

Planning Committee AGENDA

DATE: Wednesday 21 November 2018

TIME: 6.30 PM

VENUE: Council Chamber, Harrow Civic Centre

A SITE VISIT FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON SATURDAY 17 NOVEMBER 2018 STARTING AT 10.00 AM.

A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON MONDAY 19 NOVEMBER 2018 AT 6.30 PM IN THE 4TH FLOOR BOARDROOM

MEMBERSHIP (Quorum 3)

Chair: Councillor Keith Ferry

Councillors:

Ghazanfar Ali (VC)
Graham Henson
Christine Robson

Stephen Greek
Anjana Patel
Bharat Thakker

Reserve Members:

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

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: Tuesday 13 November 2018

AGENDA - PART I

Guidance Note for Members of the Public attending the Planning Committee (Pages 7 - 10)

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 11 - 16)

That the minutes of the meeting held on 17 October 2018 be taken as read and signed as a correct record.

5. PUBLIC QUESTIONS, PETITIONS & DEPUTATIONS

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 16 November 2018. Questions should be sent to 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. ADDENDUM (To Follow)

10. REPRESENTATIONS ON PLANNING APPLICATIONS

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

PLANNING APPLICATIONS RECEIVED

Report of the Divisional Director, Planning - circulated separately.

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

11. SECTION 1 - MAJOR APPLICATIONS

(a)	1/01: Clavering Nursing Home, Royston Grove - P/2344/18	HATCH END	GRANT	(Pages 17 - 56)
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12. SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

(a)	2/01: Bentley Wood High School, Binyon Crescent, Stanmore - P/3831/18	STANMORE PARK	GRANT	(Pages 57 - 84)
(b)	2/02: 66 Elms Road, Harrow Weald - P/0915/18	HARROW WEALD	GRANT	(Pages 85 - 104)
(c)	2/03: Stonegrove Gardens, Edgware - P/1571/18	CANONS	GRANT	(Pages 105 - 128)
(d)	2/04: West End Lawn Tennis Club - P/1721/18	PINNER SOUTH	GRANT	(Pages 129 -

(e)	2/05:100 - 102 Headstone Road, Harrow - P/1182/18	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	150) (Pages 151 - 184)
(f)	2/06: Anmer Lodge, Coverdale Close & Stanmore Carpark, Dennis Lane, Stanmore - P/4221/18	STANMORE PARK	GRANT	(Pages 185 - 224)
(g)	2/07: 121 Rowlands Avenue, Harrow - P/1472/18	HATCH END	GRANT	(Pages 225 - 260)
(h)	2/08: The Powerhouse, 87 West Street, Harrow - P/1516/18	HARROW ON THE HILL	REFUSE	(Pages 261 - 288)
(i)	2/09: 21 Whitegate Gardens, Harrow - P/3800/18	HARROW WEALD	GRANT	(Pages 289 - 342)
(j)	2/10: 19 Marshall Close - P/3415/18	ROXBOURNE	GRANT	(Pages 343 - 376)

13. SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None

14. SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None

15. SECTION 5 - PRIOR APPROVAL APPLICATIONS

None

16. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

AGENDA - PART II - NIL

*** DATA PROTECTION ACT NOTICE**

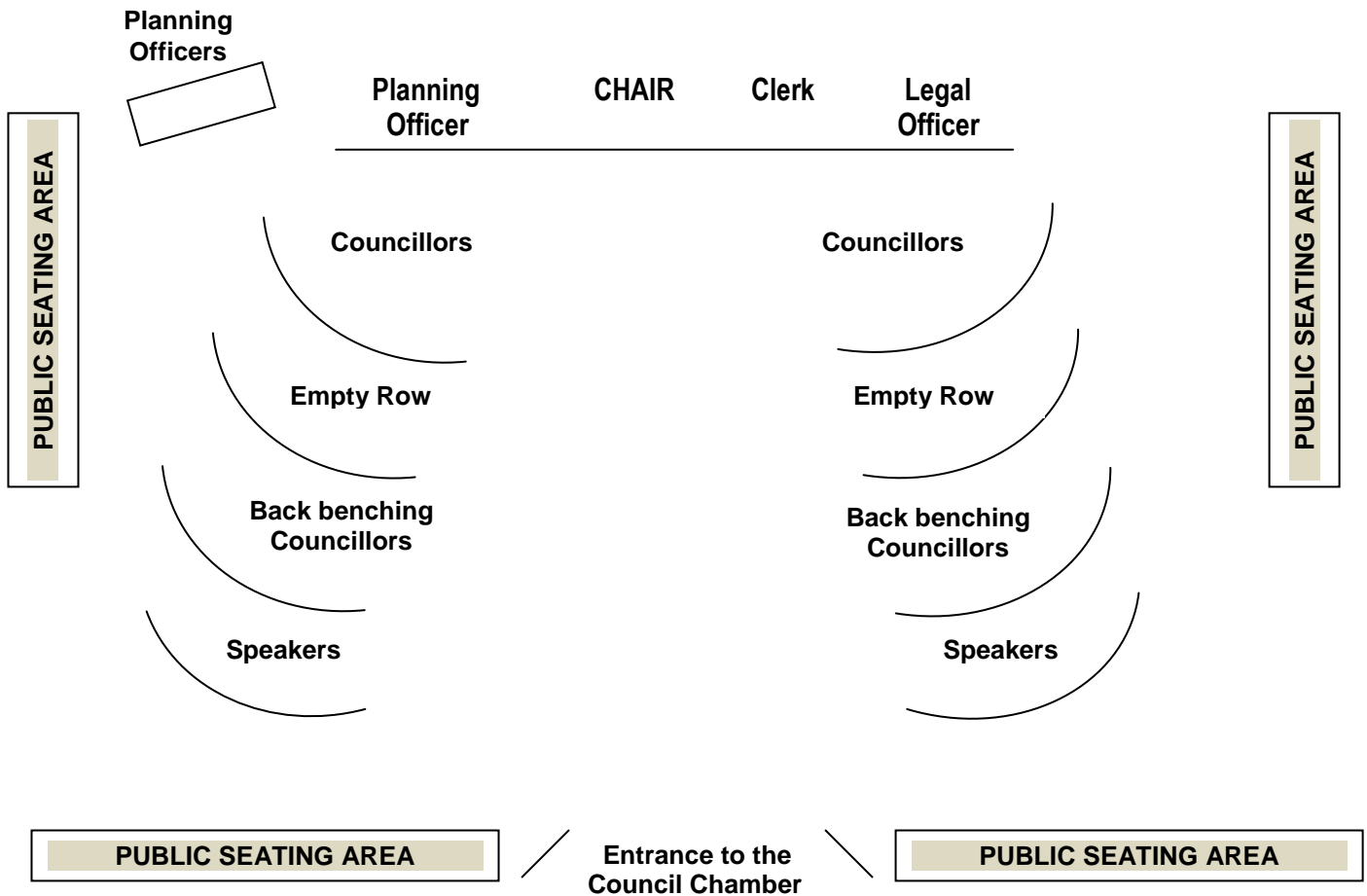
The Council will audio record item 5 (Public Questions) and will place the audio recording on the Council's website, which will be accessible to all.

[**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 the 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. However, often the agendas are quite long and the Committee may want to raise questions with officers and enter into detailed discussion over particular applications. This means that members of the public may have to wait some time before the application they are interested in is discussed. Additionally, 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 by 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. The Planning Service 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 set out in the Council's Constitution, which also provides useful information for Members of the public wishing to present petitions, deputations or ask public questions at Planning Committee, and the rules governing these. The relevant pages of the Constitution can be accessed via this link:

<http://www.harrow.gov.uk/www2/documents/s151078/029%20Part%204B%20Committee%20Procedure%20Rules.pdf>

Addendum

In addition to the agenda, an Addendum is produced on the day before the meeting, with any final updates included in a second Addendum on the day of the meeting. These documents update 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.

A limited number of hard copy agendas and addendums are available for the public in the Council Chamber from approximately 6.00 pm onwards on the day of the meeting.

Decisions taken by the Planning Committee

The types of decisions commonly taken by the Planning Committee are set out below:

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, then 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 members of the public understand the Planning Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures***).**

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PLANNING COMMITTEE

MINUTES

17 OCTOBER 2018

Chair: * Councillor Keith Ferry

Councillors: * Ghazanfar Ali * Mina Parmar (2)
* Stephen Greek * Christine Robson
* Graham Henson * Norman Stevenson (1)

In attendance: Marilyn Ashton Minute 106
(Councillors)

* Denotes Member present
(1) and (2) Denote category of Reserve Members

95. Attendance by Reserve Members

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

Ordinary Member

Councillor Bharat Thakker
Councillor Anjana Patel

Reserve Member

Councillor Mina Parmar
Councillor Norman Stevenson

96. Right of Members to Speak

RESOLVED: That, in accordance with Committee Procedure Rule 4.1, the following Councillors, who were not Members of the Committee, be allowed to speak on the agenda item indicated:

97. Declarations of Interest

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

98. Minutes

A Member stated that an objector who had spoken against application 2/08: Roger Bannister Sports Centre, Uxbridge Road, had sent an email requesting that the content of his speech made at the 26 September Planning Committee meeting, be recorded in the minutes.

The clerk advised that an email response had been sent to the objector in question and that the minutes were intended to be a concise summary of discussion and decision-making and were not intended to be a contemporaneous record of proceedings.

Members expressed concern that public participation at Planning Committee meetings was not being recorded sufficient detail and asked whether, going forward, Committee Services could look into the possibility of recording public speakers at Planning Committee and publishing these on the Council's website.

The Chair added that any such recordings would prove useful to the Planning Inspector when dealing with appeals. He added that it would be useful to audio record all Planning Committee deliberations and to publish these on the Council's website.

RESOLVED: That the minutes of the meeting held on 26 September 2018 be taken as read and signed as a correct record.

99. Public Questions, Petitions & Deputations

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

100. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

101. Addendum

RESOLVED: To accept both addendums.

102. Representations on Planning Applications

RESOLVED: To note that there were none.

RESOLVED ITEMS

103. 2/01: Vacant Land Northeast of Hailsham Drive - P-2028-18

PROPOSAL: Outline application for access only: redevelopment to create new building for up to nine flats; new access and associated works (with appearance, scale, layout and landscaping reserved)

A Member proposed that if granted, then the reserved matters should be submitted to a future meeting of the Planning Committee for consideration. This was agreed unanimously.

The Committee resolved to approve the officer recommendations.

DECISION:

GRANT, planning permission subject to the conditions listed in Appendix 1 of the officer report, and as amended by the Addendum 1;

That the reserved matters be submitted to a future meeting of the Planning Committee, for consideration.

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

104. 2/02: 30 Clonard Way - P-2981-18

PROPOSAL: Single and two storey side to rear extensions, ground floor front and rear extensions, rear dormer and rooflights and external alterations (demolition or rear extension and bin store)

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

- due to its depth, height and siting, officers considered that the proposed extension would not have an impact on the amenity of neighbouring properties as it would be set back from them and would not be visible from the street;
- the side window would have obscured glazing and there would be no overlooking;
- the proposed extension would not cause any overshadowing of neighbouring properties.

A Member proposed refusal on the following grounds:

‘The proposal, by reason of excessive scale and bulk, would harm the amenities of neighbouring properties, contrary to policies DM1 of the Local Plan, CS1 of the Core Strategy and 7.4 and 7.6 of the London Plan.’

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

The Committee resolved to approve the officer recommendations.

DECISION: GRANT, planning permission subject to the Conditions listed in Appendix 1 of the officer report, and as amended by Addendum 1.

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

Councillors Ghazanfar Ali, Keith Ferry, Graham Henson & Christine Robson voted for the application.

Councillors Stephen Greek, Mina Parmar & Norman Stevenson voted against the application.

105. 2/03:11 Elms Road - P-2735-18

PROPOSAL: Re-Development To Provide A Two Storey Building With Accommodation In Roof To Create Seven Flats; Parking; Landscaping; Separate And Communal Amenity Space; Refuse And Cycle Storage

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

- in accordance with London Plan policies, officers would encourage applicants to promote sustainable transport and modal shift by limiting parking provision at new developments. Six parking spaces (including 1 disabled space) were proposed at the site and this was within London Plan guidelines;
- the property had not been used as sheltered accommodation for 11 years and had been vacant for some time.

A Member queried the fact that the previous application which had been granted had been for a two storey building for six flats with 5 parking spaces and the current application was for seven flats with the same number of parking spaces. An officer stated that the parking provision was within London Plan guidelines and that the application had been assessed in line with relevant policies.

A Member proposed refusal on the following grounds:

‘The proposed building, by reason of its excessive scale, bulk and massing would give rise to a form of development which would be disproportionate, incongruous and overly dominant, to the detriment of the character and appearance of the streetscene, and the visual amenities of the area, contrary to policies 7.4 B and 7.6.B of The London Plan 2016, policies CS1.B of the Harrow Core Strategy (2012), policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document: Residential Design Guide 2010;

The proposed development to seven flats would be an over-intensive use of the site, and would have an insufficient level of parking provision, to the detriment of local character and amenity, contrary to policies DM1 and DM42 of the Local Plan, CS1 of the Core Strategy, and 6.13, 7.4 and 7.6 of the London Plan.

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

The Committee resolved to approve the officer recommendations.

DECISION: GRANT, planning permission subject to the Conditions listed in the officer report, and as amended by Addendum 2.

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

Councillors Ghazanfar Ali, Keith Ferry, Graham Henson & Christine Robson voted for the application.

Councillors Stephen Greek, Mina Parmar & Norman Stevenson voted against the application.

106. 2/04: 4 Elm Park - P-2003-18

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

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

- the report should state that the application site fell within a PTAL 2/3 area (and not a PTAL 2) and that the Old Church Conservation Area was located to the West of the site (and not to the East);
- officers had not been able to gain access to the stairwell which, was visible through the dormer window;
- Highways did not have any jurisdiction over the service road adjacent to the site as it was privately owned;
- a condition relating to Secure by Design would be included;
- the applicant did not own the adjacent building.

The Chair stated that a site visit had been carried out recently to the application site albeit some of the Members had not been present at that site visit.

The Committee received a representation from Councillor Marilyn Ashton.

A Member proposed refusal on the following grounds:

'The proposal, by reason of poor design, excessive bulk, height and scale, and lack of parking provision, would result in an overdevelopment of the site and have a detrimental impact on local character and amenity, contrary to policies DM1, DM42 and DM43 of the Local Plan, CS1 of the Core Strategy and 6.13, 7.4 and 7.6 of the London Plan.'

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

The Committee resolved to approve the officer recommendations and replace the words 'Divisional Director of Regeneration, Enterprise and Planning' with the words 'Interim Chief Planning Officer' in the recommendation.

DECISION: GRANT, planning permission subject to authority being delegated to the Interim Chief Planning Officer 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), and as amended by Addendum1.

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

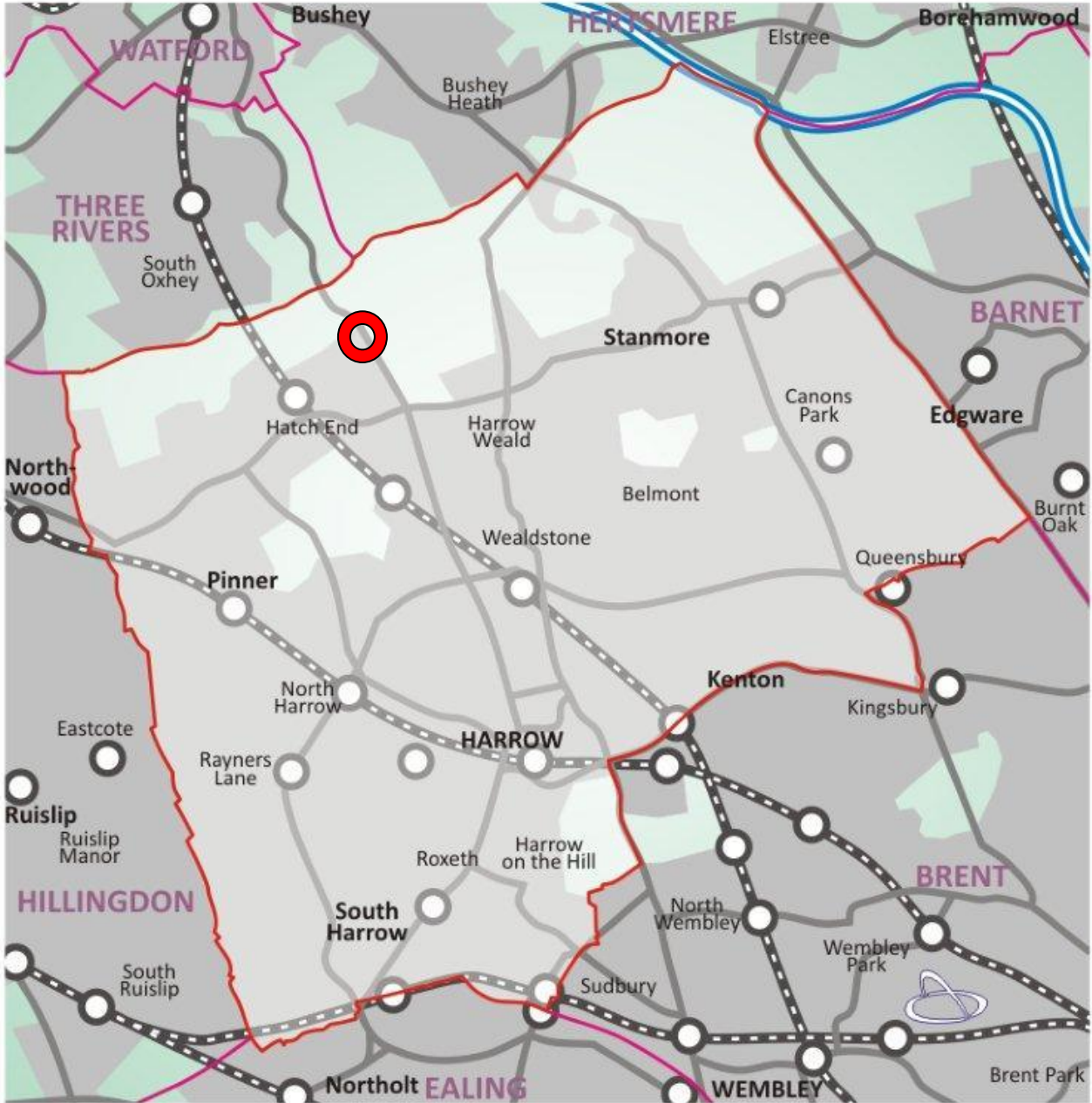
Councillors Ghazanfar Ali, Keith Ferry, Graham Henson & Christine Robson voted for the application.

Councillors Stephen Greek, Mina Parmar & Norman Stevenson voted against the application.

(Note: The meeting, having commenced at 6.33 pm, closed at 7.27 pm).

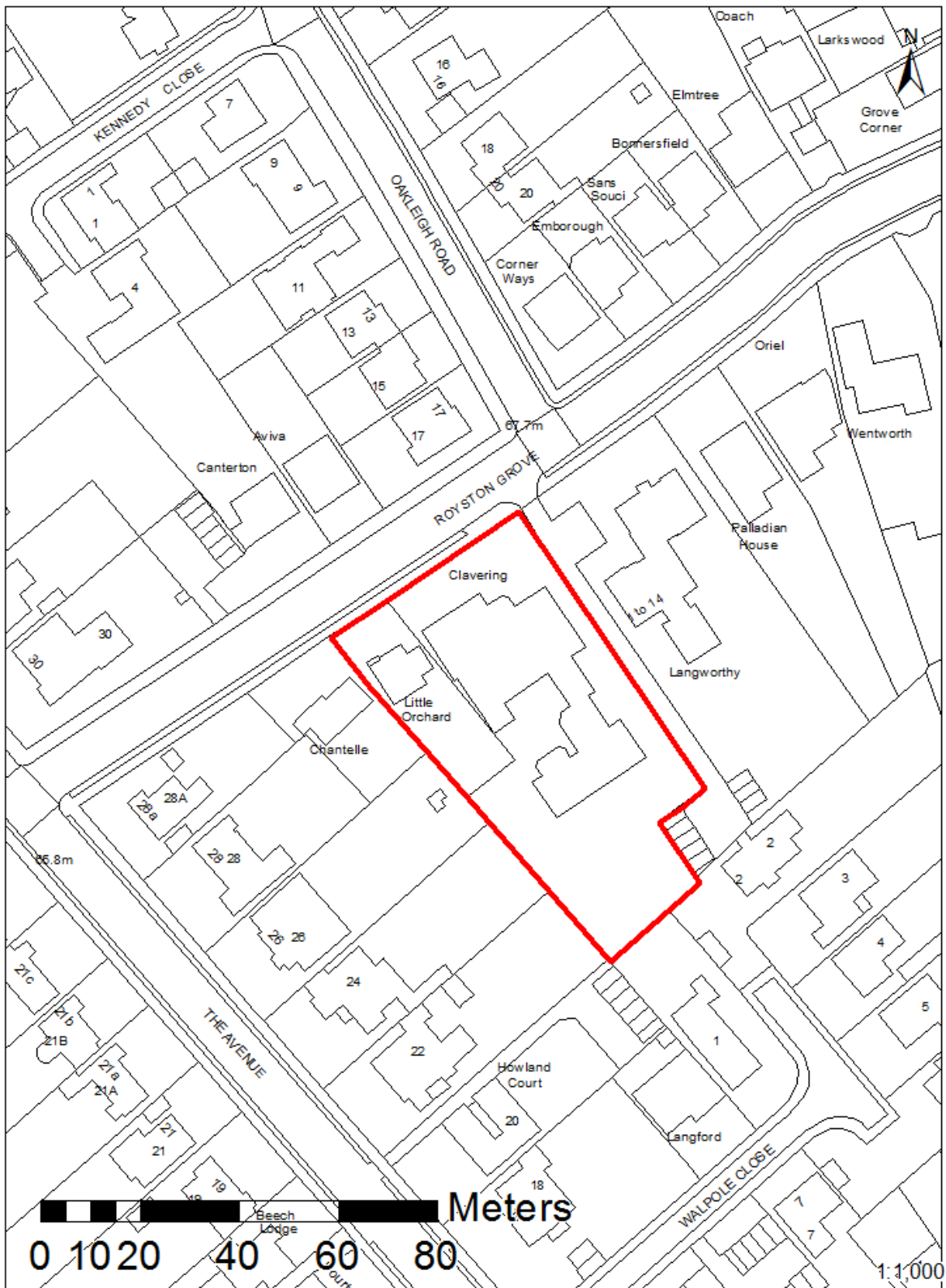
(Signed) COUNCILLOR KEITH FERRY
Chair

 = application site



Clavering Nursing Home, Royston Grove	P/2344/18
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Clavering Nursing Home, Royston Grove HA5 4HE



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21 September 2018

Application Number: P/2344/18
Validate Date: 5th June 2018
Location: CLAVERING NURSING HOME, ROYSTON GROVE,
PINNER
Ward: HATCH END
Postcode: HA5 4HE
Applicant: TLC GROUP LTD
Agent: RICHARD HENLEY
Case Officer: CATRIONA COOKE
Expiry Date: 31/08/2018 (extended 30 November 2018)

PROPOSAL

Redevelopment to provide a three storey building with basement for Care home (Class C2) with staff accommodation; Amenity space; Parking and Landscaping; Cycle and Refuse storage

RECOMMENDATION

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 to the conditions (set out in Appendix 1 of this report).

REASON FOR THE RECOMMENDATIONS

The existing Clavering nursing home site is no longer adaptable or able to meet current demands for Extra Care housing. The development is in keeping with the area. Additionally, it has been found that there would be no detrimental impacts on the amenity of surrounding neighbouring occupiers or any adverse highways impacts arising from the development. The development would result in landscape and ecological enhancements and would contribute towards the strategic objectives of reducing carbon reductions in the borough.

INFORMATION

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

Statutory Return Type:	Major Development
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	3185 x 35 = £111,475
Local CIL requirement:	3185 x 110 = £350,305

S17 Crime & Disorder Act

Policies 7.3.B and 7.13.B of The London Plan (2016) 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

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	Clavering Nursing Home and Little Orchard Royston Grove, Pinner. HA5 4HE
Applicant	TLC GROUP LTD
Ward	HATCH END
Local Plan allocation	Core Strategy Sub Area – Pinner and Hatch End; Critical Drainage Area; RAF Northolt Safeguarding Zones
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	Individual TPOs
Other	N/A

Housing		
Density	Proposed Density hr/ha	n/a
	Proposed Density u/ph	n/a
	PTAL	1a / 2
	London Plan Density Range	n/a
Dwelling Mix	Studio (no. / %)	-
	1 bed (no. / %)	-
	2 bed (no. / %)	-
	3 bed (no. / %)	-
	4 bed (no. / %)	-
	Overall % of Affordable Housing	-
	Social Rent (no. / %)	-
	Intermediate (no. / %)	-
	Private (no. / %)	-
	Commuted Sum	-
	Comply with London Housing SPG?	YES
	Comply with London Housing SPG?	YES
Comply with M4(2) of Building Regulations?	YES	

Non-residential Uses		
Existing Use(s)	Previous / Existing Use / Operator	Former Nursing Home and Adjacent Dwellinghouse / TLC Group Ltd
	Existing Use Class(es) sqm	Class C2 (nursing home) and Class C3 (dwellinghouse)
Proposed Use(s)	Proposed Use / Operator	Respite, nursing and dementia care home / TLC Group Ltd
	Proposed Use Class(es) sqm	Class C2 and ancillary nursing staff accommodation
Employment	Existing number of jobs	Nil (vacant)
	Proposed number of jobs	62 (FTE)

Transportation		
Car parking	No. Existing Car Parking spaces	16
	No. Proposed Car Parking spaces	16
	Proposed Parking Ratio	0.2
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	10
	Cycle Parking Ratio	0.13
Public Transport	PTAL Rating	1a / 2
	Closest Rail Station / Distance (m)	600
	Bus Routes	H12, H14 & 186
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	n/a
	Previous CPZ Consultation (if not in a CPZ)	n/a
	Other on-street controls	none

Parking Stress	Area/streets of parking stress survey	No
	Dates/times of parking stress survey	Survey Not Undertaken nor requested.
Highways		Highways Officer Support for the Application. The proposed care home will generate ten vehicle trips in the AM & PM peak periods. The net increase over the former home will be only three to four trips. This will have minimal impact on the local streets.
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Proposed refuse and recycling store (ground floor) Proposed 8No. 1100 litre & 6No 240 litre bins. Council general refuse / recycling / green waste - collection roadside (as previous). Clinical waste collection private contractor.

Sustainability / Energy	
BREEAM Rating	
Development complies with Part L 2013?	
Renewable Energy Source / %	to reduce on-site regulated carbon emissions by approximately 36% with energy efficient measures including the use of solar PV, high efficiency boilers etc

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site relates to an irregular shaped plot of land which measures 0.322 ha in area, located on the south eastern side of Royston Grove, a residential street of mixed character. The site is occupied by the redundant Clavering Care home which has approval for demolition and a dwelling house "Little Orchard.
- 1.2 To the north east of the site is Langworthy, a three storey flatted development containing 14 flats and to the south west is High Hedges a two storey detached dwellinghouse and the rear boundaries of 22 to 26 The Avenue.
- 1.3 The site is located in a predominantly residential area with a Ptal rating of 1a (poor) with Hatch End station approximately 9 minutes' walk away.

2.0 PROPOSAL

- 2.1 The proposal is for the redevelopment of the site, comprising a 2 storey building with a basement to accommodate a 76 room Care Home (Use Class C2) including communal lounges; ancillary offices; cinema; spa; staff accommodation cycle, refuse and stores; 16 car parking spaces.
- 2.2 The proposal would be 2 storeys plus a lower ground floor and accommodation in the roofspace. The building would have a pitched roof design with a front gable and front dormers with a grey clay tile finish. The external wall would be comprised of red facing brick work and powder coated aluminium windows and doors.

3.0 RELEVANT PLANNING HISTORY

- 3.1 P/1534/16
Application For Prior Approval Of Proposed Demolition Of Clavering Nursing Home
Prior Approval Not Required

4.0 CONSULTATION

- 4.1 Five Site Notices were erected on 11th July 2018 expiring on 2nd August 2018.
- 4.2 Press Notice was advertised in the Harrow Times on the 7th June 2018 expiring on 28th June 2018.

4.3 The application was advertised for the following reasons:

- Major application.

4.4 A total of 58 consultation letters were sent to neighbouring properties regarding this application.

4.5 The overall public consultation period expired on 26th June 2018.

4.6 Adjoining Properties

Number of letters Sent	58
Number of Responses Received	7
Number in Support	0
Number of Objections (including petition from the residents of Rectory Close with 6 signatures)	7
Number of other Representations (neither objecting or supporting)	0

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

Summary of Comments	Officer Comments
Concern with disturbance during construction phase.	Not a material planning consideration
Traffic Issues – during construction and once operating.	This is discussed in section 6.5 – 6.5.6
Too large - Out of keeping with the locality	This is discussed in section 6.3-6.3.9
Concern relating to excavation for the proposed basement	Not a material planning consideration
Loss of outlook – proposal larger and closer to the boundary with neighbouring properties.	This is discussed in section 6.4-6.4.9

4.8 Following amendments to the scheme local residents were re-notified on 29th October expiring on 19th November 2018.

4.9 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
Arboricultural Officer	No objections.	Noted.
LBH Landscape Architect	No objections	
LBH Highways	No objection subject to further details to be submitted	Noted.
LBH Drainage	No objection subject to conditions	Noted.
LBH Biodiversity Officer	<p><i>Notwithstanding any approval, the following should be applied as Conditions:</i></p> <p><i>(1) Bats</i></p> <p><i>a) In full accordance with the prescriptions of the outline bat mitigation strategy (RT-MME-128834-01 Rev A):</i></p> <ul style="list-style-type: none"> <i>• Harm to bats to be avoided during both the preparations for and the demolition of the existing buildings;</i> <i>• Should any bat be encountered in the buildings in the course of demolition, such works are to be halted until guidance from a suitably qualified ecologist has been sought and enacted</i> <i>• 6 Habitat boxes to be installed within the fabric of the new building in the locations indicated in plan C128834-0101;</i> <i>• 6 Schwegler 2F(DFP) boxes to be installed in appropriate locations on suitable trees – location details to be provided for approval.</i> 	Noted.

	<p><i>b) In accordance with current best practice guidance and the recommendations of the outline strategy, for as long as the proposed development shall remain, any external lighting installations, should be so designed as to minimise impacts on wildlife, especially the commuting and foraging behaviours of bats, and the crepuscular or nocturnal activities of invertebrates, both within and along the margins at the site. In particular there should be no direct illumination of any shelters for bats whether in/on vegetation or artificial structures.</i></p> <p><i>(2) Birds</i></p> <p><i>a) Birds of all species are protected from disturbance whilst breeding. Ideally any works liable to cause disturbance to nesting birds should ideally be undertaken outside the main bird breeding season - which runs from March to September inclusive. Where this will not be feasible, a suitably qualified ecologist will undertake a search for the presence of nesting birds no more than a day prior to the commencement of demolition/construction works and a buffer of 5+ metres (as appropriate to the sensitivity of the species in question) shall be left around any active nest location. The applicant is advised that collard dove and wood pigeon may breed all year round and that likely nesting locations which could impede development if occupied should be blocked off or removed during October-February. Should an active nest be found within the buffer zone around the new building footprint once construction has commenced, all work in that area should be halted until advice from a suitably qualified ecologist has been sought and</i></p>	
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	<p><i>implemented.</i></p> <p><i>b) Two Schwegler 2H open-fronted bird nest boxes and 2+ Schwegler 2GR nest boxes (One with 26 mm and one with 30mm entrance hole to be installed in trees or on buildings where appropriate locations would enable residents to watch nesting birds without causing them disturbance) [The 2GR design is specified in preference to the 1B given the likely presence of cats on the site]</i></p> <p><i>(3) Invertebrates</i></p> <p><i>a) 2+ Log piles/loggeries to be created. Different situations (e.g. one shaded, one partially shaded only) should be selected where possible. Plans for the sites management should include topping these up with additional logs using the same locations over time</i></p> <p><i>b) 2 artificial invertebrate shelters to be provided</i></p> <p><i>(4) Hedgehog and other small vertebrates</i></p> <p><i>a. Care to be taken during demolition and construction. Any holes or ditches which form part of the construction works to be left covered overnight or provided with boards or similar to enable animals to extricate themselves easily;</i></p> <p><i>b. Access points to be created in any fences (where safe access ways are otherwise not provided) to enable hedgehogs and other small vertebrates access to and from the site.</i></p>	
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	<p><i>(5) Water feature</i></p> <p><i>The proposed water feature, to be of a type that will provide both different habitat and a safe source of water for animal species – details to be provided for approval. [Details were lacking when provided information was last reviewed].]</i></p> <p><i>(6) Ongoing management and monitoring</i></p> <p><i>The applicant shall provide a plan for approval which in addition to outlining how the points above will be addressed (where not already detailed), will also set out how ongoing management and maintenance works and necessary monitoring will be undertaken so as to provide a clear guide to whichever parties will be conducting these works and ensure that planned gains in biodiversity value (including via new landscaping and planting programme) will be delivered and maintained.</i></p> <p>Reasons</p> <p><i>In order to protect and enhance biodiversity in accordance with Harrow policies DM20 and DM21, the wider requirements of the London Plan, the National Planning Policy Framework and relevant wildlife legislation.</i></p> <p>Informative</p> <p><i>The applicant should be encouraged to consider providing bird feeding stations of different types around the site, in addition to providing extra forage for a range of species this would also provide ready access to nature for the residents from their accommodation or whilst in the garden.</i></p>	
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	<p><i>Applicant to be encouraged to provide more 'invertebrate bricks' to be built into SE-SW facing walls, providing shelter for a range of species likely to be attracted by the plantings.</i></p> <p><i>Selecting a permanent site for compost heaps will have added wildlife value</i></p> <p><i>Prunings from trees and shrubs may also make valuable brush piles, especially in sunny situations, and where brambles may be permitted to overgrow the piles</i></p> <p>It is considered that the above will overall add lasting value for biodiversity – and should also give added value for residents</p>	
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5.0 **POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 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.
- 5.4 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].

5.5 The Draft new London Plan was published on 29th November 2017. Given, that the draft Plan is still at early stages of the formal process it holds very limited weight in the determination of planning applications. Although this weight will increase as the Draft London Plan progresses to examination in public stage and beyond, applications would continue to be determined in accordance with the 2016 London Plan. It is anticipated that the Examination in Public will commence early 2019.

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.

5.7 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

- Principle of the Development
- Affordable Housing and Housing Mix
- Character and Appearance
- Residential Amenity and Accessibility
- Traffic, Parking and Drainage
- Biodiversity
- Energy and Sustainability
- Environmental Impact Assessment

6.1 Principle of Development

Provision of Care Facilities including Extra Care Accommodation

6.1.1 Paragraph 61 of the National Planning Policy Framework (2018) outlines that “... the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”

6.1.2 London Plan policy (2016) 3.16 outlines the need for additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. It states that “development proposals which provide high quality social infrastructure will be supported in light of local and strategic needs assessments...Facilities should be accessible to all sections of the community and be located within easy reach by walking, cycling and public transport”. Further to this, 3.17 ‘Health and Social Care Facilities states that “proposals that provide high quality health and social care facilities will be supported in areas of identified need, particularly in places easily accessible by public transport , cycling and walking”.

6.1.3 The London Plan (2016) also identifies a need for specialist accommodation for older people (including sheltered accommodation, extra care accommodation and nursing home care). Paragraph 3.50b states:

“Research suggests that the choices open to older Londoners to move into local specialist housing may have been constrained through inadequate supply. Extending these choices through a higher level of specialist provision will in turn free up larger family homes for family occupation. Over the period 2015-2025, older Londoners may require 3,600-4,200 new specialist units per annum. At the mid-point of this range, these might be broken down broadly into 2,600 private units pa, 1000 in shared ownership and some 300 new affordable units. There may also be a requirement for 400-500 new bed spaces per annum in care homes”

6.1.4 Table A5.1 of The London Plan provides indicative strategic benchmarks to inform local targets and performance indicators for specialist housing for older people (including sheltered accommodation, extra care accommodation and nursing home care) between 2015 and 2025. The annual benchmark figure for Harrow is stated as 150 units.

6.1.5 Local plan policy DM 29 states that “the Council will support proposals on previously developed land for sheltered housing, care homes and extra care housing (across all tenures) for older people and those who may be vulnerable, provided that the proposal is accessible by public transport with good access to local amenities including shops and local facilities”.

6.1.6 Policy 3.14 of the London Plan (2016) resists the loss of existing housing. The proposed development will result in the loss one dwellinghouse. However, given that the proposal would create housing albeit in a difference form it is considered that the loss of one residential unit can be supported in this instance.

6.1.7 The policies outlined above provide support in principle for the provision of a care home, of any typology, at this location and within the borough. The proposal would provide for a meaningful contribution both towards the housing target and also a type of sheltered housing, and therefore the proposal is considered to be acceptable in principle.

6.2 Affordable Housing

- 6.2.1 Core Policy CS1J of the Harrow Core Strategy (2012) seeks the maximum reasonable amount of affordable housing on all development sites, with a Borough-wide target of 40%. DM policy DM 24 states that proposals that secure an appropriate mix of housing on site and which contribute to the creation of mixed and inclusive communities will be supported.
- 6.2.2 Paragraph 6.30 outlines that policy CS1 J applies to schemes for sheltered housing and extra care homes that fall within the thresholds. It goes on to say at paragraph 6.31 that “*Residential care homes and nursing homes, where the accommodation is non-self-contained, fall within use Class C2 (Residential Institutions) and are not subject to the affordable housing policy*”.
- 6.2.3 The 76 bedrooms for the residents contain a bathroom. There are large communal living rooms and dining rooms on each floor. Therefore the units are not considered to be self-contained units and therefore fall wholly within a C2 use Class. 4 flats would also be provided for staff which are considered to be ancillary to the overall C2 use. The proposal would therefore comply with Policy CS1 J and is not subject to affordable housing.

6.3 Character and Appearance

Scale, Mass and Layout

- 6.3.1 As outlined in paragraphs 124 to 131 of the NPPF (2018), 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. 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.
- 6.3.2 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. Policy 7.6 of the London Plan (2016) outlines that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the widest quality materials and design it appropriate to its context. Buildings should have complimentary building materials, be of a proportion, composition, scale and orientation which enhances and defines the public realm.

