.8 It is noted that there is extant planning permission for 6 x flats on a site to the rear of the garages, at an address of rear of 56-58 Church Road. While this scheme has not been substantially commenced it is expected to be built out shortly. The upper floor windows of the subject development would not directly overlook the proposed windows/habitable rooms of rear of 56-58 Church Road and as this scheme does not currently exist on site, while it is a material planning consideration it is not afforded the same weight as a scheme which is actually completed and in use on site.
- 6.9 Overall, the current proposal has overcome the previous concerns in relation to neighbouring amenity, in terms of overlooking and privacy and has not created new concerns in this regard and would be considered acceptable in accordance with policy DM1 and other relevant policy considerations.

#### *Access and Refuse Arrangements*

- 6.10 In the previously refused scheme it was found that the entrance located on the southern side entrance of the site at No. 4 Elm Park, for the 5 new units, as well cycle storage would have resulted in a much heavier use of this access than is the case at present, requiring future occupiers accessing the site directly along the entire length of the flank wall at No. 4 as well as passing along the side and rear of their rear garden and excessive disruption to the occupiers of No. 4 Elm Park as well as those at No. 6 to the south.
- 6.11 In the current proposal, the arrangement has been significantly altered. There would only be 2 flats, the rear units at B.01 and B.02 accessing their flats from the southern side adjacent to No. 4 Elm Park rather than occupiers of 5 flats as was the case in the previously refused scheme. Furthermore, the current proposal includes a reconfigured pathway and a new landscaped zone which would ensure that future occupier would remain 1.7m from the flank wall of No.4 as they passed by. The screening with vegetation would help to increase the sense of privacy for No. 4 Elm Park which would also extend along the side of the rear garden which serves Flat 2 at No. 4 Elm Park. Overall the current arrangement, subject to conditions requiring further details of the screening and boundary treatment would overcome the previous reason for refusal related noise and disruption in accordance with policy DM1 of the Harrow DM Policies.

## 6.12 Future Occupier Amenity

- 6.13 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.
- 6.14 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.
- 6.15 In the previously refused scheme reference P/2594/17 the proposed new units were considered unacceptable in terms of future occupier amenity in relation to lack of purpose built storage space, failure to demonstrate adequate floor to ceiling heights and poor degree of natural light and outlook. In the current proposal, significant revisions have been made which will be addressed below.

### *Proposed Units Sizes*

- 6.16 All of the proposed units meet London Plan standards in terms of overall unit sizes. All of the bedrooms meet space requirements and purpose built storage requirements.

### *Floor to Ceiling Heights*

- 6.17 The floor to ceiling heights on the ground floor would be over 2.5m and so would meet the London Plan requirements. The second floor unit B.02 would be partly located in the roof area and as a result, only approximately 70% of the unit would have a floor to ceiling height above 2.50m, which would not fully comply with London Plan requirements. The area over 2.50m in height would be 45 sq m and as the overall GIA space requirement for a flat like this is 50 sq m, this would be considered acceptable. In the front building, while flat A.02 is located in the roof, the eaves height would be 2.5m and the floor area of 75 sq m, far exceeds the 61 sq m required by London Plan standards. On this basis, the scheme would be considered acceptable in this regard.

### *Light, Outlook, Privacy and Overall Layout*



- 6.18 In the current application, all of the units offer an acceptable degree of light, outlook and privacy to future occupiers. Areas of specific concern in this proposal were the degree of light to the front living room of A.01 as the depth of this kitchen/living/dining room is over 8m. As a result the proposal has been revised so that the front window would be increased in size to be relatively large, offering an acceptable degree of light and outlook to future occupiers. The low wall in front of this would also be reduced in height as part of the development to improve outlook which would offer an acceptable situation for future occupiers. Another area of concern was the degree of light and outlook to the bedroom of the upstairs rear flat B.01. However, this has now been revised so that as well as a window, it would have two clear-glazed rooflights, which is considered acceptable.
- 6.19 Aside from this, in the previously refused scheme there were concerns due to main windows of habitable rooms being located close to high walls. In the current proposal, the windows to habitable rooms facing in towards the development would only be adjacent to single storey walls, so that although they would be relatively close to these, there would still be sufficient light and outlook.
- 6.20 Another concern in the previously refused scheme was privacy for the future occupiers of the ground floor rear units as other future occupiers would walk past their windows to access their own flat entrances. In the current scheme it has been rearranged so that only occupiers of flat B.01 could walk past their windows and so there would not be overlooking or loss of privacy. In this regard the scheme has overcome previous reasons for refusal and is considered acceptable in accordance with policy DM1 in terms of future occupier amenity.

#### *Outdoor Amenity Space*

- 6.21 Policy DM27 'Amenity Space' states that residential development proposed should provide appropriate amenity space to serve future occupiers needs and that should be in keeping with the character and pattern of the area. It goes on to state that proposals that would fail to provide appropriate amenity space will be refused.
- 6.22 The Mayor of London Housing Design Guide 4.10.1 states that a minimum of 5 sq m of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq m should be provided for each additional occupant.
- 6.23 In the previously refused scheme reference P/2594/17 it was found that the proposed outdoor amenity spaces met space requirements highlighted above. However, there were concerns over the ground floor terraces, due to their limited depth of 1.6m and high level partitioning, which was designed to avoid loss of privacy but resulted in poor degree of outlook. This unacceptable level of outdoor amenity space formed one of the reasons for refusal.
- 6.24 In the current proposal, the number of units is reduced from five to four. All of the units have been provided with private outdoor amenity space and all meet the space requirements highlighted above. The units in Block A would both have a ground floor patio to the rear of Block A. These spaces are relatively small and have partitioning around them, but as this would only be to a single storey level and both can access their outdoor space directly from their flats, this is considered

acceptable. The patio for unit B.01 at ground floor rear would be a private space and there would be an acceptable degree of privacy and outlook. The site context, i.e., a built up area and the fact that these units are only of limited occupancy also needs to be taken into account. The upstairs balcony would provide an appropriate level of amenity space for flat B.02 and the recess would provide privacy. Overall, taking into account the site constraints, the outdoor amenity space has overcome the previous reason for refusal and is considered acceptable in accordance with policy DM1 and DM27.

## 6.25 Traffic, Car/Cycle Parking

- 6.26 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. London Plan policy 6.3 states that 'development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed'. Policies 6.9 and 6.10 relate to the provision of cycle and pedestrian friendly environments, whilst policy 6.13 relates to parking standards. Core Strategy policy CS1.Q seeks to 'secure enhancements to the capacity, accessibility and environmental quality of the transport network', whilst policy CS1.R reinforces the aims of London Plan policy 6.13, which aims to contribute to modal shift through the application of parking standards.
- 6.27 It is noted that the Draft London Plan 2017 has higher cycling requirements. However, as an emerging document this carries limited weight and the scheme meets current London Plan cycle parking standards.
- 6.28 Policy DM42 of the Harrow DM Policies states that proposals for car-free development within town centres will be supported where it can be demonstrated that:
- a. there is sufficient public transport capacity to serve the trip demand generated by the development;
  - b. there would be adequate safeguards against parking on the surrounding highway network and in public car parks; and
  - c. the needs of blue badge holders would be met.

### *Traffic Intensity*

- 6.29 The development is intended to be car-free. The response from the Highways Authority states that a development proposal of this size is not likely to generate excessive amounts of traffic or parking demand. This was the same view taken with the original proposal reference P/5010/16, which was a 6 unit development, rather than the current 4 unit development. However, the Highways response does highlight the fact that the site is within a PTAL 2 location which is considered low. It is noted as per neighbour objections that the site is not within a town centre as such and that usually car free developments are located in those areas.

- 6.30 The Highways response goes on to state that if the garages are not in use and that there is no on-street parking then there is little option for parking nearby and that the development would by necessity become car-free. The issue of overnight parking was raised which could be determined through a parking survey, but due to the limited scale of the development, this was not considered necessary by the Highways Authority. A legal agreement restricting parking permits for future occupiers will be required if the scheme is recommended granted, which will prevent on street parking, except by illegal means which would be dealt with by the proper authorities.
- 6.31 A neighbour objection was made related to parking in the private access road. However, that could happen at the present time and as this is a private road it is outside of the Highways Authority jurisdiction. While the point that this may impact on nearby businesses is noted, this could still be the case at present with the vacant garages or if the garages are in use and it is a matter that should be addressed with the owner/interested parties to the private road.

#### *Disabled Parking*

- 6.32 Policy DM42 (part C.c) of the Harrow Development Management Policies Plan confirms that "Proposals for car-free development within town centres will be supported where it can be demonstrated that the needs of blue badge holders would be met".
- 6.33 The highways response states that it is necessary to ensure that the parking needs of disabled people are met as per policy DM42 at present the proposal does not appear to address this.
- 6.34 The applicant has responded on this point, stating that the existing driveway in front of No. 4 is within the applicant's ownership and used by the existing owner of the rear dwelling (being demolished), this can also be used to meet any needs arising from the proposal and is considered acceptable in meeting the requirements of this policy.

#### *Cycle Parking*

- 6.35 The level of cycle parking is acceptable, but should be conditioned for details of quantity, location, and type of storage, which will be secured via a planning condition.

#### *Summary*

- 6.36 In a larger development there would be greater concerns about a car-free development in this location. However, it is only of limited scale and with restrictions as described above it would be considered acceptable in line with policy DM42 subject to further details related to disabled parking in order to meet policy DM42.c.

### *Refuse, Servicing and Emergency Services Access*

- 6.37 Refuse storage is proposed to be located within the front garden in a communal store and along the side of the building. This would be accessible for future occupiers and would be a sufficient distance from the future occupier units and from the site boundaries to avoid harm to amenity. This would be sufficiently close to the site boundary to be accessible for collection and it will be conditioned to be kept in the storage area except on collection days.
- 6.38 A neighbour objection has been made that the proposal could restrict access for emergency vehicles. There is no available street parking as highlighted above so future occupiers could not park in the front and block emergency vehicles. If vehicles were parked on the private road, this would be an issue related to the owner of the road and it is unlikely that this situation would be worse than at present with garages to the side.

### *Construction Logistics Plan*

- 6.39 A neighbour objection was also made that there would be noise/disruption and traffic during the construction phase. The Highways Authority requires a construction logistics plan which has been addressed through a planning condition which would need to address traffic and parking as well as noise, pollution, etc.

### **6.40 Flood Risk and Development**

- 6.41 A neighbour objection has been made in relation to development and flood risk. The site is not in a higher risk flood zone and the proposed footprint would be similar to the existing. The Council's Drainage Team has made comments in relation to requirements for sustainable drainage measures and surface water run-off as well as permeable hard surfacing.
- 6.42 Subject to conditions on this basis, the scheme is considered acceptable in terms of flood risk and development in accordance with Harrow Development Management Policy DM10.

### **6.43 Accessibility**

- 6.44 New National Standards require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. It is acknowledged that the flats at upper floor level would not be suitable for wheelchair users. However, this is still an important requirement and so a condition has been attached to ensure that the proposed dwellings will meet regulation M4 (2) as far as possible.

#### 6.45 **Ecology and Biodiversity**

- 6.46 Policy 7.19C (a) of The London Plan (2016) states that development should, wherever possible; make a positive contribution to the protection, enhancement, creation and management of biodiversity. Policy DM 20 of the Harrow Development Management Policies Local Plan (2013) relates to Protection of Biodiversity and Access to Nature. This states that proposals that would harmful to locally important biodiversity or increase deficiencies in access to nature will be resisted.
- 6.47 It is noted that one of the neighbour objections to this case mentioned environment for bats in the garages. In the previously refused schemes reference P/5010/16 and P/2594/17, the applicant submitted a report from a wildlife expert to demonstrate that there would not be harm to protected species including bats and wild birds. This submission also includes recommendations that mitigation measures should be implemented to reduce any impact of the development proposal on local wildlife. This report has been resubmitted with the current application
- 6.48 The Council's Biodiversity Officer responded stating that the submitted documents are acceptable. However, the response went on to state that drawings/plans for enhancements should be submitted and that if it is to be a flat roof then it will need to be a green roof with wild flowers as the desired planting with the appropriate substrate depth and that they would need to avoid doing so in the breeding bird season.
- 6.49 In the current submission there are no flat roof areas proposed and so the green roof enhancements etc. would not be required. There have been no changes to relevant policy and site circumstances since that time.

### *Summary*

- 6.50 In summary, subject to condition requiring the works to be undertaken in accordance with the recommendations of the biodiversity report which would limit harm to biodiversity assets, the proposal would comply with policy DM 20 of the Harrow Development Management Policies Local Plan (2013).
- 6.51 **Secure by Design Issues**
- 6.52 Secured by Design (SBD) is a UK Police flagship initiative that advocates designing out crime to promote safer neighbourhoods. It has been integrated in to planning Policy via the London Housing Design Guide.
- 6.53 A condition has been attached to ensure that the scheme complies with SBD requirements. For further information the applicant can contact the North West London Designing Out Crime Group on the following:  
[DOCOMailbox.NW@met.police.uk](mailto:DOCOMailbox.NW@met.police.uk)

### **Conclusion**

- 6.54 The principle of providing residential accommodation at the application site, as previously, is considered acceptable. In terms of the previous reason for refusal these covered character and appearance, neighbouring occupier amenity, future occupier amenity including outdoor amenity space, refuse storage and refuse arrangements. The current proposal is considered to have overcome these previous reasons for refusal and would be considered to have an acceptable impact in all the issues highlighted above, and on this basis it is considered that the current proposal, subject to planning conditions and a legal agreement requiring restriction of parking permits is acceptable.
- 6.55 The 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 proposal 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.
- 6.56 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: 1601\_P1401\_A; 1601\_P1401\_A; 1601\_P403\_A; 1601\_P405\_A; 1601\_P406; 1601\_P407; 1601\_P408; 1601\_P409; 1601\_P410; 1601\_P411; 1601\_P308 A; Planning, Daylight and Sunlight Report dated September 2016; 1601\_08\_180420 (Design and Access Statement); Planning Statement dated May 2018; 1601\_P301; 1601\_P302; 1601\_P303; 1601\_P304; 1601\_P305; 1601\_P306; 1601\_P307; 1601\_P400; Ecological Survey reference 163335/JDT.

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

#### 3. Materials

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

a: the building

b: the ground surfacing

c: internal and external boundary treatments (including indication of heights)

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 high quality and acceptable materials would be used in the construction of the development and that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

#### 4. Construction Logistics Statement

No development shall take place until a Construction 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

REASON: To ensure that the construction of the development does not unduly impact on highway safety and the amenities of the existing occupiers of the properties adjacent to the site. To ensure that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

#### 5. Restriction of HMO

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.



## 6 Levels

The development of the proposed building 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.

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 that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

## 7 Drainage

Notwithstanding the approved plans, the construction of 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 are 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.

### Fencing During Construction

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

a: the frontage

b: the boundary

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

REASON: In the interests of amenity and highway safety.

## 9 Refuse Storage

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. The refuse storage area shown on the approved plans shall be allocated as indicated. Access to the refuse storage area shall not be obstructed on collection days.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area and to minimize disruption to the highways network.

10 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 interest of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

11 Cycle Storage

Notwithstanding the approved plans, prior to practical completion of the development, details of safe and secure cycle storage for eight bicycles for the use of future occupiers shall be submitted to the local planning authority to be approved in writing. The bicycle storage shall be implemented in accordance with the approved details and shall thereafter be retained in that form.

REASON: To provide safe and secure cycle storage for the use of future occupiers.

12 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 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.

13 Biodiversity/Ecology

The development hereby permitted shall be undertaken in accordance with the recommendations of the approved Ecological Survey reference 163335/JDT and retained in that form thereafter.

REASON: To minimize any harm to ecological assets within the site and immediate area.

14 Landscape

A landscape plan and management plan, including long term design objectives, management responsibilities and maintenance schedules for all communal landscape areas other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The landscape plan and management plan shall be carried out as approved and shall be retained thereafter.

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

15 Landscape Management

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, 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.

## 1 **INFORMATIVES**

### Policies

The following policies and guidance are relevant to this decision:

#### **National Planning Policy and Guidance:**

National Planning Policy Framework (2012)

#### **Draft London Plan (2017)**

##### D1 and D2 Design

#### **The London Plan (2016):**

- 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
- 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
- 7.1 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

#### **Local Development Framework**

##### Harrow Core Strategy 2012

CS1 B Local Character

CS 1 U Flooding

##### Development Management Policies Local Plan 2013

- DM1 Achieving a High Standard of Development
- DM2 Achieving Lifetime Neighbourhoods
- DM9 Managing Flood Risk
- DM10 On Site Water Management and Surface Water Attenuation
- DM12 Sustainable Design and Layout
- DM20 Protection of Biodiversity and Access to Nature
- DM23 Streetside Greenness and Forecourt Greenery
- DM24 Housing Mix
- DM27 Amenity Space
- DM42 Parking Standards
- DM44 Servicing

## DM45 Waste Management

### Supplementary Planning Documents

Mayor of London Housing Supplementary Planning Guidance (2012)

Residential Design Guide Supplementary Planning Document (2010)

Accessible Homes Supplementary Planning Document (2010)

Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings

Technical Housing Standards- Nationally Described Space Standard 2015

Code Of Practice For The Storage And Collection Of Refuse And Materials For Recycling In Domestic Properties 2016

## 2 Grant with 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 Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £ 10,255 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 £ 10,255 for the application, based on the levy rate for Harrow of £35/sq m and the stated increase in floorspace of 293 sq m

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: £32,230

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: £32,230

## 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](mailto: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

8 Notwithstanding the details set out within Construction Logistics condition 16 above, the Construction Management Plan should also be produced in accordance with Transport for London guidance. Further information can be found at: <https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/guidance-by-transport-type/freight>

9 **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](mailto: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.

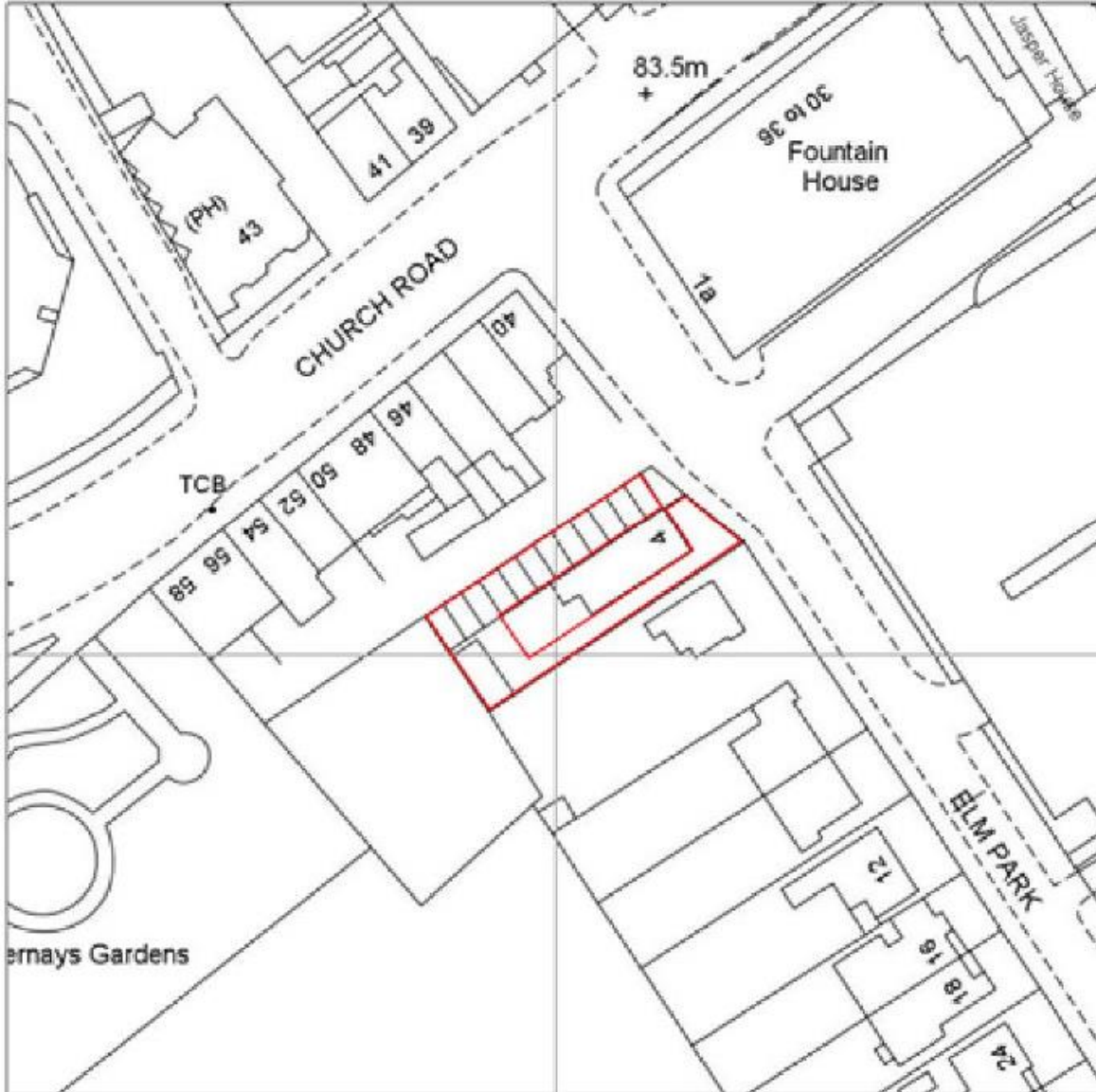
10 **STREET NAMING AND NUMBERING INFORMATIVE**

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](mailto:technicalservices@harrow.gov.uk) or on the following link. [http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

**Plan Numbers:** 1601\_P1401\_A; 1601\_P1401\_A; 1601\_P403\_A; 1601\_P405\_A; 1601\_P406; 1601\_P407; 1601\_P408; 1601\_P409; 1601\_P410; 1601\_P411; 1601\_P308 A; Planning, Daylight and Sunlight Report dated September 2016; 1601\_08\_180420 (Design and Access Statement); Planning Statement dated May 2018; 1601\_P301; 1601\_P302; 1601\_P303; 1601\_P304; 1601\_P305; 1601\_P306; 1601\_P307; 1601\_P400; Ecological Survey reference 163335/JDT.

**APPENDIX 2: SITE PLAN**





**APPENDIX 3: PHOTOGRAPHS**



Front Elevation



Side elevation (north)



Rear elevation



Rear of shops/flats to north on Church Road

## DATE OF NOTICE

24/11/2016

We would like to advise all current users off garages at 40-50 Church Road, Stanmore, Middlesex that we require all contents to be removed from garages by 31<sup>st</sup> December 2016.

Any items un-cleared thereafter will be disposed of.

Should you wish to discuss above then please contact us on

**07974701769 VIJAY PINDORIA**  
**07974375655 SUNIL PINDORIA**

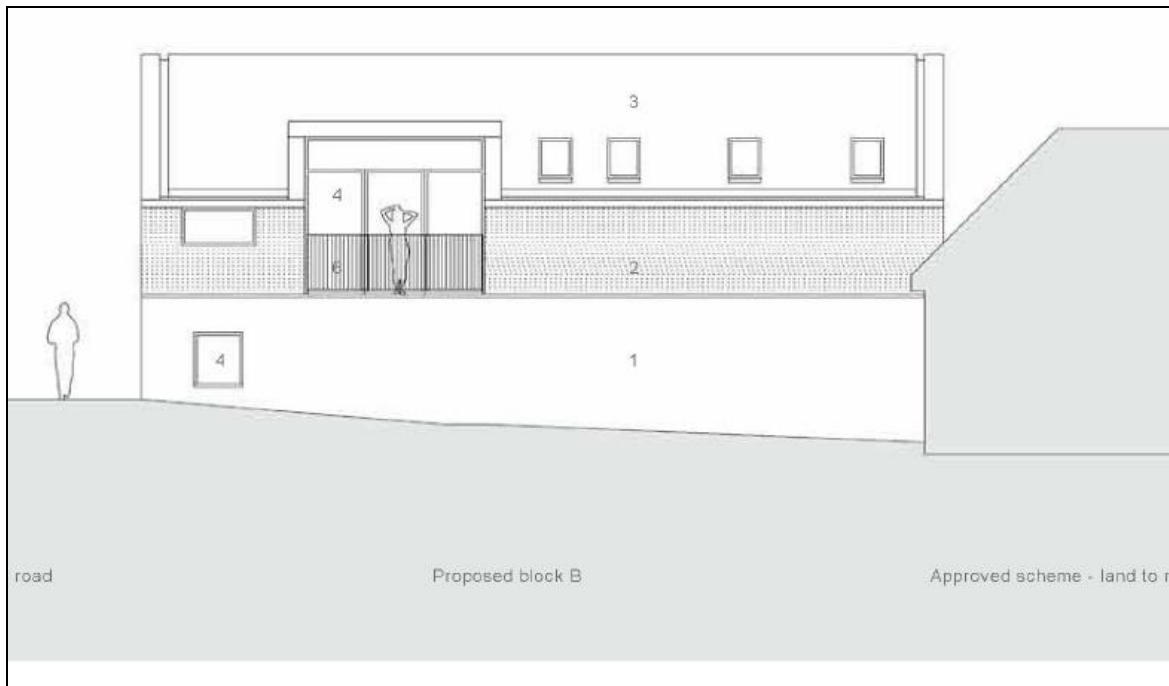
Pindoria Estate Management.