- 6.3.3 The above design considerations are echoed in Draft London Plan (2017) Policy D1. This requires that development design should respond “to local context by delivering buildings and spaces that are positioned and of a scale, appearance and shape that responds successfully to the identity and character of the locality, including to existing and emerging street hierarchy, building types forms.
- 6.3.4 The existing Clavering Nursing Home is 2 storeys high and has had many unsympathetic additions to the original property. The scheme proposes some excavation to allow for the basement element containing 4 staff flats, ancillary services, cinema and a space area for residents.
- 6.3.5 The proposed two storey building is considered to be appropriate in the surrounding context. Following initial concerns raised by the Councils Urban Design officer in relation to the scale and mass of the proposed roof, the applicants have made amendments to the design of the proposal. The overall scale has been reduced and the frontage has been simplified with one gable.
- 6.3.6 The proposal would comply with the relevant policies as stated above in relation to scale, mass and layout.

Design and Appearance

- 6.3.7 The design proposes the use of traditional materials used in a contemporary way. The roof form of the buildings has been amended during the application in order to reduce the overall bulk in the streetscene. It is considered that the proposed design has a similar language to that of other buildings within the area and would sit well within the site.
- 6.3.8 The proposed simple palettes of traditional materials including red brick and clay roof tiles echoes the character of the surrounding building and would be appropriate within the area.
- 6.3.9 The proposal would comply with the relevant policies as stated above in relation to Design and Appearance.

Trees and Landscape

- 6.3.10 Paragraph 127 of the NPPF states that planning decisions should ensure that developments are visually attractive as a result of, inter alia, appropriate landscaping. London Plan Policy 7.5 Public Realm seeks landscape treatment, street furniture and infrastructure of the highest quality and calls for opportunities for greening to be maximised. Policy DM22 Trees and Landscaping requires landscaping that: is appropriate to the character of the area; is well laid out; achieves a visual setting for buildings; provides sufficient space for planting to grow; and supports biodiversity.

- 6.3.11 There are 6 individual trees and 8 groups of trees within the site. It is proposed to remove trees within 4 of the groups which are of poor condition. These trees will be replaced under the Landscaping proposal. Tree roots are proposed to be protected where paths and parking bays are positioned within tree root zones. Such areas will be hand dug and porous surfacing laid. The application also comprises a planting plan which includes numerous plants and shrubs. The landscape design is considered to be high quality and forms a series of interconnected spaces, based on the sites existing characteristics and would provide an attractive setting for the buildings and the future occupiers.
- 6.3.12 The proposal would comply with the relevant policies as stated above in relation to trees and landscaping.

Refuse and Recycling Stores

- 6.3.13 Refuse facilities are proposed to be located to the ground floor on the northern side of the building. The refuse store would contain 8 no. 110 litre and 6 no. 240 litre bins. This arrangement is considered acceptable and would comply with Policies DM 1 and DM 45 of the Harrow Development Management Policies Local Plan (2013).

6.4 Residential Amenity and Accessibility

Impact on Neighbouring Occupiers

- 6.4.1 The NPPF requires sustainable development, and as part of this developments should aim to minimise adverse effects on the local environment, which includes neighbouring properties.
- 6.4.2 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.
- 6.4.3 London Plan Policy 3.5 Quality of Design and Housing Developments sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local places and create homes that reflect the minimum space standards and are fit for purposes in other respects. The policy also provides a commitment that the Mayor will issue guidance on implementation of the policy, and this commitment is fulfilled by the publication of the Mayor's Housing SPG (2016). The SPG sets out detailed guidance on a range of matters relating to residential quality, incorporating the Secured by Design principles, and these form the basis for the assessment below

- 6.4.4 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”. The Council’s Residential Design Guide supplementary planning document is also relevant.
- 6.4.5 The proposal would be located approximately 5m from neighbouring property “High Hedges” to the southwest. The proposed two storey element nearest this neighbouring property would be set approximately 2m further away from this property than the existing dwelling house to be demolished with the remaining footprint along the boundary with this property similar to the existing footprint. Officers consider that there would be no loss of privacy or outlook for these neighbours. It is noted that there are balconies proposed on the elevation facing this neighbouring property which could result in actual and perceived overlooking. However, these balconies would have wooden privacy screens and obscure glazed frontages which would mitigate any harm from direct overlooking.
- 6.4.6 The proposal would essentially have the same footprint as the existing care home along the boundary with Langworthy to the north east and therefore officers consider that there would be no additional impact on the residents of this flatted development above the current situation.
- 6.4.7 With regard to neighbouring properties on The Avenue (along the south-western boundary), these properties benefit from rear gardens of a minimum of 33 metres in length and the proposal would be set a minimum of 3.4 meters from the rear boundary. Officers consider that these distances are sufficient to ensure that there would be no loss of privacy or outlook for these neighbours.
- 6.4.8 To the rear of the site are Nos 1 and 2 Walpole Close which are bungalows set at the head of a cul-de-sac. The proposal would be set approximately 9m from the rear boundary of the site. Given this separation distance from the boundary officers consider that there would be no loss of privacy or outlook for these neighbours. Furthermore, there is existing mature trees along this boundary which will further mitigate any harm.
- 6.4.9 In addition to the above considerations, the applicant has provided a sunlight and daylight report in support of their application, which demonstrates that the proposed development would not have any adverse impact upon the daylight and sunlight enjoyed by the adjoining neighbouring properties.
- 6.4.10 New planting is proposed on the perimeters of the site which will provide further protection to maintain quality of outlook and privacy for the surrounding neighbouring residential properties.

Future occupiers

- 6.4.11 Each unit will have access to shared outdoor amenity space. This includes a hard and soft landscaped courtyards and associated seating areas.
- 6.4.12 All units would either adhere to or exceed the minimum space standards and the corridors and circulation space would be fully accessible for wheelchair users.
- 6.4.13 Four one bedroom staff flats are proposed in the basement. It is noted that the only light source to these units is from light wells. It is considered that given that these units are ancillary to the overall use of the site and would not constitute permanent residence, the poor outlook in this particular case is on balance considered to be acceptable.

6.5 Traffic, Parking and Drainage

- 6.5.1 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.
- 6.5.2 The London Plan Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan sets out maximum parking standards for new development dependent upon their use and level of public transport accessibility. It is noted that at supporting paragraph 6A.3A to the Parking Addendum sets out that there is scope for greater flexibility to the parking standards in different parts of London having regard to patterns of car ownership and use, levels of public transport accessibility, the need for integrated approaches to on-site and off-street parking, efficiency in land use and overall impact upon environment and the transport network.
- 6.5.3 The Development Management Policies DPD gives local interpretation of London Plan parking standards and detail requirements for sustainable Travel Plans. The document refers to the maximum London Plan standards for the parking standards of vehicles (including those with vehicle charging points) and cycle parking spaces. In addition, there would be “1 motorcycle/ scooter parking space per 20 car parking spaces subject to all developments with more than 10 car parking spaces having a minimum of 1 space”.
- 6.5.4 Currently there is available parking for up to 16 cars at the existing site. The site has a PTAL rating of 1a which is a “poor” accessibility rating as defined by TFL. Notwithstanding this, there is access to bus routes and Hatch End underground station is approximately a 15 minute walk.

6.5.5 The proposal would result in a net increase in residential units of 27 from the existing 49 units to 76 units. The existing vehicular and pedestrian access points would be retained from Royston Grove. .

6.5.6 The proposal would provide for 16 parking spaces with two disabled bays, secure cycle parking would be provided for 5 cycles which would be available for staff and visitors. The application is accompanied by a Transport Statement which considers how alternative modes of transport, reducing car travel will be achieved. The Highways Authority has raised no objection and therefore this provision is considered acceptable.

6.6 Drainage

6.6.1 The NPPF (2018) outlines the need to manage flood risk from all sources. Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Policy DM 9 states that “proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to flooding and the design and layout of proposals must contribute to flood risk management and reduction” Further to this, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that “proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates”.

6.6.2 The site is not within any floodzone, although Royston Grove is within Floodzone 3a & 3b. The Council’s drainage engineers have raised no objection, subject to the imposition of conditions, relating to surface water attenuation and storage works and details of disposal of sewage.

6.6.3 Subject to the above conditions, the development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy

6.7 Biodiversity

6.7.1 Policies DM 20 and DM 21 seek to ensure the protection of biodiversity and access to nature. Policy DM 20 requires that “*The design and layout of new development should retain and enhance any significant features of biodiversity value within the site. Potential impacts on biodiversity should be avoided or appropriate mitigation sought*”. Policy DM 21 outlines that proposals should secure the restoration and recreation of significant components of the natural environment.

6.7.2 The applicant has submitted, bat surveys, Roost Assessment and ecological surveys. The Council's Biodiversity Officer has raised no objection subject to conditions relating to protection of species and ongoing biodiversity which have been recommended.

6.8 Energy and Sustainability

6.8.1 The National Planning Policy Framework seeks to promote low carbon and renewable energy, including decentralised energy. This includes requiring local planning authorities to have a positive strategy to delivery low carbon and renewable energy infrastructure and for these matters to be considered as part of any planning application.

6.8.2 London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires new development to minimise carbon emissions in accordance with the energy hierarchy of be lean (use less energy), be clean (supply energy efficiently) and be green (use renewable energy). The policy sets targets for carbon emission reductions; with residential development is expected to be zero carbon. 40% reduction required relative to the 2010 Building Regulations for both residential and non-residential development (this is equivalent to a 35% reduction over the more recent 2013 Building Regulations) is required to be achieved on site. The policy outlines that the remaining regulated carbon dioxide emissions, to 100%, are to be offset through a cash in lieu contribution to be ring fenced to secure the delivery of carbon dioxide savings elsewhere (in line with policy 5.2 E)

6.8.3 The National Planning Policy Framework seeks to achieve sustainable development. London Plan Policy 5.3 requires that development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. It outlines broad considerations that developments should address, including minimising carbon emissions, avoiding overheating, making the efficient use of resources, minimising pollution and the generation of waste, avoiding the impacts from natural hazards, ensuring developments are comfortable and secure, using sustainable materials and promoting and protecting biodiversity and green infrastructure.

6.8.4 Policy 5.7 (Renewable Energy) requires new development to provide a reduction in expected carbon emissions through on-site renewable energy, where feasible. The supporting text to the policy indicates there is a presumption that the reduction achieved through on-site renewable energy will be at least 20%.

6.8.5 Harrow Local Plan policy largely cross-refers to the London Plan requirements with respect to carbon emissions [see Core Strategy Policy CS1 (T), Policies DM12 Sustainable Design and Layout, DM13 Decentralised Energy, and DM14 Renewable Energy Technology.

6.8.6 The application is accompanied by an energy strategy. Through implementation of the three step energy hierarchy outlined in the London Plan (Be Lean, Be Clean, Be Green), the cumulative CO² savings on the site are estimated to be 36% over Part L1A regulation baseline.

6.8.7 A condition is recommended to ensure that the proposals detailed in the energy and sustainability assessment are implemented. Subject to this and the above mentioned obligation, the scheme is considered to comply with the development plan polices outlined above and is acceptable in energy and sustainability terms

6.9 Environmental Impact

6.9.1 The proposals would not exceed the applicable thresholds set out under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2017 (as amended) and would not constitute an environment impact assessment development. Therefore there is no need for a formal screening opinion to be provided in respect of this development.

CONCLUSION AND REASONS FOR APPROVAL

7.1 The principle of providing a care home on the site in replacement of the existing care home is considered to be acceptable. The proposed development would result in an efficient use of the existing site and would provide care housing for older people within the borough for which there is policy need. 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. Indeed the proposed development would have a much more appropriate appearance within the site and streetscene than the existing building, which is ad-hoc and piecemeal in appearance. The proposal would provide appropriate living conditions for the future occupiers of the development. In addition to this, the details submitted in relation to landscaping, boundary treatment, levels, the environmental enhancement scheme and cycle parking are considered to be acceptable.

7.2 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 Plans and documents

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out, retained and completed in accordance with the following approved drawings and documents: Design and Access Statement; Design and Access Statement Addendum; Flood Risk Assessment (May 2018); Letter from EAS drainage dated 29th October 2018; Environmental Report (May 2018); Transport Statement (May 2018); Arboricultural Report; Addendum Arboricultural Report (17th October 2018); Planning Need Assessment (March 2018); Daylight & Sunlight Report (April 2018); Energy Statement (April 2018); Planning Statement (May 2018); Biodiversity Report (April 2018); Preliminary Ecological Appraisal (April 2018); Sustainability Statement (May 2018);

A-681-01A; A-681-10A; A-681-50A; A-681-71B; A-681-72B; A-681-73B; A-681-74C; A-681-75B; CCHL1 D; CLA/51 Rev A; TPP/CCHRG/010 A

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

3. Demolition and Construction Logistics Plan

No development shall take place, including any works of demolition, until a demolition and construction logistics plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in construction the development;
- d) the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- e) wheel washing facilities; and
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- g) measures for the control and reduction of dust
- h) measures for the control and reduction of noise and vibration.

The demolition and construction of the development shall be carried out in accordance with the plan so agreed.

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers, in accordance with Policies 7.14 and 7.15 of the London Plan (2016) and Policy DM1 of the Local Plan (2013) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2016). To ensure 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.

4. Surface Water Drainage Strategy

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, the Local Planning Authority in writing to be agreed. 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, in accordance with London Policies 5.13 & 5.15 of the London Plan (2016) and built-in to the Policy DM 10 of the Harrow Development Management Policies Local Plan (2013). To ensure that measures are agreed and development to manage and reduce surface water run-off. This condition is a PRE-COMMENCEMENT condition.

5. Foul Surface Water Drainage Strategy

No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to the Local Planning Authority in writing to be agreed. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2016) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with Policy DM 10 of the Harrow Development Management Policies Local Plan (2013). To ensure that measures are agreed and put in place to dispose of foul water arising from the development. This condition is a PRE-COMMENCEMENT condition.

6. Levels

No site works or development shall commence (other than demolition works) 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 level of the site, have been submitted to the Local Planning Authority in writing to be agreed. 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 in accordance with policies DM 1, DM 10 and DM 42 of the Harrow Development Management Policies Local Plan (2013). To ensure that appropriate site levels are agreed before the superstructure commences on site. This condition is a PRE-COMMENCEMENT condition.

7. Materials

Notwithstanding the details shown on the approved drawings, the development shall not progress beyond damp proof course level until samples of the materials (or appropriate specification) to be used in the construction of the external surfaces noted below have been submitted to the Local Planning Authority to be agreed in writing,:

- a) facing (including roof) materials for the buildings
- b) windows/ doors
- c) balconies and terraces including privacy screens
- d) boundary treatment including all pedestrian/ access gates
- e) ground surfacing

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

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

8. 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 that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

9. Extraction Flues, Ventilation Systems, Rainwater Disposal

The development hereby approved shall not progress beyond damp proof course level until details of any extraction flues, ventilation systems, and rainwater disposal systems (including downpipes) have been submitted to the Local Planning Authority in writing to be agreed. The application shall be implemented in full accordance with such details and be maintained thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

10. Combined Heat and Power Flue Details

The development hereby approved shall not progress above damp proof course level until a specification and drawings of the external part of the flue of the combined heat and power system has been submitted to the Local Planning Authority in writing to be agreed. 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 external part of the flue of the combined heat and power system complies with the standards published at Appendix 7 of the Mayor of London's Sustainable Design & Construction supplementary planning document (2014) (or such appropriate standards as may supersede them) in accordance with the provisions of Policy 7.14 of the London Plan (2016), and to ensure that flue would not be detrimental to the design and appearance of the development or detrimental to the amenity of future occupiers of the development in accordance with the provisions of Policy DM 1 of the Local Plan (2013).

11. External Lighting

The development hereby approved shall not progress beyond damp proof course level until details of the lighting of all external areas (including buildings) within the site has been submitted to the Local Planning Authority in writing to be agreed. 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, achieves a high standard of residential quality in accordance with Policies DM 1 and DM 2 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with policy DM 20 of the Harrow Development Management Policies Local Plan (2013).

12. Hard and Soft Landscaping

The development hereby approved shall not progress beyond damp proof course level until a scheme for the hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters, external seating and boundary treatment has been submitted to the Local Planning Authority in writing to be agreed. Soft landscaping works shall include: planting plans including details of a minimum of 16 new trees (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer. The hard and soft landscaping details shall demonstrate how they would contribute to privacy between the approved private terraces and communal garden/open space areas. The scheme shall also include proposed finished levels, means of enclosure circulation areas, minor artefacts and structures (such as furniture, temporary refuse storage area and signs). 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 to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy 7.4B of The London Plan (2016), policy CS.1B of the Harrow Core Strategy (2012) and policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

13. Energy and Sustainability

The development shall be undertaken in accordance with the approved Sustainability Statement and Energy Strategy. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the final completion of the development a post construction assessment shall be undertaken demonstrating compliance with the approved Energy Statement by XCO2 (dated April 2018) and Sustainability Statement produced by XCo2 (dated May 2018) which thereafter shall be submitted to the Local Planning Authority in writing to be agreed the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2012, policies 5.2.B/C/D/E of The London Plan (2016) and policies DM 12, DM 13 and DM 14 of the Harrow Development Management Policies Local Plan.

14. Telecommunications Equipment

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 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 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 in accordance with Policy 7.4 of the London Plan (2016), and DM 49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

BIODIVERSITY CONDITIONS
TBC

Informatives

INFORMATIVE: SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

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

2016 London Plan (consolidated with Alterations since 2011) (March 2016)

Policy 3.1: Ensuring equal life chances for all
Policy 3.2: Improving health and addressing health inequalities
Policy 3.16: Protection and enhancement of social infrastructure
Policy 4.12: Improving opportunities for all
Policy 5.1: Climate change mitigation
Policy 5.2: Minimising carbon dioxide emissions
Policy 5.3: Sustainable design and construction
Policy 5.5: Decentralised energy networks
Policy 5.6: Decentralised energy in development proposals
Policy 5.7: Renewable energy
Policy 5.8: Innovative energy technologies
Policy 5.9: Overheating and cooling
Policy 5.10: Urban greening
Policy 5.11: Green roofs and development site environs
Policy 5.12: Flood risk management

Policy 5.13: Sustainable drainage
 Policy 5.15: Water use and supplies
 Policy 5.17: Waste capacity
 Policy 5.18: Construction, excavation and demolition waste
 Policy 6.1: Strategic approach
 Policy 6.3: Assessing effects of development on transport capacity
 Policy 6.7: Better streets and surface transport
 Policy 6.9: Cycling
 Policy 6.10: Walking
 Policy 6.11: Smoothing traffic flow and tackling congestion
 Policy 6.12: Road network capacity
 Policy 6.13: Parking
 Policy 7.1: Building London's neighbourhoods and communities
 Policy 7.2: An inclusive environment
 Policy 7.3: Designing out crime
 Policy 7.4: Local character
 Policy 7.5: Public realm
 Policy 7.6: Architecture
 Policy 7.14: Improving air quality
 Policy 7.15: Reducing noise and enhancing soundscapes
 Policy 7.18: Protecting local open space and addressing local deficiency
 Policy 7.19: Biodiversity and access to nature
 Policy 7.30: London's canals and other rivers and water spaces
 Policy 8.1: Implementation
 Policy 8.2: Planning obligations
 Policy 8.3: Community infrastructure levy

Draft London Plan December 2017:

Policy D1 London's form and characteristics
 Policy D2 Delivering good design
 Policy D3 Inclusive design
 Policy S1 Developing London's social infrastructure
 Policy S2 Health and social care facilities
 H15 Specialist older persons Housing
 Policy G5 Urban greening
 Policy G6 Biodiversity and access to nature
 Policy G7 Trees and woodlands
 Policy SI2 Minimising greenhouse gas emissions
 Policy SI3 Energy infrastructure
 Policy SI5 Water infrastructure
 Policy SI7 Reducing waste and supporting the circular economy
 Policy SI12 Flood risk management
 Policy SI13 Sustainable drainage
 Policy T1 Strategic approach to transport
 Policy T3 Transport capacity, connectivity and safeguarding
 Policy T4 Assessing and mitigating transport impacts
 Policy T5 Cycling
 Policy T6 Car parking

Harrow Core Strategy (February 2012)

Core Policy CS1: Overarching Principles
Core Policy CS8: Pinner an Hatch End

Harrow Development Management Policies (July 2013)

Policy DM 1 Achieving a High Standard of Development
Policy DM 2 Achieving Lifetime Neighbourhoods
Policy DM 10 On Site Water Management and Surface Water Attenuation
Policy DM 12 Sustainable Design and Layout
Policy DM 13 Decentralised Energy Systems
Policy DM 14 Renewable Energy Technology
Policy DM 20 Protection of Biodiversity and Access to Nature
Policy DM 21 Enhancement of Biodiversity and Access to Nature
Policy DM 22 Trees and Landscaping
Policy DM 23 Street side Greenness and Forecourt Greenery
Policy DM 29 Sheltered Housing, care Homes and Extra Care Housing
Policy DM 42 Parking Standards
Policy DM 43 Transport Assessments and Travel Plans
Policy DM 44 Servicing
Policy DM 45 Waste Management
Policy DM 50 Planning Obligations

Other Guidance

Mayor of London Guidance

Social Infrastructure (May 2015)
Sustainable Design and Construction (April 2014)
Mayor Of London, Housing Supplementary Planning Guidance (March 2016)

LB Harrow Guidance

Planning Obligations & Affordable Housing SPD (October 2013)
Access for All SPD (April 2006)
Supplementary Planning Document – Planning Obligations (2013)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

2. **INFORMATIVE: CIL**

Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of £636, 475 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 £134, 995 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 3857sqm (C3 use)

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

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

tosubmit/cil

3. INFORMATIVE: 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 contribution for this development is £424,270

4. INFORMATIVE: Wheelchair Homes

The applicant is encouraged to liaise with the Council during the construction of the development to ensure, insofar as possible, that the wheelchair homes are fitted-out to meet the needs of their first occupiers.

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

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

1. work on an existing wall shared with another property;

2. building on the boundary with a neighbouring property;

3. excavating near a neighbouring building, and that work falls within the scope of the Act. Procedures under this Act are quite separate from the need for planning permission or building regulations approval. "The

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

Please quote Product code: 02 BR 00862 when ordering. Also available for download

from the CLG website:

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

f Tel:

0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail:

communities@twoten.com

7. **INFORMATIVE: IMPORTANT:** Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences
You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
Beginning development in breach of a planning condition will invalidate your planning permission. If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.
8. **INFORMATIVE: PRE APPLICATION ADVICE**
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

Plan Nos: Arboricultural Report; Design and Access Statement; Design and Access Statement Addendum; Flood Risk Assessment (May 2018); Letter from EAS drainage dated 29th October 2018; Environmental Report (May 2018); Transport Statement (May 2018); Arboricultural Report; Addendum Arboricultural Report (17th October 2018); Planning Need Assessment (March 2018); Daylight & Sunlight Report (April 2018); Energy Statement (April 2018); Planning Statement (May 2018); Biodiversity Report (April 2018); Preliminary Ecological Appraisal (April 2018); Sustainability Statement (May 2018);

A-681-01A; A-681-10A; A-681-50A; A-681-51A; A-681-71B;
A-681-72B; A-681-73B; A-681-74C; A-681-75B; CCHL1 D

APPENDIX 2: SITE PLAN & PROPOSED PLAN







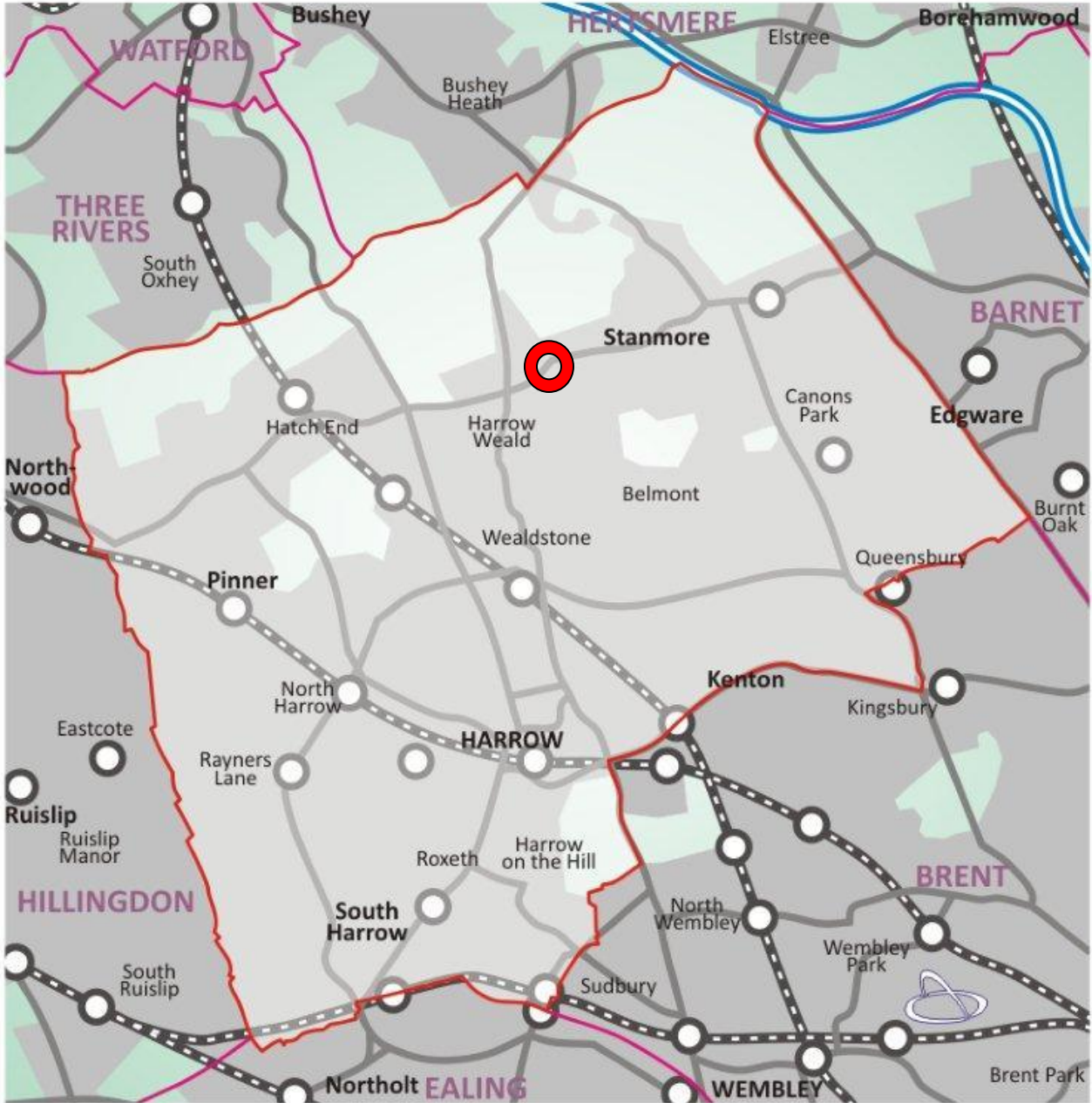
APPENDIX 3: SITE PHOTOGRAPHS





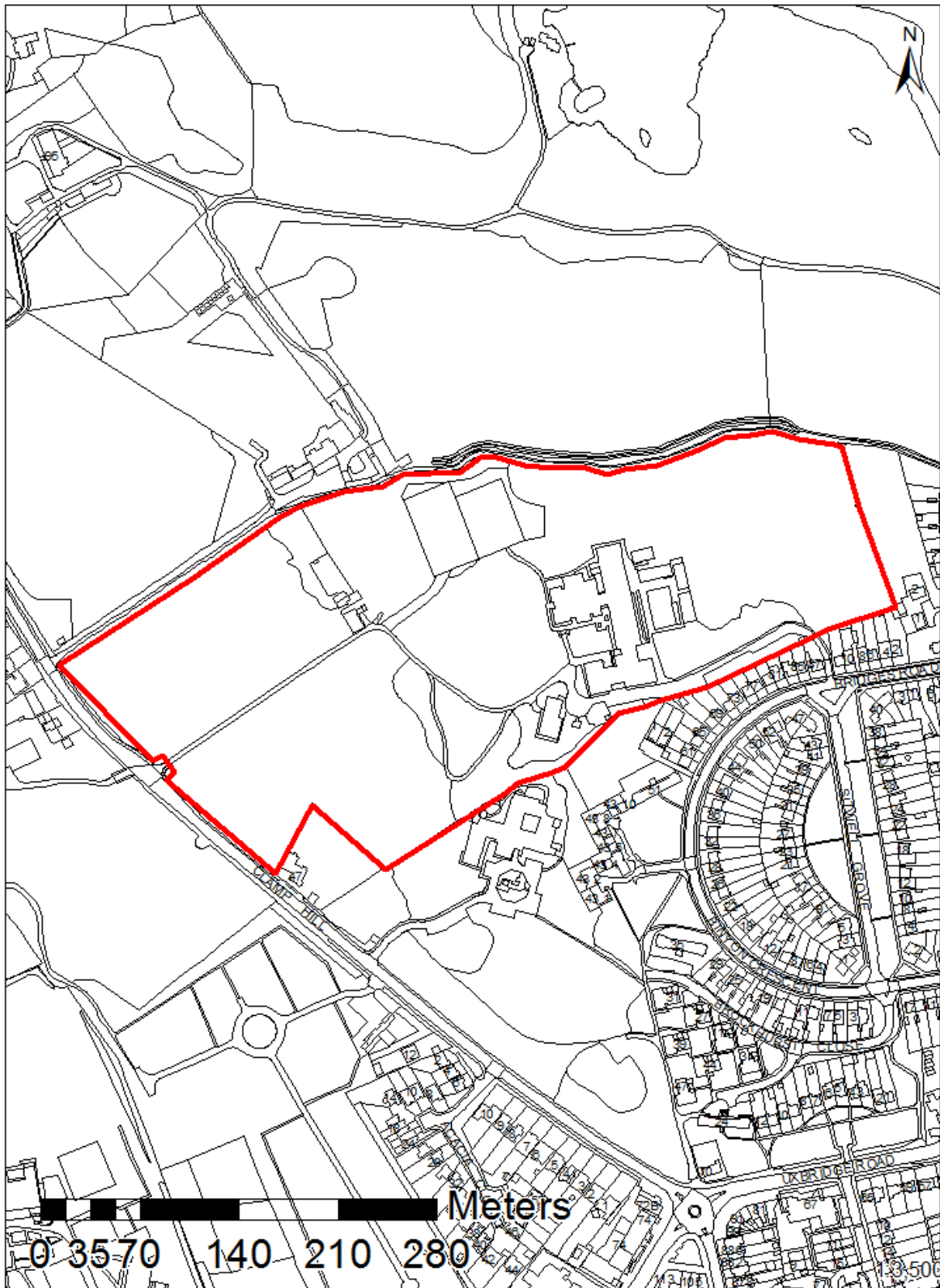
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 = application site



Bentley Wood High School, Stanmore	P/3831/18
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Bentley Wood High School Binyon Crescent HA7 3NA



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 2018

APPLICATION NUMBER: P/3831/18
VALIDATE DATE: 17TH SEPTEMBER 2018
LOCATION: BENTLEY WOOD HIGH SCHOOL, BINYON CRESCENT, STANMORE
WARD: STANMORE PARK
POSTCODE: HA7 3NA
APPLICANT: BENTLEY WOOD HIGH SCHOOL
AGENT: ARCADIS
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 23RD OCTOBER 2018 (AGREED EXTENSION: 28TH NOVEMBER 2018)

PURPOSE OF REPORT/PROPOSAL

Single storey extension to North West elevation of kitchen/dining block including provision of extraction ducts to roof; hardsurfacing and external alterations

The Planning Committee is asked to:

RECOMMENDATION

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

REASON FOR THE RECOMMENDATIONS

The proposed development would constitute inappropriate development in the Green Belt which would result in some limited harm to the character, appearance and openness of the Green Belt. However, the applicant has submitted a case for 'Very Special Circumstances' to justify the development. The proposed development would offer an improvement to meet the existing and future demands of the school and offer social benefits in terms of welfare and health. Accordingly, officers consider that the 'Very Special Circumstances' put forward together with the 'great weight' that the NPPF requires

to be given to the need to expand and alter school are sufficient to outweigh the limited harm to the Green Belt in this case. Subject to conditions the proposed development would not result in any unacceptable ecological harm on the site and surrounding area. The proposed extension is considered to be a sympathetic addition which would respect the scale, design and appearance of the existing building and would provide a good environment for its intended users. No detrimental impacts would arise in respect of highways or residential amenity.

INFORMATION

This application is reported to Planning Committee as the proposed development exceeds 100m² of non-residential floorspace on a building/land where an interest is held by the Council and therefore falls outside Schedule 1(h) of the Scheme of Delegation.

Statutory Return Type:	E18 Minor Development
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A. Does not apply to education facilities
Local CIL requirement:	N/A Does not apply to education facilities

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 – Floor Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	Bentley Wood High School, Binyon Crescent, Stanmore, HA7 3NA
Applicant	Bentley Wood High School
Ward	Stanmore Park
Local Plan allocation	N/A
Conservation Area	No
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	Yes
Other	Green Belt Area of special character Site of Nature Conservation Importance

Education		
No. of Pupils	Existing	
	Proposed	No change proposed
No. of Forms of Entry	Existing	
	Proposed	No change proposed
No. of Staff	Existing	
	Proposed	No change proposed
No. of Classrooms	Existing	
	Proposed	N/A
Outdoor space (m2)	Existing	
	Proposed	No change proposed

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application relates to Bentley Wood High School which is sited within the Green Belt, north of Uxbridge Road, Stanmore.
- 1.2 The application site relates to the kitchen/dining block which is located to the south west of the core set of buildings.
- 1.3 Access to the site for both vehicles and pedestrians is gained at the junction of Binyon Crescent and Sitwell Grove. The entrance drive runs along the south of the site towards the main school building. There is a further vehicle access point located to the south west along Clamp Hill.
- 1.4 The main school car park is situated to the south west and provides 65 car parking spaces including two disabled spaces. The car park is used by school staff only.
- 1.5 The main school building is three storey brick built structure which has two wings extending westwards at the northern and southern ends of the structure. It also features a part three / part four storey extension to the north wing of the school, which was granted under P/3803/07.
- 1.6 There are currently five buildings providing temporary classroom units sited on a hardsurfaced play area on the eastern side of the main building.
- 1.7 There are five tennis courts to the north west of the school buildings which are enclosed on all sides by mature trees. To the south west of the tennis courts there is an informal parking area with unmarked spaces. Further west are the school playing fields which are divided in two by a vehicle access road from Clamp Hill.
- 1.8 There are a number of mature trees across the site, with extensive coverage on the northern and western sides of the site adjacent to the existing buildings.
- 1.9 The entire school site falls within an Area of Special Character and a large part of the school grounds is within the Harrow Weald Park and the Hermitage Site of Borough Importance Grade 2 as identified on the Harrow Local Area Map (2013).
- 1.10 Residential properties of Binyon Crescent and Bridges Road are sited south of the application site.
- 1.11 The area surrounding the tennis courts is dominated by mature trees and vegetation. The site is currently enclosed by a chain link fence.

2.0 PROPOSAL

- 2.1 The application proposes a single storey extension together with external alterations to the kitchen/dining block, located on the North West elevation in order to increase the capacity of the facility.
- 2.2 The extension of the existing building will encompass a further 138 sqm of kitchen and dining room space.
- 2.3 The proposed extension would extend the full width of the existing North West elevation (28.4m) with a depth of 5 metres.
- 2.4 A hard surfaced pathway would be constructed adjacent to the extension.
- 2.5 The proposed extension would have a flat roof to a height of 3 metres which would match the height of the existing building.
- 2.6 The proposed extension would be constructed in brick and white aluminium windows.
- 2.7 The windows on the other elevations would be upgraded to white aluminium windows.
- 2.8 Two galvanised steel kitchen extractor ducts would be installed on the roof to a height of 0.5 metres above the roof level.
- 2.9 The proposal would allow for an increase in the capacity of the facility as well as a new food preparation area for the kitchen.

3.0 RELEVANT PLANNING HISTORY

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

HAR/5162/E Erection of 2 storey extension
Granted 1 Jan 1960

HAR/5162/F Extension to form private chapel
Granted 29-Aug 1960

LBH/987/5 Outline: Erection of 2 storey extension to existing building to provide additional facilities
Granted 13th January 1977

P/707/05/CFU Single storey extension to art classroom, with adjacent timber decked area.
Granted 16 –May -2005

P/1002/06 – Replacement temporary double mobile classroom unit and temporary triple classroom unit (2 years)
Granted – 04-JUL-2006

P/1510/07 – single-storey double classroom teaching unit for temporary two year period
Granted – 26-JUL-2007

P/3887/07 – one single-storey and one two-storey portacabin to provide temporary classrooms and one two-storey portacabin building to provide a temporary science block
Granted – 17-JAN-2008

P/2737/08 – Retention of 3 temporary mobile classrooms (2 years)
Granted – 16-OCT-2008

P/2157/09 – Single-storey temporary building to provide 3 classrooms (3 years)
Granted – 06-NOV-2009

P/0281/10 – Details pursuant to conditions attached to planning permission P/2157/09 dated 06-NOV-2009
Approved – 06-MAY-2010

P/0855/10 – Single-storey temporary building to provide two additional classrooms (3 years); new walkway link to existing walkway; retention of temporary single storey double classroom unit (3 years)
Granted – 15-JUL-2010

P/0924/10 – Retention of three air conditioning units to temporary classroom building
Granted – 09-JUL-2010

P/2828/12 – Variation of condition 2 of planning permission P/0855/10 dated 15-JUL-2010 to allow the retention for an additional three years of a single storey temporary building to provide two additional classrooms and a temporary single storey double classroom unit.
Granted – 17-DEC-2012

P/2823/12 - variation of condition 2 of planning permission P/2157/09 dated 06-NOV-2009 to allow the retention for an additional three years of a single-storey temporary building to provide 3 classrooms.
Granted 17th December 2012

P/1719/14 Construction of a two storey linked extension to the south east of the existing building; construction of single storey extension with associated canopy to east elevation and single storey extension to west elevation of existing building; single storey infill extension to east; provision of kitchen extract duct over existing flat roof; provision of additional parking spaces and alteration to parking layout; hard and soft landscaping involving alteration to hard and soft play spaces; external alterations; involving removal of two existing mobile

buildings (in association with the expansion of the existing 3 form entry primary school to a 4 form entry primary school).

Expiry: 16 – JUL – 2014

P/0237/16 Variation to the wording of Condition 23 (Mobile Classrooms) attached to planning permission P/1322/14 dated 14/10/14 to allow the mobile classroom to be retained for up to three years from 02/06/2016.