Notice requiring vacation of garages in 2016

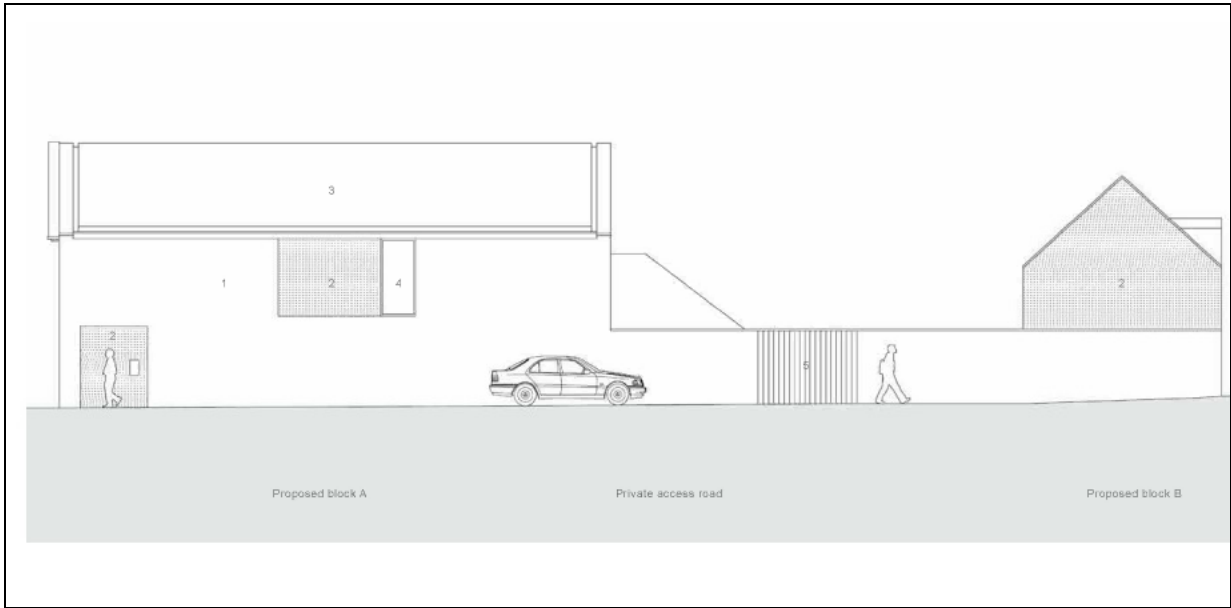
**APPENDIX 4: PLANS AND ELEVATIONS**



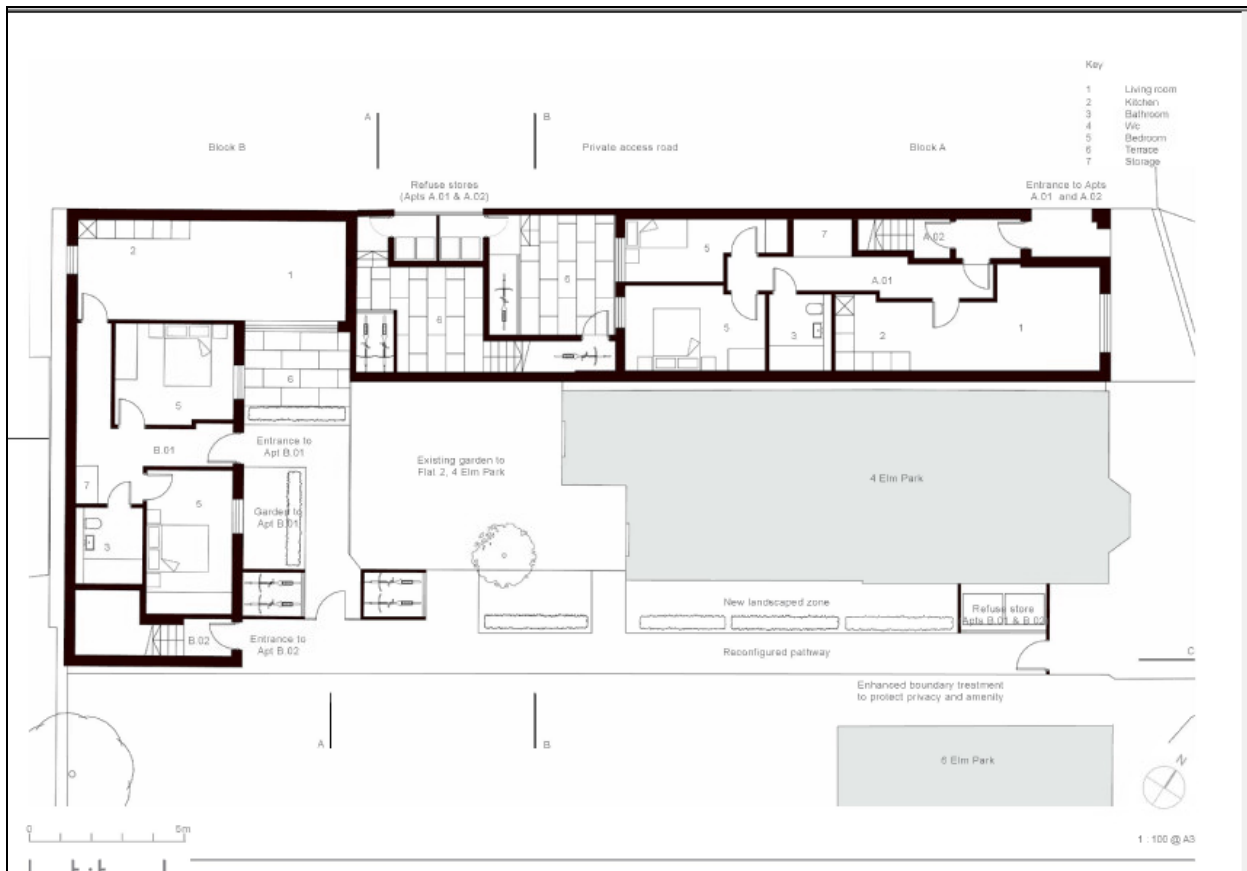
Proposed Front Elevation



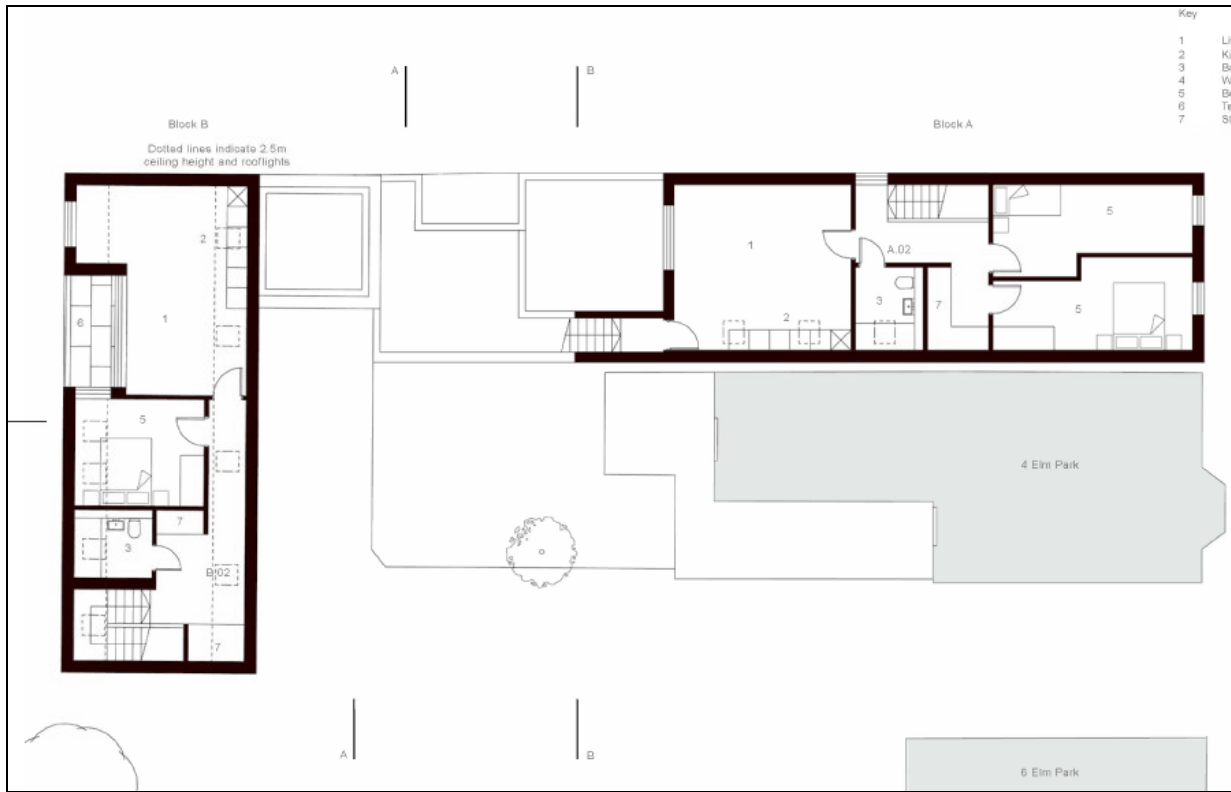
Proposed Rear Elevation



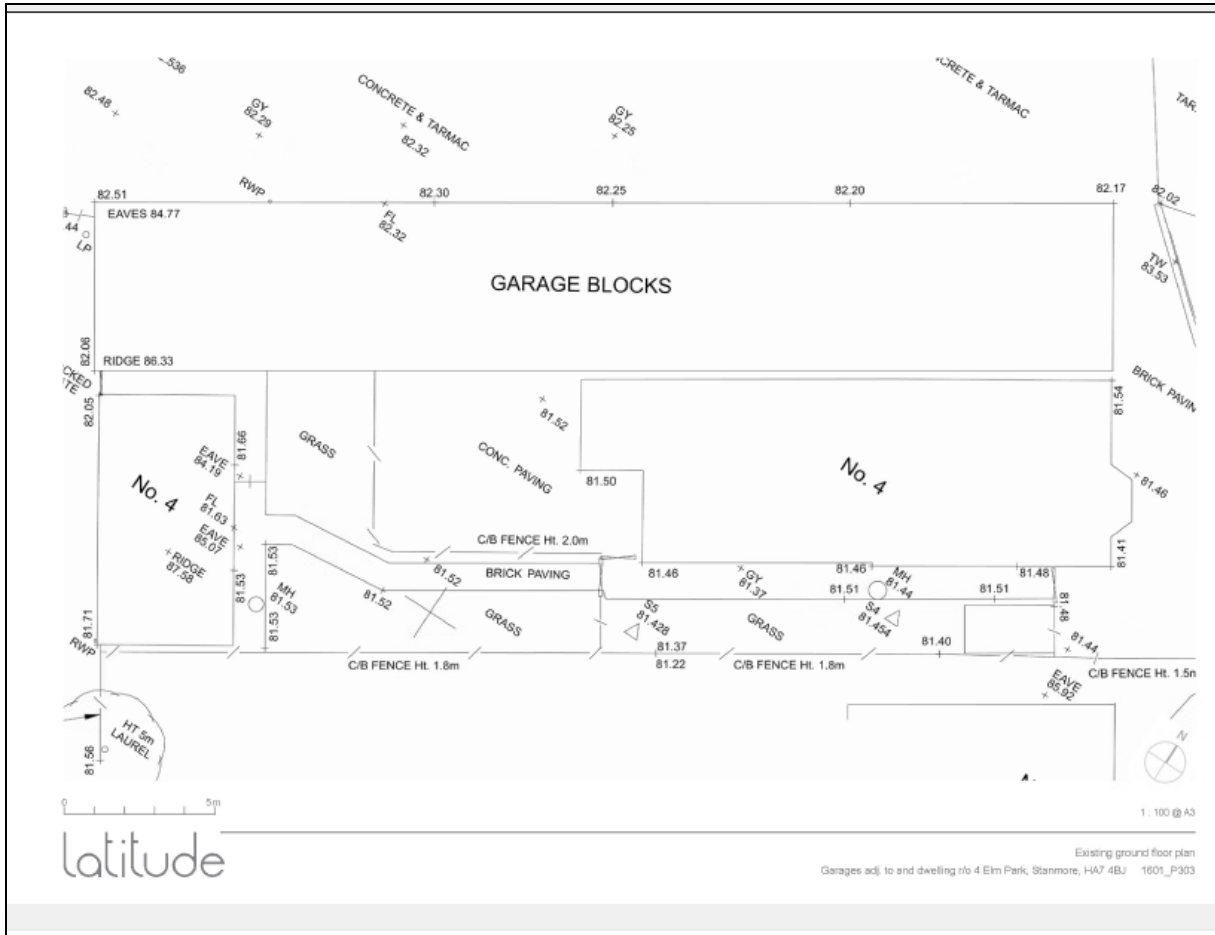
Proposed North Side Elevation



Proposed Ground floor Plan (Block A to right, Block B to left)