Granted 02-Jun -2016

4.0 CONSULTATION

4.1 A total of 86 consultation letters were sent to neighbouring properties regarding this application.

4.5 The overall public consultation period expired on 14th September 2018.

4.6 Adjoining Properties

Number of letters Sent	86
Number of Responses Received	0
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	0

4.7 Statutory and Non Statutory Consultation

4.8 The following consultations have been undertaken:

4.9 External Consultation

4.10 A summary of the consultation responses received along with the Officer comments are set below:

Biodiversity Officer: No objection, subject to conditions

Arboricultural Officer: No objection, subject to conditions.

Environmental Health: No comment received

Drainage Authority: Please note that all internal manholes (proposed) should be moved out of the building especially in the kitchen and dining area, the applicant should liaise with Thames Water regarding this.

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application. The current NPPF was published in July 2018 and replaces the first NPPF (March 2012).
- 5.4 In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.
- 5.5 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.
- 5.6 The document was published in draft form in December 2017. Given that the draft Plan is still at early stages of the formal process it holds very limited weight in the determination of planning applications. Although this weight will increase as the Draft London Plan progresses to examination in public stage and beyond, applications would continue to be determined in accordance with the 2016 London Plan. It is anticipated that the Examination in Public will commence early 2019.
- 5.7 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

The main issues are:

- Principle of the Development
- Character and Appearance
- Residential Amenity
- Accessibility
- Trees and Biodiversity
- Drainage

6.1 Principle of Development

- 6.1.1 Bentley Wood high school lies within Green Belt land. As such, paragraphs 143 to 145 concerning proposals affecting the Green Belt are also relevant to this proposal. Paragraph 145 states that: “*A local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt*”. It goes on to outline seven exceptions to this including:

“(c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original buildings*”.

“(g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would: not have greater impacts on the openness of the Green Belt than this existing development*”...

- 6.1.2 The London Plan (2016) policy 7.16 recommends that London’s Green Belt be given the strongest protection where the objective is to keep land free of built development, in order to maintain the open character of these areas. The policies in The London Plan are reinforced by the policies in the Harrow Core Strategy (Policy CS 1F) (2012) and Harrow Development Management Policies Local Plan (2013). The protection for London’s Green Belt is reiterated by policy G2 of the Draft London Plan 2017.
- 6.1.3 Local policy DM 16 of the Harrow Development Management Policies Local Plan set out that “*The redevelopment or infilling of previously developed sites in the Green Belt and Metropolitan Open land will be supported where the proposal where the proposal would not have a greater impact on the openness of the Green belt and the Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to :*
A the height of existing buildings on site
B the proportion of the site that is already developed
C the footprint, distribution and character of existing buildings on the site and
D the relationship of the proposal with any development on the site that is to be retained.”
- 6.1.4 Policy DM 46 of the local plan relates to new Community Sport and Education Facilities. This promotes the refurbishment and re-use of premises for educational facilities. The retention of such facilities is supported within policy DM 47, stating that “*proposals for the redevelopment of educational facilities that secure enhanced re-provision on site will be supported*”. This is aligned with the NPPF (2018) which outlines at paragraph 94 that great weight should be given to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

- 6.1.5 The proposal is for an extension to the existing kitchen/dining block's north western elevation. The footprint of the extension would be limited when considered in the context of the overall school site. Having regard to the location of the development and the nature of the application site, it is considered that it would not conflict with the purposes of Green Belt land set out under paragraph 134 of the NPPF.
- 6.1.6 Following a review of the planning history of the site, it is not clear when the original kitchen/dining hall block was constructed and whether this was at the same time as the original school building. However, the applicants have outlined that it was built at the same as the original school block was built in 1956 and that photos from the school opening confirm the timings. It is noted that the kitchen/dining hall was previously extended by a single storey extension, granted under planning permission LBH/23410 (dated 16th May 1983). In addition, the school has been substantially extended over the years including some large additions in the recent past such as the part three/part four storey extension to the north wing (Planning ref: P/3803/07) and the three storey linked extension to the north east of the building (Planning Ref: P/1322/14). Taking account of the additions to the original school building, it is considered that the proposed single storey side extension to the kitchen/dining block would give rise to a disproportionate addition over and above the size of the original school building. Furthermore, as a result of previous extensions to the school, the development cannot be considered to fall under exception (g) as it would not comprise a limited infill development on previously developed land and there would be a greater impact on the openness as a result of the additional bulk and mass of the proposal, albeit, it is acknowledged that this impact would be limited within the surrounding context. The development would therefore constitute inappropriate development in the Green Belt which would be harmful to the character and openness of the Green Belt.
- 6.1.7 As stated under paragraph 144 of the NPPF "*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*". In view of the above, the applicant has put forward a case for 'Very Special Circumstances' to justify the proposed development.
- 6.1.8 The applicant has put forward the following points for consideration:
- Significant growth in student numbers at Bentley Wood from 2007 to 2018 by 482 students (68%)
 - Dining hall undersized – currently 45% below DfE recommended size
 - Kitchen area undersized – currently 27% below DfE recommended size
 - Dining hall and kitchen are not able to cope on many occasions with the volume of students accessing the facility.
 - On average only 37% of students eligible for free school meals has a lunch each day, the reasons cited for not having lunch are long queues and no space to eat once they have a meal

- Vulnerable students not having a hot lunch each day, 40% of students are eligible for pupil premium at Bentley Wood.

- 6.1.9 The current capacity in the school dining area is 134 students which the applicant outline is not sufficient for the numbers of students in the school. The lack of capacity together with the undersized kitchen space in turn has a significant impact on students who are eligible for a free school meal receiving this.
- 6.1.10 It is acknowledged that in recent years, the school student numbers have grown significantly with the introduction of the sixth form block in 2008 and an additional year seven group in September 2010. The school was expanded in 2015 (Planning permission ref: P/1322/14) after securing funding from the Department for Education's Targeted Basic need Programme, designed to address the shortfall of school places within the London borough of Harrow which placed additional pressure on the kitchen hall and dining facility. In the academic year 2018/19 the school will accommodate 1212 students in a dining hall which can only seat 134 students at any one time.
- 6.1.11 The supporting documents outline that the existing canteen and dining facilities are currently non-compliant with the minimum
- 6.1.12 Usage figures supplied by the schools contracted catering provider evidence that on average only 61% of students who are eligible for a free school meal have food at either break or lunchtime. Of the 61% on average only 37% of Bentley Wood students who are eligible to receive a free school meal have a hot lunch each day in the school dining hall.
- 6.1.13 The school has outlined that catering for the existing students is a huge challenge with the canteen serving on average 600 students per day. However, a considerable proportion of the service occurs at lunchtime which total 55 minutes of the school day (45 minutes on Wednesday). It is outlined that lack of capacity for seating and long queues impacts on teaching time with students returning late as they did not have time to eat their lunch.
- 6.1.14 Currently the existing dining hall can seat 134 students which equates to only 60% of a year group at anyone time. This means that currently 40% of students cannot be accommodated in the same sitting if all students wanted a school meal in a year group. The current capacity of the dining area is only 11% of the school at any one time. Additionally, a high proportion of students are only accessing snack food due to the limited seating available. The proposed development would enable a total of 218 pupils to be seated at anyone time. Consequently the efficiency of the school lunchtime being significantly improved and the proposals would enable more eligible pupils to access a free school meal.

6.1.15 In officers opinion, 'Very Special Circumstances' need to be considered in the context of the level of potential harm/ inappropriateness (i.e. if only limited harm is being done to the openness, then the VSC to justify this are lower. It has already been acknowledged that the development would result in some harm to the openness of the Green Belt. However, in this instance the additional footprint would only be 145.5m² which is considered not to be significant within the context of the overall school site. Moreover, there would be very limited visibility of the proposal from within the school site due to its single storey height which would be mostly obscured by the existing buildings massing. Whilst the school has expanded its classroom space to meet additional educational need in the borough, the welfare provision has not been increased concurrently. Based on the evidence and information provided from the school, officers consider that the existing kitchen/dining facility is not fit for purpose and the proposal would offer an improvement to meet the existing and future demands of the school and offer social benefits in terms of welfare and health. Accordingly, officers consider that the 'Very Special Circumstances' put forward together with the 'great weight' that the NPPF requires to be given to the need to expand and alter school are sufficient to outweigh the limited harm to the Green Belt in this case. On this basis, the proposed development is considered to be acceptable in principle.

6.1 Character and Appearance

6.2.1 As outlined in paragraphs 124 to 131 of the NPPF (2018), 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. 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 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. Policy 7.6 of the London Plan (2016) outlines that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the widest quality materials and design it appropriate to its context. Buildings should have complimentary building materials, be of a proportion, composition, scale and orientation which enhances and defines the public realm.

6.2.3 The above design considerations are echoed in Draft London Plan (2017) Policy D1.

6.2.4 Officers consider that the proposed scale and massing of the extension would be acceptable, given this is already established by the existing building. The design of the building would reflect the existing character and built form of the surrounding buildings. There is no objection to the revised fenestration detailing which would help modernise and improve the current tired appearance of the building and provide good levels of light and views out from the dining room.

- 6.2.5 The proposed extension would use materials which would reflect and complement the existing building. The side elevations will comprise of a mix terracotta air bricks in a stretcher bond pattern to match the existing brick work, curtain walling, with a white PVCU fascia board above. The roof will match that of the existing building consisting of flat board insulation.
- 6.2.6 Subject to a condition to ensure that the proposed development would be carried out in accordance with the material details shown on the submitted drawings and documents, the development would comply with the development plans requirements outlined above.
- 6.1 Residential Amenity
- 6.3.1 The NPPF requires sustainable development, and as part of this developments should aim to minimise adverse effects on the local environment, which includes neighbouring properties.
- 6.3.2 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. More detailed amenity considerations are set out under policy DM 1 of the local plan.
- 6.3.3 The closest neighbouring residential properties are located to the south of the application site in Binyon Crescent, some 70 metres away and at the Woodland Hill Nursing Home which is approximately 45 metres away. The school and neighbouring development is segregated by a dense group of mature trees. Having regard to the separation distances, presence of screening and the modest increase in scale and mass compared to the existing building, it is considered that the proposed would not give rise to any adverse amenity impacts with regard to loss of light, overshadowing, loss of privacy or outlook.
- 6.3.4 The application seeks to install an additional extractor fan system for the kitchen. The application is accompanied by an extraction and ventilation assessment together with manufacturer's specification for the proposed equipment. The proposed extract fan would have a sound level of 70dBA which is equivalent to normal speech at approximately 1 to 2 metres and the supply fan would be much lower at 48dBA. The increase in scale of the kitchen facility is not likely to noticeably change the existing situation in terms of cooking odours. As such, it is considered that the development would not give rise to any amenity issues in this regard.
- 6.3.5 For these reasons, the proposal would satisfy the above policy requirements.

6.1 Accessibility

- 6.4.1 Local Plan Policy DM1 (Achieving a High Standard of Development) calls for all proposals to achieve a high standard of design and layout and sets out a range of relevant criteria, including (g) arrangements for safe, sustainable and inclusive access and movement to and within the site. Local Plan Policy DM2 (Achieving Lifetime Neighbourhoods) requires the location, design and layout of development, and any associated improvements to the public realm, transport and other infrastructure, to contribute to the creation of lifetime neighbourhoods. This policy is supported by guidance in the Access for All SPD.
- 6.4.2 The principal access to the site would remain as existing. A new delivery route is proposed to the kitchen to provide improved kitchen functionality. Two emergency escape routes are provided to the western elevation. The new routes replace the existing emergency doors that would be removed following the extension. The proposed development would improve access of the site and is considered to be acceptable in relation to the above policy requirements.

6.1 Trees and Biodiversity

- 6.5.1 Policies DM 20 and DM 21 seek to ensure the protection of biodiversity and access to nature. Policy DM 20 requires that “The design and layout of new development should retain and enhance any significant features of biodiversity value within the site. Potential impacts on biodiversity should be avoided or appropriate mitigation sought”. Policy DM 21 outlines that proposals should secure the restoration and recreation of significant components of the natural environment.
- 6.5.2 A large part of the school grounds is within the Harrow Weald Park and the Hermitage Site of Borough Importance Grade 2 as identified on the Harrow Local Area Map (2013). The application site is situated partially within the defined area and partly just outside.
- 6.5.3 The application is accompanied by an ecological survey. The studies make a number of recommendations to improve the ecological value of the site for a range of species. The details have been reviewed by the Council biodiversity officer who considers that some additional biodiversity enhancement should be secured to offset the impact of the development proposals. Should planning permission be granted, appropriate planning conditions can be secured to address these issues. At the time of writing this report, additional information is being sought on the nature of appropriate biodiversity enhancements and this will be reported via the committee addendum.
- 6.5.4 London Plan Policy 7.21 *Trees and Woodland* states that existing trees of value should be retained and that, wherever appropriate, additional trees should be planted in new development. Local Plan Policy DM22 *Trees and Landscaping* requires development proposals to include hard and soft landscaping and calls for retained trees to be protected during construction.

- 6.5.5 Bentley Wood High school is located within the Harrow Weald Ridge Area of Special Character, defined by policy DM 6 of the Development Management Policies Local Plan (2013). The Harrow Weald Ridge provides an elevated horizon of tree cover and open countryside which spans across the north of the Borough. Although there are dispersed developments across the Area of Special Character, the area as a whole tends to be viewed as a continuous wooded ridge. The trees on the Bentley Wood site make a significant contribution to the amenity and character of the Harrow Weald Ridge Area of Special character.
- 6.5.6 An Arboricultural report has been submitted with the application which concludes that all adjacent trees near the development can be retained subject to mitigation and protective measures including the erection of temporary protective fencing, ground protection, careful excavation of the service trenching and the use of pre-emptive root pruning as appropriate. The details have been referred to the Council's Arboricultural officer who considers that the proposal is acceptable and the trees can be retained subject to securing conditions for their protection.
- 6.5.7 Subject to conditions in respect of the above matters, officers consider that the ecological and aesthetic value of the area would not be harmed and the development would thereby comply with policies 7.21 and 7.19 of The London plan (2016) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).
- 6.1 Drainage
- 6.6.1 Core Strategy Policy CS1 U and local plan policy DM 10 undertakes to manage development to achieve an overall reduction in flood risk and increased resilience to flood events.
- 6.6.2 London Plan Policy 5.13 states that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates. Policy 5.13 of the London Plan sets out a drainage hierarchy to manage surface water run-off as close to its source as possible.
- 6.6.3 The site is within Flood Zone 1, meaning that the site is assessed as having a less than 1 in 1,000 annual probability of fluvial flooding from main rivers. However, the Local Plan designated the site as part of a critical drainage area meaning that it is susceptible to flooding from surface water.
- 6.6.4 The application is accompanied by a drainage plan which has been referred to the local drainage authority who have raised no objections to the proposal. They have advised that all internal manholes (proposed) should be moved out of the building especially in the kitchen and dining area and that the applicant should liaise with Thames Water regarding this. An informative is attached in respect of this.
- 6.6.5 Accordingly, it is considered that the proposed development would be acceptable in relation to the above policies.

7 CONCLUSION AND REASONS FOR APPROVAL

- 7.1** The proposed development would constitute inappropriate development in the Green Belt which would result in some limited harm to the character, appearance and openness of the Green Belt. However, the applicant has submitted a case for 'Very Special Circumstances' to justify the development. The proposal is therefore recommended for grant as it complies with the relevant policies of the development plan.

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

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out and completed in accordance with the following approved drawings and documents: A102 Rev B; A201 Rev A; A202 Rev B; A302; Compact SCP Product Brochure; Planning, Design and Access Statement (August 2018); M001; M002; Preliminary Ecological Appraisal by Elite Ecology (August 2018); Supporting Document titled: Bifurcated Case Axial Fans (BIFA); Bentley Wood Dining Room Ventilation and Extraction (24th August 2018); A100; Arboricultural Impact Assessment by A.T. Coombes Associates (15 August 2018); Supporting Document titled: Bentley Wood High School Case for 'Very Special Circumstances'.

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

3. Materials

The development shall be carried out and completed in accordance with the details of the materials shown on submitted drawings and detailed in the supporting documents and retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

4. Trees 1

Before any development work begins, a pre-commencement meeting shall take place between the appointed arboricultural consultant and site manager to discuss working procedures and ensure tree protection measures outlined in the submitted and approved details have been adhered to.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected, and as required by policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

Trees 2

The Arboricultural Method Statement (Appendix 5 Method Statement) and Tree Protection Plan (Appendix 4 TPP) submitted in support of the application shall be adhered to in full, subject to the pre-arranged monitoring and supervision as outlined in Section 11 of the report

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected, and as required by policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

Trees 3

The development hereby permitted shall not be occupied until a completed schedule of site supervision and monitoring of tree protection measures has been submitted and approved in writing by the local planning authority. This condition may only be discharged on completion and subject to satisfactory evidence of compliance through supervision and monitoring of tree protection throughout construction.

REASON: in order to ensure compliance with tree protection measures as approved in accordance with policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1. Polices:

The following polices are relevant to this decision:

National Planning Policy

National Planning Policy Framework 2018

The London Plan [2016]:

3.16 – Protection and Enhancement of Social Infrastructure

3.18 – Education Facilities

5.3 – Sustainable design and construction

5.12 – Flood risk management

5.13 – Sustainable Drainage

6.3 – Assessing effects of development on transport capacity

6.9 – Cycling

6.13 – Parking

7.1 – Building London's neighbourhoods and communities

7.2 – An inclusive environment

7.3 – Designing out crime

7.4 – Local character

7.6 – Architecture

7.16 – Green Belt

7.19 – Biodiversity and Access to Nature

7.21 – Trees and Woodlands

The Draft London Plan (2017)

Policy D1 London's form and characteristics

Policy D2 Delivering good design

Policy D3 Inclusive design

Policy S3 Education and childcare facilities

Policy G2 Green Belt

The Harrow Core Strategy 2012

CS1 – Overarching Policy

CS7 – Stanmore & Harrow Weald

Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

DM6 Areas of Special Character

DM9 Managing Flood Risk

DM10 On Site Water Management and Surface Water Attenuation

DM12 Sustainable Design and Layout

DM16 Maintaining the Openness of the Green Belt and Metropolitan Open Land

DM20 Protection of Biodiversity and Access to Nature

DM21 Enhancement of Biodiversity and Access to Nature

DM22 Trees and Landscaping

DM46 New Community, Sport and Education Facilities
DM47 Retention of existing education and community facilities.

2. Manholes

The applicant is advised that that all internal manholes (proposed) should be moved out of the building especially in the kitchen and dining area and that the applicant should liaise with Thames Water regarding this. Thames Water Developer Servicers can be contacted on 0800 009 392.

3. 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 (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

Reason: To manage, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

4. Considerate Contractor Code of Practice

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

5. Compliance with Planning Conditions

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

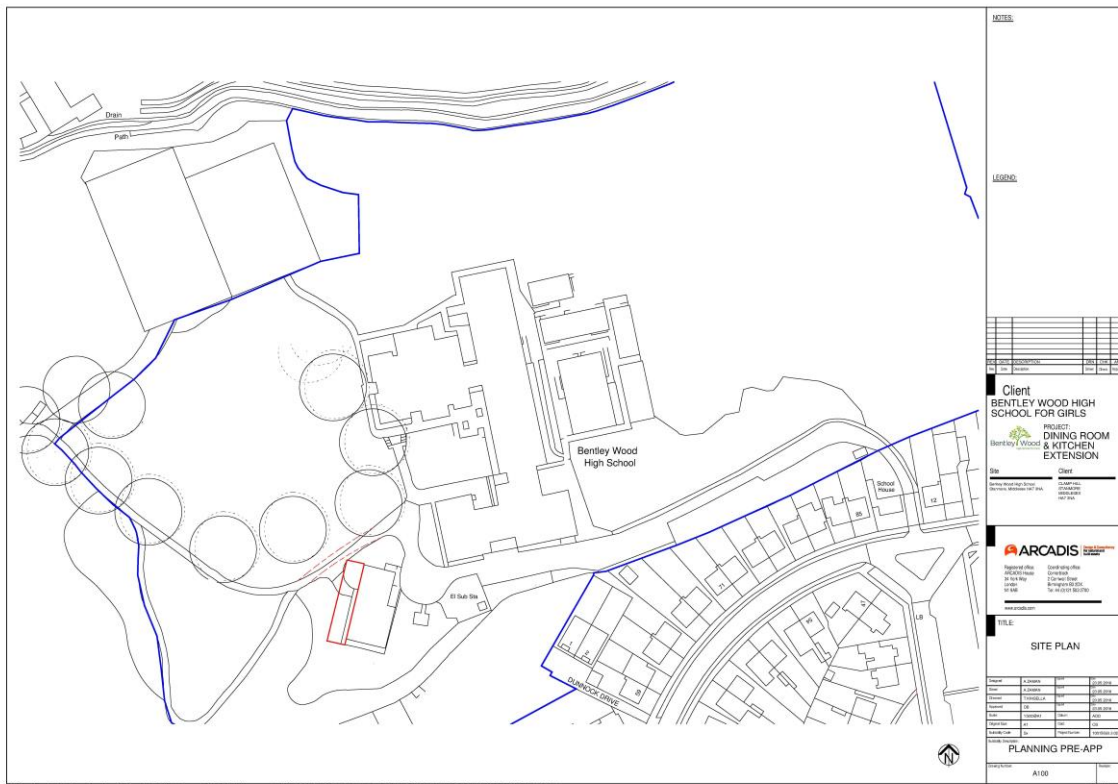
- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of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

6. Pre Application Advice

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

Plan Nos: A102 Rev B; A201 Rev A; A202 Rev B; A302; Compact SCP Product Brochure; Planning, Design and Access Statement (August 2018); M001; M002; Preliminary Ecological Appraisal by Elite Ecology (August 2018); Supporting Document titled: Bifurcated Case Axial Fans (BIFA); Bentley Wood Dining Room Ventilation and Extraction (24th August 2018); A100; Arboricultural Impact Assessment by A.T. Coombes Associates (15 August 2018); Supporting Document titled: Bentley Wood High School Case for 'Very Special Circumstances'.

Appendix 2: Site Plan



NOTES:

LEGEND:

Symbol	Description
[Symbol]	[Description]
[Symbol]	[Description]

Client
BENTLEY WOOD HIGH SCHOOL FOR GIRLS
 PROJECT: **DINING ROOM & KITCHEN EXTENSION**

Site Client
 Bentley Wood High School
 Bentley Wood, Binyon Crescent, HA7 3NA

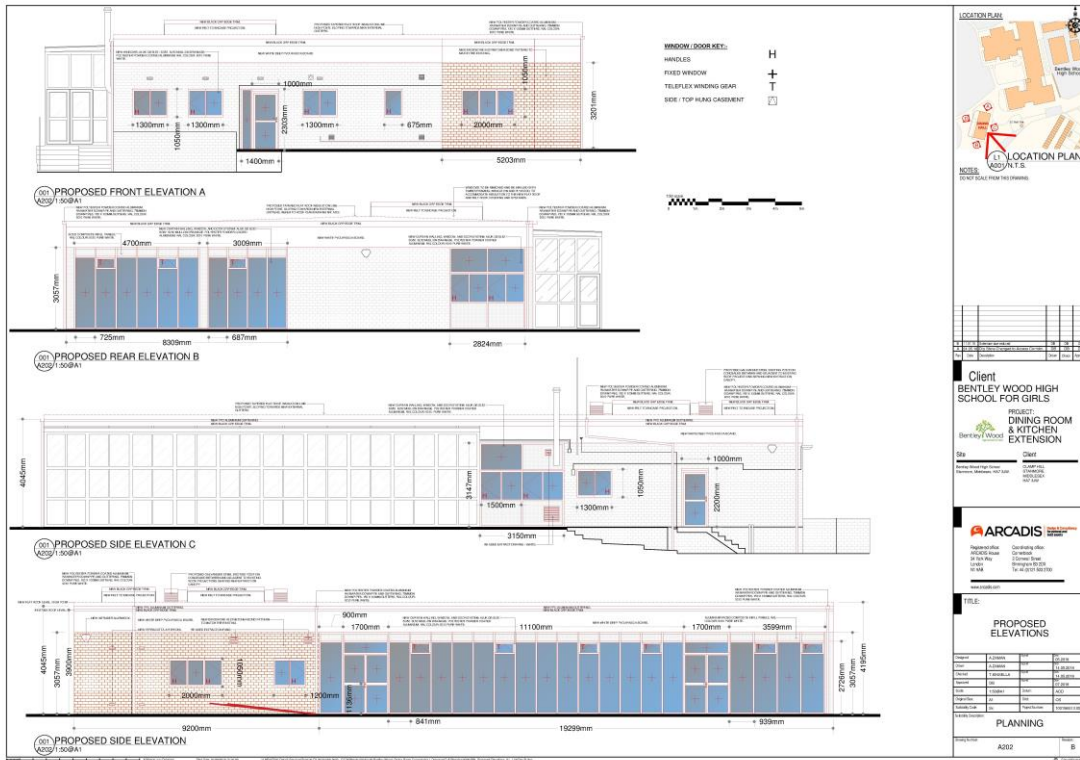
ARCADIS
 Regional office: Bentley Wood High School
 250-252 Binyon Crescent, HA7 3NA
 0208 850 1000
 www.arcadis.com

TITLE:
SITE PLAN

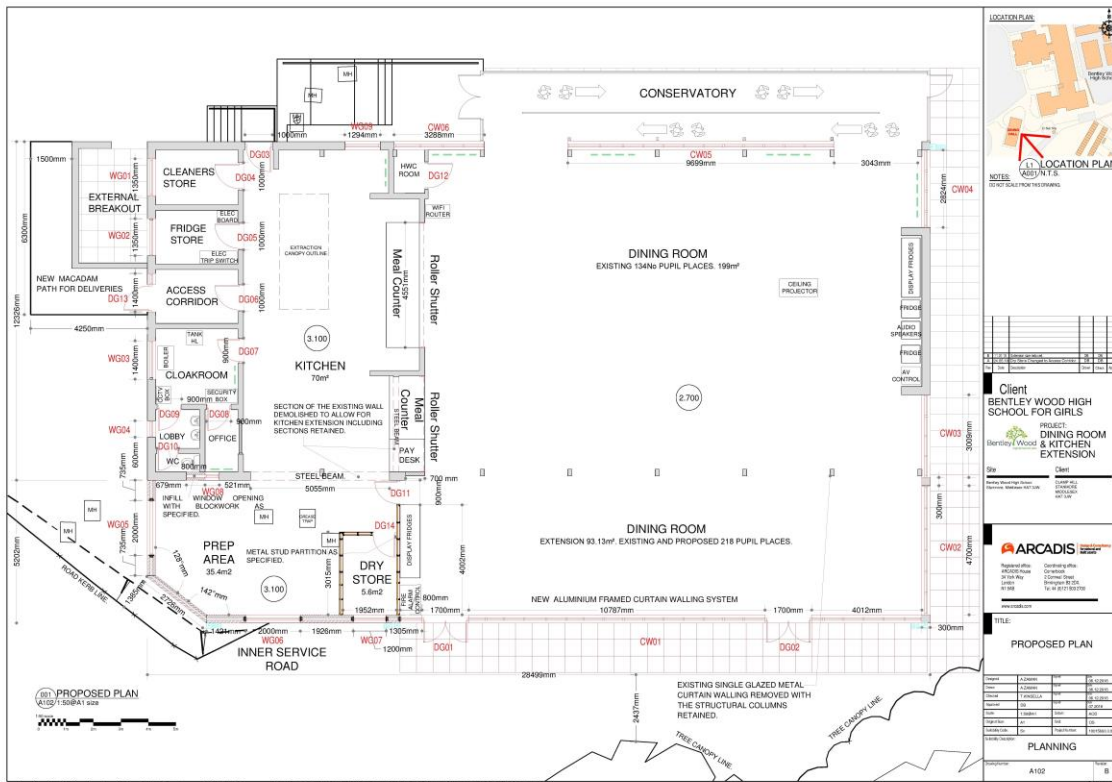
Rev	Description	Date
01	Issue for Planning	20/11/2018
02	Issue for Planning	20/11/2018
03	Issue for Planning	20/11/2018
04	Issue for Planning	20/11/2018
05	Issue for Planning	20/11/2018

PLANNING PRE-APP
 Drawing No: A100

Appendix 3 – Floor Plans and Elevations



Proposed Elevations

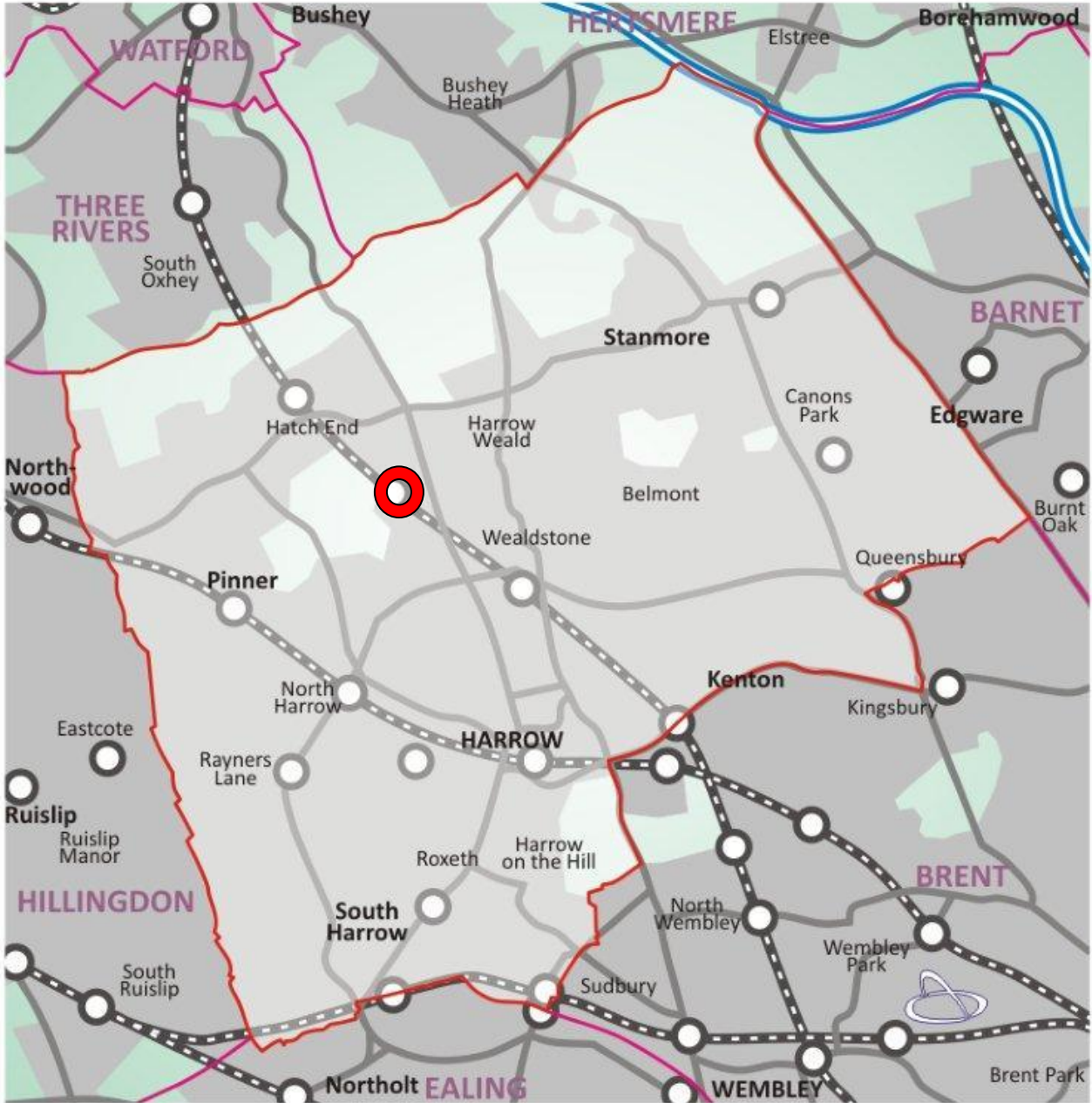


Proposed Floorplan

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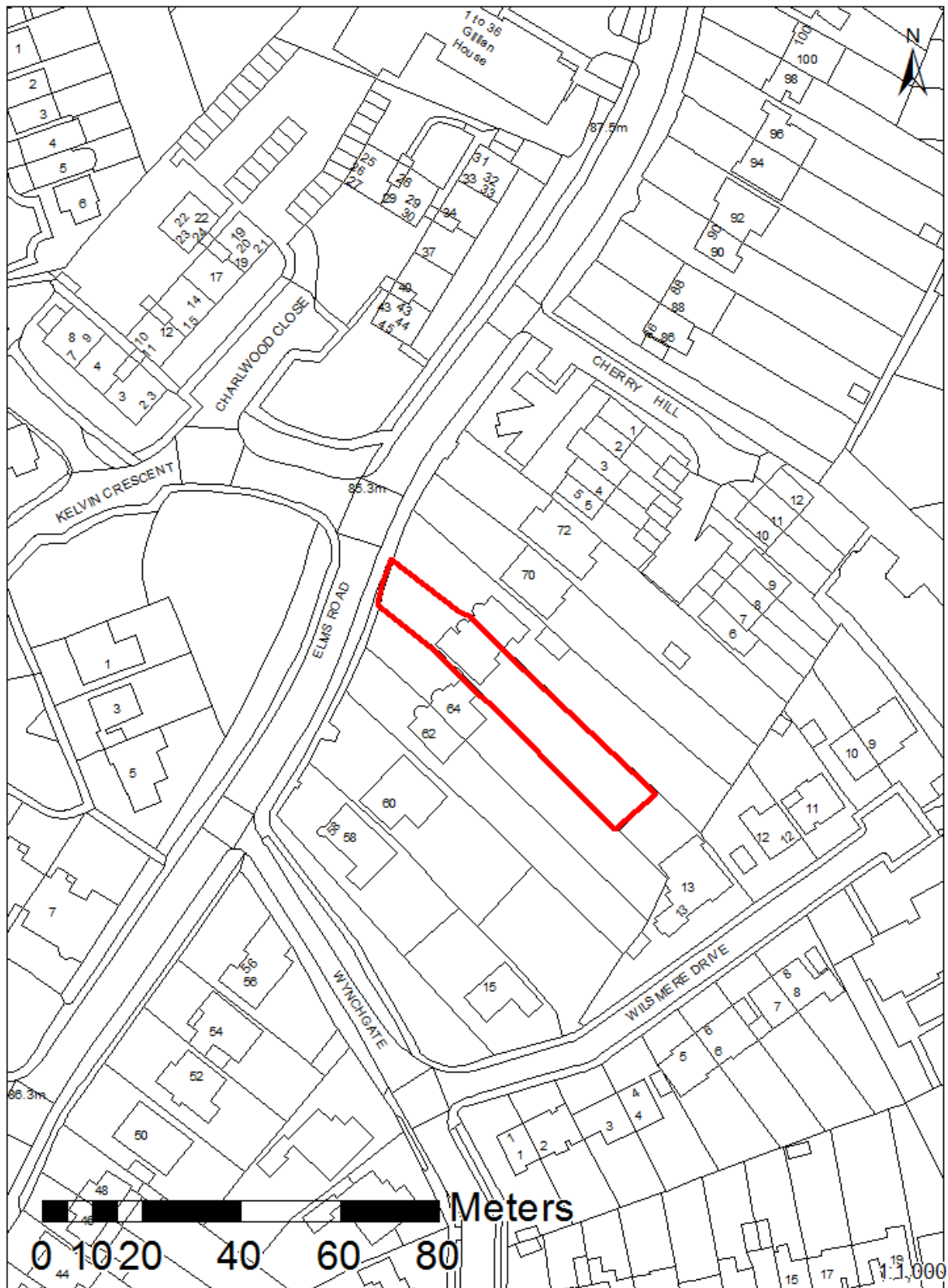
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 = application site



66 Elms Road, HA3 6BS	P/0915/18
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66 Elms Road, HA3 6BS



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 2018

APPLICATION NUMBER: P/0915/18
VALIDATE DATE: 5TH MARCH 2018
LOCATION: 66 ELMS ROAD, HARROW WEALD, HARROW
WARD: HARROW WEALD
POSTCODE: HA3 6BS
APPLICANT: MR MICHAEL BIRCH
AGENT:
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 26TH APRIL 2018

PROPOSAL:

First floor side to 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.

REASON FOR THE RECOMMENDATIONS

The proposal to extend the dwellinghouse, with a first floor side to rear extension, would accord with relevant policy and guidance stated in the Supplementary Planning Document: Residential Design Guide (2010). The proposed development would have an acceptable impact on the character of the area and the residential 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 because it was called in by a nominated member of the Planning Committee

Statutory Return Type:	E21: Householder Development
Council Interest:	None
Net Additional Floor Area:	24.3m ²
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 Crime & Disorder Act

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

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

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

LIST OF ENCLOSURES / APPENDICES:

- Officer Report:
- Part 1: Planning Application Fact Sheet
- Part 2: Officer Assessment
- Appendix 1 – Conditions and Informatives
- Appendix 2 – Plans and elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	66 Elms Road, Harrow Weald, HA3 6BS
Applicant	Mr Michael Birch
Ward	Harrow Weald
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	Yes
Other	N/A

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The site comprises a two storey, semi-detached single family dwelling house, located on the east side of Elms Road.
- 1.2 The property features a front porch, side garage, rear dormer and a single storey rear extension.
- 1.3 The property is not a listed building and not in a conservation area.
- 1.4 The site is located in a critical drainage area.
- 1.5 Attached property no. 68 is not extended at the rear.
- 1.6 Neighbouring property no. 64 is sited to the south east of the subject property, which features a side garage, rear dormer and single storey rear extension. The flank wall features a window serving a stair.

2.0 PROPOSAL

- 2.1 The application proposes a first floor side to rear extension.
- 2.2 The first floor side extension would be set back from the front elevation by 2 metres and would extend to the side boundary. It would feature a subordinate gable roof. It would have a width of 2.8 metres.
- 2.3 The first floor rear extension would have a depth of 2.25m a width of 3m. It would feature a subordinate hipped roof.

2.4 Amendments since original submission:

- 2.5 The extension has been set back a further metre from the front elevation so that it would now be set back 2 metres from the main front wall.

3.0 RELEVANT PLANNING HISTORY

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

LBH/23965 Front porch & garage extension.
Grant-05/09/1983

EAST/232/93/FUL 1st floor side and rear extension gable roof and rear dormer window.

Refused 09/08/1993

Reason: The proposed first floor and roof extensions , by reason of their design, size and siting would provide excessive bulk and would be unduly overbearing

and obtrusive, resulting in overshadowing and loss of light of the occupiers of adjoining properties.

4.0 CONSULTATION

4.1 A total of 3 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 25th June 2018.

4.2 Adjoining Properties

Number of letters Sent	3
Number of Responses Received	3
Number in Support	1
Number of Objections	2
Number of other Representations (neither objecting or supporting)	0

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

No. 64 ELMS ROAD: Objected and expressed concern that the proposal would be overbearing, cause loss of privacy in first floor bedroom, loss of day light, overshadowing impact and it would not respect 45 degree rule.