Proposed First Floor Plan

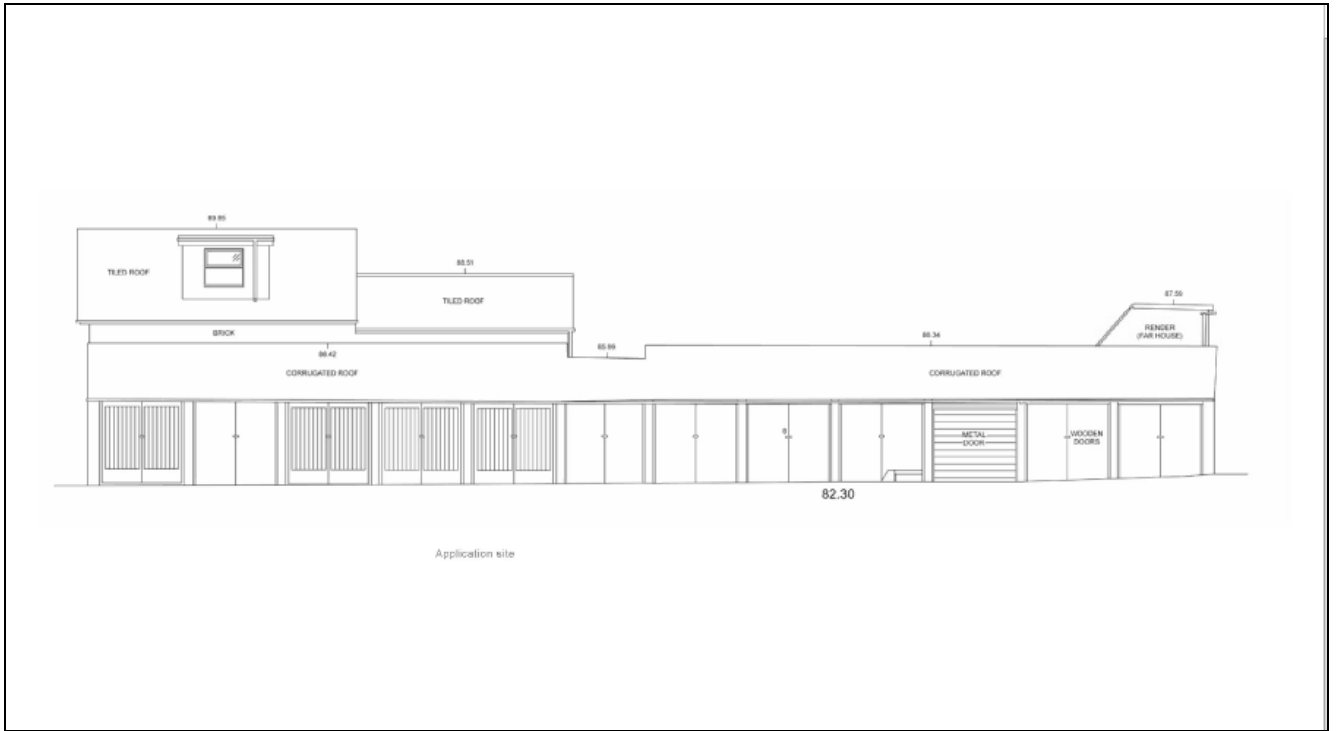


Existing Site Block Plan



Existing Front Elevation

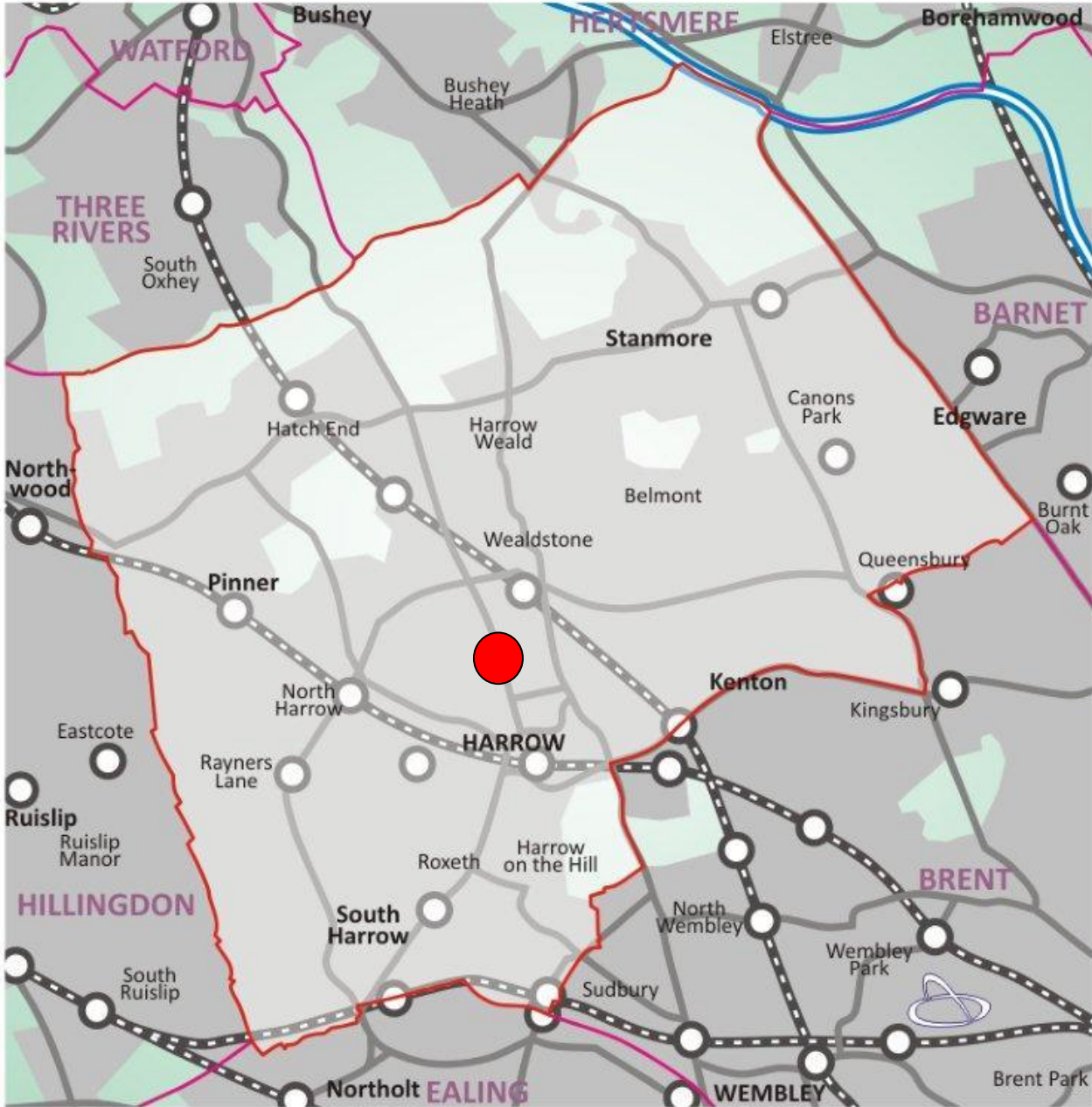




Existing Side Elevation

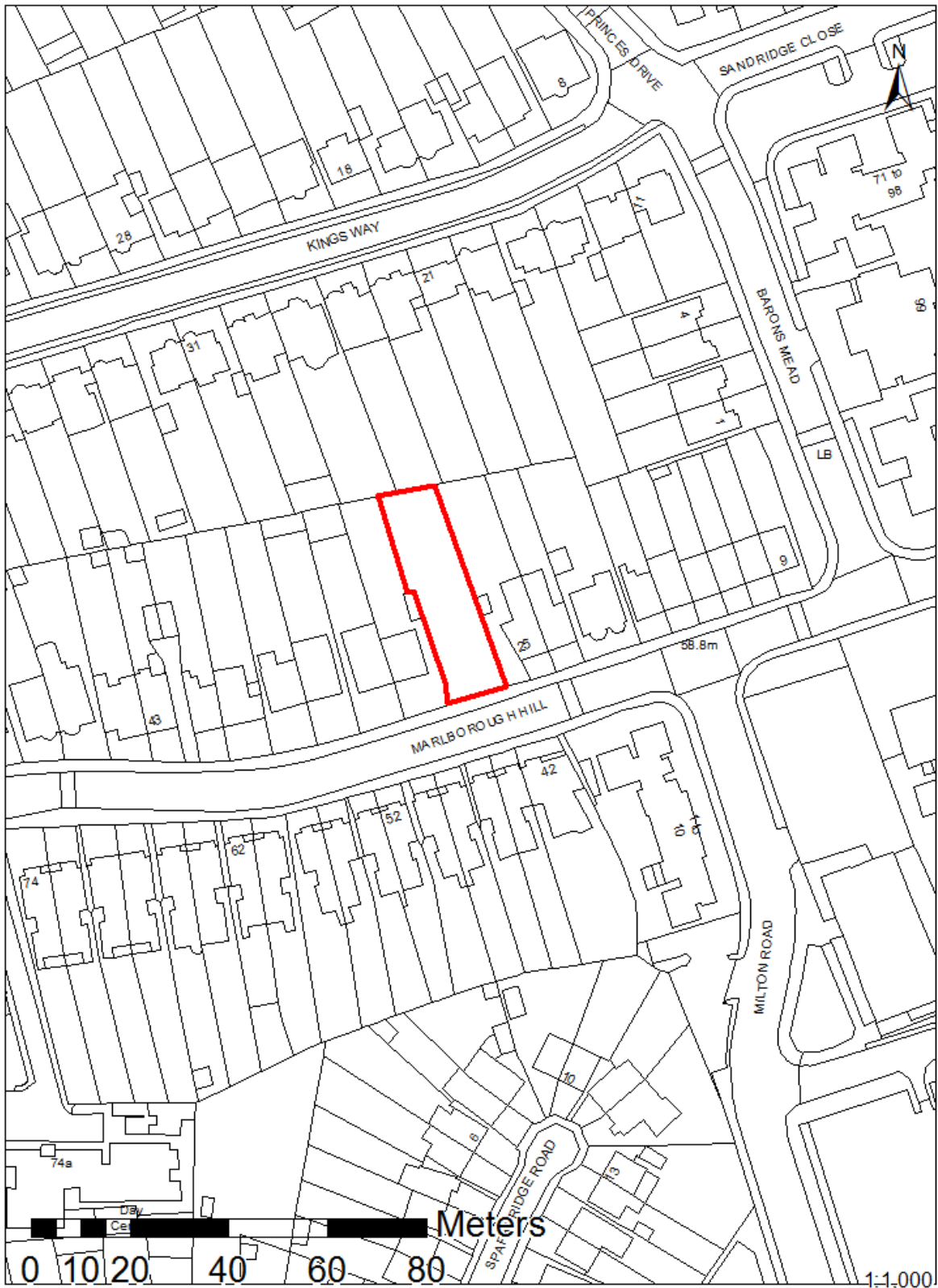
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 = application site



<b>29 Marlborough Hill</b>	<b>P/1858/18</b>
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# 29 Marlborough Hill



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**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**25<sup>th</sup> July 2018**

**APPLICATION NUMBER:** P/1858/18  
**VALIDATE DATE:** 14/05/2018  
**LOCATION:** 29 MARLBOROUGH HILL HARROW  
**WARD:** MARLBOROUGH  
**POSTCODE:** HA1 1TX  
**APPLICANT:** MR & MRS M ROCHE  
**AGENT:** DAN DESIGN  
**CASE OFFICER:** FAYE MCELWAIN  
**EXPIRY DATE:** 28/06/2018

**PURPOSE OF REPORT/PROPOSAL**

**RECOMMENDATION A**

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 Two Storey Building To Create Four Flats; Parking; Separate Amenity Space; Widening Of Vehicle Access; Landscaping; Bin / Cycle Storage*

The Planning Committee is asked to:

- 1) 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:

**Heads of Terms for the Legal Agreement**

- i) Restriction of parking permits for future occupiers.
- ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
- iii) Monitoring Officer's fees.

## **REASON**

The proposed development of the site would provide a quality development comprising of a satisfactory level of residential accommodation, thereby contributing to the Borough's housing stock. The housing development would be appropriate in terms of material presence, attractive streetscape, and good routes, access and make a contribution to the local area, in terms of quality and character.

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, by 25<sup>th</sup> October 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 appropriate mitigation measures to ensure the development would not exacerbate on street parking concerns of the proposed development, would fail to comply with the requirements of policies 6.9 of The London Plan 2016, Policy DM42 of the Harrow Development Management Policies Local Plan (2013), and policy CS1.R of the Harrow Core Strategy 2012.

## **INFORMATION**

This application is reported to Planning Committee as the proposed development is for four flats and requires a Section 106 agreement to restrict parking permits for new occupiers of the site.

Statutory Return Type:	Minor Dwelling
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£6,650
Local CIL requirement:	£29,900

## **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
- 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	29 Marlborough Hill Harrow HA1 1TX
Applicant	Mr & Mrs M Roche
Ward	Marlborough
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	Critical Drainage Area

Housing		
Density	Proposed Density hr/ha	N/A
	Proposed Density u/ph	N/A
	PTAL	4
	London Plan Density Range	45 - 185
Dwelling Mix	Studio (no. / %)	1
	1 bed ( no. / %)	3
	2 bed ( no. / %)	0
	3 bed ( no. / %)	0
	4 bed ( no. / %)	0
	HMO en-suit	0
	Overall % of Affordable Housing	N/A
	Comply with London Housing SPG?	N/A
Comply with M4(2) of Building Regulations?	Condition attached	



<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	2
	No. Proposed Car Parking spaces	2
	Proposed Parking Ratio	0.5:1
Cycle Parking	No. Existing Cycle Parking spaces	N/A
	No. Proposed Cycle Parking spaces	7
	Cycle Parking Ratio	1.75:1
Public Transport	PTAL Rating	4
	Closest Rail Station / Distance (m)	Harrow and Wealdstone Station – 500m
	Bus Routes	140, 182, 186, 258, 340
Parking Controls	Controlled Parking Zone?	Yes
	CPZ Hours	Mon-Fri 10-11am (permit holders only)
	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	Purposed storage in rear garden.

<b>Sustainability / Energy</b>	
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 site comprises of a two storey detached dwellinghouse facing southeast onto Marlborough Hill.
- 1.2 The dwelling has not been previously extended.
- 1.3 The site is located in a Critical Drainage Area. There are no other site specific constraints

### **2.0 PROPOSAL**

- 2.1 Planning permission is sought to demolish the existing dwelling and to redevelop the site to construct a two storey building comprising of four flats.
- 2.2 Three one bedroom, two person units are proposed on the ground floor and west side of the first floor and one studio flat on the east side of the first floor.
- 2.3 The proposed new building has a footprint of approximately 14.7m by 8.6m with a hipped pyramid roof of a maximum height of 9.2m.
- 2.4 The first floor is set in at the rear beside the eastern boundary.
- 2.5 There would be a single entrance to the upper flats from the front of the building and each of the ground floor flats would be accessed by doors on either side of the building.
- 2.6 The rear garden would be subdivided to provide private amenity space for each unit.
- 2.7 Bins and cycle storage would be located to the rear
- 2.8 The forecourt would be used to provide soft landscaping and two parking spaces.

## 2 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status and date of decision
P/0153/18	Re-Development To Provide A Two Storey Building With Habitable Roofspace For Four Flats; Parking; Separate Amenity Space; Widening Of Vehicle Access; Landscaping; Bin / Cycle Storage	REFUSED – 12 March 2018 1. <i>The proposed side dormers by reason of the excessive width, lack of visual containment and unsympathetic design would give rise to a disproportionate and an obtrusive form of development, which would dominate the roof of the property, to the detriment of the character and appearance of the area and the streetscene, contrary to the high quality design aspirations of the National Planning Policy Framework (2012), Policies 7.4B and 7.6B of The London Plan (2016), Core Policy CS1.B of the Core Strategy (2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and guidance contained in the adopted Supplementary Planning Document: Residential Design Guide (2010).</i>

		<p>2. <i>The proposed development by reason of poor and unacceptable design of the front elevation, would result in an incongruous and unsympathetic form of development, at odds with the pattern and context of development locally, to the detriment of the character and appearance of the area, contrary to National Planning Policy Framework (2012), policy CS1.B Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan (2013), policies 7.4B and 7.6B of The London Plan (2011), and Supplementary Planning Document - Residential Design Guide (2010).</i></p> <p>3. <i>The proposal, by reason insufficiently sized windows to the roofspace would provide insufficient outlook to the users of those rooms, to the detriment of the residential amenities of the future occupiers of the development, contrary to policies 3.5 and 3.8 of The London Plan (2016), the Mayor's Supplementary Planning Guidance: Housing</i></p>
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		<p>(2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</p> <p>4. The proposed development by reason of the sizes and the siting of the windows in the side and rear elevations, would result in unacceptable levels of actual and perceived overlooking to the properties at 25 and 31 Marlborough Hill, to the detriment of the residential amenities of these adjoining sites contrary to Policies 7.4B and 7.6 of The London Plan (2016), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and Supplementary Planning Document: Residential Design Guide (2010).</p>
P/1971/13	Demolition of existing dwellinghouse; redevelopment to provide a three storey building comprising 6 flats; enlargement of existing vehicle access; bin storage; landscaping & parking (amended site plan)	<p>REFUSED – 21/01/2014</p> <p>1. The proposed development would be sited partly on residential garden land which is excluded from the definition of previously developed</p>

		<p><i>land in the National Planning Policy Framework (2012). As such the principle of the development is at odds with the Harrow Core Strategy of directing new residential and other development to the Harrow &amp; Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites and would therefore harm its implementation contrary to the National Planning Policy Framework (2012), policy 3.5A of The London Plan (2011) and policies CS1.A and CS1.B of the Harrow Core Strategy (2012).</i></p> <p><i>2. The proposed development by reason of excessive bulk and rearward projection and unacceptable design, would result in an inappropriate, bulky, intrusive, disproportionate, incongruous and unsympathetic form of development, disrupting the natural rhythm of the</i></p>
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		<p><i>streetscene, at odds with the pattern and context of development locally, to the detriment of the character and appearance of the area and would result in an overbearing impact and a loss of light and outlook to numbers 25 and 31 Marlborough Hill to the detriment of the visual amenities of the area and the residential amenities of the adjoining occupiers contrary to policy CS1.B Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan (2013), policies 7.4B and 7.6B of The London Plan (2011), and Supplementary Planning Document - Residential Design Guide (2010).</i></p> <p><i>3. The proposed development would result in unacceptable overlooking into the properties at 25 and 31 Marlborough Hill to the detriment of the residential</i></p>
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		<p><i>amenities of these adjoining sites contrary to policy DM1 and Supplementary Planning Document: Residential Design Guide (2010).</i></p> <p><i>4. The bedrooms of flat numbers 1 and 2 would be overlooked as a result of the location of the side access way which would be directly adjoining these windows which would result in a loss of amenity for the future occupiers of these flats contrary to policy DM1 of the Development Management Policies Local Plan (2013) and Supplementary Planning Document: Residential Design Guide (2010).</i></p> <p><i>5. The main access to the development at the side would result in unacceptable disturbance to the neighbouring property at number 31 Marlborough Hill, would be out of character with the area would raise secure by design</i></p>
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		<p>issues to the detriment of the amenities and safety of the future occupiers of this site and the neighbouring occupiers contrary to policies 7.3B, 7.4B and 7.6B London Plan (2011), policies CS1.B and CS1.K of the Harrow Core Strategy (2012), policies DM1 and DM2 of the Development Management Policies Local Plan (2013) and Supplementary Planning Document: Residential Design Guide (2010).</p> <p>6. The proposal, by reason of over-excessive on-site parking perpendicular to the public highway would potentially have a prejudicial impact on the safety of pedestrians and traffic using the public highway and the lack of a landscaped setting would be detrimental to the visual amenity and character of the area contrary to policies 6.3, 7.4B and 7.6B of The</p>
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		<p><i>London Plan (2011), policy CS1.B of the Harrow Core Strategy (2012), policies DM1 and DM23 of the Harrow Development Management Policy (2013) and Supplementary Planning Document - Residential Design Guide (2010).</i></p>
P/2709/14	<p>Redevelopment to provide a three storey building comprising 6 flats; enlargement of existing vehicle access; bin storage; landscaping &amp; parking; demolition of existing dwellinghouse</p>	<p>REFUSED 08/09/2014 DISMISSED ON APPEAL – 22/04/2015</p> <p>1. <i>The proposed development would be sited partly on residential garden land which is excluded from the definition of previously developed land in the National Planning Policy Framework (2012). As such the principle of the development is at odds with the Harrow Core Strategy of directing new residential and other development to the Harrow &amp; Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites and would therefore harm its implementation contrary to the National Planning Policy Framework (2012), policy 3.5A of The London Plan (2011) and policies CS1.A and CS1.B of the Harrow Core Strategy (2012) and</i></p>

		<p><i>the adopted Supplementary Planning Document Garden Land Development (2013).</i></p> <p><i>2. The proposed development by reason of excessive bulk and rearward projection, unacceptable design and siting of the rear car parking spaces, would result in an inappropriate, bulky, intrusive, disproportionate, incongruous and unsympathetic form of development, disrupting the natural rhythm of the streetscene, at odds with the pattern and context of development locally, to the detriment of the character and appearance of the area and would result in an overbearing impact and a loss of light and outlook to numbers 25 and 31 Marlborough Hill to the detriment of the visual amenities of the area and the residential amenities of the adjoining occupiers contrary to the National Planning Policy Framework (2012), policies 7.4B and 7.6B of The London Plan (2011), policy CS1.B Harrow Core Strategy (2012), policies DM 1 and DM 27 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document - Residential</i></p>
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		<p><i>Design Guide (2010).</i></p> <p>3. <i>The proposal, by reason of inappropriate internal layout and inadequate flat and room sizes and poor amenity space would provide cramped, substandard and low quality accommodation, to the detriment of the residential amenities of the future occupiers of the development, contrary to policies 3.5 and 3.8 of The London Plan (2011), the Mayor's Supplementary Planning Guidance: Housing (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</i></p> <p>4. <i>The proposed development by reason of the sizes and the siting of the windows in the side and rear elevations, would result in unacceptable levels of actual and perceived overlooking to the properties at 25 and 31 Marlborough Hill, to the detriment of the residential amenities of these adjoining sites contrary to policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and</i></p>
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		<p>Supplementary Planning Document: Residential Design Guide (2010).</p> <p>5. The bedroom window of flat number 2 would be overlooked as a result of the location of the side access way which would be directly adjacent and would result in a loss of amenity for the future occupiers of this flats contrary to policy DM 1 of the Development Management Policies Local Plan (2013) and Supplementary Planning Document: Residential Design Guide (2010).</p> <p>6. The proposed car parking spaces at the rear of the site, by reason of their siting in relation to the neighbouring properties and rear gardens, would result in unacceptable noise and disturbance for the neighbouring occupiers, to the detriment of their residential amenities, contrary to policy 7.6B of The London Plan (2011) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).</p> <p>The main access to the development at the side would result in unacceptable disturbance to the neighbouring property at</p>
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		<i>number 31 Marlborough Hill, would be out of character with the area and would raise secure by design issues to the detriment of the amenities and safety of the future occupiers of this site and the neighbouring occupiers contrary to policies 7.3B, 7.4B and 7.6B London Plan (2011), policies CS1.B and CS1.K of the Harrow Core Strategy (2012), policies DM1 and DM2 of the Development Management Policies Local Plan (2013) and Supplementary Planning Document: Residential Design Guide (2010).</i>
P/4411/17	Certificate of lawful development (proposed): single storey side single and two storey rear extensions; extension and alteration to roof to form rear gable with installation of window; three side dormers to create habitable roofspace	GRANTED – 22/11/2017

### 3 **CONSULTATION**

3.4 A total of 6 consultation letters were sent to neighbouring properties regarding this application.

3.5 The overall public consultation period expired on 06<sup>th</sup> June 2018.

4.3 Adjoining Properties

Number of letters Sent	6
Number of Responses Received	1
Number in Support	0
Number of Objections	1
Number of other Representations (neither objecting or supporting)	0

4.5 Statutory and Non Statutory Consultation

4.6 The following consultations have been undertaken, together with the responses received and officer comments:

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
Drainage	The applicant should submit a surface water drainage strategy and the applicant should make sure that the width of the vehicle access is in line with Harrow's New Vehicle Crossing Policy. These issues can be dealt with by conditions/informatives.	Noted
Highways	The proposed vehicular crossover does seem to be excessive at 10 metres. Two separate crossovers may be more appropriate. The applicant would need to submit an application for this to be assessed.  Acknowledges the site currently operates as an HMO with 6 bedrooms. However, would expect that this use would generate a minimal parking demand. Whilst the ptal at 4 seems low considering the proximity to Harrow and Wealdstone Station and the number of bus routes that are within a short walk of the site there	Noted

	<p>still seems to be quite a high parking demand in this area. It may be appropriate to permit restrict the development to help discourage car ownership so that it doesn't result in an adverse impact. This proposal would already reduce the on-street parking bay provision by at least one space.</p>	
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#### 4 **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;

- 1) Principle of the Development
- 2) Character and Appearance of the Area
- 3) Residential Amenity
- 4) Traffic and Parking
- 5) Development and Flood Risk
- 6) Accessibility
- 7) Sustainability
- 8) S17 Crime & Disorder Act
- 9) Consultation Responses

### **6.2 Principle of Development**

6.2.1 It is considered that the proposal would provide an increase in smaller housing stock within the Borough which is in accordance with the Core Strategy target of providing a minimum of 6050 additional homes before 2026.

6.2.2 One neighbour has objected to the provision of flats within this street which is primarily dwellinghouses. However, there are no policies against the conversion of a property into separate units. As such, the proposal is considered to be acceptable in principle.

### **6.3 Character of the Area**

6.3.1 The National Planning Policy Framework advises that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people and also says that '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'.

6.3.2 Policy 7.4B of the London Plan (2016) 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. Policy 7.6B highlights that buildings and structures should be of a proportion and scale that appropriately defines the public realm. The thrust of these policies are brought forwards into the Draft London Plan.

- 6.3.3 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; extensions should respect their host building.
- 6.3.4 DM1 of the Development Management Policies Local Plan (2013) suggests that proposals should achieve a high standard of design and layout in particular regard should be taken to mass, bulk scale and height.
- 6.3.5 The proposed replacement building is wider than the current building on the site as it covers the area previously occupied by a garage serving the dwelling. It has a pyramid hipped roof with an eaves height similar to the existing dwelling and consistent with neighbouring dwellings. Two side dormers were present on the previously proposed building which have been omitted from the scheme which removes the first of the reasons for refusal of the previous scheme
- 6.3.6 The overriding characteristic of the properties in the area is of articulated bays with cornice's and detailing to the concrete mullion's with either rendered or slate aprons between double bays. Window frames are set within a reveal with cills and doors which are generally recessed. This articulation gives the area both individual and group character. It was considered that the previously refused scheme was out of character with this predominant form as it lacked detailing and articulation. The revised application contains a central front gable and access porch, which serves the upper flats, and brick quoins have been added to the corner of the building, similar to neighbouring properties. It is considered that these features and detailing would contribute to visual interest and result in a more acceptable front elevation which integrates better with the surrounding dwellings. It is considered that the alterations are sufficient to address the previous street scene concerns and addresses the second reason for refusal.

#### 6.4 Residential Amenity for Existing Occupiers

- 6.4.1 Policy 7.6B, subsection D, 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”.
- 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 Paragraph 4.66 of the Harrow Residential Guide SPD (2010) highlights the importance of the relationship between buildings in terms of light, outlook and visual enjoyment.
- 6.4.4 Paragraph 6.29 states that the 45 degree code should be applied as part of an assessment of site considerations.
- 6.4.5 The proposed building would not be higher than either neighbouring properties. It would be set between approximately 1.4m and 1.6m away from the shared boundary with no. 31 and 1.2m away from the shared boundary with no. 25 at the narrowest point and 1.7m at the widest point. It has been demonstrated on the plans that the new dwelling would not breach the 45 degree code in the horizontal or vertical planes in relation to either neighbouring property. Given these site circumstances it is considered that the proposal would not result in any overbearing impact in terms of loss of light, outlook or overshadowing and it is considered that the proposal would be acceptable in this regard.
- 6.4.6 Paragraph 6.22 of the adopted SPD states that large windows in a wall of a side extension within 3m of a boundary are unacceptable. Even if obscure glazed and non-opening they are unlikely to avoid the effects of perceived overlooking.
- 6.4.7 The proposed new building has ground and first floor windows on the side elevations. There are windows serving bathrooms and windows serving the main habitable room (lounge/kitchen/dining room). It was determined in the previous application that the size of the windows serving the habitable space were too large and contributed towards perceived/actual overlooking.
- 6.4.8 The secondary windows serving the main habitable room on the flank wall of the proposed building have been reduced in scale and have been raised in height so that they are high level and top opening only. Combined with the fact that they are proposed to be obscurely glazed the potential for actual and/or perceived overlooking has been diminished. In addition the first floor rear windows are proposed with vertical battens in order to address any potential overlooking over the garden areas of neighbouring properties. It is therefore considered that the third reason for refusal has been adequately addressed. Conditions to ensure that this remains the case for the lifetime of the development are considered necessary.
- 6.4.9 The occupier of a neighbouring property has concerns that the segregated garden layout and the use of the side access path for entrances to the flats could increase noise disturbance for the occupiers of neighbouring dwellings. The current dwelling is used as a HMO with four double and two single bedrooms. There is therefore the potential for up to ten occupants at a time. Based on the layout provided the maximum occupancy of the new flats would be seven. Therefore, it is considered that there would not be a likely increase in activity around the site as a result of the new development. Each side access is for one of the ground floor flats and access to the amenity space for flats 1,3 and 5 is beside no. 31. There is not sufficient space for congregation and unlikely to be

extensive use of the accesses. Therefore neighbouring amenity is not considered to be significantly compromised.

6.4.10 Future Occupiers

6.4.11 Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people’s needs. In this regard, minimum gross internal areas (GIA) are required for different types of accommodation, and new residential accommodation should have a layout that provides a functional space. 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. This is supported by policy DM1 of the DMP.