4.4 Statutory and Non Statutory Consultation

4.5 The following consultations have been undertaken: N/A

4.6 External Consultation: N/A

5.0 POLICIES

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

5.2 *'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.'*

5.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application. The current NPPF was published in July 2018 and replaces the first NPPF (March 2012).

- 5.4 In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.
- 5.5 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.
- 5.6 The document was published in draft form in December 2017. Given that the draft Plan is still at early stages of the formal process it holds very limited weight in the determination of planning applications. Although this weight will increase as the Draft London Plan progresses to examination in public stage and beyond, applications would continue to be determined in accordance with the 2016 London Plan. It is anticipated that the Examination in Public will commence early 2019.
- 5.7 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

6.0 ASSESSMENT

6.1 The main issues are;

- Character and Appearance of the Area
- Residential Amenity

6.2 Character and Appearance of the Area

6.2.1 The NPPF attaches great importance to the design of the built environment, stating:

6.2.2 “good design is a key aspect of sustainable development...and should contribute positively to making places better for people”. It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states 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’.

- 6.2.3 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.
- 6.2.4 Core Policy CS(B) states that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’
- 6.2.5 Policy DM 1 of the Development Management Policies Local Plan (2013) states that all development must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout or which would be detrimental to local character and appearance will be resisted.
- 6.2.6 The Council has adopted Supplementary Planning Document – Residential Design Guide 2010 (SPD) to supplement the policies of the Harrow Development Management Local Plan (2013). The SPD would also apply to the subject properties. Paragraph 6.6 of the Council's adopted SPD: Residential Design Guide (2010) states that "extensions should harmonise with the scale and architectural style of the original building, and the character of the area" and that "An extension should have a sense of proportion and balance, both in its own right and its relationship to the original building and should not dominate the original building" (paragraph 6.11).
- 6.2.7 Paragraph 6.46 of the SPD requires that the front wall of two storey side extensions to be set back 1m from behind the adjacent front corner of the front elevation of the dwellinghouse and have a subordinate roof. The proposal would set back 2m from the front wall of the dwellinghouse and would have a subordinate gable roof. The width of the proposed first floor side extension would be less than half the width of the dwellinghouse. This element of the proposal would be a proportionate addition to the dwellinghouse. The proposed gable roof design would respect the original gable roof of the property and the adjacent properties.
- 6.2.8 The proposed first floor rear would only project 2.25 m from the rear wall and the width of 3m would be similar to the width of the two storey side extension. This element of the extension would be a proportionate addition to the dwellinghouse. It would have a subordinate hipped roof which would have an acceptable appearance.

6.2.9 In summary, the proposal is considered to be acceptable in terms of character and appearance, in accordance to 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

6.3.1 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.

6.3.2 Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) states that “*All development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted (c)*”.

6.3.3 The 45 Degree Code in paragraph 6.28 of the SPD Residential Design Guide 2010 is intended to:

- i) maintain a reasonable relationship between existing buildings and extensions;
- ii) avoid an overbearing visual impact in terms of bulk and proximity to boundaries both from inside adjacent properties and from neighbouring gardens; and
- iii) reduce potential loss of light and overshadowing to neighbouring dwellings and gardens.

6.3.4 Paragraph 6.31 of the SPD states that: In relation to the impact of first floor or two storey extensions projecting beyond the rear or front of adjacent residential properties: no part of any new extension should interrupt a 45° splay drawn on plan from the nearest first floor or two storey front or rear corner of any next-door dwelling, or from a single storey rear corner if that rear elevation has a ‘protected’ window. This would include projecting roof eaves, but not shallow fascias or guttering.

6.3.5 The proposed first floor side element of the extension would be set back from the main front wall. The proposal would not interrupt a 45 degree splay drawn on plan from the nearest two storey front corner of neighbouring property no. 64. The nearest first floor window of No. 64 serves a bathroom which is not protected for the purposes of the SPD (2010). Although the proposed first floor extension would extend almost up to the shared boundary with No. 64, there is a separation gap of approximately 3.3 metres between the boundary and the flank wall of No. 64 and this space is occupied by a single storey garage with garage door on the front elevation.

- 6.3.6 The proposal would be sited to the North West in relation to no.64 and it would therefore not result in an overshadowing impact or loss of light for the first floor bedroom windows of no.64.
- 6.3.7 The first and second floor windows of No. 64 in the side elevation, serve a staircase, and are not considered to be protected. There is also a ground floor window in the flank wall which serves a kitchen. However, this kitchen window is sited beyond the rear wall of the proposed first floor rear extension and would therefore not be affected.
- 6.3.8 For the reasons give above, it is considered that the proposal would have an acceptable relationship with No. 64.
- 6.3.9 There are no side windows proposed. The proposal would not therefore have any detrimental impact on the privacy of the adjoining occupiers. A condition is recommended to ensure no flank wall windows can be installed in the future to protect the amenities of the neighbouring occupiers.
- 6.3.10 Paragraph 6.65 of the SPD states that two storey or first floor rear extensions abutting a side boundary have considerable potential for detrimental impact on the amenity of neighbouring properties because of the excessive bulk. They must comply with the 45 degree Code and be assessed against the relevant site considerations, in particular: the orientation of the houses, setting on the garden of the adjoining house, location of the adjacent house and any existing extensions and use of the adjacent rear garden.
- 6.3.11 The first floor rear element of the extension would extend 2.25m at the rear and it would not interrupt a 45 degree splay drawn on plan from the nearest two storey rear corners of neighbouring properties no.64 or no. 68.
- 6.3.12 In view of the above factors, the proposal is considered to be acceptable in terms of neighbouring amenity, 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).

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposal to extend the dwellinghouse with a first floor side to rear extension would accord with relevant policy and the proposed development would have a satisfactory impact on the character of the area and the amenities of neighbouring occupiers.
- 7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation 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: Site Location Plan; 66/06 A; 66/04 A; 66/05 A; 66/01; 66/03; 66/02;

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 extensions 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. Glazing

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, 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 (2018)

The London Plan (2016):

7.4B, 7.6B, 7.21

The Draft London Plan: 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

DM22 Trees

2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3. Party Wall Act

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the Portal website:

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

4. Protection of Highway

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

5. Considerate Contractor Code of Practice

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

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

800-1300 rs Saturday

6. Surface Water Drainage Management

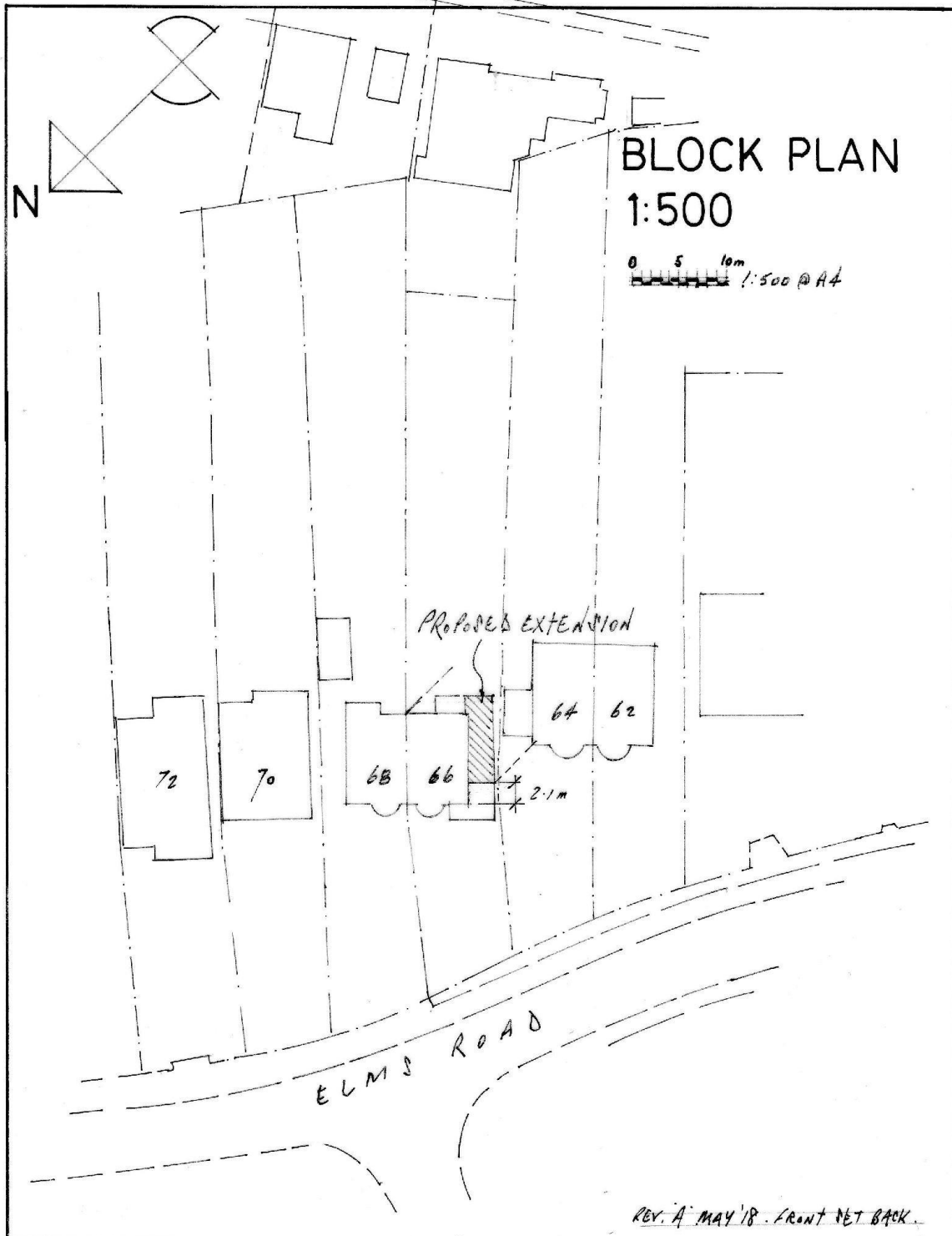
SUDS Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed 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.

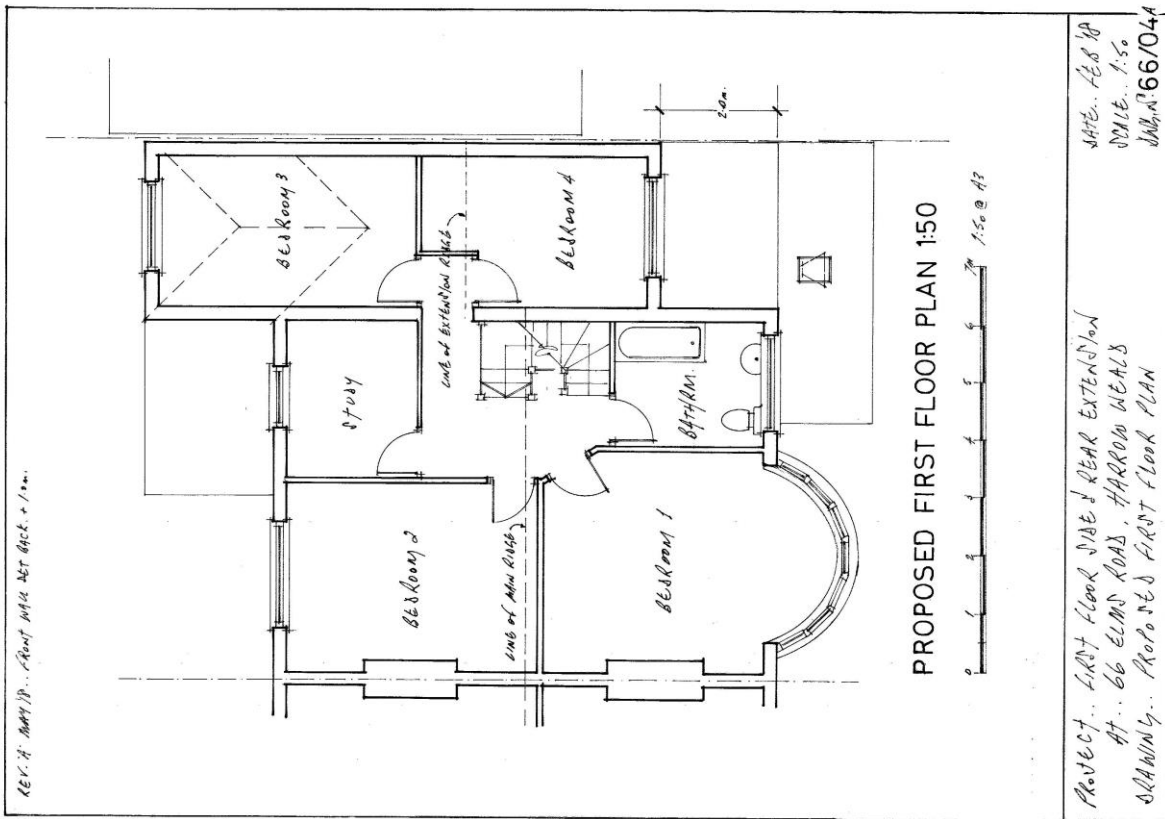
Plans Numbers: Site Location Plan; 66/06 A; 66/04 A; 66/05 A; 66/01; 66/03; 66/02;

Appendix 2 Plans and Elevations



PROJECT.. FIRST FLOOR SIDE & REAR EXTENSION
 AT.. 66 ELMS ROAD, HARROW WEALD
 DRAWING.. BLOCK PLAN

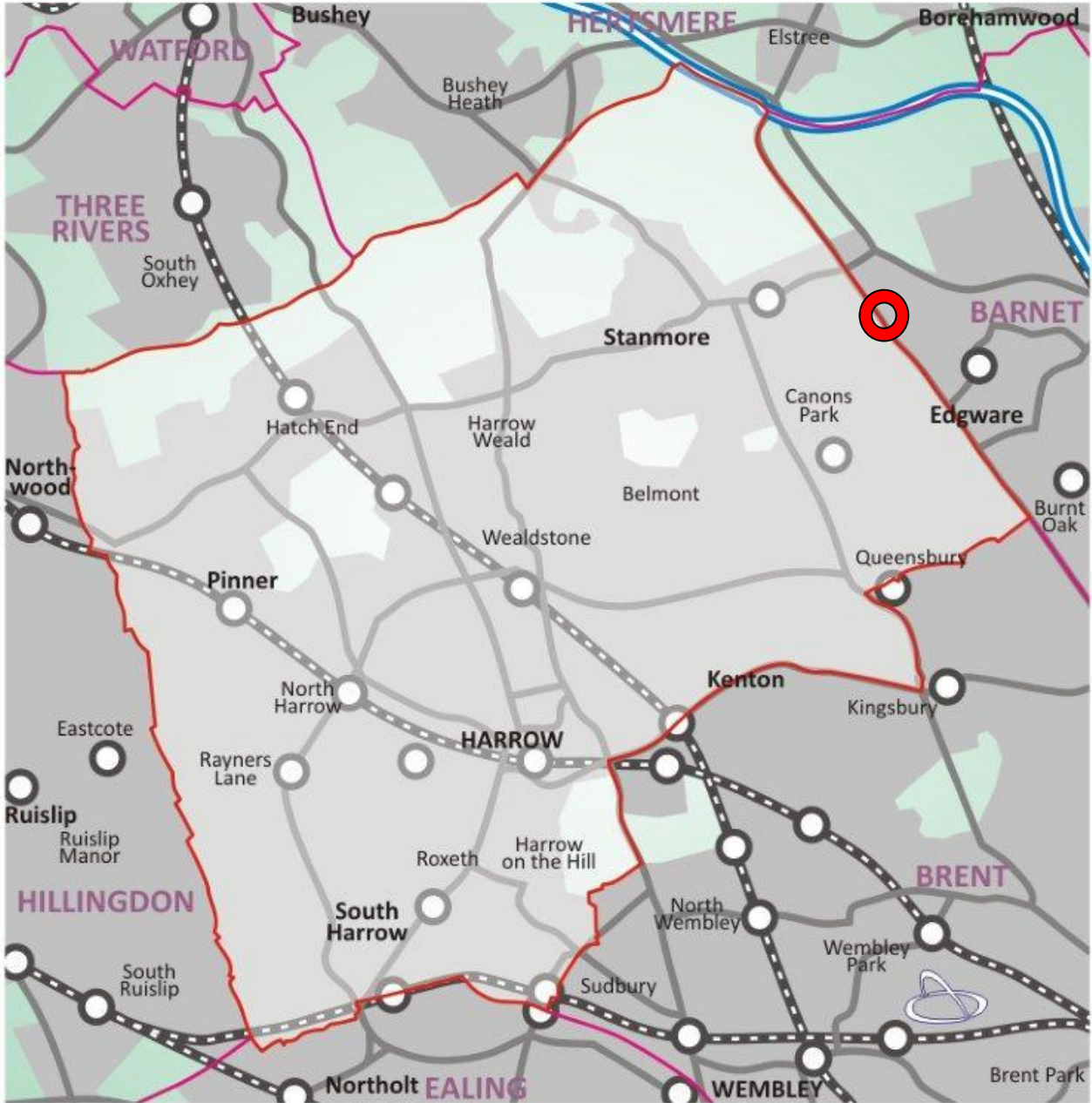
DATE.. FEB '18
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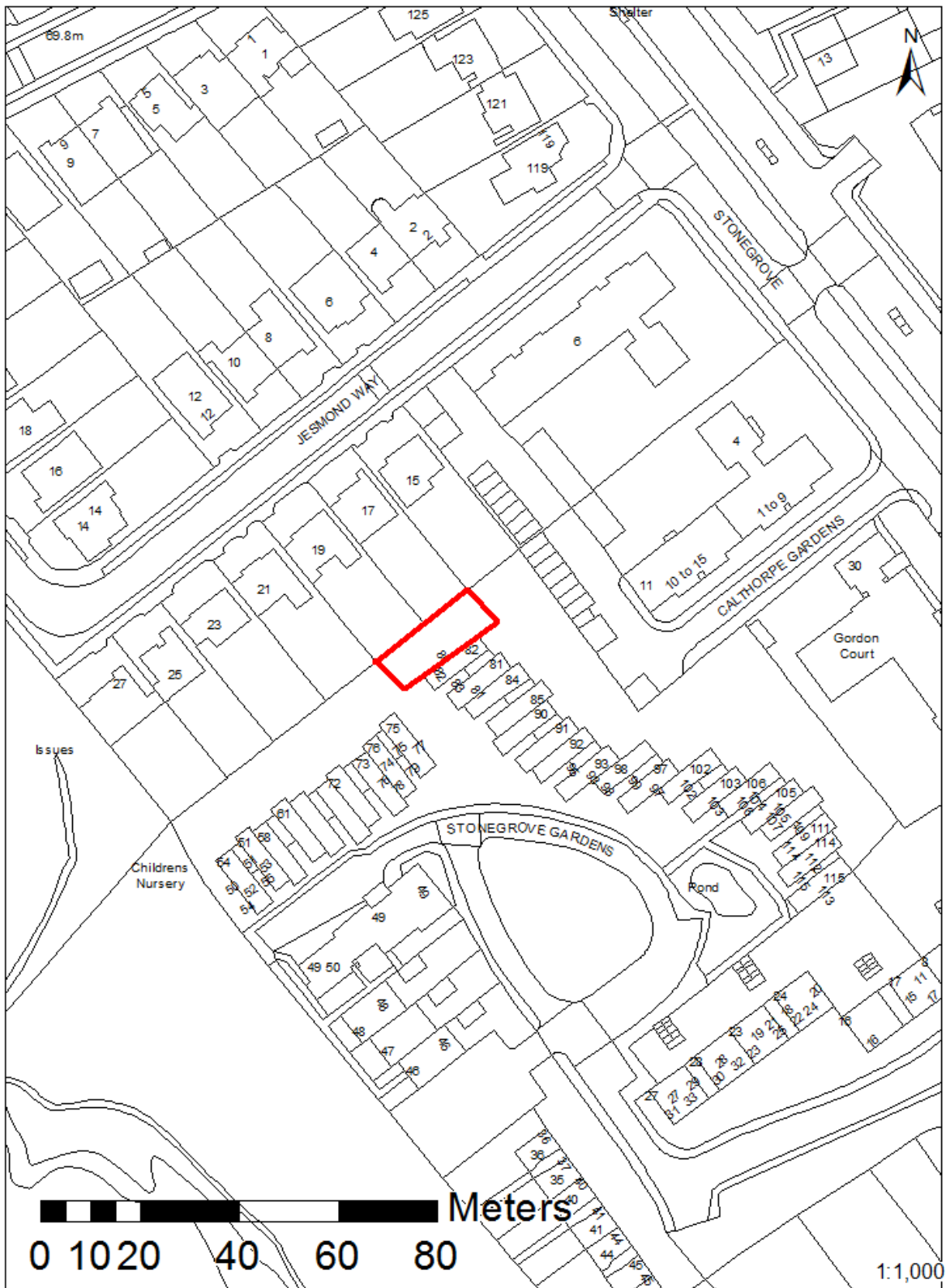
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 = application site



Stonegrove Gardens, HA8 7TF	P/1571/18
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Stonegrove Gardens, Edgware, HA8 7TF



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Stonegrove Gardens, HA8 7TF

P/1571/18

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 2018

APPLICATION NUMBER: P/1571/18
VALIDATE DATE: 27TH APRIL 2018
LOCATION: STONEGROVE GARDENS, EDGWARE
WARD: CANONS
POSTCODE: HA8 7TF
APPLICANT: LONDON BOROUGH OF HARROW
AGENT: INGLETON WOOD
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 23/11/2018

PROPOSAL

Re-development to provide a two storey building for two flats; private and communal amenity space; landscaping; bin / cycle storage

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATIONS

The proposed development would bring forward housing provision of a satisfactory mix, layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. 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

INFORMATION

This application is reported to Planning Committee as the proposed development is on land owned by the Council and would create over 100m² floor space. The proposal therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type: (E)13 Minor Dwellings
Council Interest: Yes – The Council is the landowner and applicant
GLA Community £4,270
Infrastructure Levy (CIL)

Contribution:
Local CIL requirement: £13,420

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 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 proposed access 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	Stonegrove Gardens, Edgware, HA8 7TF
Applicant	London Borough of Harrow
Ward	Canons
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
Flood Zone	EA Flood Zone 1,
Other	Critical Drainage Area

Housing		
Density	Proposed Density hr/ha	200hr/ha
	Proposed Density u/ha	100u/ha
	PTAL	1b
	London Plan Density Range	150–250 hr/ha 50-95 u/ha
Dwelling Mix	2 bed, 3 person	2

Transportation		
Car parking	No. Existing Car Parking spaces	0
	No. Proposed Car Parking spaces	0
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces (residential use)	2
Public Transport	PTAL Rating	1b
	Closest Rail Station / Distance	0.84 miles
	Bus Routes	142 (250m away)
Parking Controls	Controlled Parking Zone	n/a
	CPZ Hours	n/a
	Other on-street controls	Double Yellow lines for part of Stonegrove Gardens
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Designated refuse store within the site

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site consists of a rectangular parcel of land to the north of no. 80-82 Stonegrove Gardens which currently features a redundant laundrette
- 1.2 Stonegrove Gardens is a residential estate characterised by two and three storey attached flats which have a rectangular form and feature a shallow pitched roof profile. No.80-82 Stonegrove Gardens adjoins the application site to the south. The application site abuts the rear gardens of nos. 15-21 Jesmond way to the west. A detached garage block is located beyond the communal garden to the north-east
- 1.3 There are two car parks and off-street parking capacity for the occupiers who own a motor vehicle. Refuse bins are provided for each flat and are generally located at the rear of the respective properties.

2.0 PROPOSAL

- 2.1 The proposal seeks to demolish the existing laundry building and to construct a two-storey building to provide two x two bedroom flats.
- 2.2 The proposed building would follow the form and character of the existing adjacent buildings incorporating a flat roof and shallow pitch roof. It would have a width of 5.5m, depth of 16m and maximum height of 6.8m.
- 2.3 The proposal would include a mix of hard and soft landscaping. Designated bin and cycle storage would be provided to the north of the proposed building.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history to the application

4.0 CONSULTATION

- 4.1 A total of 10 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The initial public consultation period expired on 18th May 2018. Following submission of revised drawings, a reconsultation was undertaken which expired on 7th November 2018.

4.3 Adjoining Properties

Number of letters Sent	10
Number of Responses Received	0
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	0

4.4 Statutory and Non Statutory Consultation

4.5 The following consultations have been undertaken.

LBH Highways

We have no objection to the principle of this proposal however, a suitable condition should be attached requiring details of the type of cycle storage to be provided (min. 2 spaces per unit).

LBH Drainage

No objection subject to conditions

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. Given that that the draft London Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications. Notwithstanding the above, the draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.
- 5.5 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Layout, Design, Character and Appearance
- Housing Supply, Mix and Density
- Residential Amenity
- Transport and Parking
- Flood Risk and Development

6.2 Principle of Development

- 6.2.1 Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of a residential use here. The site is considered to be previously developed as it would replace the existing laundry building and for this reason, the proposal would not constitute garden land development.
- 6.2.2 This site can be considered to be a windfall site for the provision of new housing insofar as it is not an identified site for development. The provision of housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (2016) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough.
- 6.2.3 The proposed residential use would be consistent with surrounding land use. The use of the land for residential uses could therefore be supported in principle and would make a contribution to the housing stock in the borough. For these reasons it is considered that the principle of the use of this site for the provision of housing is acceptable and would accord with the above policies, subject to consideration of further policy requirements as detailed below

6.3 Layout, Design, Character and Appearance

- 6.3.1 Chapter 12 of the NPPF states that 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. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 6.3.2 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter seven, which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other relevant design policies in this chapter include specific design requirements relating to inclusive design; designing out crime; local character; public realm; architecture; tall and large scale buildings; and heritage assets.
- 6.3.3 Harrow's Core Strategy Policy CS1 seeks to protect the character of Harrow's suburbs and town centres. Policy DM1 on Achieving a High Standard of Development of the Development Management Policies Document requires all development proposals to achieve a high standard of design and layout. This assessment of the design and layout relates to the massing, bulk, scale and height of the proposed building; the appearance; context; space around buildings; the need to retain or enhance existing landscaping; the functionality of the development; the safe, sustainable and inclusive access.
- 6.3.4 The application site consists of a redundant laundrette building attached to the north-west of nos. 80-82 Stonegrove Gardens. The existing building would be replaced by a two-storey building which would broadly follow the form and design of the attached terraced purpose built flats within the estate. The proposed development would be unassuming and would satisfactorily relate to the character and appearance of the local area.
- 6.3.5 The proposed plans note that the proposed development would primarily be constructed of brick, which would be a suitable material when considered in relation to the existing built environment. A condition has been attached to ensure that physical samples be submitted for further consideration of the appropriateness of the appearance and quality of the materials
- 6.3.6 Designated refuse storage would be provided within the curtilage of the application site and would be easily accessible for the future occupiers and the refuse trucks/vehicles. The proposed mixture of hard and soft landscaping is deemed acceptable. The proposed development would therefore accord with the relevant policies listed above.

6.4 Housing Supply, Mix and Density

- 6.4.1 The NPPF encourages the effective use of land through the reuse of suitably located previously developed land and buildings. London Plan Policy 3.3 provides explicit strategic support for the provision of housing within London.
- 6.4.2 London Plan Policy 3.4 Optimising Housing Potential seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. The application site area is 0.02 hectares and it has a public transport accessibility level (PTAL) score of 1b indicating a relatively poor level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an urban setting. The proposed units and habitable room densities fall well within the overall matrix ranges for urban setting sites.
- 6.4.4 The proposed development would provide two x two bed, three room, three person units. This would be consistent with the mix of accommodation within the surrounding area and comply with the policies listed above.

6.5 Residential Amenity

Neighbouring Occupiers

- 6.5.1 A core principle of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy 7.6 of the London Plan states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate..
- 6.5.2 Harrow Local Plan Policy DM1 undertakes to assess privacy and amenity considerations having regard to, among other things, the prevailing character of amenity and the need to make effective use of land; the relationship between buildings and site boundaries; and the visual impact when viewed from within the buildings and outdoor spaces.
- 6.5.3 In relation to the attached properties, nos. 80-82 Stonegrove Gardens, the proposed development would have a similar depth, with the additional forward projection being set away from the party wall. Officers therefore consider that the proposed development would have a satisfactory impact on the residential amenities of the adjoining occupiers as the level of light into and outlook from the front and rear habitable room windows would be largely retained.

- 6.5.4 The north-western flank wall of the proposed building would be sited approximately 3m from the shared boundary with the adjoining properties along Jesmond Way. The rear elevations of nos. 15-21 Jesmond Way would be sited a further 18m away from the shared boundary resulting in a distance of approximately 21m between the respective elevations. Officers consider that the modest height of the proposed building in conjunction with the separation distance afforded would ensure that the proposed building would not have an unduly harmful impact (by reason of overshadowing, loss of light or loss of outlook) on the residential amenities of the adjoining occupiers along Jesmond Way.
- 6.5.5 The proposed ground floor window would not be obscure glazed. However, the submitted drawings show that the existing tree and shrubbery screening on the boundary would be retained and a condition is included to detail boundary treatments, which would seek the retention of the close boarded timber fence which delineates the boundaries. For these reasons the proposed window would not harm the residential amenities of the adjoining occupiers. The proposed first-floor flank elevation would feature a habitable room window which serves the single bedroom. However, that window would be obscure glazed up to 1.7m high and would be only restricted to a 100mm opening. Officers are therefore satisfied that the proposed window would not harm the privacy and residential amenities of the adjoining occupiers along Jesmond Way by perceived or actual overlooking. A landscaping condition is included to ensure that replacement planting is provided adjacent to the shared boundaries to maintain a similar degree of screening as existing. The proposal would therefore accord with the policies in this regard.

Future Occupiers

- 6.5.6 Policy 3.5 of the London Plan (2016) sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local places and create homes that reflect the minimum space standards and are fit for purposes in other respects. The Mayor's Housing SPG sets out detailed guidance on a range of matters relating to residential quality, incorporating the Secured by Design principles. Core Strategy Policy CS1K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 Achieving a High Standard of Development and DM27 Amenity Space set out a number of privacy and amenity criteria for the assessment of proposals for residential development
- 6.5.7 The proposed residential units would be dual aspect and would comply with the minimum gross internal floor area standards as set out in The London Plan (2016). Each residential unit would benefit from private amenity space and would provide a satisfactory quality of accommodation for the future occupiers. The window serving the single bedroom of the first-floor flat would be partially obscured. However, given the site and proposal context, in conjunction with an unobscured glazed section which would be provided at 1.7m above finished floor level, officers consider that this would not detrimentally impact upon the quality of

residential amenities for the future occupiers and the proposal would accord with the relevant policies in this regard.

6.6 Transport and Parking

6.6.1 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. 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 of the London Plan (2015) relate to the provision of cycle and pedestrian friendly environments, whilst Policy 6.13 relates to parking standards.

6.6.2 There are no off-street parking provisions for the dwellinghouses within Stonegrove Estate. However, there are two designated car parks and on-street parking availability within the estate. Designated cycle storage would be provided within the site. The application was referred to the Council's Highways Officer who has raised no objection to the proposal, subject to the provision of two bicycle spaces for each flat and a cycle storage details condition. Subject to conditions, the proposal would accord with the respective policies detailed above.

6.7 Flood Risk and Development

6.7.1 The application site is located within a Critical Drainage Area and in close proximity to surface water flood zone 3a. The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions. The proposal would therefore comply with policies 5.12 and 5.13 of the London Plan (2016) and Policy and DM10 of the Development Management Policies (2013)

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development would bring forward housing provision of a satisfactory mix, layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. 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

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 Plans and documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

811297-IW-XX-ZZ-DR-A-2000 Revision P1, 811297-IW-XX-ZZ-DR-A-2005 Revision P1, 811297-IW-XX-ZZ-DR-A-2060 Revision P1, 811297-IW-XX-ZZ-DR-A-2100 Revision P1, 811297-IW-XX-ZZ-DR-A-2120 Revision P1, 811297-IW-XX-ZZ-DR-A-2140 Revision P3, 811297-IW-XX-ZZ-DR-A-2160 Revision P3, 811297-IW-XX-ZZ-DR-A-2161 Revision P3, Design and Access Statement (March 2018)

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

3. Levels

The development hereby permitted 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, in accordance with policies DM1 and DM10 of the Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development.

4. Surface Water Disposal

The development 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 Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development.

5. Surface Water Attenuation

The development 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 Development Management Policies Local Plan 2013.

Details are required prior to commencement of development to ensure a satisfactory form of development.

6. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above podium slab level until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been submitted to, and approved in writing by, the local planning authority:

- a: All external appearance of the building
- b: Boundary treatment
- c: Ground treatment

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

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

7. Landscaping 1

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above podium slab level until there has been submitted to, and approved in writing, by the local planning authority, a scheme of hard and soft landscaping and boundary treatment. Soft landscape works shall include: planting plans which also detail the replacement planting along the boundary, and schedules of plants, noting species, plant sizes and proposed numbers / densities. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with policy DM23 of the Development Management Policies Local Plan 2013.

8. Landscaping 2

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 Development Management Policies Local Plan 2013.

9. Landscaping 3

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 Development Management Policies Local Plan 2013.

10. Foul Water Disposal

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 Development Management Policies Local Plan 2013.

11. Cycle Storage

The development hereby permitted shall not be occupied until the details of the cycle storage with a minimum provision of four spaces has 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 the cycle storage details are acceptable in accordance with Policy 6.9 of The London Plan (2016)

12. Refuse

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

REASON: To safeguard the appearance and character of the surrounding area and ensure a high standard of residential quality, in accordance with policy 7.4.B of The London Plan (2016) and Policy DM1 and DM45 of the Harrow Development Management Policies (2013)

13. Fencing

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. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2018) (NPPF)

London Plan (2016): 3.3, 3.4, 3.5, 3.8, 5.13, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.4, 7.6

Draft London Plan (2017): D2, D4, D6, H1, H12, SI13, T4, T5, T6

Harrow Core Strategy (2012): CS1

Development Management Policies (2013): DM1, DM10, DM24, DM27, DM42, DM45

Supplementary Planning Document: Residential Design Guide (2010)

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. The Party Wall etc. Act 1996

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: Ucommunities@twoten.comU4T

4. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the

rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information

5. Mayoral Community Infrastructure Levy (provisional)

Please be advised that this application attracts a liability payment of £4,270 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 upon the grant of planning permission will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £4,270 for the application, based on the levy rate for Harrow of £35/sqm.

6. Harrow Community Infrastructure Levy (provisional)

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

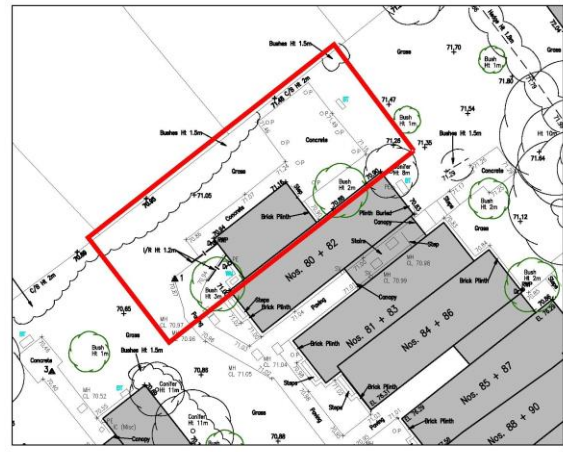
All other uses - Nil.

The Harrow estimated CIL Liability for this development is: £13,420

APPENDIX 2: SITE PLAN



Existing Site Plan in Context



Existing Site Plan - with levels

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Project	Old Stonegrove Laundry Stonegrove Gardens Edgware HAB 77D
Client	Harrow Council
Project No.	811297
Scale	(@ A3 - As Indicated)
Drawn by	LD
Checked by	LD
Date	12/11/18
Disc No.	001

Disc No.	001
Project	Old Stonegrove Laundry Stonegrove Gardens Edgware HAB 77D
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Project No.	811297
Scale	(@ A3 - As Indicated)
Drawn by	LD
Checked by	LD
Date	12/11/18
Disc No.	001

	Property and Construction Consultancy Ingleton Wood 7100/7100/000 www.ingletonwood.co.uk
Title: Existing Site Plan Drawing Number: 811297 - HW - XX - ZZ - DR - A - 2005 Status: S2 Purpose of Issue: Information Revision: P1	Vision, form and function

APPENDIX 3: SITE PHOTOGRAPHS





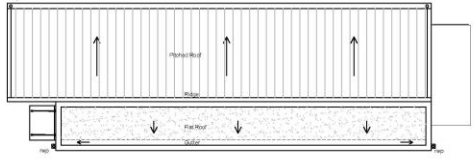
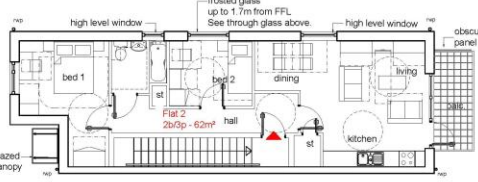
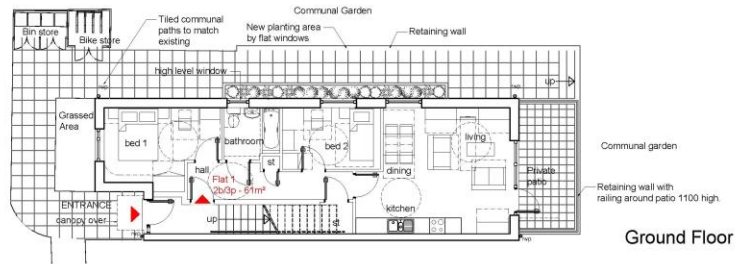
APPENDIX 4: PLANS AND ELEVATIONS



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<p>EP Planning Issue: 02/01/18 1:1:18 Date: 02/01/18 Scale: A3 Drawn By: LD</p>	<p>Project No: 811297 Scale: A3 As Indicated</p>	<p>Revision: P1</p>	<p>Revision: P1</p>

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 Tel: 020 7424 1000
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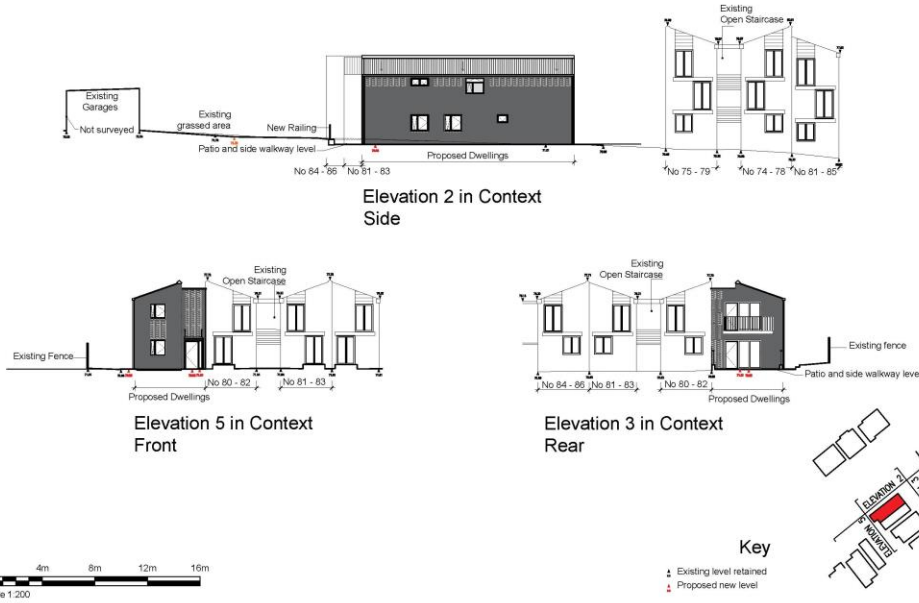
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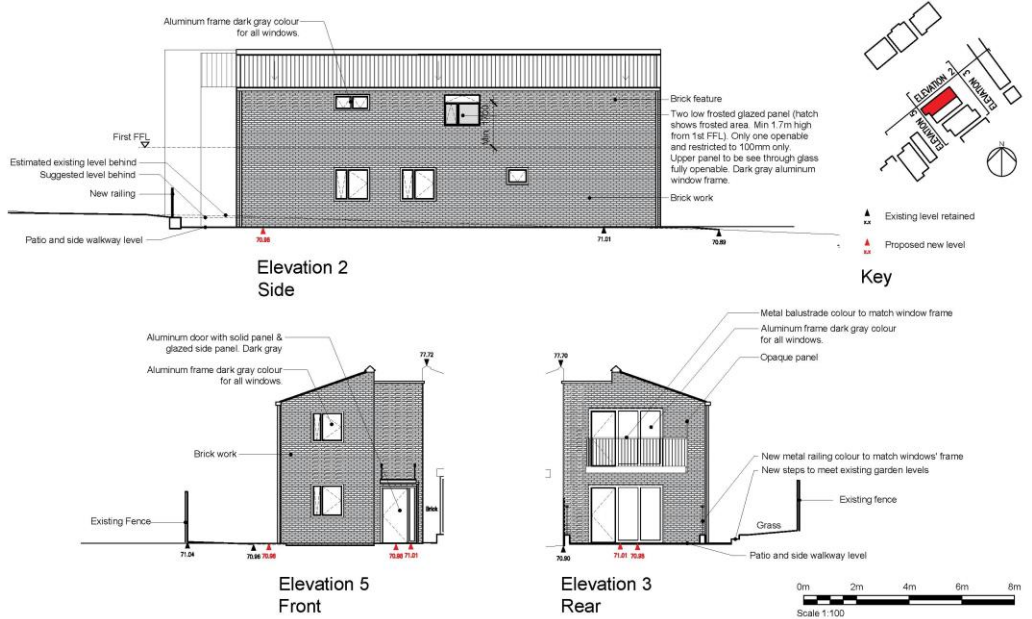
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<p>EP First floor back to back, no base window: 02/01/18 1:1:18 EP First floor back to back to back: 02/01/18 1:1:18 EP Planning Issue: 02/01/18 1:1:18 Date: 02/01/18 Scale: A3 Drawn By: LD</p>	<p>Project No: 811297 Scale: A3 As Indicated</p>	<p>Revision: P3</p>	<p>Revision: P3</p>

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PS	Revision 2: First floor details	21/09/18	LD	LD							
PS	Revision 1: Address	21/09/18	LD	LD							
PS	Planning Issue	21/09/18	LD	LD							
PS	Revision 1: Description	14/08/18	LD	LD							
Project No: 811297			Scale @ A3: As Indicated			Drawn By: LD					

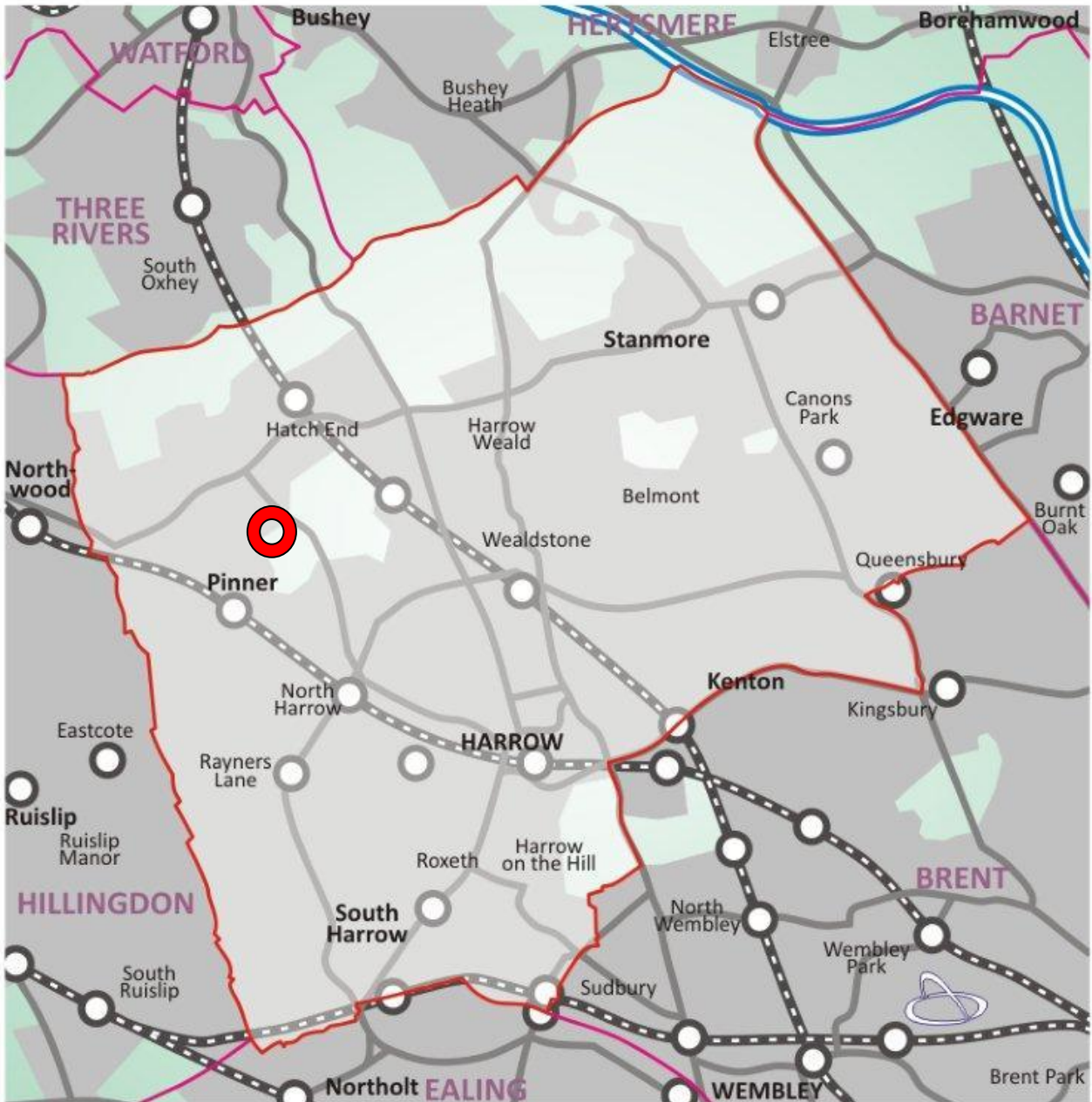


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PS	First floor windows altered (200mm back at first floor)	21/09/18	LD	LD							
PS	Side elevation / first floor low window window, high level window & threshold	21/09/18	LD	LD							
PS	Planning Issue	21/09/18	LD	LD							
PS	Revision 1: Description	14/08/18	LD	LD							
Project No: 811297			Scale @ A3: As Indicated			Drawn By: LD					

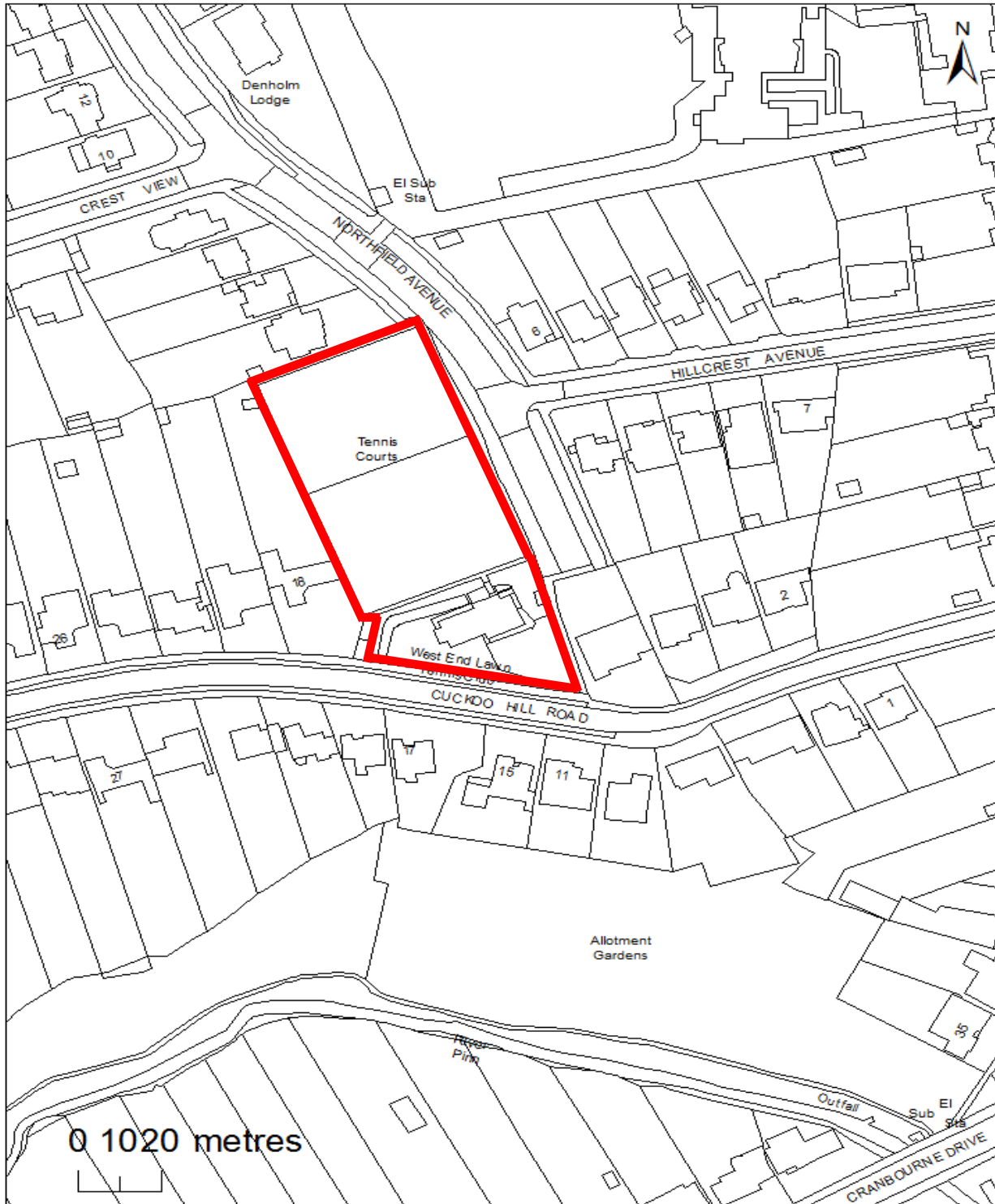
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Agenda Item : 2/04

 = application site



West End Lawn Tennis Club, Cuckoo Hill Road, Pinner	P/1721/18
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West End Lawn Tennis Club, Cuckoo Hill Road, Pinner	P/1721/18
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 2018

APPLICATION NUMBER: P/1721/18
VALIDATE DATE: 02/05/2018
LOCATION: WEST END LAWN TENNIS CLUB, CUCKOO HILL ROAD, PINNER
WARD: PINNER SOUTH
POSTCODE: HA5 1AY
APPLICANT: MRS KATHERINE PINCHING
AGENT: IONIC DEVELOPMENT CONSULTANCY LIMITED
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 15/06/2018

PURPOSE OF REPORT/PROPOSAL

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

Installation of three floodlights attached to chainlink fence posts at tennis court 6; one floodlight fitted to column 1

The Planning Committee is asked to:

RECOMMENDATION

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

REASON FOR THE RECOMMENDATIONS

The proposal would provide increased sporting opportunities within the winter months for members of the local community. Furthermore, it is considered that the proposed floodlighting would not have an unduly harmful impact on the character of the property, biodiversity or the residential amenities of the neighbouring occupiers.

INFORMATION

This application is reported to Planning Committee due to the level of objection from neighbouring properties and level of Members interest in previous applications.,

Statutory Return Type: 18 (Minor Development)
Council Interest: N/A
Additional Floor Area: 0sqm
GLA Community
Infrastructure Levy (CIL)
Contribution (provisional): N/A
Local CIL requirement: N/A

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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

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

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- 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/Proposed Plan
- Appendix 3 – Site Photographs
- Appendix 4 – Previous Appeal Decisions

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	West End Lawn Tennis Club, Cuckoo Hill Road, Pinner, HA5 1AY
Applicant	Mrs Katherine Pinching
Ward	Pinner South
Local Plan allocation	N/A
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	N/A
Other	N/A

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The West End Tennis Club is located on the northern side of Cuckoo Hill Road and consists of 6 courts and a clubhouse with a parking area at the front.
- 1.2 There are existing 6m floodlighting columns which provide lighting to courts 1 & 2 and 5m floodlighting columns which provide lighting to courts 4, 5 and 6. There are also two 4.5m floodlighting columns adjacent to the common boundary with no. 18 Cuckoo Hill Road.
- 1.3 There is a change in gradient from the north end of the site towards the south.
- 1.4 The tennis club is surrounded by a 4.6m high chain link fencing which is supported by metal poles.
- 1.5 The areas is generally residential, which are characterised by substantial detached metroland properties with well-established gardens.
- 1.6 The site is bounded by residential dwellings at no. 2 Northfield Avenue immediately to the north and no. 18 Cuckoo Hill Road located to the west.

2.0 PROPOSAL

- 2.1 The application proposes to replace the existing chain link fence and fence posts to Court No. 6 adjacent to the boundaries with no. 2 Northfield Avenue and 18 Cuckoo Hill Road.
- 2.2 The replacement fence would be similar to that which exists on site and would feature a green mesh screening across the whole width to the top 2.0m section of the replacement chain link fencing.
- 2.3 It is proposed to attach a total of 3 luminaries onto the fence supports which would face directly towards Court 6.
- 2.4 In addition, it is proposed to attach one new luminaire on the existing column (column 1) which serves court 2 at a maximum height of 4.5m and would face towards court 6.

2.5 The proposed luminaires would be similar to those which currently in use at the site.

2.6 The proposed floodlighting would be used Monday to Sunday between the hours of 08:30 and 21:30

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
WEST/923/00/FUL	Provision of 9 six metre high floodlighting columns to courts 1 and 2 anti, glare screening and landscaping (revised)	Refused: 06/01/2001
APP/M5450/A/01/10 74774	Appeal of WEST/923/00/FUL	Allowed: 23/01/2002
P/2946/07/CFU	Installation of 9 floodlighting columns to courts 4 & 5 at northern end of site	Refused; 02/11/2007; Reasons for Refusal; 1) <i>The proposed floodlighting columns by reason of their excessive height, appearance and number would have an over dominant and visually intrusive effect on the residential amenity of neighbouring houses, contrary to harrow unitary development plan policy D23.</i>
APP/M5450/A/08/20 73769	Appeal of the Above	Dismissed; 11/11/2008
P/3872/08	Install of 8 floodlighting columns to courts 4 & 5 at northern end of site	Refused; 26/02/2009 Reasons for Refusal; 1) <i>The proposed floodlighting columns by reason of their excessive height, appearance and number would be visually obtrusive in the streetscene and harmful to the appearance and residential character of the area, contrary to harrow unitary development plan policy d4.</i> 2) <i>The proposed floodlighting columns by reason of their excessive height, appearance and number would have an</i>

		<i>over dominant and visually intrusive effect on the residential amenity of neighbouring houses, contrary to harrow unitary development plan policy d23.</i>
APP/M5450/A/09/21 05014	Appeal of the Above	Appeal Dismissed; 14/09/2009
P/1283/10	Provision of three x 5 metre floodlighting columns to courts 4 and 5 (revised)	Granted: 22/9/2010
P/1425/13	Installation of new 5.0m high floodlight columns with 2x luminaries to Court 6, New luminaries to existing 5.0m column between Court 5 & 6	Granted: 15/04/2014
P/2142/15	Installation Of Two New 4.5 Metre High Floodlight Columns With 2 X Luminaries To Court 3; Netting To Boundary Fence	Granted:
P/1468/16	Installation of Three 4.5m Floodlighting Columns with Four Luminaires (Courts 4 and 5); Addition of Four Luminaires Fitted to Existing Columns at a Height of 4.5m (Courts 1& 2); Netting to Boundary Fence.	Refused; 18/05/2016 Reasons for Refusal <i>1. The proposed floodlighting columns by reason of their height, position and proximity in relation to no. 2 Northfield Avenue and the proposed netting, by reason of its impervious form would appear visually obtrusive to the detriment of the residential amenities of the occupiers at no. 2 Northfield Avenue, contrary to policy 7.4 and 7.6 of the London Plan 2015, policy CS1.B of The Harrow Core Strategy 2012 and policy DM1 of the Development Management Policies Local Plan 2013</i> <i>2. The proposed floodlighting, in the absence of sufficient information to ensure that they would not impinge on the health and wellbeing of</i>

		<p><i>protected bat species within the area, would potentially have an adverse impact on the health of those protected species of locally important bio-diversity. The proposal is contrary to policy DM20 and policy DM 48 (C) of the Development Management Policies Local Plan 2013.</i></p> <p><i>3. The proposed floodlighting, in absence of sufficient information in relation to cumulative lightspill from the proposal site, would potentially result in excessive levels of glare and visual intrusion on the residential amenity of neighbouring properties to the detriment of those neighbouring occupiers, contrary to policy 7.4 of the London Plan 2015, policy CS1.B of The Harrow Core Strategy 2012 and policy DM1 and DM48 of the Development Management Policies Local Plan 2013.</i></p>
APP/M5450/W/16/3 156257	Appeal of Above	Dismissed: 02/12/2016
P/4320/17	Four floodlight luminaires to be fitted to new replacement chain link fence posts (court nos 4 and 5) ; addition of four luminaires to existing columns (column nos. 1 2 And 3) at a height of 4.5M (facing courts nos. 4 And 5) (amended description)	Granted 30/01/2018

4.0 CONSULTATION

- 4.1 A total of 11 consultation letters were sent to neighbouring properties regarding the application on the 2nd May 2018. The overall public consultation period expired on 23rd ,May 2018

4.2 Adjoining Properties

Number of letters Sent	11
Number of Responses Received	3
Number in Support	0
Number of Objections	3
Number of other Representations (neither objecting or supporting)	0

4.3 3 objections were received from adjoining residents.

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

Summary of Comments	Officer Comments
<p>Residential Amenity Proposed lights in association with previously approved lights would result in unacceptable impacts on adjoining neighbours.</p> <p>Impacts of light spill and reflective light.</p> <p>Impacts of noise and disturbance</p>	<p>Light spill impacts and outlook issues are addressed in section 6.4 of the report</p>
<p>Other issues Reference to Enforcement issues surrounding lighting on Court 3</p> <p>Proposals do not address previous refusals and inspector decisions</p>	<p>Enforcement case for the breach of planning was investigated and closed in January 2017 following compliance with planning conditions.</p> <p>Application are assessed on own merits. The current proposal differs to those applications previously considered by the Inspector.</p> <p>This is not a material planning consideration</p>

Points regarding the necessity to provide extra lighting and the fact there are evenings when the courts are not fully occupied.	
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4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

Consultee	Summary of Comments	Officer Comments
LBH Environmental Health	No Response received.	Noted.
LBH Lighting Engineer	No objections, lightspill is similar to what was found acceptable under the previously refused application. Post installation condition should be attached.	Noted. Impacts regarding light spill are addressed in section 6.4
LBH Bio-diversity	Overall the proposals should have relatively little impact in relation to the existing situation. The proposed gain will be acceptable – and may be conditioned accordingly	Noted
Sports England	No Response Received	Noted
Pinner Association	No Response Received	Noted

5.0 POLICIES

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

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

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

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

5.4 In addition to the above a new draft London Plan (2017) has currently been issued for consultation. Whilst the draft policies from part of a material consideration of this assessment limited weighting has been applied as the new London Plan has not yet been formally adopted.

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

6.0 ASSESSMENT

6.1 The main issues are;

Principle of the Development and Regeneration
Character and Appearance of the Area
Residential Amenity
Biodiversity

6.2 Principle of Development

6.2.1 Policy 3.19 of the London Plan states that proposals that increase or enhance the provision of sports and recreational facilities will be supported. It goes on to say that the provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to the local community or biodiversity.

6.2.2 Policy DM48 of the Development Management Policies Local Plan (2013) notes that proposals that would increase the capacity and quality of outdoor sport facilities, and those that would secure community access to private facilities, will be supported subject to criteria

6.2.3 The proposal would increase the opportunities for sport on the site, in particular during the winter months. The impact of the proposal on the character of the area, neighbouring amenity and biodiversity is considered to be acceptable as set out in the report below.

6.2.4 Whilst the development relates to a private recreation facility, the tennis club is provided for members of the local community. It should be noted that even though fees are required to use the tennis facilities at the club, fees are also required to use Council owned public leisure facilities. Therefore the community use of the tennis club is the same in this regard. The improvement of the site would be of benefit to facilities in the local area in accordance with London Plan policy 3.19 and Development Management Policies Local Plan (2013) – Policy DM48.

6.3 Character and Appearance of the Area

- 6.3.1 Policy 7.4 of the London Plan (2016) requires development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 of the London Plan (2016) requires buildings to make a positive contribution to a coherent public realm, streetscape and wider cityscape. Policy CS1.B of the 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.
- 6.3.2 The long established West End Lawn Tennis club is sited within residential area and borders residential sites on its northern and western sides. The eastern and southern side of the club primarily borders the highways of Northfield Avenue and Cuckoo Hill Road respectively.
- 6.3.3 With regard to the visual impact of the replacement northern boundary fencing and the luminaires themselves, the site is an established tennis court which is characterised by existing vertical columns for lighting and a 4.6 metre high boundary fence with regular metal supporting posts. Thus there is already a significant vertical component to the visual appearance of the site when viewed from the adjoining highways and from within neighbouring gardens.
- 6.3.5 There are existing 5m high floodlighting columns which provide lighting to courts 4, 5 and 6 and 6m high floodlighting columns providing lighting to courts 1 and 2. In addition there are two 4.5m high floodlighting columns each with two luminaires which serve court 3, four luminaires to the existing columns (on courts one and two). Therefore, the proposed three luminaires on court 6 and one floodlight would be satisfactory and would maintain the recreational character of the site.
- 6.3.6 With regard to the views of the site from the adjacent highways, the site is obvious in its use. It is considered that luminaires themselves are a feature which is expected to be related to such activities and that, whilst not an overriding factor in the consideration of the application, such furniture can be expected to be part of the visual appearance of such sites. .
- 6.3.7 The design and access statement which accompanies the current application states that the proposed fence would be similar to the one which exists on site and would feature columns of a similar width. In addition, the current 2.0m high screening which is currently in place would be replaced on a like for like basis. Noting the factors above, it is considered that the replacement fence would maintain the character of the area.
- 6.3.8 In summary, and noting the objections received, it is considered that the proposed replacement fence and luminaries would be in keeping with the character of the site and would have no undue impact on the character of the area in accordance with the NPPF (2018), Harrow Core Strategy (2012) CS1.B, policies 7.4.B and 7.6.B of The London Plan and the Development Management Policies Local Plan (2013) Policy DM1.

6.4 Residential Amenity – Visual Impact

- 6.4.1 Objections have stated that the current proposal fails to address the previous reasons for refusal and inspectors decisions in relation to the visual impact of the floodlighting columns.
- 6.4.2 The current proposal seeks to introduce a replacement chain link fence with associated supports. The proposed fence would be of an identical height and would feature green screen netting to a height of 2.0m. Therefore it is considered that the appearance of the replacement fence would maintain the visual amenities when viewed from no. 2 Northfield Avenue.
- 6.4.3 Three new luminaires are proposed to be attached to the fencing at intervals adjacent to the boundary with no.2 Northfield Avenue and no. 18 Cuckoo Hill Road. The proposed luminaires, due to their limited size are considered to have an acceptable impact on visual amenities of neighbouring properties.

Residential Amenity – Light Spill

- 6.4.4 Objections received highlight that the proposal would result in undue light spill into neighbouring properties. The applicant has provided light spill diagrams indicating the cumulative effect of the existing and proposed lighting. It is noted that the maximum recommended vertical illuminance into house windows is 5 Lux within Environmental Zone E2 (in line with the Institute of Lighting Professionals guidance).
- 6.4.5 The Council's lighting engineer notes that in terms of the luminaires, these were to the same specification which were found to be acceptable in terms of lightspill within the inspectors decision dated 2nd December 2016. Furthermore, the light spillage would be further mitigated due to the proposed use of flat glass luminaires, mounted horizontal (e.g. zero degrees elevation angle).
- 6.4.6 The design and access statement submitted by the applicant indicate 250 Watt Lamps. The proposed lights would match the existing lights on the site. A condition has been recommended restricting the hours of use of the floodlights between 8.30am and 9.30pm. This time limit would permit play to a time consistent with mid summer natural light and it is considered appropriate that a condition to this effect be imposed which is the same as the condition which was placed on existing floodlights on the site.

- 6.4.7 In terms of noise and disturbance, it is considered that there would not be additional noise and disturbance to the immediate adjacent occupiers as a result of the proposal. The use of lights on court 6 is likely to result in some increase in use during winter months. The applicants have suggested (in their application) a time limit of 2130 to match that allowed for the existing illuminated courts. This time limit would permit play to a time consistent with mid summer natural light and it is considered appropriate that a condition to this effect be imposed.
- 6.4.8 The illumination of courts 6 for the time proposed would not result in any greater intensity than could be accommodated at present during summer months and it is not therefore considered that the development would result in unreasonable activity, beyond that which would be expected within such recreation sites.
- 6.4.9 In summary, and noting the objections received, it is considered the proposal would not have an adverse impact on the residential amenities of adjoining occupiers in accordance with London Plan policy 7.6B and Development Management Policies Local Plan (2013) - Policy DM1 and would therefore have an acceptable impact on neighbouring amenity.

6.5 Impacts on Biodiversity

- 6.5.1 A report has been submitted as part of the current application. The Biodiversity Officer has raised no objection. Therefore it is considered that the proposed floodlighting would not have undue impacts on local bio-diversity. It is considered that the proposal would comply with the NPPF (2018), Harrow Core Strategy (2012) policy CS1.E, London Plan (2016), policy DM20 of the Development Management Policies Local Plan (2013).

7.0 **CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 The proposal would provide increased sporting opportunities within the winter months for members of the local community. Furthermore, it is considered that the proposed floodlighting would not have an unduly harmful impact on the character of the property, biodiversity or the residential amenities of the neighbouring occupiers. Accordingly, the development is recommended for grant.
- 7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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

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

2 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, Design and Access Statement; 2018 Protected Species 20th July and 10th August 2018; LS11312-2-3; LS11312-2-3A-V1; LS11312-2-3A-V2; LS11312-2-3B-V1; LS11312-2-3B-V2; LS11312-2-3C-V1; LS11312-2-3C-V2; LS11312-3-3-INT; LS11312-3-3-ISO; WELTC/FLOOD/600

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

3 Floodlights – Hours Of Operation

The floodlights hereby approved shall only be used between 08:30am and 21:30 on any day for club activities and shall not be used at any other time.

REASON: In the interests of the amenities of neighbouring occupiers and the character of the area.

4 Floodlights – Maintenance

The floodlights hereby approved shall be maintained in the approved condition and no operation of the lights will occur if any fault, breakage, or other situation should arise where light would spill outside of the areas indicated on approved plans.

REASON: In the interests of the amenities of neighbouring occupiers, the biodiversity of the area.

5 Floodlights – Angles

The floodlights hereby approved shall not be used until post installation measurements are taken on site in relation to the proposed luminaire set up/aiming angles and are submitted to, and approved in writing by the Local Planning Authority. The lighting configuration shall thereafter be retained.

REASON: To ensure that the scheme is installed according to the approved drawings to avoid any undue impact on the neighbouring properties

Informatives

1 Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2018)

Draft London Plan (2017)

D1 London's Form & Characteristics

D2 Delivering Good Design

D3 Inclusive Design

S5 Sports & Recreational Facilities

G6 Biodiversity & Access to Nature

The London Plan (2016)

7.4 Local Character

7.6 Architecture

7.19 Biodiversity and Access to Nature

3.19 Sports Facilities

Harrow Core Strategy (2012)

Core Policies CS1.B/E

Core Policy CS5

Harrow Development Management Policies Local Plan (2013)

DM1 – Achieving a High Standard of Design and Layout

DM20 - Protection of Biodiversity and Access to Nature

DM48 – Enhancing Outdoor Sport Facilities

2 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 Party Wall Act

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

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

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

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

Also available for download from the Portal website:

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

4 Protection of Highway

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

5 Considerate Contractor Code of Practice

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

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

0800-1300 hours Saturday.

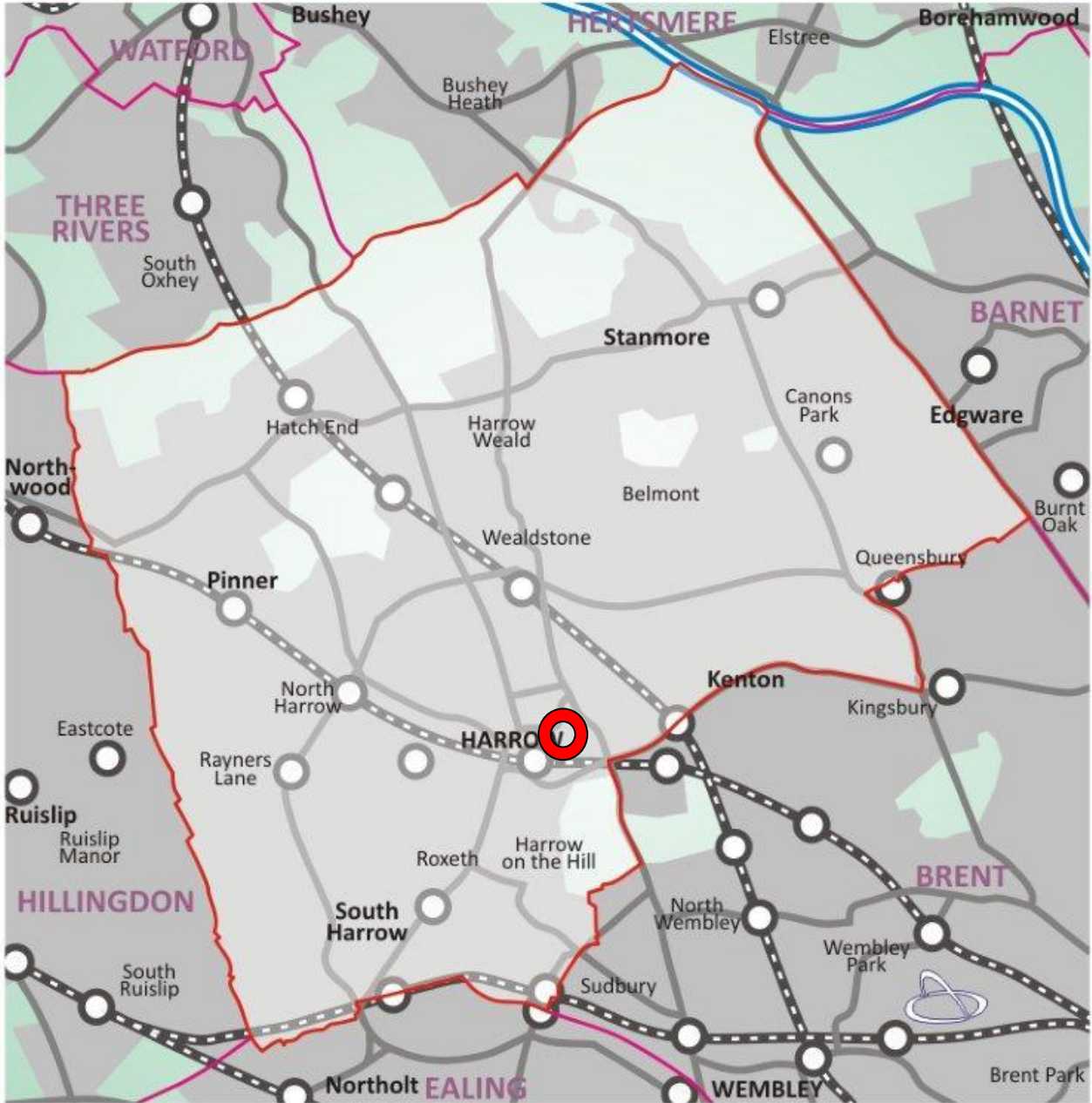
6 Compliance with Planning Conditions

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.

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 = application site



100-101 Headstone Road, Harrow	P/1182/18
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100-102 Headstone Road HA1 1PF



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 2018

Application Number: P/1182/18
Validate Date: 02/05/2018
Location: 100 - 102 HEADSTONE ROAD, HARROW
Ward: GREENHILL
Postcode: HA1 1PF
Applicant: MR TEJENDRA PATEL
Agent: ARCHIAN LTD
Case Officer: TENDAI MUTASA
Expiry Date: 27/06/2018 (EXTENDED)

PROPOSAL

Redevelopment to provide two storey building with habitable roofspace comprising of 5 flats (3 x 2 bedroom flats, 1 x studio flat, and 1 x 1 bedroom flat); bin and cycle stores

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 Interim Chief Planning Officer 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 19th January 2019 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then re-delegate the decision to Interim Chief Planning Officer 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).

INFORMATION

The application is reported to the Planning Committee as the proposal relates to the construction of more than 2 dwellings. As such, it falls outside the scope of the exception criteria set out at Part 1(h) of the Scheme of Delegation dated 29th May 2013.

Statutory Return Type:	E13 Minor Dwellings
Council Interest:	N/A
GLA Community	£15,610.00
Infrastructure Levy (CIL)	
Contribution (provisional):	
Local CIL requirement:	£49,060.00

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
- 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	100-102, Headstone Road, Harrow, HA1 1PF
Applicant	Mr Tejendra Patel
Ward	Greenhill
Local Plan allocation	Non
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	

Transportation		
Car parking	No. Existing Car Parking spaces	N/A
	No. Proposed Car Parking spaces	N/A
	Proposed Parking Ratio	N/A
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	8
	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	6
	Closest Rail Station / Distance (m)	10 minute walk – Town Centre Harrow
	Bus Routes	several
Parking Controls	Controlled Parking Zone?	Yes
	CPZ Hours	11am to 12 Monday to Fridays
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	None
Parking Stress	Area/streets of parking stress survey	None
	Dates/times of parking stress survey	None
	Summary of results of survey	None
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Communal bin storage at the rear

Sustainability / Energy	
BREEAM Rating	N/A
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	No

Housing		
Density	Proposed Density hr/ha	116.50
	Proposed Density u/ha	
	PTAL	6
	London Plan Density Range	
Dwelling Mix	Studio (no. 1/ %)	20%
	1 bed (no. 1/ %)	20%
	2 bed (no. 3/ %)	60%
	3 bed (no. / %)	0
	4 bed (no. / %)	0
	Overall % of Affordable Housing	N/A
	Social Rent (no. / %)	N/A
	Intermediate (no. / %)	N/A
	Private (no. / %)	100%
	Commuted Sum	N/A
	Comply with London Housing SPG?	YES
Comply with M4(2) of Building Regulations?	YES	

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The site is a disused builders yard located on the western side of Headstone Road. Headstone Road features a mix of building types.
- 1.2 The adjoining properties are residential, mainly two-storey Victorian buildings with bay windows varying in sizes and height. On the opposite side of the road (north east of the site), the properties are in mixed use with shops on the ground floor and residential above. .
- 1.3 The site is in close proximity to Harrow Town Centre (St. Georges Shopping Centre) and within 10 minute walk from Harrow on the Hill Station.
- 1.4 The site is located within a Critical Drainage Area. There are no other site specific constraints on the site.

2.0 PROPOSAL

- 2.1 It is proposed to erect a two-storey purpose built residential development with accommodation within the gable ended roof space
- 2.2 The main bulk of the proposed building would be set approximately 3m from the front boundary line and edge of the pavement / walkway. The proposed building would be approximately 15.0m deep and 10.0m wide with projected front and rear gabled, rear dormer features.
- 2.3 The proposed development would provide 3 x 2 and 1 x 1 bed apartments on the ground, first and second floors and 1 x studio apartment in the roofspace. The submitted plans do not provide any car parking as this will be a car free development but shows refuse storage, cycle storage and private amenity space.

3.0 RELEVANT PLANNING HISTORY

3.1

P/3526/13	Outline permission for layout only: Two storey building to provide 7 flats	Refused: 22/01/2014
P/1785/12	Outline application for access: redevelopment of builders yard/store/offices to provide two buildings (a 3 storey building fronting headstone road and 1.5 storey building at the rear) to create 6 flats and 2 houses respectively.	Refused: 18/10/2012
HAR/66/E	Erection of a pair of semi-detached houses and 2 garages (outline permission)	Granted: 23/04/1965
	Historical applications relating to the use of the garages.	

4.0 **CONSULTATION**

4.1 A total of 12 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 23/05/2018

4.3 **Adjoining Properties**

Number of letters Sent	12
Number of Responses Received	1
Number in Support	1
Number of Objections	0
Number of other Representations (neither objecting nor supporting)	0

4.4 A summary of the notification responses received along with the Officers comments are set out in the table below.

Summary of Comments	Officer Comments
In support of the redevelopment of the site, it is a huge improvement on previous plans.	Noted

4.5 **Statutory and Non Statutory Consultation**

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

Consultee	Summary of Comments	Officer Comments
LBH Highways	No objections subject to S106 Agreement for permit restrictions , condition for construction logistic plan and cycle parking	Condition recommended
LBH Drainage	No objection subject to conditions.	Condition recommended.
Planning Policy Team	No comments received	N/A

5.0 POLICIES

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

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

5.2 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these should be applied; it is a material consideration in the determination of this application. The current NPPF was published in July 2018 and replaces the first NPPF (March 2012).