6.4.12 Policy DM 27 of the DMP states that the appropriate amount of amenity space should be informed by the Mayor of London’s Housing Design Guide.

6.1.13 The size of the units in relation to the London Plan standards is outlined in the table below:

	Proposed Size	Proposed GIA	Minimum GIA	Minimum Storage
Flat 1	1 bed, 2 person	50.5sqm	50sqm	1.5sqm
Flat 2	1 bed, 2 person	50.5sqm	50sqm	1.5sqm
Flat 3	1 bed, 2 person	50.5sqm	50sqm	1.5sqm
Flat 4	1 bed, 1 person	39.2sqm	39sqm	1.0sqm

6.4.14 The proposed units meet the minimum space standards contained in the London Plan. In addition each flat is allocated between 41 and 60sqm of amenity space to the rear of the dwelling which exceeds the minimum standards set out in the Nationally Described Space Standards. Also the proposal includes some amenity space to the front. A landscaping condition will ensure that the space is appropriately arranged. The main living area of each of the flats is to the front of the building and is dual aspect and, although the secondary window on the side elevations is obscurely glazed and non-openable under 1.7m, there are windows to the front of the dwelling which offers a reasonable outlook for future occupiers. The bedrooms are positioned to the rear of the building and there is a suitable outlook towards the rear amenity space.

6.4.15 Stacking and Noise/Vibration Transfer

Paragraph 5.12 of the Council’s adopted Supplementary Planning Document – Residential Design Guide (2010) states that ‘The vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors.

- 6.4.16 Policy DM26 (b) which notes that proposals will be required to “secure the separation of bedrooms and other room uses between homes within the development and neighbouring dwellings having regard to the adequacy of any measures to prevent noise transference”.
- 6.4.17 The first floor units has a similar layout to the ground floor units which prevents any possible ‘stacking’ impact from bedrooms being above or under main habitable rooms such as living rooms.
- 6.4.18 A reason for refusal of the previous scheme was the unacceptable outlook from the habitable rooms on the second floor. The current scheme has omitted the accommodation at second floor and therefore it is considered that the final reason for refusal has been removed.

## 6.5 Traffic and Parking

- 6.5.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Policy DM42 of the Development Management Policies states that proposals that make on-site provision for parking should have regard to the maximum London Plan standards. The London Plan (2016) Policies 6.3, 6.9 and 6.13, and the Parking Addendum to Chapter 6 of The London Plan (2016), is relevant, which sets out maximum parking standards for new development dependent upon their use and level of public transport accessibility. A maximum of 1 car parking space to each flat is required to accord with the above London Plan requirements.
- 6.5.2 Two car park spaces are proposed to the front of the dwelling. A dropped kerb already exists. However, the proposed layout suggests that two cars would park parallel to one another therefore the kerb will be required to be lowered by consent from Harrow’s Highway Authority. The highway officer indicates that a kerb dropped to the full width of the dwelling, as indicated on the plans is not likely to be approved by their department. However, an additional crossing to create two separate crossings is likely to be possible. An informative is attached to advise the applicant to this effect.
- 6.5.3 The proposed amount of car parking is in line with The London Plan (2016) requirements. A neighbour has objected as they consider the proposal will lead to more on street parking. The PTAL rating of the site is moderate at 4 and the Highways Authority concur that there is an issue with parking in this area which is restricted by a CPZ and they suggest that an agreement is required to restrict future occupiers from applying for parking permits. It is therefore recommended that a section 106 agreement is entered into with the Council and the applicant the Heads of Terms of which are outlined above.

- 6.5.4 Seven secure bicycle racks are proposed to the rear of the site beside the boundary with 31 Marlborough Hill and two spaces are proposed within the amenity space for flat 2. This is in accordance with the minimum requirements of the London Plan. However, no details on the type of cycle storage (i.e. sheltered and secure) have been provided. However, this can be controlled by condition.
- 6.5.5 Policy DM 45 states that: "A. 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:  
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."
- 6.5.6 Refuse Storage
- The proposed refuse storage is located beside the boundary with 31 Marlborough Hill for flats 1,3 and 4 and within the amenity space serving flat 2 for this flat. Storage to the rear is commonplace for residential units of this type and is considered an acceptable arrangement. However, two bins are indicated for each of the unit.. As there are sizeable gardens serving each of the flats, three bins would be required. There is considered to be sufficient space to accommodate this requirement and therefore the details of this can be controlled by condition.
- 6.6 Development and Flood Risk
- 6.6.1 CS1W states that DM polices wet out requirements for SUDs, rainwater harvesting, flood risk assessments and surface water management.
- 6.6.2 The development would result in some additional hardsurfacing on the site and would therefore have an impact in terms of surface water flood risk. As the site is located within a Critical Drainage Area, sustainable urban drainage [SuDs] is encouraged. An informative is attached to this affect.
- 6.6.3 The drainage engineer also states that permeable materials should be used for the driveways . This can be controlled by standard condition.

## 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.
- 6.7.2 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document Accessible Homes 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.
- 6.7.3 The design and access statement points out that the ground floor flats can be adapted to be wheelchair accessible and it is possible to create one disabled parking space should it be required. There is also an access ramp provided for flat 1. In addition the flats are open plan therefore appropriate for the manoeuvring of wheelchairs. The applicant will be required to adhere to building regulations in relation to accessibility. Therefore it is considered that the applicant has provided sufficient information to demonstrate that the lifetime homes standards can be achieved.

## 6.8 Sustainability

- 6.8.1 London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11.
- 6.8.2 London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11.
- 6.8.3 It is suggested in the Design and Access Statement that solar panels could be used as a mean of sustainable energy and there is low energy lighting proposed for the front drive. There are considered to be adequate windows for light and ventilation and a new build building regulations will ensure that the sustainable credentials of the building will be achieved. This was not raised as a reason for refusal in the previous application and therefore this is considered satisfactory.

## 6.9 S17 Crime & Disorder Act

- 6.9.1 Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the DMP require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

6.9.2 One resident is concerned that the position of the cycle store could attract thieves. This is proposed to the rear of the site, out of view from the street. This is a common arrangement for dwellings and is considered to be the most appropriate location in terms of crime prevention. It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

6.10 Consultations Responses

6.10.1 Concerns have been raised regarding neighbouring amenity, parking and crime which are dealt with in the relevant sections above.

6.10.2 Other issues highlighted are that the existing building is in character and is structurally sound. This may be the case. However, the Local Authority is obliged to determine the application, as submitted, on its planning merits.

6.10.3 Also it was raised that the new build would be a burden on existing facilities. This is not a material planning consideration and will be dealt with by the appropriate service providers

**7.0 CONCLUSION AND REASONS FOR APPROVAL**

7.1 It is considered that the proposal would contribute of the housing stock within the Borough. It is considered the previous reasons for refusal have been addressed and 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, and retained in accordance with the following approved plans:

Location Plan; 17/07/01 Rev B; 17/07/03 Rev D; 17/07/05 Rev K; Design and Access Statement

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

#### 3 Materials to Be Approved

The development of the dwellinghouse hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces of the new building the ground surfacing 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: To safeguard the appearance of the locality, in accordance with policy DM1 of the Councils Development Management Policies Local Plan 2013. Details are required prior to commencement of development to ensure a satisfactory form of development.

#### 4 Landscaping to Be Approved

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

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

5 Landscape Implementation

All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the occupation of the approved dwelling, 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 policy DM23 of the Councils Development Management Policies Local Plan 2013.

6 Levels

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 in writing by, the local planning authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, in accordance with policies DM1 of the Councils Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development.

7 Disposal of Surface Water

The construction of the building 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. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development

8 Surface Water Attenuation

The construction of the building 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. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development.

9 Disposal of Sewage

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

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

10 Secure Cycle Parking

Prior to occupation of each of the units hereby approved, details of the secure cycle parking to serve the four flats will be submitted to, and approved in writing by, the local planning authority. The cycle parking 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 the satisfactory provision of cycle storage, to serve the development.

11 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.

12 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.

13 Permeable Paving

All hardsurfacing 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 DM10 of the Councils Development Management Policies Local Plan 2013.

14 Obscure Glazing

The windows and doors in the flank walls of the approved development shall be of purpose-made obscure glass, and the windows shall be permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

15 Windows/Doors

No windows / doors, other than those shown on the approved plans 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

16 Change of Use

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 safeguard the character of the area by restricting the amount of site coverage and size of dwelling in relation to the size of the plot, the openness of the site and availability of amenity space; and to safeguard the amenity of neighbouring residents, in accordance with policies DM1 and DM16 of the Councils Development Management Policies Local Plan (2013).

17 Fencing During Construction

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

a: the frontage

b: the boundary

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

REASON: In the interests of amenity and highway safety.

## **INFORMATIVES**

1. The following policies are relevant to this decision:

### **National Planning Policy Framework (2012)**

#### **The London Plan (2016):**

3.5C: Quality and design of housing developments  
5.2 Minimising Carbon Dioxide Emissions  
5.3 Sustainable Design and Construction  
5.11 Green roads and development site environs  
6.3 Assessing effects of development on transport capacity  
6.9 Cycling  
6.13 Parking  
7.3B 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

#### **Harrow Core Strategy (2012):**

Core policy CS1.B  
Core policy CS1.D  
Core Policy CS1 K  
Core policy CS1.W

#### **Harrow Development Management Policies Local Plan (2013):**

DM1: Achieving a High Standard of Development  
DM2: Achieving Lifetime Neighbourhoods  
DM10: On Site Water Management and Surface Water Attenuation  
DM12: Sustainable Design and Layout  
DM26: Conversion of Houses and other Residential Premises  
DM27: Amenity space  
DM 42: Parking Standards  
DM45: Waste Management

#### **Supplementary Planning Documents:**

Supplementary Planning Document Residential Design Guide (2010)  
Technical housing standards - nationally described space standard (2015).

- 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 £6,650 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 20,900 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 265m<sup>2</sup>

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](mailto: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](mailto: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](mailto:technicalservices@harrow.gov.uk) or on the following link.

[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

10 Flank Windows

The applicant is advised that any window in the flank elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

11. Widening of Vehicle Access

The applicant should ensure that the width of the vehicle access is in line with Harrow's New Vehicle Crossing Policy, dated September 2017. The applicant should contact Vehicle Crossings Team on [VehicleCrossings@harrow.gov.uk](mailto:VehicleCrossings@harrow.gov.uk) for further guidance.

Please note a crossing to the full width of the dwelling, as indicated on the submitted plans is not likely to be approved. However, an additional crossing to create two separate crossings is likely to be possible.

## APPENDIX 2: SITE PLAN



This Plan includes the following Licensed Data: OS MasterMap Black and White PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2017. Ordnance Survey 0100031673