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 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 was published in draft form in December 2017. Given that the draft Plan is still at early stages of the formal process it holds very limited weight in the determination of planning applications. Although this weight will increase as the Draft London Plan progresses to examination in public stage and beyond, applications would continue to be determined in accordance with the 2016 London Plan. It is anticipated that the Examination in Public will commence early 2019.

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
- Design, Character and Appearance of the Area
- Residential Amenity and Accessibility
- Traffic, Parking and Drainage
- Sustainability

6.2 Principle of Development

Loss of Employment Site & Re-use of site for residential development

- 6.2.1 The site is an established builder's yard albeit not currently operational. It is relatively small and is unusual in being so constrained by residential properties immediately adjacent on either side as well as to the rear and it is therefore likely that the number of employees to be associated with any business activities on this site will be small. It is therefore considered that, although the loss of the builder's yard will result in the loss of an employment-generating use and hence jobs associated with it, the loss would be relatively small and would not have a significant detrimental impact on the local economy in Harrow.
- 6.2.2 Policy 3.8 of The London Plan (2016) 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 CS1 (I) states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities'. Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed development of the builder's yard would constitute an increase in housing stock within the borough, and would therefore be acceptable in principle.
- 6.2.3 The site has not been allocated as a housing site within the Local Plan, and as such is considered to be a "windfall site". Policy DM1 directs assessment of suitability of such site against set criteria. The application site lies within a 'Developed Area' as identified in the Local Plan. This site has previously been developed. The application site is located within an existing residential area, and as such the infrastructure has been developed to provide good transport links for existing residents. Furthermore, there are no known physical or environmental constraints at this site.
- 6.2.4 Headstone Road is characterised by a mixture of varying properties including parade of shops, flatted developments but mainly two-storey terraced and semi-detached houses on narrow plot of land built in the Victoria era. There are also services and facilities available within reasonable walking distance of the site. The principle of residential development is therefore acceptable against the criteria set out in Policies CS1 and DM1 subject to an assessment of the scheme against policies having regard to design, parking, and means of access as well as amenity of the occupiers of adjoining premises.
- 6.2.5 Overall, it is considered that the site is, in principle, acceptable as a residential windfall site. The site complies with Policy CS1 and DM1 of the Local Plan in regards to the criteria of suitability

6.3 Design and Character of the Area

- 6.3.1 The NPPF (2018) makes it very clear that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making better places for people.
- 6.3.2 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all Boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.
- 6.3.3 Core Policy 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.’
- 6.3.4 Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) reinforces the principles set out under The London Plan (2016) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces.
- 6.3.5 The pattern of development in the area is mainly made up of terraced, detached, semi-detached properties and block of flats. The proposed development would result in a marked change in appearance of the site, which currently has flat roofed single storey structures on the site. The structures are set back from the front of the site which fronts Headstone Road. The proposed development would have a building line similar to that of the adjoining buildings bringing it in line with the rest of the building line along Headstone Road in terms of height and width. This change in appearance of the site and streetscene is considered to be acceptable. Furthermore, the proposed building does not fill its width and the low level nature of the building ensures that it doesn’t appear excessive in scale or bulk.
- 6.3.6 The use of a traditional hipped roof with single ridges reduces the bulk of the proposed roof, especially when viewed from the front, whilst the addition of a small rear dormer is considered acceptable as it would be well contained within the roof, only visible when viewed directly from the rear and would not result in a crowded roof slope when viewed from the public realm. As mentioned above the proposal would retain a gap to the side boundaries and therefore it is considered that the proposal would sit well on the site and would not result in a cramped development.

- 6.3.7 As the area is mixed in character with existing flat developments, it is considered that the proposed fenestrations and brick build would be of a similar design to the existing developments and therefore would not be out of keeping within the streetscene.
- 6.3.8 The applicant has indicated a simple palette of materials which is considered to be acceptable in principle. A condition has been attached to this permission for details of all external materials which would include bricks, roof tiles, windows, door, reveals and rainwater goods to ensure a sympathetic finish would need to be approved prior to commencement.

6.4 Residential Amenity

- 6.4.1 Policy 7.6 of The London Plan (2016) states that “Buildings and structures should not cause unacceptable harm to the amenity of the surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”.
- 6.4.2 Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) requires that: “All development and change of use proposals must achieve a high standard of privacy and amenity of neighbouring occupiers”. “The assessment of the design and layout of proposals will have regard to: “the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers”.

Amenity of future occupiers

- 6.4.3 Policy DM 27 of the Harrow DMP LP (2013) states that: “Residential development proposals that provide appropriate amenity space will be supported. The appropriate form and amount of amenity space should be informed by
- a. the location and dwelling mix;
 - b. the likely needs of future occupiers of the development;
 - c. the character and pattern of existing development in the area;
 - d. the need to safeguard the privacy and amenity of neighbouring occupiers; and
 - e. the quality of the space proposed including landscaping (see Policy DM22 Trees and Landscaping).”
- 6.4.4 All the flats would have access to a communal garden space which is approximately 120sqm, a private garden for the ground floor flat and there are community parks nearby therefore the amenity space is considered to be appropriate and would accord within the minimum standards set out in the Mayoral Housing SPG (2016).

6.4.5 Room Size and Layout

The table below illustrates the extent to which the proposed development would comply with the recommended room sizes of the London Housing Supplementary Planning Guidance (2016).

Flat no.	Room	Proposed Floor Area (m ²)	Minimum Floor Area Required (m ²)
1 (2b, 3p)	Bedroom (double)	16.0	11.5
	Bedroom (single)	10.8	7.5
	Internal Storage	2	2
	Total GIA	63.6	61
2 (2b, 3p)	Bedroom (double)	12.6	11.5
	Bedroom (single)	11.0	7.5
	Internal Storage	2.30	2
	Total GIA	66.1	61
3 (2b, 3p)	Bedroom (double)	13.0	11.5
	Bedroom (single)	9.45	7.5
	Internal Storage	2.57	2
	Total GIA	61.9	61
4 (1b, 2p)	Bedroom (double)	16.0	11.5
	Internal storage	Over 2.0	2
	Total GIA	50.81	50
Studio Flat	Total GIA	37.8 plus storage space on eaves	37

6.4.6 As demonstrated within the above table, the proposed flats would meet and exceed the gross internal floor area requirements for flats of their respective occupancy levels. Each of the rooms provided would have a functional layout and would have an adequate outlook and receive a satisfactory level of natural light. It is considered that the proposed living accommodation provided would therefore be considered acceptable and would accord with the relevant policies.

6.4.7 The site is located within a residential area close to the town centre and the surrounding land uses would not adversely affect the amenities of the future occupiers of the units. The units are shown to be single aspect, however it is considered that due to the size of the windows and the detached nature of the building, the proposed residential units would provide good levels of outlook from all of the habitable rooms.

- 6.4.8 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. 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". It is noted that some of the rooms in the flats would overlap bedrooms and living rooms, however in this regard it is considered that as this is a new build, this can be overcome by noise insulation through building control regulations. An informative will be attached to the permission to direct the applicants to the relevant building control services. Subject to this, the overall stacking relationship would be acceptable in accordance with paragraph 5.12 of the adopted SPD.
- 6.4.9 Good levels of external amenity spaces would be provided for each of the units in terms of the shared amenity space at the rear and it is also noted that a park is within walking distance from the site. A boundary fence would be erected at the rear of the ground floor flat to avoid overlooking from the communal rear garden. A condition has been attached for these details to be submitted to and approved by the LPA.
- 6.4.10 The submitted plans demonstrate that floor to ceiling heights have been achieved in accordance with the requirements of The London Plan (2016) which states that the nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling. This is in order to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, which sets a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
- 6.4.11 The proposed development would provide a high quality layout and design and care has been taken to ensure the privacy and amenities of all occupiers would not be compromised. Accordingly, it is considered that the proposed development would accord with policy 7.6.B of The London Plan 2016 and policy DM1 of the DMP.

Accessibility

- 6.4.12 The London Plan (2016) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Policy DM2 of the Harrow DMLP (2013) seeks to ensure that buildings and public spaces are readily accessible to all
- 6.4.13 The submitted plans and accompanying Design and Access Statement indicates that the proposed ground floor units would meet "accessible and adaptable" objectives. It is evident from the plans that external door widths and turning circles would be sufficient to accommodate wheelchair users and to meet these standards. A condition is recommended to be attached to the permission, should

approval be granted which would require the units to be built to these standards. Subject to this, the proposed dwellings would provide an acceptable level of accessibility in accordance with the above policies.

Amenity of Neighbouring Occupiers

6.4.14 The NPPF (2018) states inter alia that planning decisions should address the integration of new development into the built environment. London Plan Policy 7.6 B states that buildings should not cause unacceptable harm to the amenity of surrounding land and buildings in relation inter alia to privacy and overshadowing. Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 C & D of the Development Management Policies Local Plan require development to achieve a high standard of design and layout and set out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers to this end. The Council has also produced a Residential Design Guide SPD.

Privacy, Outlook Visual Impact, Loss of Light

6.4.15 The neighbours immediately adjacent to the site are Nos. 104 and 98 Headstone Road. The impact of the proposal on these neighbours would be largely the same and so can be addressed together.

6.4.16 The scheme as proposed would remain set further off the shared boundaries with both properties at (104 and 98 Headstone Road), at ground floor, first floor and roof level. The new building would be a minimum of approximately 1.4m and 1.5m respectively from these adjacent neighbours and would be set on a similar building line, and as such would not project beyond the front or rear building line of these neighbours.

6.4.17 Furthermore, the proposed development would not dissect the 45 degree lines taken from the closest rear corners of these properties. The proposal would therefore preserve the outlook of neighbouring houses from their front and rear windows. The windows proposed on the side elevations will serve the staircase and bathrooms and would be obscure glazed and non-opening above floor level, therefore would not lead to overlooking issues.

6.4.18 It is noted that the first floor windows proposed at the rear would be closer to the garden areas of No.s 104 and 98 Headstone Road, however this is not considered to exacerbate any overlooking issues over and above that which is currently experienced as this is characteristic of traditional suburban areas. It is noted that both neighbouring buildings feature side windows, however during a site visit it was noted that these are obscure glazed and not primary windows.

- 6.4.19 The boundary treatments are of an acceptable height and materials and would also have an acceptable impact on neighbouring light and outlook. In view of the above it is therefore considered that the proposal would have no unacceptable impact on the living conditions at these neighbouring properties in terms of loss of light, outlook and privacy in accordance with policy DM1 of the Development Management Policies Local Plan (2013).
- 6.4.20 It is likely that up to a maximum of 15 people would occupy the flats. It is considered that the number of bedrooms proposed and the number of occupiers would be generally similar with other two storey dwellings and block of flats in the locality.
- 6.4.21 On this basis, it is considered that the proposal would have no adverse impact upon the amenities of neighbouring occupiers in terms of noise and disturbance. The proposed new building is considered to provide an adequate standard of accommodation for future occupiers and have an acceptable impact upon the residential amenities of neighbours and would therefore comply with the above policy.

Refuse

- 6.4.18 A waste storage area has been shown on plan, however the details of the structure have not been provided on the plans submitted with this application. It is noted that the site has sufficient space for the provision of this and as such a condition has been attached to this permission for details to be submitted and approved by the local planning authority in line with the Council's Refuse Code of Practice.
- 6.4.19 In summary, it is considered that the proposal would accord with the National Planning Policy Framework (2018), policies 3.5C and 7.6B of The London plan (2016), policies DM1 and DM 27 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Guidance: Housing Design Guide (2012) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

6.5 Traffic, Parking and Drainage

Traffic

- 6.5.1 Policy DM42 of the DMP gives advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.
- 6.5.2 The proposed development is broadly accepted in highway and transport terms. The Highways Officer has commented that the proposal is within a PTAL 6 location, meaning that access to public transport is excellent. More facilities are available within a 10 minute walk in Harrow town centre where the PTAL is 6 as well. It is proposed to not provide any on-site car parking spaces as part of the development. It is considered that given the amount of residential units proposed,

in conjunction with the application site's close proximity to the Harrow Town Centre, this would be acceptable taking into account comments of the Highways Engineer who has raised no objection for a car free development. As this is a car free development, the Highways Officer has recommended that a permit restriction be secured via a Section 106 agreement to ensure that future occupiers are not entitled to apply for parking permits unless they are disabled.

- 6.5.3 Details of secure cycle storage for 8 cycles have been provided and a condition has been attached to ensure that this is maintained as approved.
- 6.5.4 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).

Drainage

- 6.5.5 London Plan (2016) Policy 5.13A states that development should utilise urban drainage systems, unless there are practical reasons for not doing so, and should aim to achieve Greenfield run-off rates. Core Strategy Policy CS 1 U requires development to be managed to reduce flood risk and increase resilience to flood events.
Policy DM 10 A of the Development Management Policies Local Plan (2013) gives substantial weight to the achievement of Greenfield run-off rates and part B of the policy sets out the design and layout criteria for major development proposals.
- 6.5.6 The application site is located within a critical drainage area of Harrow. The Drainage Authority have raised no objection to the proposal subject to conditions which are recommended.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would make a more efficient use of this previously developed site and would make a welcome contribution to the supply of new housing to the Council Housing Stock. The proposal would have no undue impact upon the adjoining properties and upon the character and appearance of the area. Furthermore, the proposal would provide a satisfactory level of accommodation for future occupiers. The decision to grant planning permission has been taken having regard to National planning policies, the policies of The London Plan 2016, the Harrow Core Strategy 2012, the Harrow and Wealdstone Area Action Plan 2013 and the Development Management Policies Local Plan 2013, as well as to all relevant material considerations including any responses to consultation

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1 Timing

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

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

2 Approved Plans and documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location Plan, Design and Access Statement, Proposed Site Plan, Bike and Shed Details, 100-102HEAD-PPES01 REV 05, 3D

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

3 Materials

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

- a. the buildings;
- b. the ground surfacing; and
- c. the boundary treatment.

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

REASON: To ensure that the development achieves a high standard of design and layout and to ensure that the ground surfacing materials are permeable in accordance with Policy DM1 A & B and DM10 B of the Harrow Development Management Policies Local Plan (2013).

4 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 level of the site or land adjacent (inclusive of retaining wall(s) structural detail), have been submitted to, and agreed in writing by the local planning authority. The development shall be carried out in accordance with the details so agreed.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of

neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT.

5 Drainage 1

The development hereby permitted shall not commence until details of the works for the disposal of sewage to be provided on site have been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the works so agreed and the works shall thereafter be retained.

REASON: To ensure that there is adequate waste water infrastructure in place to serve the development and to ensure the separation of surface and foul water systems, in accordance with Policy 5.14 B of the London Plan (2016) and Policy DM 10 B of the Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

6 Drainage 2

The development hereby permitted shall not commence until details for the works for the attenuation, storage and disposal of surface water to be provided on site have been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the works so agreed and the works shall thereafter be retained.

REASON: To ensure that the development incorporates sustainable drainage systems and achieves greenfield run-off rates, and to ensure the separation of surface and foul water systems, in accordance with Policy 5.13 A of the London Plan (2016) and Policy DM 10 A & B of the Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition

7 Construction Method Statement & Logistics Plan

Prior to commencement of the development hereby permitted, a Construction Method Statement & Logistics Plan shall be submitted to, and approved in writing by, the local planning authority. The Method Statement shall provide for:

- a) detailed timeline for the phases and implementation of the development;
- b) demolition method statement;
- c) the parking of vehicles of site operatives and visitors;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) measures to control the emission of dust and dirt during construction; and
- g) scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall be carried out in accordance with the approved Method Statement & Logistics Plan, or any amendment or variation to it as may be

agreed in writing by the local planning authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and highway safety. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT.

8 Contamination

The development hereby permitted shall not be commenced until an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9 Landscaping 1

Notwithstanding the approved plans, a landscape management plan, including species numbers/locations, long term design objectives, management responsibilities and maintenance schedules for all communal landscape areas shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved. Details are required prior to occupation to ensure a satisfactory form of development.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with policy DM22 of The Development Management Policies Local Plan 2013. Details are required

PRIOR TO THE OCCUPATION to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

10 Landscape 2

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

REASON: To ensure that the development maintains appropriate provision for soft landscaping soft landscaping details (including planting appropriate to biodiversity enhancement), in accordance with Policies DM 1 A & B, DM 21 A and DM 22 B of the Development Management Policies Local Plan (2013).

11 Refuse

Prior to occupation of the development hereby permitted details of the appearance including materials of the refuse storage together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage areas, as shown on the approved drawing.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2016 and policy DM1 of The Development Management Policies Local Plan 2013

12 Cycle Storage

The cycle storage thus approved shall be carried out and implemented in full on site in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan (2016) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

13 Rear Boundary Fencing

Prior to occupation of the flats, details of boundary treatments (2m fencing) to be erected in the rear amenity space to sub-divide the 2 separate areas shall be submitted to the Local Planning Authority and the approved works shall be

carried out before the first occupation of the flats and shall thereafter be permanently retained.

REASON: To safeguard the amenities of future occupiers of the flats in accordance with Policy DM27 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1 Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2018) (NPPF)

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

The London Plan (2016):

3.3 – Increasing Housing Supply
3.5 – Quality and Design of Housing Developments
3.8 – Housing Choice
5.2 – Minimising Carbon Dioxide Emissions
5.3 – Sustainable Design and Construction
5.12 – Flood Risk Management
5.13 – Sustainable Drainage
6.3 – Assessing Effects of Development on Transport Capacity
6.9 – Cycling
6.13 – Parking
7.1 – Building London's Neighbourhoods and Communities
7.2 – An Inclusive Environment
7.3 – Designing Out Crime
7.4 – Local Character
7.6 – Architecture

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

Policy DM 1 - Achieving a High Standard of Development

Policy DM 2 – Achieving Lifetime Neighbourhoods

Policy DM 10 – On Site Water Management and Surface Water Attenuation

Policy DM 12 – Sustainable Design and Layout

Policy DM 14 – Renewable Energy Technology

Policy DM 18 – Open Space

Policy DM 20 – Protection of Biodiversity and Access to Nature

Policy DM 21 – Enhancement of Biodiversity and Access to Nature

Policy DM 22 – Trees and Landscaping

Policy DM 23 – Streetside Greenness and Forecourt Greenery

Policy DM 24 – Housing Mix

Policy DM 27 – Amenity Space

Policy DM 42 – Parking Standards

Policy DM 44 - Servicing

Policy DM 45 – Waste Management

Relevant Supplementary Documents

Supplementary Planning Document – Residential Design Guide (2010)

Mayor Of London, Housing Supplementary Planning Guidance (2016)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

2 Considerate Contractor Code of Practice

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

3 Party Wall Act

PARTY WALL ACT:

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

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

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 Compliance With Conditions

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

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

5 Pre-application Engagement

Statement under Article 31 (1) (cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).

This decision has been taken in accordance with paragraphs 187- 189 of The National Planning Policy Framework. 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.

6 GLA CIL

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £15,610 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

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

Your proposal is subject to a CIL Liability Notice indicating a levy of £15,610 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 446 sqm

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

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

7 Local CIL

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

Harrow's Charges are:

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

The Harrow CIL Liability for this development is: £49,060.

8 Building Control

This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.

9 Street Numbering

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

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

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

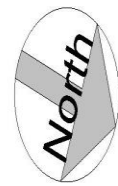
http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

APPENDIX 2: SITE PLAN



Location Plan

1 : 500



APPENDIX 3: SITE PHOTOS









APPENDIX 4: PLANS AND ELEVATIONS

FRONT ELEVATION
SIDE ELEVATION
REAR ELEVATION
SIDE ELEVATION

SECTION A - A
SECTION B - B

CONTEXTUAL

GROUND FLOOR PLAN
FIRST FLOOR PLAN
LOFT FLOOR PLAN

Proposed House
 Residing in this house in the context with other houses in the area.
 The house is a two-storey detached house with a pitched roof.
 The house is a two-storey detached house with a pitched roof.
 The house is a two-storey detached house with a pitched roof.
 The house is a two-storey detached house with a pitched roof.

Single storey dwelling	Two storey dwelling	Three storey dwelling
10sq 37	10sq 37	10sq 37
10sq 38	10sq 37	10sq 37
20sq 41	10sq 37	10sq 37
20sq 43	10sq 37	10sq 37
30sq 74	10sq 37	10sq 37
30sq 86	10sq 37	10sq 37
30sq 85	10sq 37	10sq 37
40sq 93	10sq 37	10sq 37
40sq 99	10sq 37	10sq 37

Copyright in the drawings is retained by the architect. No part of this document may be reproduced or stored in a retrieval system without the prior written consent of the architect.

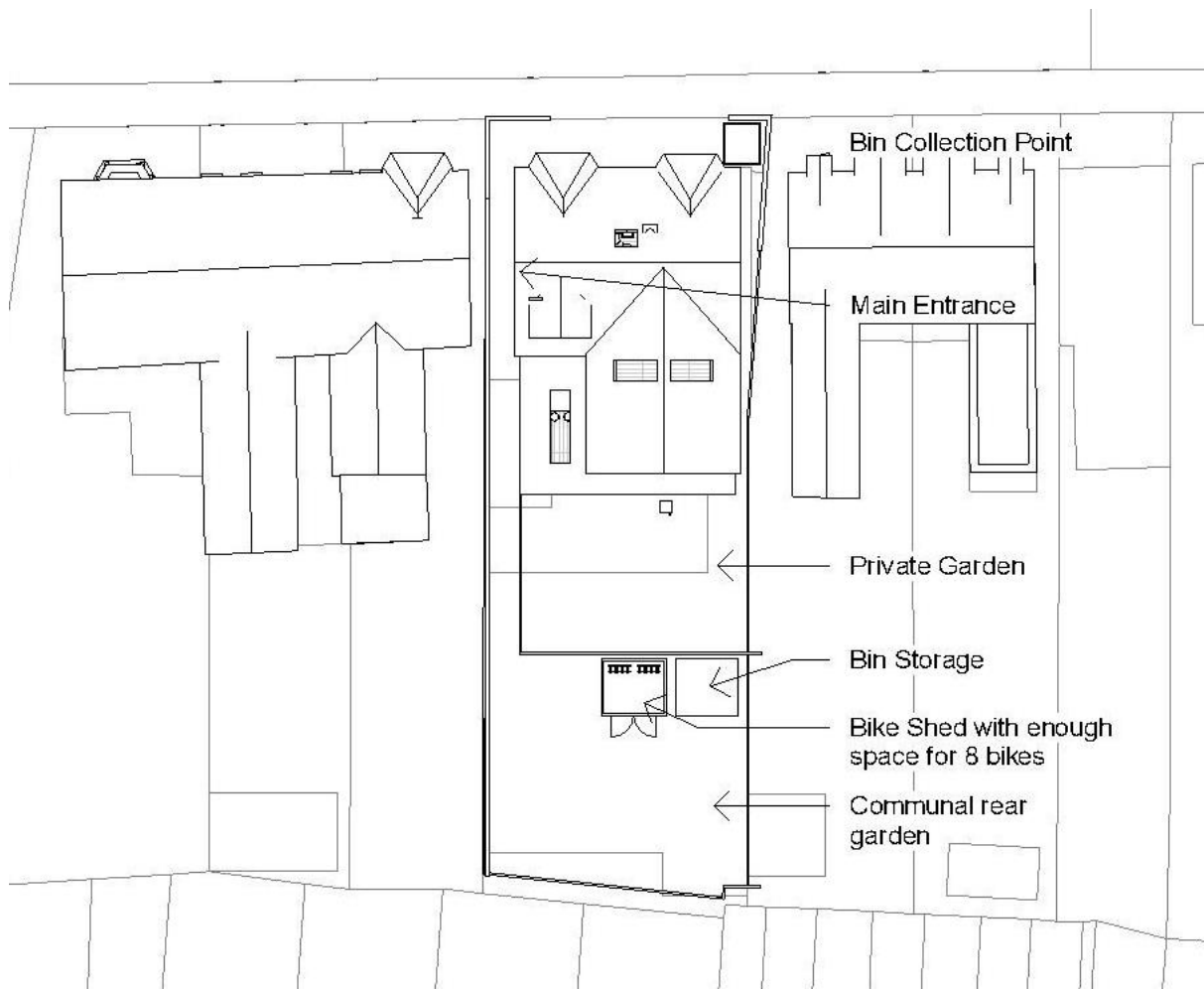
Original Plans Prepared by
 Architects and arranged by
 Designed images
 architectural services
 100-101 Headstone Road
 Harrow
 Proposed New Path
 Plans 8, 9, 10, 11 & Section

No: 100-101/2018/001
 Date: 05
 Date: 29/10/2018
 Date: 05/11/18
 Date: 15/11/18

Mr Adam Derwick
 100 - 101 Headstone Road
 Harrow
 Proposed New Path
 Plans 8, 9, 10, 11 & Section

Designed images
 architectural services
 100-101 Headstone Road
 Harrow
 Proposed New Path
 Plans 8, 9, 10, 11 & Section

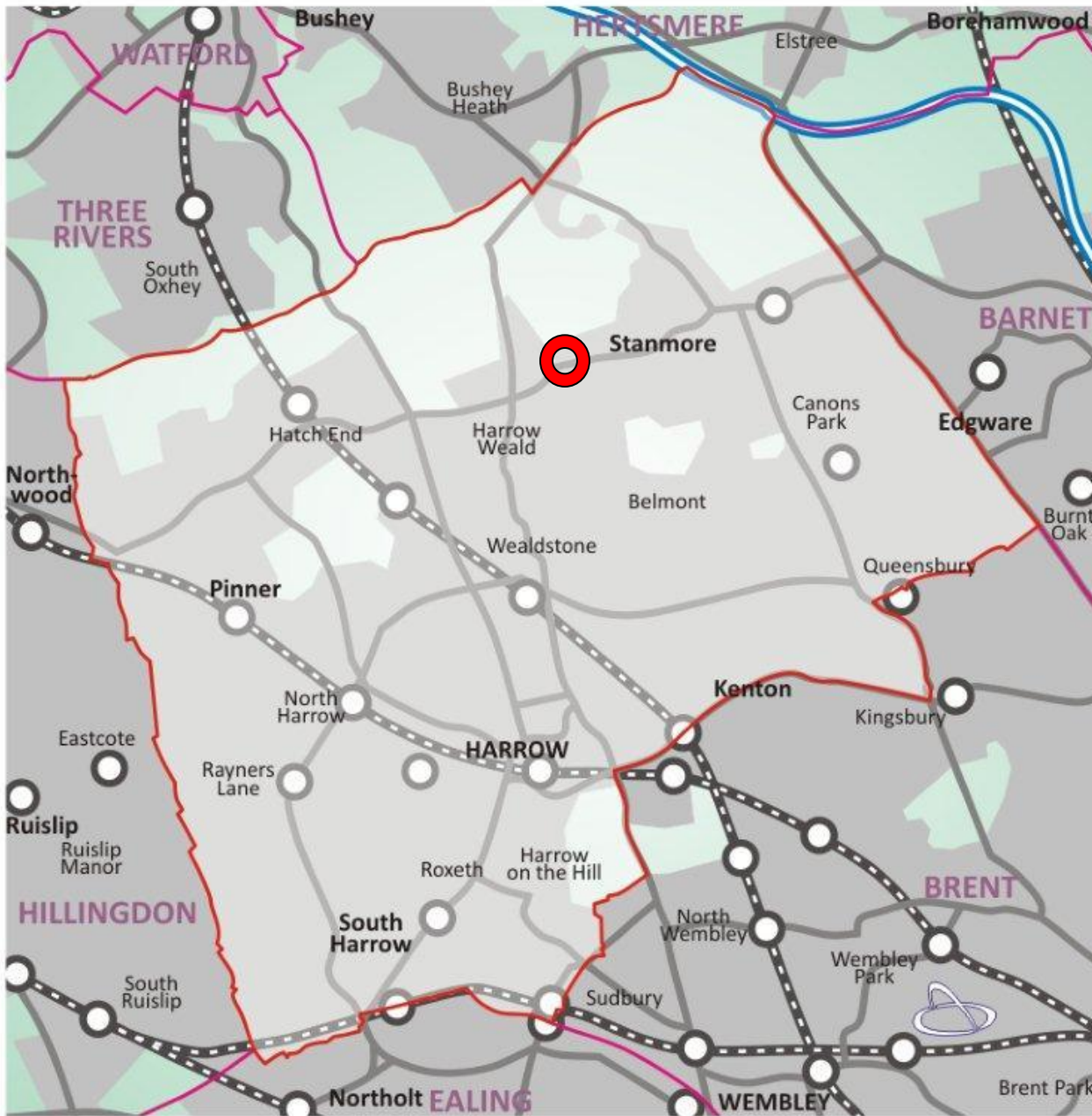
Bin and cycle enclosures location



Proposed Site Plan

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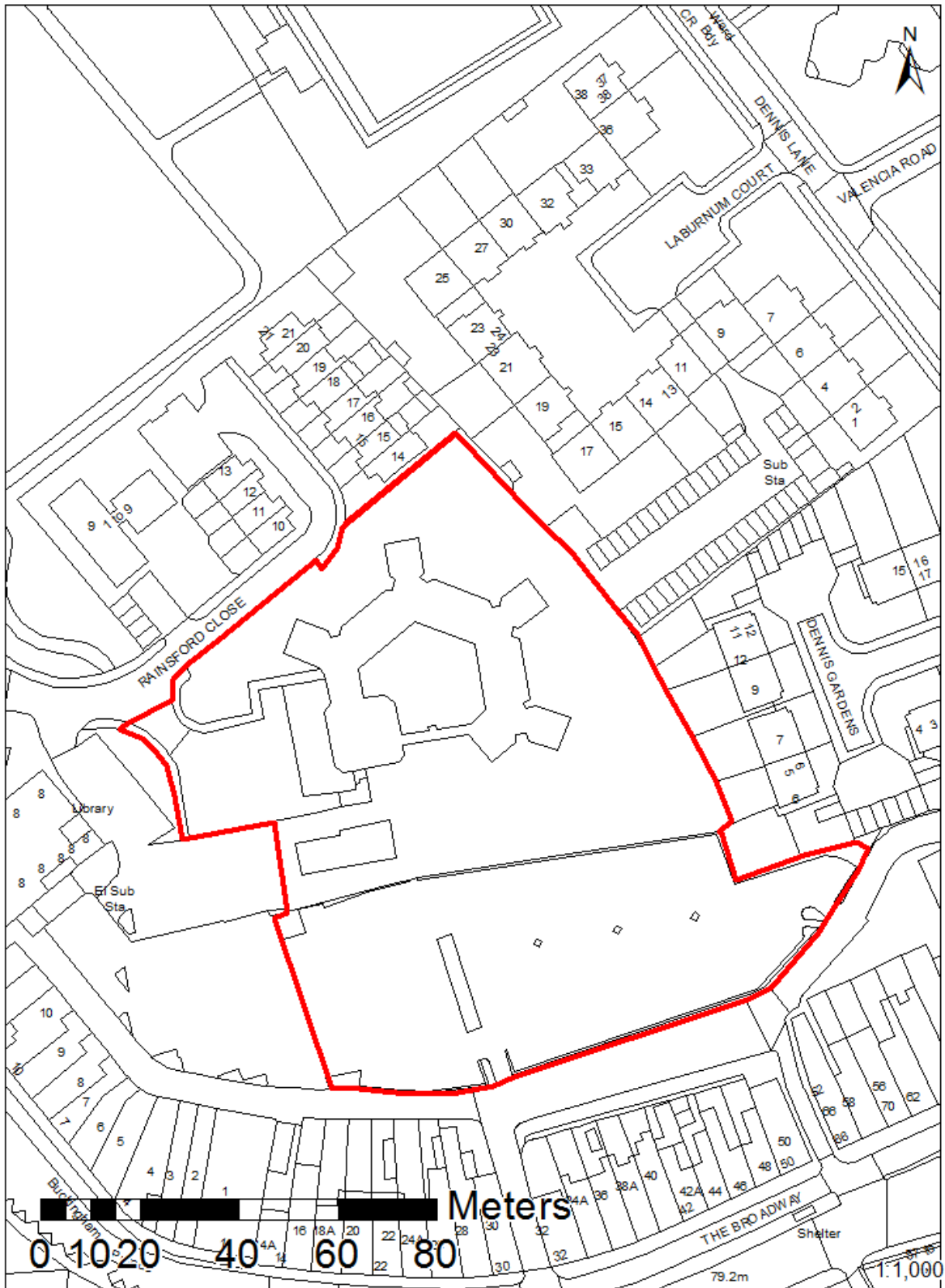
 = application site



**Anmer Lodge, Coverdale Close & Stanmore Carpark,
Dennis Lane, Stanmore**

P/4221/18

Anmer Lodge, Coverdale Close, Stanmore



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 2018

Application Number: P/4221/18
Validate Date: 26/09/2018
Location: ANMER LODGE, COVERDALE CLOSE &
STANMORE CARPARK, DENNIS LANE,
STANMORE
Ward: STANMORE PARK
Postcode: HA7 3TU
Applicant: NOTTING HILL GENESIS
Agent: LICHFIELDS
Case Officer: NABEEL KASMANI
**Extended Expiry
Date:** 28/11/2018

PROPOSAL

Variation of condition 48 (approved plans) to alter layout and access of the temporary car park attached to planning permission P/0412/14 dated 22/08/2014 for redevelopment of Anmer Lodge & Stanmore car park site in four blocks of various heights: block a to provide 1,692 sq. m (gross) food retail store (class a1) with ancillary café and 3-5 storeys of flats over; block b to provide multi storey car park and 3-4 storeys of flats over; block c to comprise 3-6 storeys of flats with undercroft parking; block d to comprise 2-4 storeys of houses and flats with surface car parking; basement car park below blocks a & b; total 120 dwellings (class c3) (resident permit restricted); 294 car parking spaces (comprising 151 replacement spaces, 50 spaces for the food store and 93 spaces for residents), 8 motorcycle spaces and 144 cycle spaces; access from Dennis lane and Coverdale close. proposal also includes combined heat & power plant; landscaping & roof gardens; diversion of water culvert; works to provide temporary replacement town centre car park (minimum of 151 spaces) and demolition of Anmer 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 and the modification of the Section 106 Agreement dated 22nd August 2014 relating to the planning permission granted under reference P/0412/14 dated 22/08/2014.

REASON FOR THE RECOMMENDATIONS

The proposed variations to the layout and exit arrangement of the temporary car park would enable the first phase of development (of planning application P/0412/16) to proceed while providing the necessary replacement town centre car parking spaces. Officers are satisfied that the proposed variations would not have a detrimental impact on the functioning of the surrounding highway network or the residential amenities of the adjoining occupiers.

INFORMATION

This application is reported to planning committee due to the public interest received under part 1, Proviso E of the scheme of delegation dated 29th May 2013

Statutory Return Type:	E(18) Minor Development: All other
Council Interest:	None
GLA Community	
Infrastructure Levy (CIL)	£696,155
Contribution (provisional):	
Local CIL requirement:	£1,428,658

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	Anmer Lodge, Coverdale Close & Stanmore Carpark, Dennis Lane, Stanmore, HA7 3TU
Applicant	Notting Hill Genesis
Ward	Stanmore Park
Local Plan allocation	Site R4 of Harrow's Site Allocations Local Plan document
Conservation Area	n/a
Listed Building	n/a
Setting of Listed Building	n/a
Building of Local Interest	n/a
Tree Preservation Order	1 Protected Tree (north-west corner of application site)
Other	Part of the site is within the boundary of Stanmore District Centre

Housing		
Density	Proposed Density hr/ha	357
	Proposed Density u/ha	126
	London Plan Density Range	200-450 hr/ha 45-170 u/ha
Dwelling Mix	1 bed	45 (37.5%)
	2 bed	60 (50%)
	3 bed	9 (7.5%)
	3 bed (Houses)	3 (2.5%)
	4 bed (Houses)	3 (2.5%)
	Overall % of Affordable Housing	41%
	Social Rent (no. / %)	0
	Intermediate (no. / %)	50 (41%)
	Private (no. / %)	70 (59%)
	Comply with London Housing SPG?	Complies

Non-residential Uses		
Existing Use(s)	Existing Use / Operator	n/a
	Existing Use Class(es) sqm	n/a
Proposed Use(s)	Proposed Use / Operator	Commercial Use on ground floor of Block A
	Proposed Use Class(es) sqm	1,692m ²
Employment	Existing number of jobs	Unknown
	Proposed number of jobs	Unknown

Transportation		
Car parking	No. Existing Car Parking spaces	151
	No. Proposed Car Parking spaces	294 Parking Spaces (201 Commercial and 93 Residential)
Cycle Parking	No. Existing Cycle Parking spaces	n/a
	No. Proposed Cycle Parking spaces	144
Public Transport	PTAL Rating	2/3
	Closest Rail Station / Distance (m)	Stanmore (Jubilee Line) 500m to the east
	Bus Routes	340, H12, 142, 324
Parking Controls	Controlled Parking Zone?	Yes – B, DG, LG
	Other on-street controls	Pay and Display Parking Bays, Double Yellow Lines
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Integral refuse stores within Blocks B, C and D and wheelie bins for family dwellinghouses.