0m 20m 40m 60m 80m 100m

Scale: 1:1250, paper size: A4

29 MARLBOROUGH HILL, HARROW  
MIDDY HA1 1TX

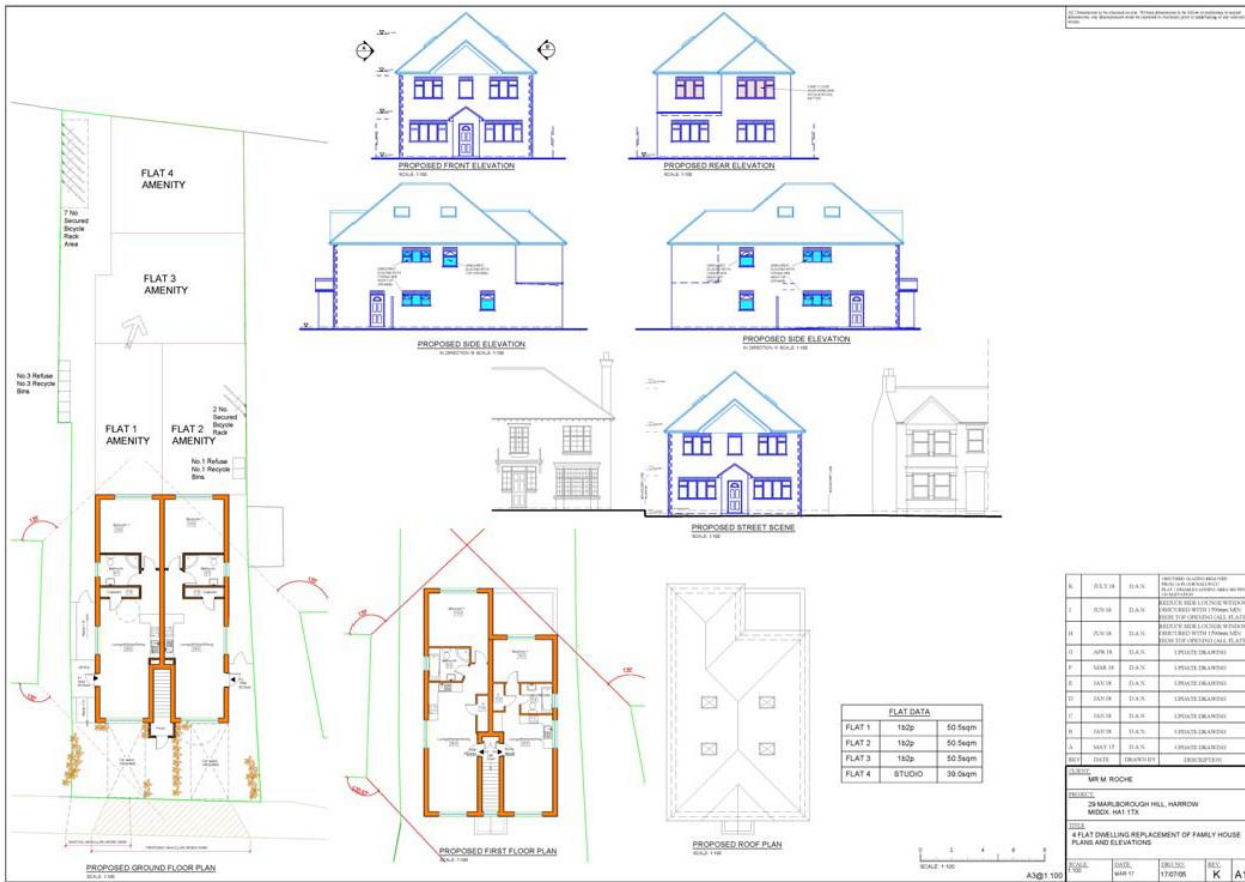
**Appendix 3: Photographs**





# Appendix 4: Plans



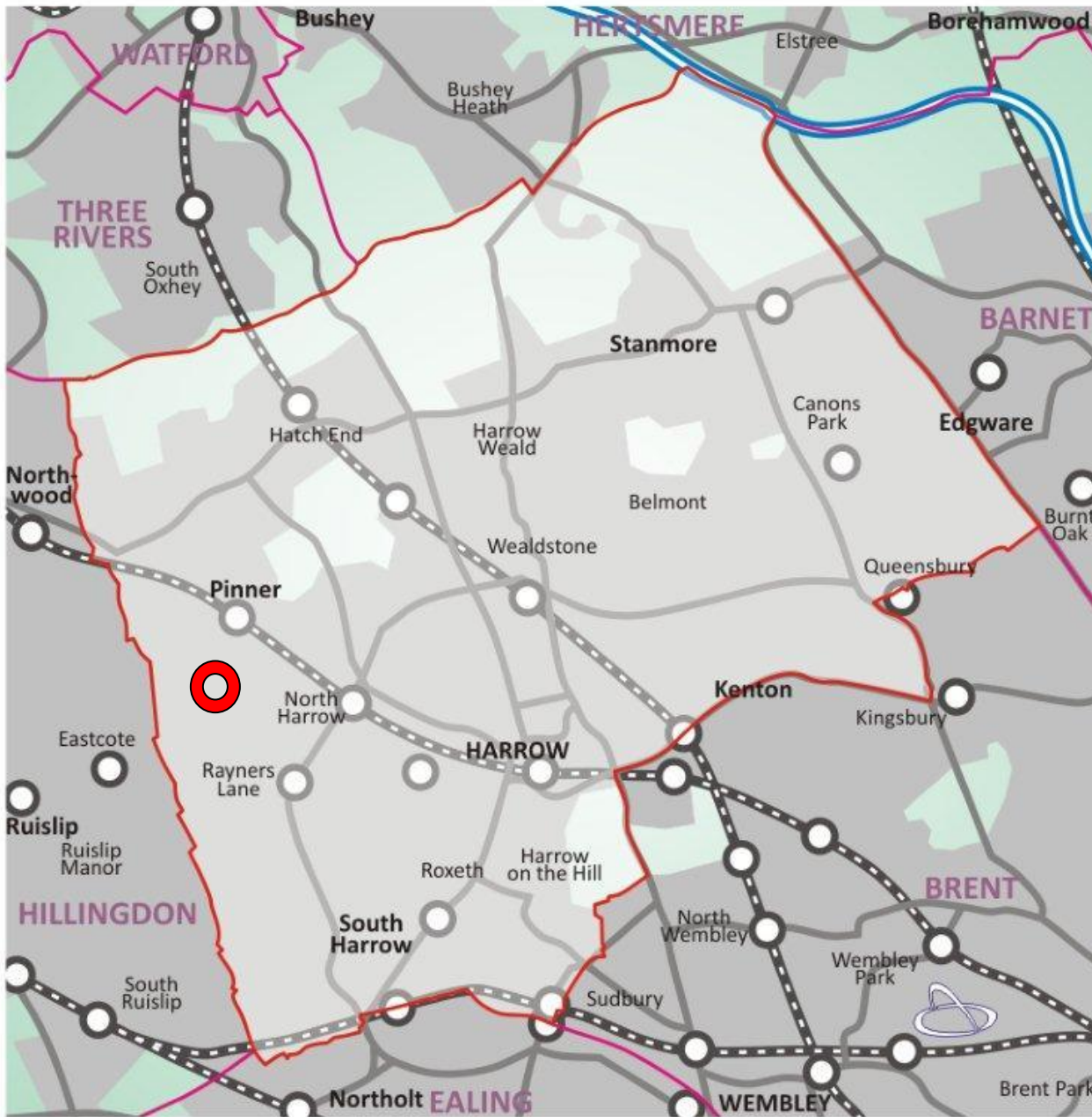


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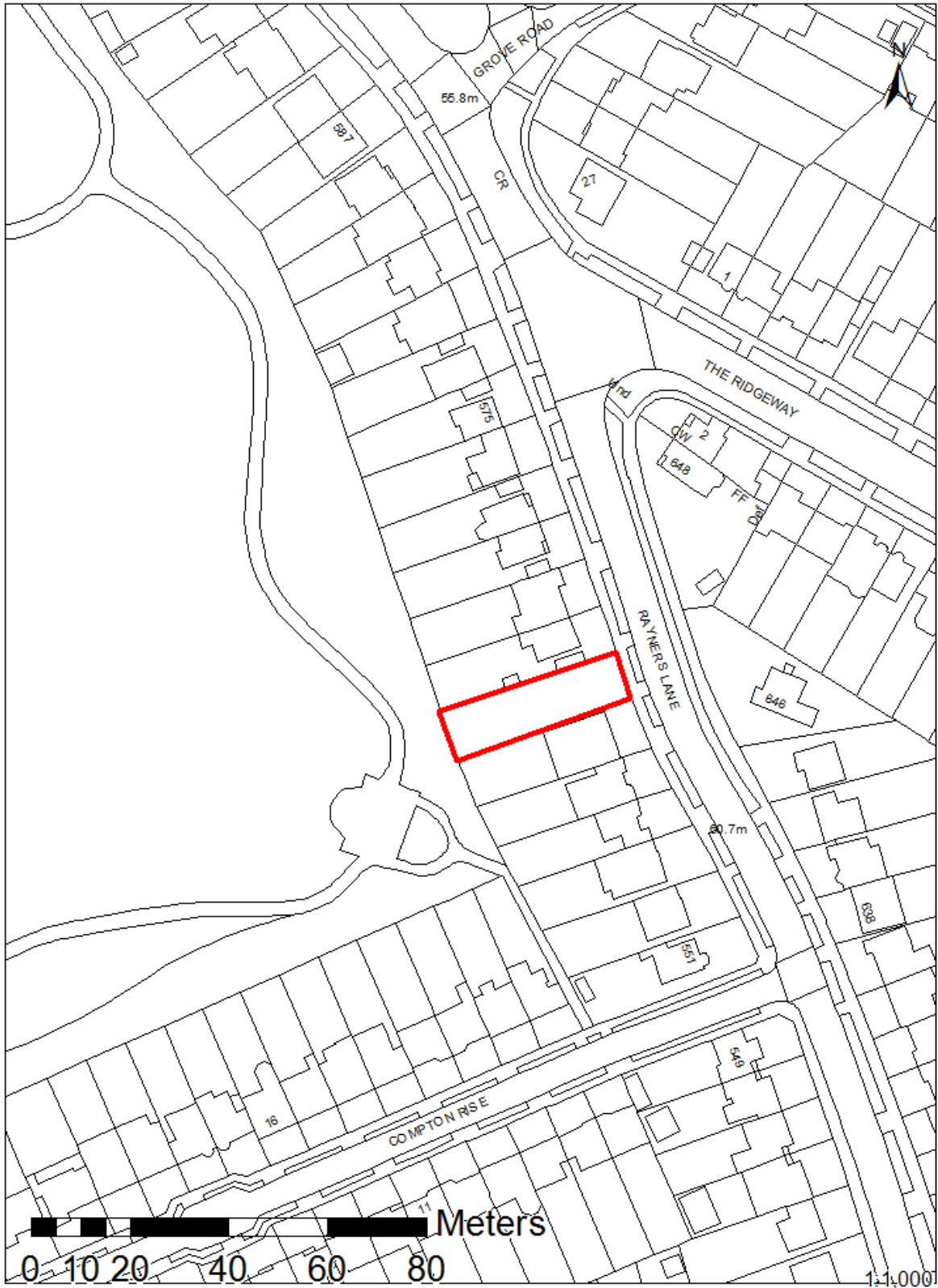


 = application site



<b>565 Rayners Lane</b>	<b>P/0789/18</b>
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# 565 Rayners Lane



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

25<sup>th</sup> JULY 2018

**Application Number:** P/0789/18  
**Validate Date:** 06/03/2018  
**Location:** 565 RAYNERS LANE, HARROW,  
**Ward:** PINNER SOUTH  
**Postcode:** HA5 5HP  
**Applicant:** DAVID AND VALRIE ALLEYNE AND STEWART  
**Agent:** TOM FITZSIMMONS ARCHITECTS  
**Case Officer:** TENDAI MUTASA  
**Expiry Date:** 01/05/2018 (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.

Single and two storey side extension; single storey rear extension; alterations to roof; rooflights in front and side roofslopes; external alterations (demolition of detached garage and rear extension)

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.

### INFORMATION

This application is reported to Planning Committee as the decision has been called in by a Nominated Member.

**Statutory Return Type:** E21 Householder Development  
**Council Interest:** N/A  
**GLA Community** N/A  
**Infrastructure Levy (CIL)**  
**Contribution (provisional):**  
**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	565 Rayners Lane Harrow HA5 5HP
Applicant	David and Valrie Alleyne and Stewart
Ward	Pinner South
Local Plan allocation	None
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

### PART 2: Assessment

#### 1.0 SITE DESCRIPTION

- 1.1 Two storey semi-detached dwelling on the south-west side of Rayners Lane, in Pinner South Ward; with an existing rear dormer and a part-width rear extension, 2.35 metres deep. This extension is mirrored on no. 567 to the same depth, and shares a party wall.
- 1.2 There is a significant drop in site level moving towards the rear of the garden; the ground has been levelled around the house and to a depth of 4.5 metres beyond the rear elevation of the original kitchen projection; with a step of 530mm+ down to the lower level of the garden
- 1.3 Attached semi no.567 (to north-west) extended at the side and at rear with a part-width 2.4 metre extension; adjacent part of extended ground floor rear elevation contains a window to a habitable room. The rear patio area has also been built up and levelled off to accommodate the change in site levels, with a step down into the garden several metres from the rear of the house in a similar manner to no. 565. The patio and garden levels of the two properties are roughly even.
- 1.4 Neighbouring dwelling no. 563 (to south-east) unextended at rear; adjacent part of ground floor rear elevation contains patio doors to a habitable room. Pinner Village Gardens adjoins the application site at the rear.
- 1.5 The site is not located in a conservation area, however it is located in a Critical Drainage Area

## 2.0 PROPOSAL

- 2.1 The proposed two storey side extension would span a width of approx. 3.40m and would not project beyond the rear elevation of the original building. There would be a set back of 1.0m from the main front elevation of the subject property. It would be stepped down from the main roof and feature a hipped roof. Two rooflights are proposed at the front.
- 2.2 A single storey rear extension is proposed at a depth of 2.8m beyond the rear elevation of extended Number 567 and would project approximately 5.35m to the boundary shared with number 563 but would be set away by 2.0m. It is noted that the ground level slopes but the eaves height would be no more than 3m with a mid-pitch height of approximately 2.90m measured from the slope and the total height is 3.85m. It would feature a pitched roof.
- 2.3 The existing garage will be extended to the front by approximately 0.60m and the garage door retained. It will feature a pitched roof with a proposed height of 3.65m, The existing garage width will be maintained and it would remain set away from the front bay window.
- 2.4 The existing dormer window will be reglazed and the new frames would match the existing.
- 2.3 The proposed extensions would have materials to match the existing.

## 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/2023/15	Single Storey Rear Extension: extending 6 metres beyond the original rear wall, 3.8 metres maximum height, 2.9 metres high to the eaves	Refused on 04/06/2015
P/3088/15	Single Storey Rear Extension: extending 5.4 metres beyond the original rear wall, 3.8 metres maximum height, 2.9 metres high to the eaves	Granted on 30/07/2015

## 4.0 CONSULTATION

4.1 A total of 2 notification letters were sent to neighbouring properties regarding this application.

4.2 The public consultation period expired on 30/05/2018. This was a re-notification process following amended plans to reduce the width and depth of the rear extension, fencing height and the decking.

4.3 Adjoining Properties

Number of letters Sent	2
Number of Responses Received	2
Number in Support	0
Number of Objections	2
Number of other Representations (neither objecting or supporting)	n/a

4.4 2 objections were received from 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
Impact of single storey rear extension	Objects to the application due to: Single storey rear extension is too deep and as such is contrary to the SPD in terms of the two for one rule	It is considered that that although the extension's depth exceeds the requirement of the SPD, it has been sympathetically designed due to it being set away from the boundary and featuring a lower height. As such the proposed extension would not be overbearing or result in loss of outlook as explained in section 6.4.3 of the report under neighbour amenity.
Design	The proposals would create a terracing	The extensions have been sympathetically

	effect and will be out of keeping with the surrounding.	designed so as to respect the character of the area which varies. These extensions have been designed to meet the requirements of the SPD.
Front extension	The depth of the garage of the extension is inconsistent as it shows different figures on ground and first floor. This forward projection will cause loss of light to bedroom living room.	The plans submitted with this application are correct the only issue is that the first floor is showing the overhang of the roof. The forward projection at the front of the garage is considered a modest addition and as such would not cause any loss of light to this neighbouring building.
Decking and fencing	The height of the fencing is more than 2m and the decking will cause privacy issues	This was revised to below 2.0m to match the existing and neighbouring properties were given the opportunity to comment on the proposals. The depth of the decking was reduced to 1.5m. The area is characterised by sloping rear gardens and the houses feature decking at the rear. Any overlooking of rear gardens will not be greater than what is currently being experienced.
Side extension	Issues raised regarding close proximity of side extension to number 563. Also how repairs	Boundary treatments and access are third party wall matters which are dealt with under separate



	would be carried out. Possible noise from fan extractors.	legislation. This is a householder application and as such it is common to see small domestic extractor fans closer to boundaries. This is not a material planning issue.
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#### 4.6 Statutory and Non Statutory Consultation

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 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.