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site is an irregularly shaped 0.95 hectare backland plot behind the retail parades on the north side of The Broadway, Stanmore
- 1.2 The whole of the application site is allocated in the Harrow Local Plan for retail-led redevelopment; the allocation provides for retail floorspace (potential 2,000 square metres), residential use (105 homes) and community use. Site levels rise from south to north across the site (approximately 4 metres)
- 1.3 The north part of the site (approx 0.6 hectares) was previously occupied by the single/two storey buildings and grounds of the former Anmer Lodge elderly persons' care home and day centre/temporary homeless persons' hostel. This has since been demolished and a temporary car part has been constructed. The site is bounded to the north by Rainsford Close, a development of two storey terraced houses and a three-storey block of flats; no. 14 Rainsford Close adjoins the application site all others are separated by the public highway
- 1.4 The south part of the site (approx. 0.35 hectares) is a surface level car park with 151 spaces allocated/leased to the following users: Lidl (100 spaces); Norwood (28 spaces); Expotel (12 spaces); Sheppard (2 spaces); LBH public pay & display (9 spaces). The south part of the site is within the boundary of Stanmore District Centre and part of the centre's designated Primary Shopping Area in the Harrow Local Plan
- 1.5 Access to the south part of the site is from Dennis Lane via the existing service road to the rear of shops in The Broadway. Access to the north part of the site is from Stanmore Hill via Coverdale Close/Rainsford Close
- 1.6 The site is bounded to the east by the rear gardens of nos. 5-12 Dennis Gardens and nos. 17-22 Laburnum Court, and a communal parking/garage court to Laburnum Court; both Dennis Gardens and Laburnum Court comprise purpose built maisonettes within two storey buildings
- 1.7 The site is bounded to the west by Stanmore Library's staff car park (access from Coverdale Close) and a private car park (access from the existing town centre service road)
- 1.8 The site has a public transport accessibility rating of 2 at its north edge and 3 at its south edge; the nearest bus stops in The Broadway are served by local bus routes 340, H12, 142 and 324; the Stanmore Station terminus of the Jubilee Underground line is located 490 metres to the east along London Road

2.0 PROPOSAL

- 2.1 Planning permission was granted under reference P/0412/14 dated 22/08/2014 for major redevelopment of Anmer Lodge & Stanmore car park site to provide 120 dwellings, 1692m² of retail space and a total of 294 car parking spaces. The planning permission included a temporary replacement town centre car park with a minimum of 151 spaces to enable the phased redevelopment of the site was
- 2.2 A number of pre-commencement conditions have been approved, the former Anmer Lodge building has been demolished, enabling works have been undertaken and the temporary car park has been constructed. The planning permission has therefore been implemented.
- 2.3 The application is made under S.73 of the Town & Country Planning Act 1990, and seeks the variation of condition 48 (approved plans) of Planning Permission P/0412/14 (dated 22/08/2014). The variation of condition 48 would enable the applicant to vary the scheme in terms of the amendments detailed below.
- 2.4 The application seeks to alter the layout and the exit arrangement of the temporary car park. The entrance and exit from the temporary car park, in accordance with the permitted scheme, was to be from the existing access road at the southern edge of the existing car park at the south of the site. The proposal seeks to provide the exit from the temporary car park to the north, onto Coverdale Close and connecting to Stanmore Hill. The proposed exit would utilise the existing Anmer Lodge access junction.

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/0412/14	Redevelopment of Anmer Lodge & Stanmore car park site in four blocks of various heights: block a to provide 1,692 sq. M (gross) food retail store (class a1) with ancillary café and 3-5 storeys of flats over; block b to provide multi storey car park and 3-4 storeys of flats over; block c to comprise 3-6 storeys of flats with undercroft parking; block d to comprise 2-4 storeys of houses and flats with surface car parking. Basement car park below blocks a & b. Total 120 dwellings (class c3) (resident permit restricted); 294 car	Granted 22/08/2014

	parking spaces (comprising 151 replacement spaces, 50 spaces for the food store and 93 spaces for residents), 8 motorcycle spaces and 144 cycle spaces. Access from dennis lane and coverdale close. Proposal also includes combined heat & power plant; landscaping & roof gardens; diversion of water culvert; works to provide temporary replacement town centre car park (minimum of 151 spaces) and demolition of anmer lodge.	
P/1738/17 P/1761/17 P/2267/17 P/2324/17 P/2387/17 P/2446/17 P/2447/17	Approval of Detail applications Condition 13 (demolition method) Condition 14 (construction method) Condition 20 (levels) Condition 46 (waste management) Condition 23a (piped watercourse) Condition 31 (tree route protection) Condition 32 (tree protection plan)	Approved: 09/06/2017 13/06/2017 13/07/2017 20/07/2017 18/08/2017 26/06/2017 26/06/2017
P/3684/17	Non material amendment to planning permission p/0412/14 dated 22/08/2014 to allow re-wording of condition 23 (drainage)	Grant 06/09/2017

4.0 CONSULTATION

- 4.1 A Site Notice was erected on 3rd October 2018, expiring on 24th October 2018.
- 4.2 Press Notice was advertised in the Harrow Times on the 11th October 2018 which expired on 1st November 2018
- 4.3 The application was advertised as a major application
- 4.4 A total of 1,348 consultation letters were sent to neighbouring properties regarding this application.
- 4.5 The overall public consultation period expired on 17th October 2018.

4.6 Adjoining Properties

Number of letters Sent	1348
Number of Responses Received	10
Number in Support	0
Number of Objections	10
Number of other Representations (neither objecting or supporting)	0

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

Summary of Comments	Officer Comments
<u>Character and Appearance</u> Impact on character and appearance; density of development too high;	The impact of the proposal on character and appearance was considered acceptable under application P/0412/14. The proposed variations to the temporary car park would have an acceptable impact on character and appearance
<u>Residential Amenity</u> Noise, disturbance, privacy and outlook impacts of proposed development; already overpopulated; overlooking	This application seeks to make variations to the layout and exit arrangement of the temporary car park. Officers consider that the proposed variations would not have a detrimental impact on the residential amenities of adjoining occupiers.
<u>Traffic and Parking</u> Increased congestion, traffic and parking strain on local roads; parking spaces of proposal are inadequate; not enough space for construction traffic; increased risk of accidents; creation of new 'box' feature will lead to up to two years of backlog up Stanmore Hill	This has been addressed in section 6.6 of the report

<p><u>Other</u> Increased strain on social infrastructure; inadequate drainage and flooding impacts</p>	<p>It is considered that the proposed variations to the temporary car park would not unduly impact upon drainage and flooding. The impact of the redevelopment of the site on social infrastructure was detailed in application P/0412/14/</p>
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4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

Highways Officer

No objection to the variations, subject to the submission of a satisfactory revised Construction Method Statement. The yellow box is not going to be provided. We have instead stated that an advisory Keep Clear marking may be more appropriate. Neither marking would afford the minor side road priority over the main carriageway of Stanmore Hill but would ensure that any queuing traffic on Stanmore Hill would keep the junction clear to allow access into and out of Coverdale Close at peak times.

For the duration of the construction work, the intention is to suspend car parking along Coverdale Close to facilitate HGV movements along with the car park traffic. The developer has committed to providing some specifically marked bays within the temporary car park on the former Anmer Lodge site for Zone B permit holders as a substitute for those bays that will not be available in Coverdale Close. The Council is to receive a Section 106 contribution to make some modifications to the existing highway network in Stanmore as a result of this development which includes the possibility of widening Coverdale Close in order to re-provide the existing parking bays in a new position.

We appreciate that there will be some disruption during the construction period, however, this is a temporary arrangement and pressures should ease when the development is complete.

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 National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application. The current NPPF was published in July 2018 and replaces the first NPPF (March 2012).
- 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. Given that that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications. Notwithstanding the above, the draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative
- 5.5 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Housing
- Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Flood Risk and Development
- Sustainability and Ecological Considerations

6.2 Principle of Development

- 6.2.1 The principle of the development has previously been considered acceptable through the grant of planning permission P/0412/14 (dated 22/08/2014) which has been implemented.
- 6.2.2 Since the grant of the original application, the National Planning Policy Framework has been updated and The London Plan has been amended to a 2016 addition. However, it is noted that within the amendments, there is little change to the documents that would render the principle of the current application being considered any different than that under P/0412/14

6.2.3 On this basis, it is considered that the principle of a mixed used redevelopment of the site would be acceptable in line with Policies 2.15, 3. 3.14, 3.16 and 4.7 of The London Plan (2016), Policy CS1 of The Harrow Core Strategy (2012) and Policies DM24, DM35, DM40 and DM47 of the Development Management Policies (2013).

6.3 Housing

6.3.1 The proposed amendments to the implemented development do not seek to vary the number, type or tenure of the housing units. The proposal would therefore continue to meet the strategic housing aim for the borough in accordance with policies 3.4, 3.5 and 3.12 of The London Plan (2016) and Policies DM1, DM24 and DM27 of The Development Management Policies (2013).

6.4 Character and Appearance of the Area

6.4.1 The proposed amendments to the approved development do not seek to vary the appearance, design or character of the implemented development. The proposal is therefore considered acceptable in this regard in accordance with policies 7.4, 7.5, 7.8 and 7.12 of The London Plan (2016) and Policy DM1 of the Harrow Development Management Policies (2013)

6.5 Residential Amenity

6.5.1 Under application P/0412/14, it was considered that on balance, the impact of the proposed development on the residential amenities of adjoining occupiers would be acceptable. There are no variations to the subject scheme with regards to the built form and on this basis, officers consider that the resulting residential amenity impact would be consistent with the approved scheme in this regard.

6.5.2 The proposed exit from the temporary car park would be from the existing crossover to the north-west of the site at the junction of Coverdale Close and Rainsford Close. The crossover is located approximately 25m to the south of nos. 1-9 Rainsford Close and 50m to the east of no. 1 Greyfell Close. Given the separation distances of the proposed crossover to the adjacent residential dwellinghouses, the anticipated intermittent nature of vehicular movements and the temporary use of the junction (while phase 1 of the development is undertaken), on balance, officers consider that the proposed variation to the exist of the temporary car park would not have a unacceptably harmful impact on the amenities of adjoining occupiers. The proposal would therefore accord with Policy 7.6 of The London Plan (2016) and Policy DM1 of the Harrow Development Management Policies (2013).

6.6 Traffic and Parking

- 6.6.1 The existing on-site surface car park consists of 151 spaces and the approved planning permission sought the replacement of these 151 spaces within the approved temporary car park while phase one of the development (which includes the provision of a multi-storey car park) is constructed.
- 6.6.2 The application seeks to vary the layout and exit arrangement of the temporary car park of the approved scheme. The submitted cover letter asserts that the changes to the layout of the temporary car park reflects Lidl's requirement for 8 disabled parking bays, a trolley bay and a car park attendant's kiosk and also reflects the need to locate the car park spaces outside the root tree protection zone for the 'protected tree' to the north west of the car park. These revisions would make the car park more accessible and user friendly.
- 6.6.3 The proposed revised layout also proposed a new exit from the temporary car park via the approved construction access route on to Coverdale Close in the north-west of the site. A revised exit arrangement is proposed as it became apparent through further detailed design work that the distance between the construction site and site boundary in the south-east of the site is not sufficient to allow for two-way traffic and a pedestrian footpath. The proposal therefore seeks to retain the existing car park entrance from Dennis Lane and to introduce a one-way exit on to Coverdale Close and connecting to Stanmore Hill.
- 6.6.4 The application was referred to the Highway Authority who have raised no objection to the variations, subject to the submission of a satisfactory revised Construction Logistics Plan. The Highways officer has advised that a 'Keep Clear' marking would be more appropriate and would not afford minor side road priority over the main carriageway of Stanmore Hill but would ensure that any queuing traffic on Stanmore Hill would keep the junction clear to allow access into and out of Coverdale Close at peak times.
- 6.6.5 Furthermore, for the duration of the construction work, the intention is to suspend car parking along Coverdale Close to facilitate HGV movements along with the car park traffic. The developer has committed to providing some specifically marked bays within the temporary car park for Zone B permit holders as a substitute for those bays that will not be available in Coverdale Close. Officers consider this to be a satisfactory temporary arrangement.
- 6.6.6 The proposed phasing and variation to the exit arrangement would inherently generate variations of traffic flow imposition on the highway network as construction progresses. The Council is satisfied that subject to a revised Construction Logistics Plan (CLP) which would detail the appropriate highway mitigation measures, then both phases of development will be afforded the necessary provisions to function without significant anticipated detriment to the surrounding road network. The proposal would accord with Policies 6.3, 6.9, 6.10, 6.12 and 6.13 of The London Plan (2016) and Policies DM42, DM43 and DM44 of the Harrow Development Management Policies (2013)

6.7 Flood Risk and Development

- 6.7.1 Under application P/0412/14, the submitted Flood Risk Assessment was considered acceptable by the Drainage Authority, and as such satisfactorily mitigating the risk or exacerbation of flood risk subject to conditions. The proposed amendment under the current proposal would not increase the footprint of the permitted development, and as such would not result in a change to the permitted scheme in relation to flood risk. The previously imposed conditions would be carried over accordingly, and subject to those safeguarding conditions the development would accord with policies 5.12 and 5.13 of The London Plan (2016) and policies DM9, DM10 and DM11 of The Development Management Policies (2016)

6.8 Sustainability and Ecological Considerations

- 6.8.1 The methodology for the proposed Energy Strategy submitted with P/0412/14 accorded with the hierarchy set out within the London Plan and demonstrated how the minimum savings in carbon emissions against Building Control targets would be attempted to be achieved on site.
- 6.8.2 It is acknowledged that major applications for residential developments determined after 1st October 2016 would have to achieve a zero carbon development. However, it is noted that the planning permission has been implemented. Therefore, while the subject S.73 application has been submitted after this time, the development was designed and submitted for consideration prior to the 1st October 2016 when the original application was submitted and subsequently granted. It is therefore considered unreasonable that the zero carbon requirement be retrospectively applied to the scheme.
- 6.8.3 The landscaping strategy, arboricultural impacts and biodiversity protection and enhancements were considered acceptable under the previously approved application subject to conditions, in accordance with Policies 5.1, 5.2, 5.3, 5.5, 5.7, 5.10, 5.14, 5.15, 7.19 and 7.21 of The London Plan (2016) and Policies DM12, DM13, DM20, DM21, DM22 and DM23 of the Harrow Development Management Policies (2013).

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed variations to the layout and exit arrangement of the temporary car park would enable the first phase of development (of planning application P/0412/16) to proceed while providing the necessary replacement town centre car parking spaces. Officers are satisfied that the proposed variations would not have a detrimental impact on the functioning of the surrounding highway network or the residential amenities of the adjoining occupiers and would comply with the relevant policies as detailed in the report.

APPENDIX 1: Conditions and Informatives

Conditions

1. Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 1126_PL_002 (Site Location Plan); 1126_PL_003 Rev. B (Proposed Site Plan); 1126_PL_004 Rev. B (Proposed Lower Ground Floor Plan); 1126_PL_005 Rev. B (Proposed Upper Ground Floor Plan); 1126_PL_006 Rev. C (Proposed First Floor Plan); 1126_PL_007 Rev. C (Proposed Second Floor Plan); 1126_PL_008 Rev. C (Proposed Third Floor Plan); 1126_PL_009 Rev. C (Proposed Fourth Floor Plan); 1126_PL_010 Rev. A (Proposed Fifth Floor Plan); 1126_PL_011 Rev. A (Proposed Basement Floor Plan); 1126_PL_012 (Existing Site Plan); 1126_PL_013 (Existing Ground Floor Plan); 1126_PL_014 (Existing First Floor Plan); 1126_PL_015 (Existing Roof Plan); 1126_PL_016 (Existing Elevations - North and West); 1126_PL_017 (Existing Elevations - South and East); 1126_PL_019 (Roof Plan); 1126_PL_200 Rev A (Block A Elevations); 1126_PL_201 Rev. C (Block B Elevations); 1126_PL_202 Rev. A (Block C Elevations); 1126_PL_203 (Block D Elevations); 1126_PL_204 (Sections - Block C); 1126_PL_223 (3b/5p House Elevations - Block D); 1126_PL_224 (4b/7p House Elevations - Block D); 1126_PL_250 Rev. B (Site Sections AA & BB); 1126_PL_251 Rev. B (Site Sections CC & DD); 1126_PL_252 (Site Sections EE & FF); 1126_PL_500 Rev. E (Phase 1 and Temp. Car Park), T116 (Revision D1), T117 (Revision D1), T118 (Revision D1), T140 (Revision D1), T141 (Revision D), T142 (Revision D), T143 (Revision D), Technical Note (dated 17/09/2018),

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

2. Lifetime and Wheelchair Home Standards

Unless otherwise agreed in writing by the local planning authority, the internal specification of the communal areas and of the individual flats and houses shall comply with the Lifetime Home Standards, and the internal specification of a minimum of 12 flats (and the communal areas serving them) shall comply with the Wheelchair Home Standards.

REASON: To ensure that all of the homes within the development comply with the Lifetime Homes Standards and that a minimum of ten per cent comply with the Wheelchair Home Standards, in accordance with London Plan Policy 3.8 and Core Strategy Policy CS1 K.

3. Inclusive Access

Before the construction of any building on the site reaches damp proof course level, an inclusive access strategy for the site shall be submitted to, and approved in writing by, the local planning authority. The strategy shall explain how the impact of levels changes across the site are to be mitigated to achieve inclusive access, and must include the following specifications:

- a) the detailed design of ramps and steps within the external, publicly accessible areas of the development;
- b) the thresholds, door opening widths and landing areas at all entrances between the external, publicly accessible areas of the development and the retail store & car parks;
- c) the design and layout of the ancillary cafe external seating area;
- d) the levels and layout of a pedestrian route from the existing town centre service road to the retail store through the lower ground level car park and adjacent surface parking area;
- e) the thresholds, door opening widths, landing areas, canopies and external illumination at all communal entrance points to Blocks A-D and to all external entrance points to the dwellinghouses;
- f) the dimensions of the lifts and the heights and tread depths of communal stairs in Blocks A-D; and
- g) any additional external specifications required to comply with the Wheelchair Home Standards, including the allocation of a disabled persons' parking space for each wheelchair standard home.

The development shall be carried out in accordance with the approved access strategy, or any amendment or variation to it as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that all of the homes within the development comply with the Lifetime Homes Standards and that a minimum of ten per cent comply with the Wheelchair Home Standards, in accordance with London Plan Policy 3.8 and Core Strategy Policy CS1 K, and to ensure that the proposal contributes to the creation of a Lifetime Neighbourhood in accordance with Policy DM2 of the Local Plan.

4. Parking Standards

Unless otherwise agreed in writing by the local planning authority, the layout of the residential car parking areas shall make provision for a minimum of one communal car parking space with widening capability to serve each of the Blocks A-D, and one car parking space with widening capability for each of the dwellinghouses, to be located as close as possible to the main entrance(s) of the blocks and dwellinghouses that they would serve, and the allocation of individual car parking spaces to individual homes shall ensure a distance of not more than 50 metres between the space and the relevant block or dwellinghouse.

REASON: To ensure that all of the homes within the development comply with the Lifetime Homes Standards in accordance with London Plan Policy 3.8 and Core Strategy Policy CS1 K.

5. Retail Store Details

Notwithstanding the details shown on the approved drawings, construction of the retail store hereby approved shall not progress beyond damp proof course level until the local planning authority has agreed in writing to:

- a) detailed elevations of the store to include: the arrangements to be made to accommodate any projecting, fascia and other signage associated with the store; the provision of a canopy over the active shop front elevation; and the treatment of non-active elevations;
- b) the arrangements to be made for the provision of customer toilets including disabled persons' toilets;
- c) the arrangements to be made for the provision of secure cycle storage for staff employed at the store; and
- d) the arrangements to be made within the store for the sorting, storage and collection of waste and recyclable materials arising within the store.

The development shall be carried out in accordance with the approved elevations and arrangements, or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that all of the development achieves a high standard of design and layout and makes a positive contribution to the creation of Lifetime Neighbourhoods in accordance with Policies DM1 and DM2 of the Local Plan, and to ensure that the proposal makes satisfactory provision for cyclists and waste management in accordance with Policies DM42 and DM45 of the Local Plan.

6. Landscaping and security details

Before the construction of any building on the site reaches damp proof course level, details of the boundary treatment, lighting and any CCTV equipment to be used at the perimeter and within the site have been submitted to, and approved in writing by, the local planning authority. The details shall include:

- a) the arrangements for enclosing and securing the areas around the food store loading bay and electricity sub station;
- b) the arrangements for enclosing and securing the communal amenity areas of Blocks A-D and the private gardens of the dwellinghouses;
- c) the arrangements for controlling access to and securing the basement, multi-storey and undercroft car parking areas;
- d) the arrangements for controlling access to and securing the communal stair/lift cores of Blocks A-D; and
- e) the arrangements for enclosing and securing the gardens of neighbouring property in relation to the lower ground level car park.

The development shall be carried out in accordance with the approved boundary treatment details, or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development is safe and secure, in accordance with Secured by Design Principles and Policy DM2 of the Local Plan, and to ensure that the development achieves a high standard of amenity for neighbouring

occupiers and future occupiers of the development, in accordance with Policy DM1 of the Local Plan.

7. Secure by Design 1

All main entrance doorsets to individual dwellings and communal entrance doorsets shall be made secure to standards, independently certified, set out in PAS 24:2007 or WCL 1 'Security standard for domestic doorsets.

REASON: To ensure that the development is safe and secure, in accordance with Secured by Design principles and Policy DM2 of the Local Plan.

8. Secure by Design 2

All window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently certified, set out in BS 7950:1997 or WCL 4 'Security standard for domestic windowsets'.

REASON: To ensure that the development is safe and secure, in accordance with Secured by Design principles and Policy DM2 of the Local Plan.

9. Car Park Management Strategy

The development hereby approved shall not be first occupied until a car parking management strategy for the whole site has been submitted to, and approved in writing by, the local planning authority. The development shall be managed in accordance with the approved car parking strategy, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To ensure that the car parking is properly managed and appropriately allocated within the site, in accordance with Policy DM43 of the Local Plan.

10. Delivery and Servicing Plan

Before the first use of the retail store hereby approved, a Delivery and Servicing Plan shall be submitted to, and approved in writing by, the local planning authority. The approved Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority, shall be adhered to throughout the operation of the store.

REASON: To minimise the impact of deliveries and servicing upon the amenity of neighbouring occupiers and to manage the impact upon the surrounding highway network, in accordance with Policies DM1, DM43 and DM44 of the Local Plan.

11. Retail Store Home Delivery Restriction

No home deliveries shall be carried out from the retail store hereby approved, unless otherwise agreed in writing by the local planning authority.

REASON: To enable the servicing, highways and amenity impacts of any additional vehicle movements associated with home deliveries from the store to be assessed and considered, in accordance with Policy 6.3 of the London Plan and Policies DM1, DM43 and DM44 of the Local Plan.

12. Demolition Method Statement

The development shall be carried out in accordance with the details of the Demolition Method Statement approved under application number P/1738/17 (dated 09/06/2017)

REASON: To minimise the impacts of demolition upon the amenities of neighbouring occupiers, in accordance with Policy DM1 of the Local Plan, and to ensure that development does not adversely affect safety on the transport network in accordance with Policy 6.3 of the London Plan.

13. Construction Method Statement and Logistics Plan

The development shall be carried out in accordance with the approved Construction Method Statement and Logistics Plan approved under application number P/1761/17 (dated 13/06/2017)

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers, in accordance with Policy DM1 of the Local Plan, and to ensure that development does not adversely affect safety on the transport network in accordance with Policy 6.3 of the London Plan and Policy DM43 of the Local Plan

What about the report approved in this application

14. Design Standards

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the appearance and architecture, fenestration and balcony treatment details specified in the approved Design and Access Statement and on the approved drawings, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of design in accordance with Policy DM1 of the Local Plan.

15. Materials

Before any building on the site reaches damp proof course level, details of the materials to be used in the external surfaces of the buildings shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of design in accordance with Policy DM1 of the Local Plan.

16. Telecommunications

Any telecommunications apparatus, extraction plant, air conditioning units and other plant or equipment that is required to be installed on the exterior of the buildings shall be carried out in accordance with details which shall first have been submitted to, and approved in writing by, the local planning authority, and shall be permanently retained as such thereafter. The details shall include siting, appearance, any arrangements for minimising the visual impact and any arrangements for mitigating potential noise or vibration.

REASON: To encourage communal provision of satellite and digital television receiving equipment in accordance with Policy DM49 of the Local Plan, and to ensure that installations on the exterior of the buildings do not detract from the amenities of neighbouring occupiers and/or future occupiers of the development in accordance with Policy DM1 of the Local Plan.

17. Housing Standards

The homes within the development hereby approved shall be constructed to comply with the London Plan minimum space standards and the requirements of the London Housing Design Guide interim edition.

REASON: To ensure that the development provides high quality living accommodation for future occupiers, in accordance with Policy 3.5 of the London Plan and Policy CS1 K of the Core Strategy.

18. Privacy Screen Details

Before the construction of any building on the site reaches damp proof course level, details of privacy screens to be applied to the balconies of plots A1.8, A1.9, A2.8, A2.9, A3.8, A3.9, A4.6, A4.7, D.01, D1.2, D2.2, and D3.2 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 or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of privacy for future occupiers in accordance with Policy DM1 of the Local Plan.

19. Site Levels

The permitted development shall be carried out in accordance with the level details approved under application number P/2267/17 (dated 13/07/2017)

REASON: To ensure that the development achieves a high standard of privacy and amenity for neighbouring occupiers, and to ensure that the development achieves a high standard of design, in accordance with Policy DM1 of the Local Plan.

20. Multi-Storey Car Park Screening

Before the construction of any building on the site reaches damp proof course level, details of the screening (including any planting) of the ventilation panels in the external elevations of the multi-storey car park 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 or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of privacy and amenity for neighbouring occupiers, and to ensure that the development achieves a high standard of design, in accordance with Policy DM1 of the Local Plan.

21. Podium Garden Screening

Before the construction of any building on the site reaches damp proof course level, details of the screening (including any planting) of east edge of the podium garden to Block B 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 or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of privacy and amenity for neighbouring occupiers, and to ensure that the development achieves a high standard of design, in accordance with Policy DM1 of the Local Plan.

22. Piped Watercourse Protection

The development hereby approved shall not be commence until a scheme for the protection of the piped watercourse has been submitted to, and approved in writing by, the local planning authority. The scheme shall include:

- a) proposal of an agreed method of repair or replacement if required;
- b) full details demonstrating that the new structure does not impart any load on the culvert or destabilise it in any way;
- c) details of any necessary build over or adjacent to the culvert; details of access for future repairs, blockage clearance, maintenance and future condition surveys.

The development shall be carried out in accordance with the approved scheme, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To protect the integrity of the piped watercourse structure, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework and to avoid adversely affecting the infrastructure of the watercourse in accordance with Policy DM11 of the Local Plan.

23. Disposal of Foul Water

The development hereby approved shall not be occupied until works for the disposal of sewage have been provided on site, in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions, and to ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption.

24. Disposal of Surface Water

The development of any buildings hereby approved 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 the approved works, or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions, to ensure that adequate drainage facilities are provided, and to reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework and Policies DM9 and DM10 of the Local Plan.

25. Surface Water Attenuation

The development of any buildings hereby approved 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 the approved attenuation and works, or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the necessary construction and design criteria for the development proposals follow approved conditions and to reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework and Policies DM9 and DM10 of the Local Plan.

26. Flood Risk Assessment Compliance

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the flood resistance and resilience measures described in section 10.4 of the approved Flood Risk Assessment dated December 2013.

REASON: To ensure that the development makes appropriate provision for flood risk mitigation in accordance with Policy DM9 of the Local Plan.

27. Restriction of Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended, or any order revoking and replacing that order with or without modification, the provisions of Classes A and E to Part 1 (Development within the curtilage of a dwellinghouse) of Schedule 2 of that Order shall not apply to the houses within the development hereby approved.

REASON: To protect the integrity of the culverted watercourse that flows through the site by ensuring the maintenance of an appropriate undeveloped buffer zone either side of the watercourse, in accordance with Policy DM11 of the Local Plan.

28. Hard and Soft Landscaping

Before the construction of any building on the site reaches damp proof course level, a scheme for the hard and soft landscaping of the development, to include details of on-site play equipment and any public seating, has been submitted to, and approved in writing by, the local planning authority. Soft landscape works shall include: planting plans and schedules of plants, noting species, plant sizes and proposed numbers / densities. The development shall be carried out in accordance with the approved scheme or any amendment or variation to it as may be agreed in writing by the local planning authority, and maintained in accordance with the approved scheme.

REASON: To ensure that the development makes appropriate provision for hard and soft landscaping in accordance with Policy DM22 of the Local Plan.

29. Soft Landscaping Implementation

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

REASON: To ensure that the development makes appropriate provision for soft landscaping in accordance with Policy DM22 of the Local Plan.

30. TPO Root Protection

The permitted development shall be carried out in accordance with the details approved under application number P/2446/17 (dated 26/06/2017) to safeguard to the root protection area of the TPO-protected Wellingtonia tree.

REASON: To ensure that the retention and survival of the TPO-protected Wellingtonia tree in accordance with Policy DM22 of the Local Plan

31. Tree Protection Measures

The permitted development shall be carried out in accordance with the tree protection measures approved under application number P/2447/17 (dated 26/06/2017)

REASON: To ensure that the retention and survival of the TPO-protected Wellingtonia tree in accordance with Policy DM22 of the Local Plan

32. Green Roof Details

Before the construction of any building on the site reaches damp proof course level, details of the provision of green roofs within the development shall be submitted to, and approved in writing by, the local planning authority. The details shall comprise:

- a) identification of the roof areas to be used for the provision of green roofs;
- b) details of the planting to be used; and
- c) details of the maintenance including irrigation.

The development shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that green roofs are provided as part of the development, in accordance with London Plan Policy 5.11, and to ensure that the development contributes to sustainability objectives in accordance with London Plan Policy 5.3 and 5.9 and Local Plan Policy DM12, and to ensure that the development contributes to urban greening biodiversity objectives in accordance with London Plan Policy 5.10 and Local Plan Policy DM21.

33. Biodiversity 1

Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the ecological recommendations for nesting birds, reptiles and Japanese knotweed as set out in the letter from SLR Consulting Limited and dated 11th March 2014, and in accordance with the recommendations for bats as set out in the letter from SLR Consulting Limited and dated 27th March 2013.

REASON: To ensure that the development makes appropriate provision for the protection of biodiversity in accordance with Policy DM20 of the Local Plan.

34. Biodiversity 2

Before the construction of any building on the site reaches damp proof course level, siting and specification details of the proposed sparrow terrace nesting boxes and fresh water sources, recommended in the letter from SLR Consulting Limited and dated 11th March 2014, 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 or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

REASON: To ensure that the development makes appropriate provision for the enhancement of biodiversity in accordance with Policy DM21 of the Local Plan

35. Biodiversity 3

Before the construction of any building on the site reaches damp proof course level, the local planning authority shall be notified of the additional potential site enhancements, including the provision of green roof(s), as recommended in the letter from SLR Consulting Limited and dated 11th March 2014, are to be implemented. The notification shall include justification for the selection/non-selection of the enhancements to be implemented. The development hereby approved shall not be commence beyond damp proof course level until the siting and specification details of the insect hibernation box have been have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the notified and (where required) approved details or any amendment or variation to them as may be agreed in writing by the local planning authority, and shall be permanently retained as such thereafter.

Reason: To ensure that the development makes appropriate provision for the enhancement of biodiversity in accordance with Policy DM21 of the Local Plan

36. Energy Strategy

Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the proposals for emissions savings that are documented in the approved Energy Strategy Report dated 16th December 2013 and the Addendum to the Energy Strategy Report dated 20th January 2014.

Reason: To ensure that the development makes appropriate provision for the minimisation of carbon dioxide emissions in accordance with Policy 5.2 of the London Plan.

37. Code for Sustainable Homes

Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the measures, including those for the management of mains water consumption, that are documented in the approved Code for Sustainable Homes Report dated 22nd November 2013.

Reason: To ensure that the development is carried out makes appropriate provision for the integration of sustainable design and construction measures, in accordance with Policy 5.3 of the London Plan and Policy DM12 of the Local Plan.

38. Combined Heat and Power System

The development hereby approved shall incorporate the Combined Heat and Power system as specified in the application and shall be gas operated.

REASON: To enable reassessment of the air quality impacts of the development in the event that biomass boilers are alternatively proposed, in accordance with Policy 7.14 of the London Plan.

39. Refuse Store Details

Before the construction of any building on the site reaches damp proof course level, details of the means and siting of ventilation of the bin stores 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 or any amendment or variation to them as may be agreed in writing by the local planning authority and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of the development in accordance with Policy DM1 of the Local Plan.

40. Retail Store Delivery Hours

Deliveries to the retail store hereby approved shall take place only between the hours of 06:30 and 23:00 Mondays to Saturdays and between 08.30 and 23:00 on Sundays, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, in accordance with London Plan Policy 7.15 and Policy DM1 of the Local Plan.

41. Retail Store Opening Hours

The retail store hereby approved shall not be open for customers outside of the following hours:

- a) 07:00 to 23:00 Mondays to Saturdays; and
- b) 10:00 to 18:00 Sundays.

REASON: To ensure that the development achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, in accordance with London Plan Policy 7.15 and Policy DM1 of the Local Plan.

42. Noise Mitigation

Unless otherwise agreed in writing by the local planning authority, the development hereby approved shall be carried out in accordance with the proposals for the mitigation of noise that are set out in sections 8 and 9 of the approved Noise Assessment dated 15th January 2014, and shall be permanently retained as such thereafter.

REASON: To ensure that the development achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, and to mitigate noise during construction, in accordance with London Plan Policy 7.15 and Policy DM1 of the Local Plan.

43. Retail Store Water Efficiency

The retail store hereby approved shall not be occupied until details of the measures to make efficient use of mains water within the store have been submitted to, and approved in writing by, the local planning authority. The measures shall be implemented in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the development makes efficient use of mains water in accordance with London Plan Policy 5.15 and Policy DM10 of the Local Plan

44. Refuse Bin Storage

The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage areas, as shown on the approved drawing.

REASON: To 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, in accordance with Policies DM1 and DM2 of the Local Plan.

45. Waste Management Plan

The permitted development shall be carried out in accordance with the waste management plan approved under application number P/2324/17 (dated 20/07/2017)

REASON: To ensure that waste management on the site is addressed from construction stage and to promote waste as a resource, in accordance with Policy CS1 X of the Core Strategy

46. Temporary Car Park

The development of any buildings hereby approved shall not be commenced until the following specifications for the temporary car park have been submitted to, and approved in writing by, the local planning authority:

- a) the site levels (at the boundaries of the site) of the car park and its access in relation to the existing site levels of neighbouring properties;
- b) the arrangements for controlling access to and securing the car park and its access; and
- c) the arrangements for the disposal of surface water from the car park and its access.

The works shall be carried out in accordance with the approved details or any amendment or variation to them as may be agreed in writing by the local planning authority.

REASON: To ensure that the temporary car park is safe and secure, in accordance with Secured by Design Principles and Policy DM2 of the Local Plan; to ensure that it achieves a high standard of amenity for neighbouring occupiers and future occupiers of the development, in accordance with Policy DM1 of the Local Plan; and to ensure that it makes appropriate provision for flood risk mitigation in accordance with Policy DM9 of the Local Plan

Informatives

1. Policies

The following policies and guidance are relevant to this decision:

The National Planning Policy Framework (2018)

The London Plan (2016): 2.15, 3.4, 3.5, 3.8, 3.11, 3.12, 3.14, 3.16, 4.7, 4.8, 5.2, 5.3, 5.6, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 6.3, 6.9, 6.10, 6.13, 7.1, 7.4, 7.5, 7.6, 7.7, 7.8, 7.12, 7.14, 7.15, 7.19, 7.21, 8.2

Harrow Core Strategy (2012): CS1

Development Management Policies: DMP: DM1, DM2, DM7, DM9, DM10, DM11, DM12, DM13, DM20, DM21, DM22, DM23, DM24, DM27, DM35, DM47, DM40, DM42, DM43, DM44, DM50

Supplementary Planning Documents

Mayor of London Housing SPG (2016)

Residential Design Guide SPD (2010)

Planning Obligations SPD (2013)

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. Compliance with Planning Conditions

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

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

4. Public Sewers

There may be public sewers crossing this site, so no building will be permitted within 3 metres of the sewers. The applicant should contact the Area Service Manager Mogden at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure. Tel:- 08459 200800.

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.

(Include on all permissions involving building works where they could affect a public highway)

6. Party Wall

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

(updated 28.3.07)

7. Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £ £696,155 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 £696,155 for the application, based on the levy rate for Harrow of £35/sqm. You are advised to visit the planning portal website where you can download the appropriate document templates.