5.6 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;

Character and Appearance of the Area and host property

## 6.2 Character and appearance of the Area

- 6.2.1 The proposed first floor element of the single and two-storey side extension would be set down and back behind the main front and the boundary and would have a hipped roof. The two storey side element would not project beyond the rear elevation of the original house and as such it is considered that these elements of the proposals are acceptable and would not imbalance the pair of semi-detached buildings.
- 6.2.2 Further, due to the set back from the existing front elevation and the width and height the proposals are considered to be proportionate to the existing dwellinghouse in accordance with Paragraphs 6.41 and 6.40 of the adopted Supplementary Planning Document (SPD).
- 6.2.3 The re-glazed dormer would remain visually contained within the rear roofslope and as such is considered to be proportionate to the original dwellinghouse. It would have no impact on the street scene.
- 6.2.3 The proposal involves a single storey rear extension which would extend approximately 5.35m deep from the existing rear elevation closer to the boundary shared with number 563 and 2.8m along the boundary shared with number 567. The proposal is not within the guidelines for semi-detached properties as per the SPD which state that extension should be 3.0m deep to avoid dominance and protect the amenities of neighbouring properties.
- 6.2.4 However, the guidance allows for deeper extensions where site circumstances allow. In this case a sufficient gap has been left to the boundary shared with number 563 and also number 567 has extended. It is noted that the ground level slopes but the eaves height would be no more than 3m with a mid-pitch height of approximately 2.90m measured from the slope and the total height is 3.85m. Due to its depth and height the proposed rear extension is considered to remain as a subordinate feature on the rear elevation of the dwelling. The host property also has a relatively large rear garden. Therefore the proposed extension would not appear cramped within the property and would accord with guidance set out in the Council's SPD.
- 6.2.5 Further to this deeper extensions are common within the surrounding area and it should be noted that each proposal is considered on its merits in light of the Councils planning policies to protect the amenities of neighbours and the character of the area. In light of this it is considered that due to site circumstances the proposal would not create an incongruous feature and would not be overbearing in compliance with paragraph 6.60 of the SPD which allow for deeper extensions close to boundaries where site circumstances allow.
- 6.2.6 The proposed single storey front extension would not attach to the existing bay window but would extend the existing garage. It would extend approximately

0.65m and be of an appropriate height and appearance within the existing streetscene and comply with guidance as set out in the Council's SPG.

- 6.2.7 Because the existing garage will be retained it is considered that the proposals would respect the character and appearance of the dwellinghouse and the area and would not disrupt the balance and design of the subject dwelling within the streetscene and the surrounding residential area.
- 6.2.8 There are no concerns regarding the proposed stepped access, ramp and platform to the rear of the property. Its revised proposed depth of 1.5m is a modest addition which would not create any detrimental impact on the character of the host dwelling or surrounding area and is acceptable. The siting of the decking has been amended in order to address an objection raised and its impact on neighbour amenity is discussed below under residential amenity.
- 6.2.9 In conclusion, it is considered that the proposed alterations and extensions in terms of impact upon the character and appearance of the existing dwellinghouse and the streetscene and wider neighbourhood would accord with the aims and objectives of the Council's development plan policies.
- 6.2.10 Subject to conditions, the development would accord with the relevant policies of the development plan and the Council's adopted SPD: Residential Design Guide 2010.

### 6.3 Regeneration

- 6.3.1 The London Plan policy 7.4B, Core Policy CS1B of the Harrow Core Strategy (2012) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013) seek to encourage development with a high standard of design that responds positively to the local context in terms of scale, siting and materials. The adopted SPD 'Residential Design Guide' elaborates upon these policies with detailed guidance.
- 6.3.2 The proposed development would meet the requirements of the above policies and guidance by ensuring that extensions remain subordinate to the existing dwellings and that they do not harm the character and appearance of the area.

### 6.4 Residential Amenity

- 6.4.1 Policy DM1 seeks to "ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded. Development proposals would be required to meet policy DM1 of the Development Management Policies Local Plan (2013), which 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". This is supported at Paragraph 6.18 in the RDG which states that " the acceptability of an extension will be determined on a case by case basis taking into account particular site considerations including: the design and character of the existing and neighbouring houses (established pattern of development)".

- 6.4.2 The proposed single and two storey side elements of the proposals would be obscured from view of the neighbouring occupiers at no.567. In terms of the single storey rear extension, it is noted that number 567 has an existing rear extension and as such the proposal would only project 2.8m beyond that extension which is within the requirement of the SPD. The impact would not be dissimilar if an extension were erected under permitted development, for which planning permission would not be required) and in this respect would not be harmful to the amenities of this neighbour in terms of loss of light, outlook or overbearingness.
- 6.4.3 The proposed two storey side extension would comply with the 45 degree guidance in relation to the adjoining neighbour no 563 because the proposals do not project beyond the rear elevation of number 563. In terms of the single storey rear extension, although the depth of the proposed extension exceeds the guidance depth of 3.0m along the boundary shared with Number 563, it is considered that because of the 2.0m gap and the eaves height which would be no more than 3m with a mid-pitch height of approximately 2.90m measured from the slope and the total height is 3.85m, the rear extension would not be overbearing or result in loss of outlook. The two storey side and single storey rear extensions would still remain as proportionate additions along the common boundary and would not result in an overbearing feature when viewed from the neighbouring property at number 563. The ground level of 565 sits at a lower level than 563 and consequently the impact of the rear extension relative to the boundary fence is further reduced. Because of these site circumstances it is considered that the proposals would not result in unacceptable harm to the occupiers of the dwelling. Further, the two storey rear element of the proposed extension would not project beyond the rear elevation of the host dwelling therefore would not breach the 45 degree rule on both neighbouring properties.
- 6.4.4 It is considered that the projection at the front of the garage would not be so far forward as to be harmful to the amenities of number 563 or the streetscene.
- 6.4.5 In terms of the raised decking and the ramp, these elements have been significantly reduced from the original proposal. The stepped rear sloping access and platform have been reduced in depth to 1.5m deep and, in terms of the platform, set further away from the boundary as compared to the original plans. As such it is considered that any negative impacts on neighbouring amenity have been mitigated.
- 6.4.5 In light of this it is considered that the amenities of both neighbouring properties will not be harmed.
- 6.5 Development and Flood Risk
- 6.5.1 The application site is located in a critical drainage area of Harrow. Policy DM10 was introduced to address surface water run-off and flood risk from developments.

6.5.2 The application would result in a net increase in development footprint and there is the potential for surface water run off rates to increase. In order to address this issue it has been considered necessary to attach informatives to this permission.

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

7.1 The proposed development has not been found to negatively impact the character and appearance of the property and the area. Furthermore, the proposed extensions and external alterations have not been found to have an unacceptably harmful effect on the amenity of the neighbouring occupiers.

## **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, RAYNO1.1 REV D, RAYNO1.2 REV D, RAYNO1.3 REV D, RAYNO1.4 REV D, RAYNOO REV E, RAYNO11.2 REV F, RAYNO11.3 REV E, RAYNO11.4 REV F,

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

#### 3 Dormer Window

The dormer window on 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 amenity of neighbouring residents at 43 Glover Road in accordance with policy DM 1 of the Development Management Policies Local Plan 2013.

#### 4 Glazing Flank Future

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s) shall be installed in the flank elevations of the development hereby permitted other than those shown in the approved plans, 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 London Plan 2017 (Draft)**

**The London Plan 2016:**

7.3, 7.4B, 7.6B

**The Harrow Core Strategy 2012:**

CS1.B

**Harrow Development Management Policies Local Plan 2013:**

DM1, DM10

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. 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](mailto:communities@twoten.com)



5. SUDS

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

6. Surface and Foul Water Disposal

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](mailto:infrastructure@harrow.gov.uk) with your plans.

7. Highways 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](mailto: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.



# APPENDIX 3: PLANS AND ELEVATIONS

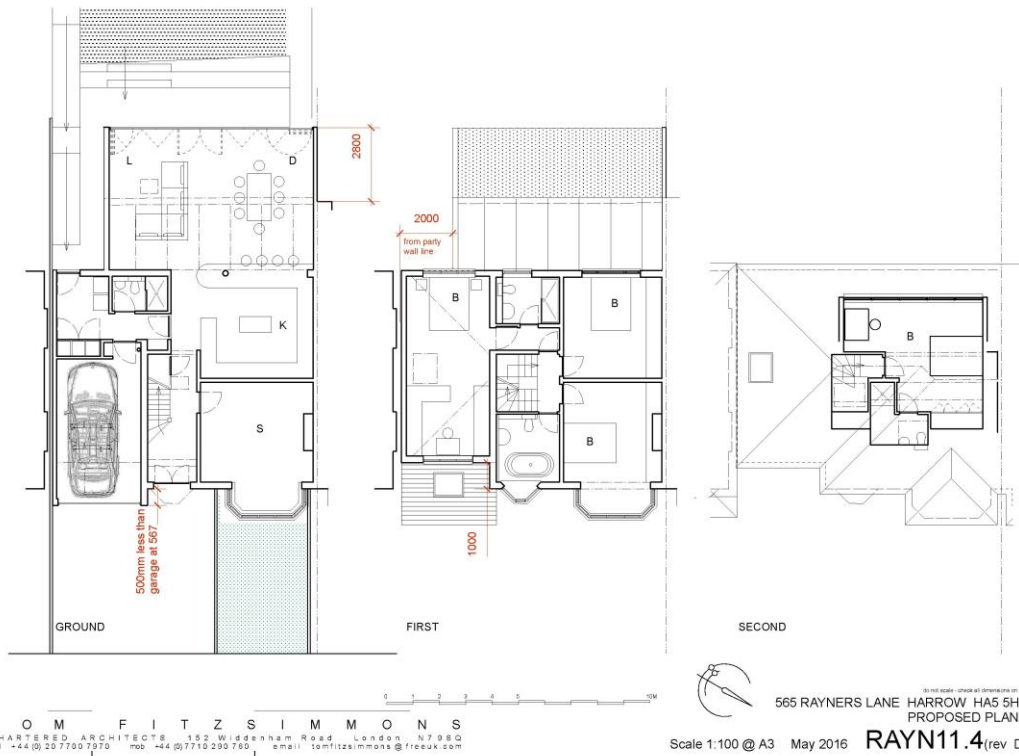
## Sections



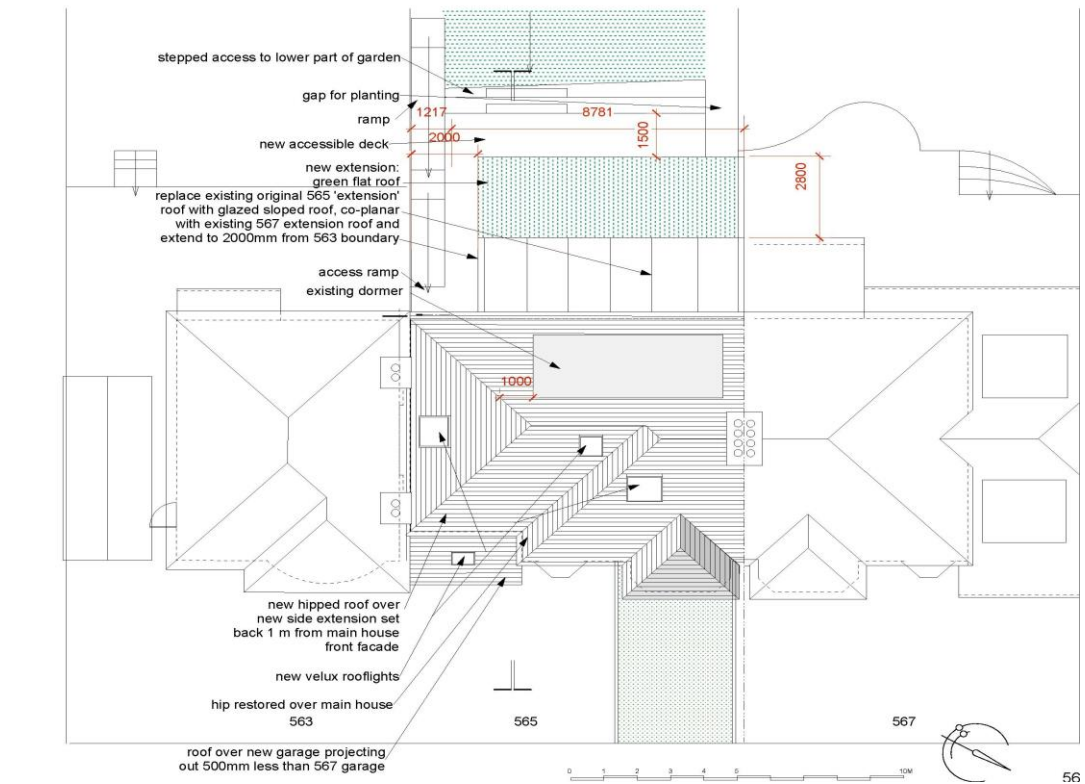
## Proposed plans



## Floor Plans



## Roof Plans



## 3 D Images



PROPOSED REAR



PROPOSED FRONT

Photographs



STREET VIEW: 563 & 565



STREET VIEW: 565 & 567



GARDEN VIEW: 567 & 565



GARDEN VIEW: 565 & 563



Rear of 567



Showing existing rear gardens





Rear of 565





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