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

8. 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;

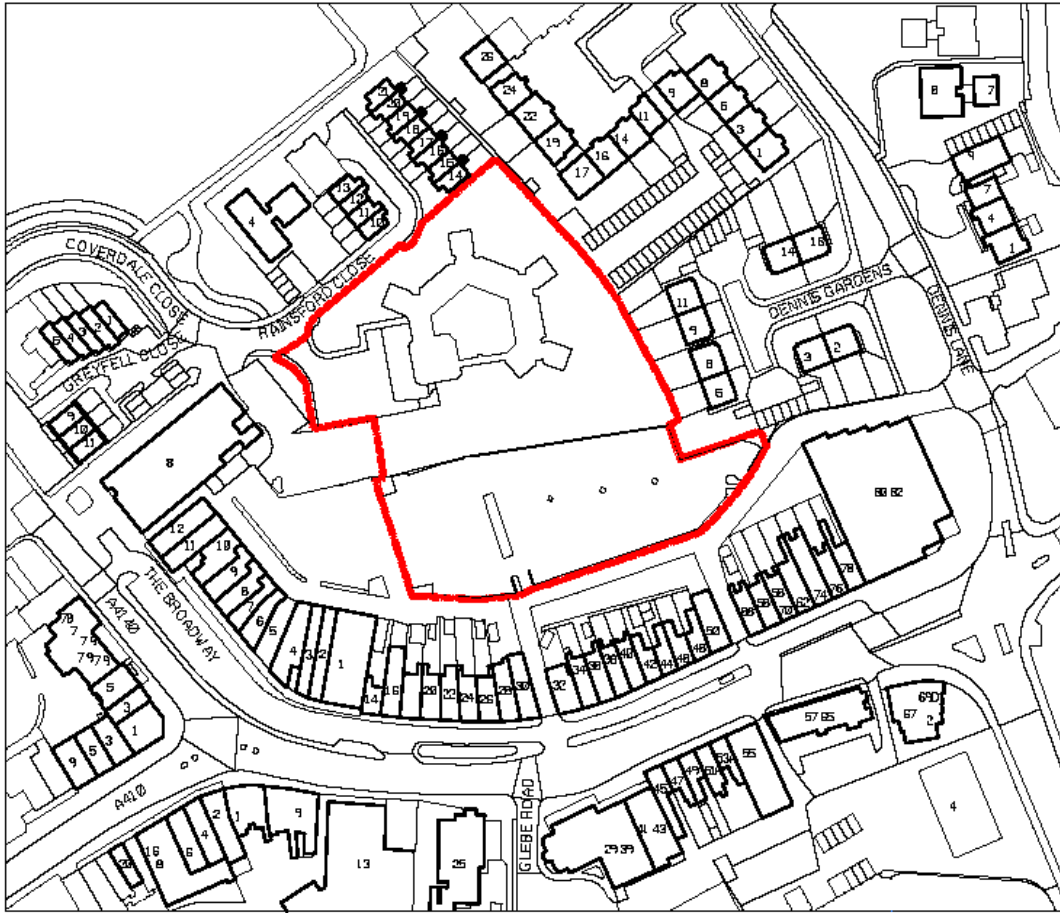
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £1,428,648

APPENDIX 2: SITE PLAN



DATE	REVISION/COMMENT	BY	ISSUED
		45-51 LOWLANDS ROAD NARROW - ON - THE - HILL MIDDLESEX HA1-3AW TEL: 0208-844-7030 www.peto.co.uk	
ARCHITECTS INTERIOR DESIGNERS MASTER PLANNERS URBAN DESIGNERS			
CLIENT	Notting Hill Housing		
PROJECT	Anmer Lodge, Stanmore		
DRAWING TITLE	Site Location Plan		
SCALE	PLANNING		
SCALE	1:1250 (A3)	DRAWN BY	ZV
DATE	20.03.12	CHECKED BY	DCB
DRAWING NO.	1126_PL_002	REVISION	/

APPENDIX 3: SITE PICTURES



Existing crossover



Residential properties along Rainsford Close



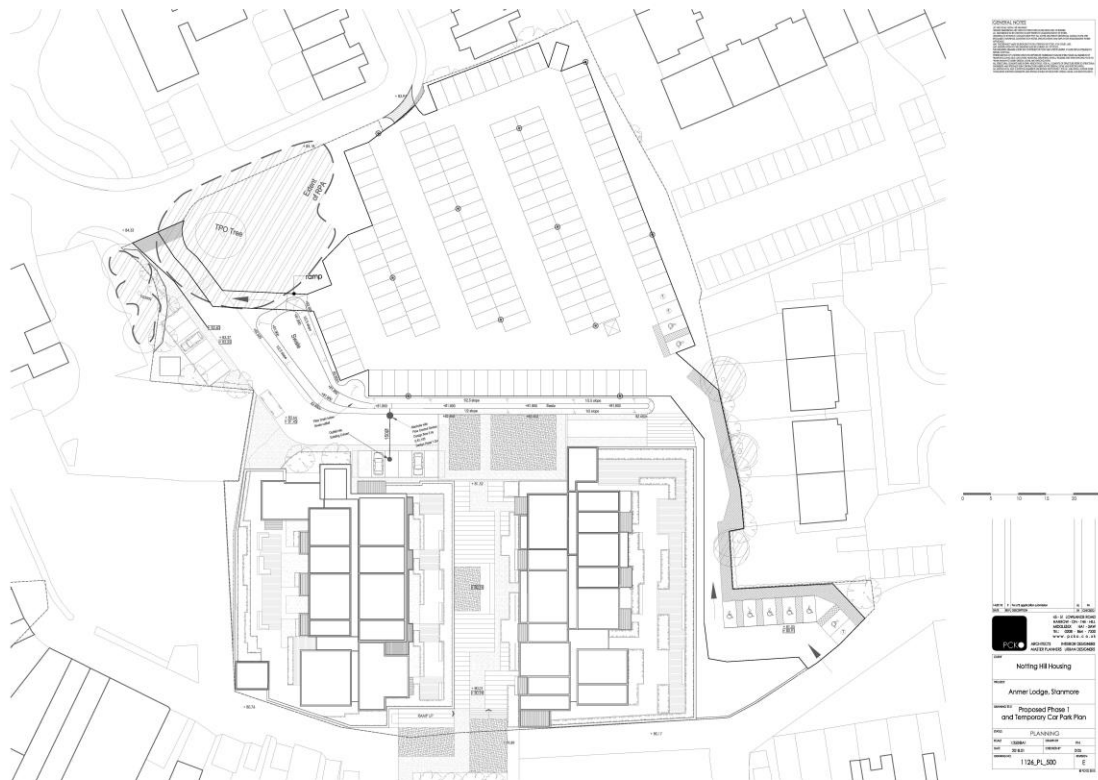
Residential properties on Greyfell Close



Coverdale Close with permit restriction and pay and display parking bays

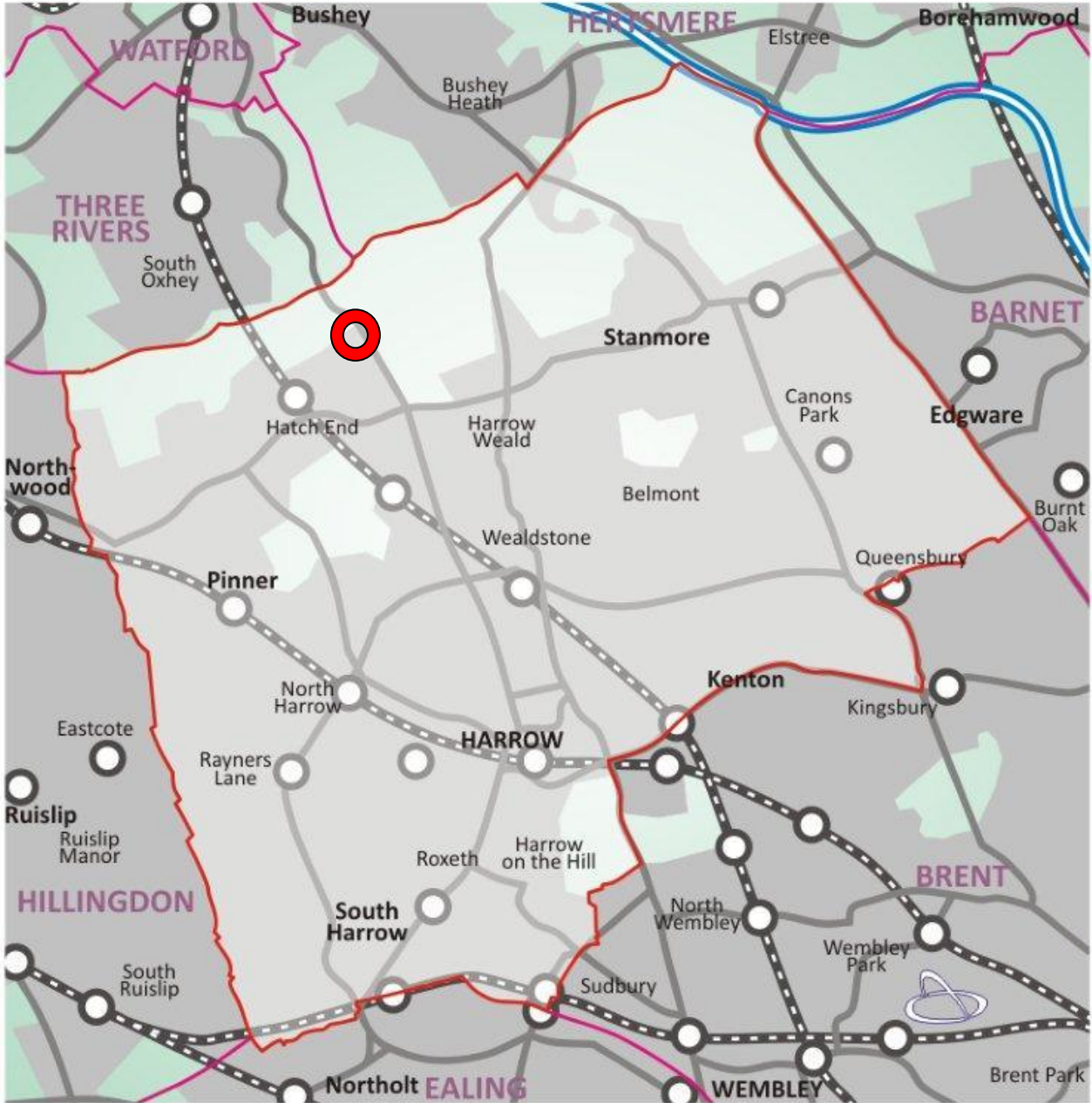
APPENDIX 4: PLANS AND ELEVATIONS

Proposed temporary car park layout and exit arrangement



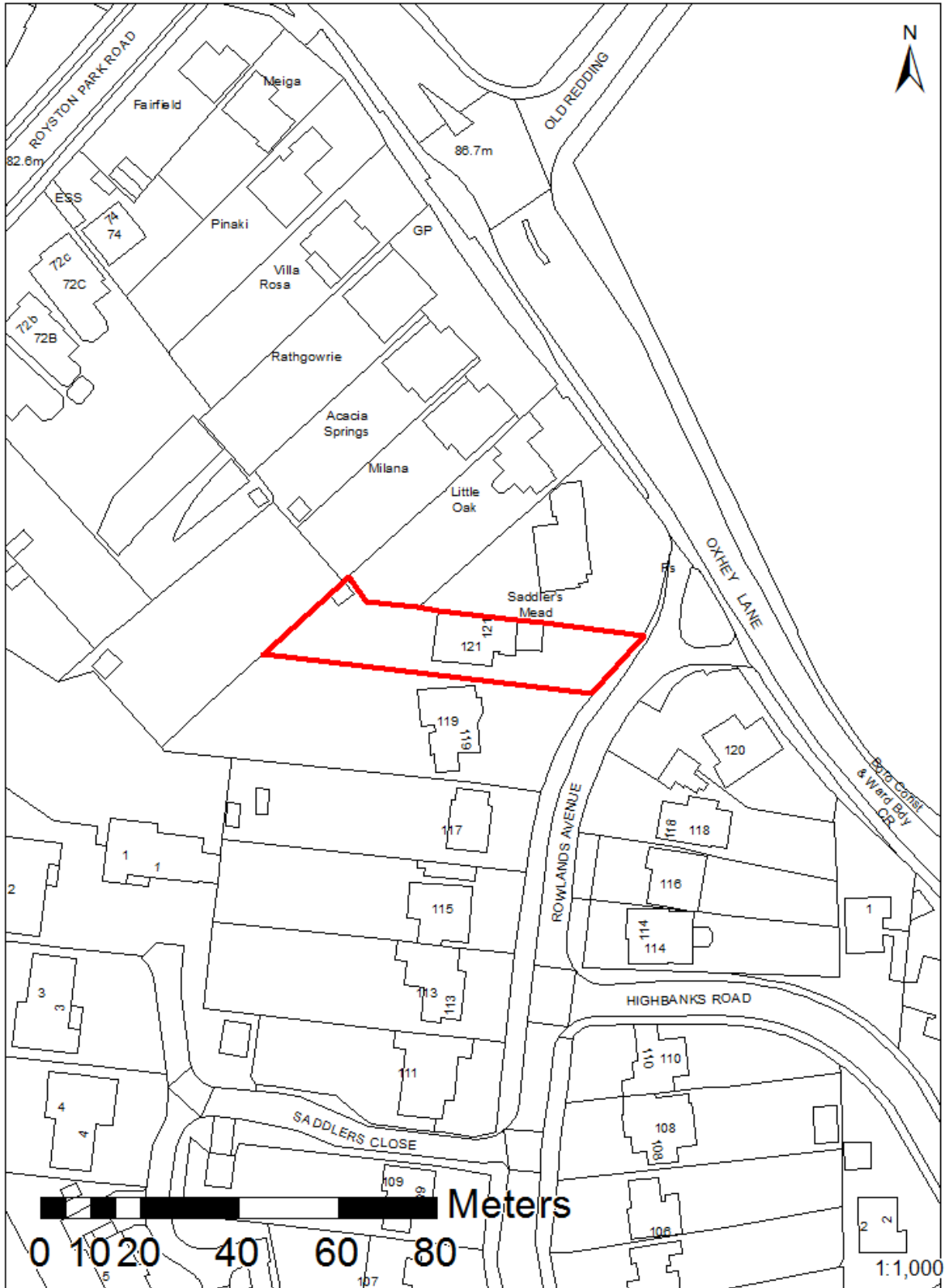
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 = application site



121 Rowlands Avenue, Harrow	P/1472/18
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121 Rowlands Avenue, Harrow



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 2018

Application Number: P/1472/18
Validate Date: 14/05/2018
Location: 121 ROWLANDS AVENUE, HARROW
Ward: HATCH END
Postcode: HA5 4AW
Applicant: MR LAKHANI
Agent: JUTTLA ARCHITECTS
Case Officer: TENDAI MUTASA
Expiry Date: 09/07/2018 (EXTENDED)

PROPOSAL

Single storey and two storey front extension; two storey side to rear extension; single storey rear extension; basement, alterations to roof to raise ridge height; front garage and external alterations (retrospective)

RECOMMENDATION

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.

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 Infrastructure Levy (CIL) Contribution (provisional): £8,743.00 based on 249sqm increase in floor space
Local CIL requirement: £27,478.00 based on 249sqm increase in floor space

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	121 Rowlands Avenue Hatch End Pinner HA5 4AW
Applicant	Mr Lakhani
Ward	Hatch End
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 detached dwellinghouse located on the western side of Rowlands Avenue and setback from the road by approximately 18m.
- 1.2 The subject site has a single storey front projection which has been recently built and in use as a garage and features a rear basement.
- 1.3 The development has recently being built on the site based on planning permission granted under P/3509/14 for a two storey front extension; two storey side extension and first floor rear extension; basement, external alterations. This has not been built in accordance to the approved plans.
- 1.4 The property features a rear garden of an irregular shape. However, it is approximately 27m deep as measured from the rear wall of the rear extension.
- 1.5 Adjoining property to the north, Saddlers Mead, is a corner site containing a two storey detached property and is unextended. It is a triangular site and the rear wall of the dwellinghouse is in line with front wall of the garage at the subject site.
- 1.6 Adjoining property to south, no. 119, is a two storey detached dwellinghouse, which has been extended at the rear with a two storey rear extension. Plans held by the Council show that prior to the two storey rear extension, bedroom 3 had dual aspect windows, with the primary window located at the rear elevation. As a result of the extension to this property directly rear of bedroom 3, the only window serving this bedroom is located in the flank elevation facing number 121's flank wall.

1.7 The site is not located in a conservation area, however it is located in a Critical Drainage Area

2.0 PROPOSAL

2.1 The development has recently being built based on planning permissions granted under P/0331/14 and P/3509/14 for a two storey front extension; two storey side extension and first floor rear extension; basement, rear extension and external alterations. This has not been built in accordance to the approved plans. Also it is acknowledged that the on the approved application, the proposed side elevation facing number 119 showed the first floor element to be stepped in but the floor plan did not show a step in. However, the rear elevation did show a full width first floor extension which was consistent with the approved floor plan.

2.2 The application seeks retrospective planning permission for the following:

2.3 Approved:

The front garage was approved at a depth of 4.80m, 6.05m width and would feature a flat roof with a height of 2.70m.

As built:

The garage as built has a depth of 7.0m with a height of 3.35m and a width of 6.95m.

2.4 Approved:

The first floor front extension would be stepped. It would project forward 3.45m from the recessed portion of the existing front elevation of the dwelling for a width of 2.5 metres. It would project forward for an additional 0.90 metres for a width of 4.65 metres. It would have a pitched roof. Two rooflights are proposed to the southern roofslope and one rooflight is proposed to the northern roofslope of the two storey front extension.

As built

This has largely been built according to approved plans apart for the front fenestration which now includes a larger window.

2.5 Approved:

The two storey side extension would have a width of 1.65 metres and would measure 10.67 metres in depth. It would have a roof that would continue in line with the main roof of the existing dwelling.

There would be a 0.75 metre gap for pedestrian access between the flank elevation of the two storey side extension and the shared boundary with No. 119.

As built:

This element has not been built in accordance with the approved plans. The side wall has been set in from the boundary shared with number 119 by approximately 0.22m. In addition the fencing has been moved from the actual boundary and erected within number 121 to protect the greenery and this has resulted in the reduction in width of the pedestrian access. The roof of the house has been built 0.6m higher than what was approved.

2.6 Approved:

The first floor rear extension would project 2.3m in depth to align with the side projection. It would have a subordinate hipped roof.

As Built

This element has been built according to the approved plan.

2.7 Approved:

Two rooflights are proposed in the rear roofslope of the existing roof. Three windows are proposed in the ground floor side extension adjacent to 119. Three windows are proposed to the first floor of the northern elevation facing Sadlers Mead, and with four rooflights on the ground floor roofslope.

As built

These elements have largely been built in accordance with the approved plans apart from 1 long window on the side elevation facing number 119.

2.8 Approved:

The proposed extensions would have materials to match the existing.

As built

These elements have largely been built in accordance with the approved plans apart from 2 long windows on the side and front elevations facing number 119 and the front.

2.9 Glass box at the rear approved on far right side

As built

The glass box is more central than what was approved and therefore has even less impact than the position it was approved

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/3509/14	Two storey front extension; two storey side extension and first floor rear extension; external alterations	Granted on 24/11/2014
P/0331/14	Formation of basement in rear garden; single storey glazed rear extension to form staircase enclosure	Granted on 28/07/2014
P/1730/13	Two storey front and side and first floor rear extensions; external alterations	Granted on 14.08.2013
P/0092/13	Two storey front and side and first floor rear extensions; external alterations	Refused on 17-May-2013 for the following reason: The proposed extensions, by reason of their size, scale, bulk and siting, would be overbearing, and result in an unacceptable overpowering impact on Saddlers Mead to the detriment of the residential amenities of the occupiers of that property contrary to Policy 7.6B of The London Plan (2011), Policies D4 and D5 of the Harrow Unitary Development Plan and the adopted Supplementary Planning Document: Residential Design

		Guide (2010).
P/1709/12	Single storey side first floor front and rear extensions; alterations to roof including insertion of one rooflight in front and two in either side roofslopes; external alterations.	<p>Refused on 05/09/2012 for the following reason:</p> <p>The proposed extension, by reason of their size, scale, bulk and siting, would be overbearing, and result in an unacceptable overpowering impact on Saddlers Mead to the detriment of the residential amenities of the occupiers of that property contrary to Policy 7.6B of The London Plan (2011), Policies D4 and D5 of the Harrow Unitary Development Plan and Supplementary Planning Document: "Residential Design Guide (2010)".</p>
P/1995/09	Single storey side extensions: first floor front and rear extensions; external alterations including remodelling of roof to provide accommodation in roof space	<p>Refused 19- Nov- 2009 refused for the following reason: he proposed first floor rear extension, by reason of its excessive bulk, rearward projection and siting, would be overbearing and result in an unacceptable overpowering impact on Saddlers Mead to the detriment of the residential amenities of the occupiers of that property contrary to saved policies D4 and D5 of the Harrow Unitary</p>

		Development Plan and Supplementary Planning Guidance: Extensions: A Householders Guide (2008). Appeal dismissed 06Aug-2010
P/3959/08	Single storey side, first floor front and rear extensions, external alterations including roof alterations to provide accommodation in roof space	Refused on 02- Feb- 2009 for the following reason; he proposed extensions, by reason of their size, scale, bulk and siting, would be overbearing, visually obtrusive in the streetscene and result in an unacceptable overpowering impact on Saddlers Mead to the detriment of the residential amenities of the occupiers of that property contrary to Policies D4 and D5 of the Harrow Unitary Development Plan and Supplementary Planning Guidance: "Extensions: A Householders guide (2008)".

4.0 **CONSULTATION**

- 4.1 A total of 15 notification letters were sent to neighbouring properties regarding this application.
- 4.2 **The public consultation period expired on 06/11/2018. This was a re-notification** process following amended plans to include all works and a block plan to show the boundary shared with number 119.

4.3 Adjoining Properties

Number of letters Sent	15
Number of Responses Received	20
Number in Support	0
Number of Objections	20
Number of other Representations (neither objecting or supporting)	1

4.4 20 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 two storey side extension	Objects to the application due to: two storey side extension too close to the neighbour at number 119 and as such is contrary to the SPD in terms of the	This part of the proposals as built is actually set in than the approved plans and as such the impact of this element is considered to have been sympathetically designed due to it being set away from the boundary. 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 be out of keeping with the surrounding.	The extensions have been sympathetically 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 garage has not been built in accordance with approved plans and as such would be out of character with the surrounding and would be harmful to neighbouring amenity.	The forward projection at the front of the garage is considered a modest addition considering the detached nature of the properties along Rowlands Avenue and as such would not cause any loss of light to neighbouring building and also would still respect the character of the area.
Decking and fencing	The height of the fencing is more than 2m and the decking will cause privacy issues	Any overlooking of rear gardens will not be greater than what is currently being experienced.
Boundary Infringement	Issues raised regarding close proximity of boundary to number 119.	Boundary treatments and access are third party wall matters which are dealt with under separate legislation. This is not a material planning issue.
Loss of light to bedroom window at number 119	Due to a mistake on a previous application the built structure has resulted in loss of light	The mistake on the side elevation and floor plan is noted, however it is considered that due to dense vegetation along this shared boundary the bedroom in question received limited light. Furthermore, it is noted that adjoining property to south, no. 119, is a two storey detached dwellinghouse, which has been extended at the rear with a two storey

		<p>rear extension. Plans held by the Council show that prior to the two storey rear extension, bedroom 3 had dual aspect windows, with the primary window located at the rear elevation. As a result of the extension to this property directly at the rear of bedroom 3, the only window serving this bedroom is located in the flank elevation facing number 121's flank wall. As such this new situation would not exacerbate the existing situation. The gap separating the two buildings is largely the same as before the extensions were built.</p>
Views	The front extensions obstruct front views at number 119	Views are not considered a material planning issue unless they are protected by law.
Basement and loft at number 119	In previous applications it was stated that number 119 has a basement and loft conversion	These have been noted and excluded from this application. The mistake is noted and regretted but it does not have a bearing on this decision or the previous decisions at number 121.
Overlooking to number 120	New full height front window would allow overlooking across the road at number 120.	It is not uncommon for windows to be inserted to the front at second floor level. Due to the

		separation distances with buildings across the road, this would not result in overlooking to this neighbouring building.
Inaccurate drawing	Inaccurate drawing showing garage approved at 6.9m	Amended plans received.
Objection siting a different address	Objector appears to be complaining about a different site where permission was refused	We cannot comment on a different scheme. The council has provision for a complaints procedure.
Dealing with breach of planning	The council should ask the applicants to demolish what has been built without planning permission in order to deter others.	The planning system allows for retrospective planning permission where breach of permission has occurred. In this case the applicants have exercised that right.
Neighbour consultation	Number 115 Rowlands not consulted	The Council is obliged to notify adjoining occupiers only
Breach of building line	Breach of building line	The building lines on this side of Rowlands Avenue are staggered and as such there is no clear building line
Loss of Greenery	Proposals have led to loss of greenery	This is not part of this planning application assessment as there was no condition attached to the granted permissions regarding loss of greenery. During a site visit it was noted that the boundary treatment is largely the same as before

		the works.
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4.6 Statutory and Non Statutory Consultation

Hatch End Association – Objecting to the proposals due to loss of greenery, overbearing impact and breaching of building lines.

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 was published in draft form in December 2017. Given that the draft Plan is still at early stages of the formal process it holds very limited weight in the determination of planning applications. Although this weight will increase as the Draft London Plan progresses to examination in public stage and beyond, applications would continue to be determined in accordance with the 2016 London Plan. It is anticipated that the Examination in Public will commence early 2019.

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 and host property
Impact on Residential Amenity

6.2 Character and appearance of the Area

6.2.1 The character of the area is pre-dominantly made up of detached buildings of differing designs and sizes and sitting on large plots. Therefore the street has no clear pattern of development, however it consists of evenly spaced houses at first floor. In this context there are relatively large amounts of open space either side of No 121.

6.2.2 This application will assess whether cumulatively the extensions as built would maintain the character of the dwelling and not harm the amenities of neighbouring buildings. There has been no material change in planning policy since the previous applications were approved. The bulk of the extensions have been built in accordance with the approved plans. For the purposes of this application these elements would remain proportionate to the existing dwellinghouse in accordance with the National Planning Policy Framework (2018), policies 3.5C and 7.6B of The London plan (2016), policy DM1 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Guidance: Housing Design Guide (2012) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

The matters to be assessed under this retrospective planning application are as follows:

Raising of the ridge height by 0.6m

Extending both the length and height of the garage

New fenestration

Setting in of extensions from the boundary shared with number 119

Minor amendments to the basement

6.2.3 Extension of Front Garage

Whilst the footprint and height of the garage would be greater than that approved under P/3509/14, it is considered that the garage as built would still remain subordinate to the existing dwelling and as such is considered to remain a proportionate addition to the original dwellinghouse. It would have no negative impact on the street scene as it remains set away from the street by a distance of approximately 25m.

6.2.4 Front and side fenestration

It is considered that due to the detached nature of the building, its position being set away from the street and neighbouring buildings together with the varied character and appearance along Rowlands Avenue, the fenestration detail is acceptable in terms of its appearance and character.

6.2.5 Roof and set in from boundary shared with number 119. It is considered that the marginal deviation from the approved plans would still ensure that the proposals do not materially alter the approved scheme and as such considered acceptable.

6.2.6 The roof of the house has been built 0.6m higher than what was previously approved. The increase to the main roof ridge height would be acceptable in terms of its impact on the streetscene.

The raising of the roof is also considered acceptable due to the fact that there is a variation in roof forms and height with those of neighbouring properties. No increase in width is proposed. It is considered that the additional modest additional height of the new roof as built would not be noticeable within the street scene and nor would it appear out of context within the streetscene.

6.2.7 Minor amendments to the basement

At the rear the glass box housing the stairs has been positioned centrally as opposed to the approved plans which showed it to be located at the far right side of the dwelling. It is considered that this marginal deviation from the approved plans would still ensure that the proposals do not materially alter the approved scheme and as such considered acceptable

6.2.8 In conclusion, it is considered that cumulatively the approved extensions and those built without the benefit of planning permission 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.

6.2.9 Subject to conditions, the development has been built in accordance with the National Planning Policy Framework (2018), policies 3.5C and 7.6B of The London plan (2016), policy DM1 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Guidance: Housing Design Guide (2012) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

6.3 Residential Amenity

6.3.1 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)".

6.3.2 The bulk of the extensions, i.e the two storey side, front side and rear extension, loft and basement have previously been considered acceptable in terms of their relationship with both adjoining neighbouring buildings save for the addition of a flank floor window in the elevation facing 119, the increase in roof height, the set in from the boundary, and the size of the garage, all other aspects would remain the same as previously approved. Given that there has been no significant change in planning policies since the approved applications, for the purposes of this

application, the proposed two storey front, side and rear extensions and basement are considered to be acceptable in relation to both neighbouring dwellings.

This application will assess the impact of the extensions which were built without the benefit of planning permission as follows:

6.3.3 Raising of approved ridge height:

It is considered that marginal raising of roof height from the approved scheme by 0.60m would not harm the amenities of neighbouring amenities and in this respect would not be harmful to the amenities of neighbours in terms of loss of light, outlook or overbearingness. Because the roof profile is pitched the majority of the increase in roof height would be in the middle of the pitch and also it is noted that the separation distances with neighbouring building would ensure that no harm would occur. An objection has been raised from number 119 that the proposals would be overbearing and result in loss of privacy, however the elements built without the benefit of planning permission are set away from this neighbour and as such a larger gap still exist between the two buildings. During a site visit it was noted that the boundaries are made up of high hedges and trees which afford some screening.

6.3.4 Set in from boundary shared with number 119:

It is considered that the set in from the boundary shared with number 119 would not present any harm on the amenities of this neighbouring building. It is also noted that new ground floor windows will face this boundary but because of the boundary treatment no overlooking, overbearing or loss of privacy would occur. A first floor window facing number 119 was installed without the benefit of planning permission. A condition has been attached to this permission for its removal within 1 month from grant of permission.

6.3.5 Increase in width, height and length of garage

It is considered that the projection at the front/ side and length of the garage would not be so far forward as to be harmful to the amenities of both neighbours as these will remain detached and the garage will remain set away from the streetscene.

6.3.6 Mistake on floor plan and side elevation on previously approved plans:

An objection has been raised because within the previously approved plans there was a disparity on the floor plan and elevation facing number 119. The elevation drawing showed a set in at first floor level but the floor plan did not show this set in. The mistake on the side elevation and floor plan of the approved plans is noted, however it is considered that due to boundary treatment (large tall trees and thick hedging), the bedroom in question received limited light due to the boundary treatment and as such this new situation would not exacerbate the existing situation. The gap separating the two buildings is largely the same as before the extensions were built, therefore it is considered that there is no obstruction of light due to the built extensions.

6.3.7 Fenestration:

It is noted that the fenestration and a new window which has been inserted to the side elevation facing number 119 as built is not in accordance with the approved plans. The other fenestration is considered acceptable but the first floor side window would result in a perceived sense of overlooking to number 119 and as such a condition has been attached for the removal of this window within 1 month of grant of this planning permission.

6.3.8 In light of this it is considered that the amenities of both neighbouring properties will not be harmed and the extensions as built have not severely detracted from the approved scheme to warrant a refusal and subsequent enforcement action as the extensions do not harm neighbour amenity

7.0 **CONCLUSION AND REASONS FOR APPROVAL**

7.1 The development as built has not been found to negatively impact the character and appearance of the property and the area. Furthermore, the extensions and external alterations will not have an unacceptably harmful effect on the amenity of the neighbouring occupiers subject to the removal of the side window.

APPENDIX 1: Conditions and Informatives

Conditions

1. Approved Drawing and Documents

The development hereby permitted shall be retained in accordance with the following approved plans and documents: P101, P201, P301 REV F, P302 REV F, P303 REV E, P310 REV B, P202 REF H

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

2. Removal of Side Window

Notwithstanding the approved plans, within 1 month of this permission the side window in the first floor elevation facing number 119 shall be removed and the development shall be retained in accordance with the approved plans. Failure to comply within this timeframe will result in further enforcement action.

REASON: To ensure that the breach in planning can be rectified and the development hereby approved shall be retained in compliance with policy DM1 of the Development Management Policies Local Plan 2013.

3. Glazing Flank Future

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plans shall be installed in the flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2018)

The London Plan 2017 (Draft)

D1 London's form and characteristics

D2 Delivering good design

D3 Inclusive Design

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

Supplementary Planning Documents: Residential Design Guide 2010.

2. Pre-application engagement

Grant without pre-application advice

Statement under Article 31 (1) (cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This decision has been taken in accordance with paragraphs 187- 189 of The National Planning Policy Framework. Harrow has a pre-application advice service and actively encourages applicants to use this service.

Please note this for future reference prior to submitting any future planning applications.

3 GLA CIL

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £8,473 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 £8,473 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 249sqm

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 Local CIL

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

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;

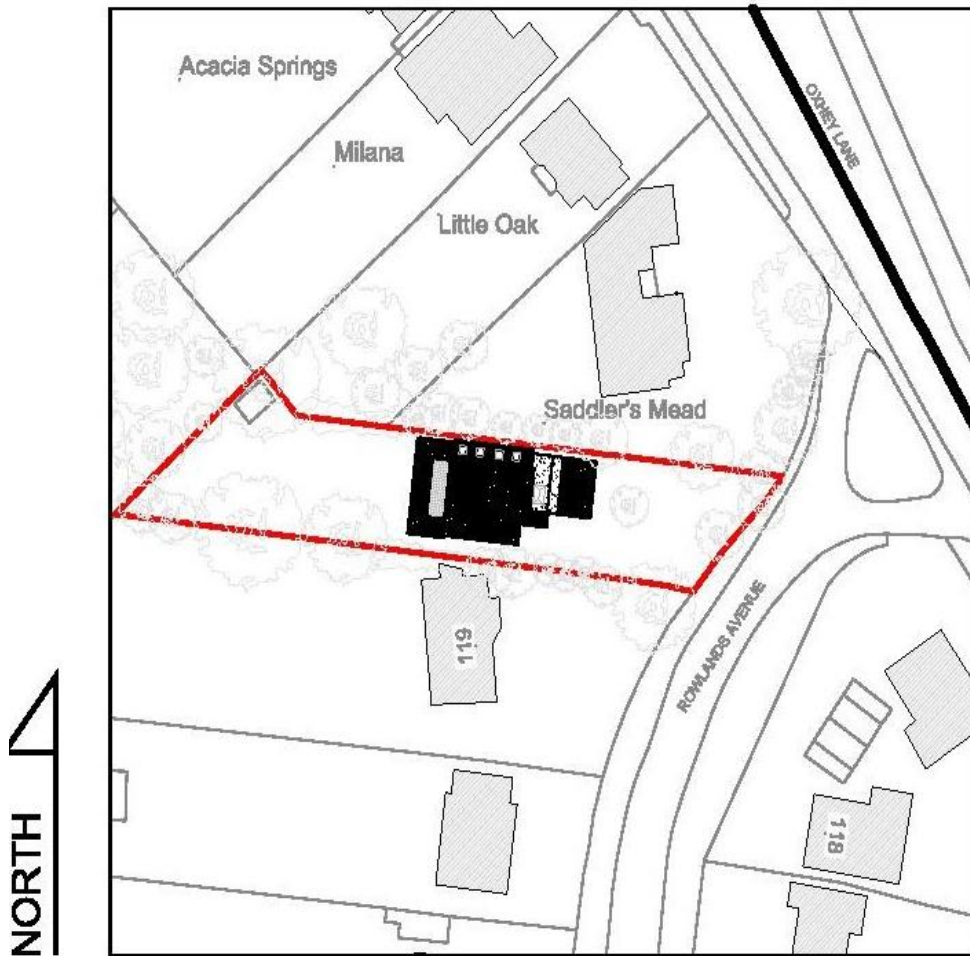
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot

Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

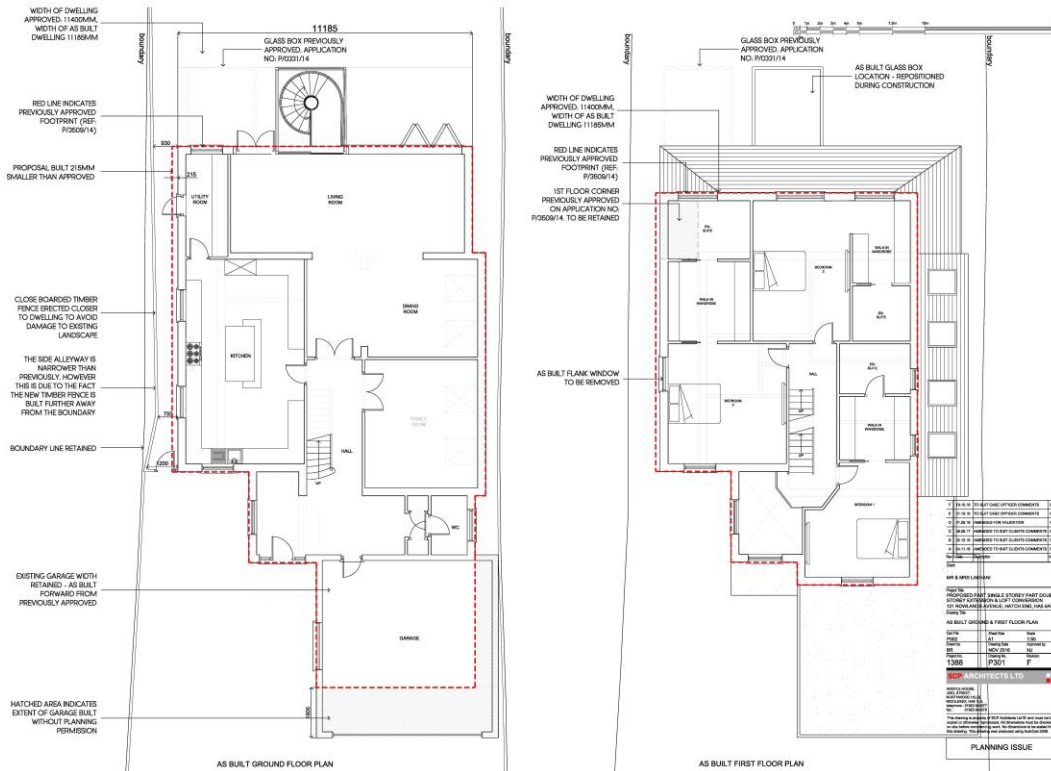
The Harrow CIL Liability for this development is: £27,478.00.

APPENDIX 2: SITE PLAN



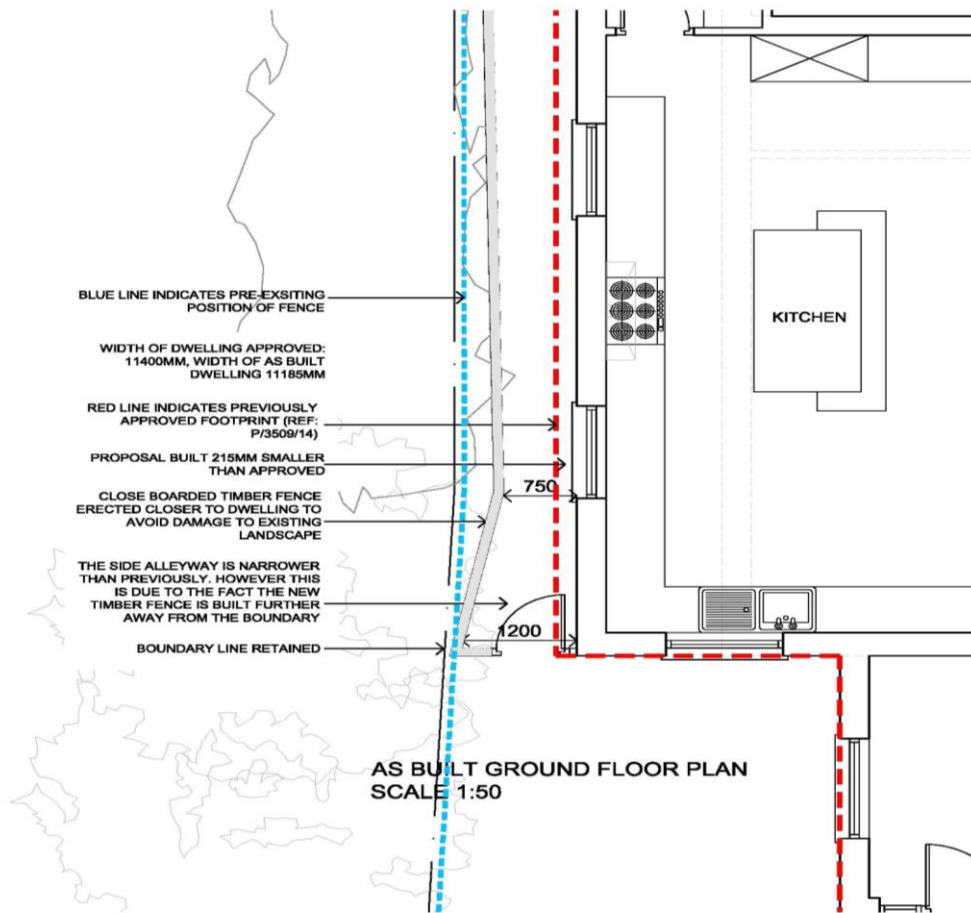
LOCATION PLAN
SCALE 1:1250

APPENDIX 3: PLANS AND ELEVATIONS



Boundary fencing

BOUNDARY FENCE ELEVATION SCALE 1:50





Photographs showing extensions as built



Side of garage



Passage way to boundary with number 119



Rear



elevations



Looking towards Number 119



Looking towards Saddlers





Towards

119



High level window at 119

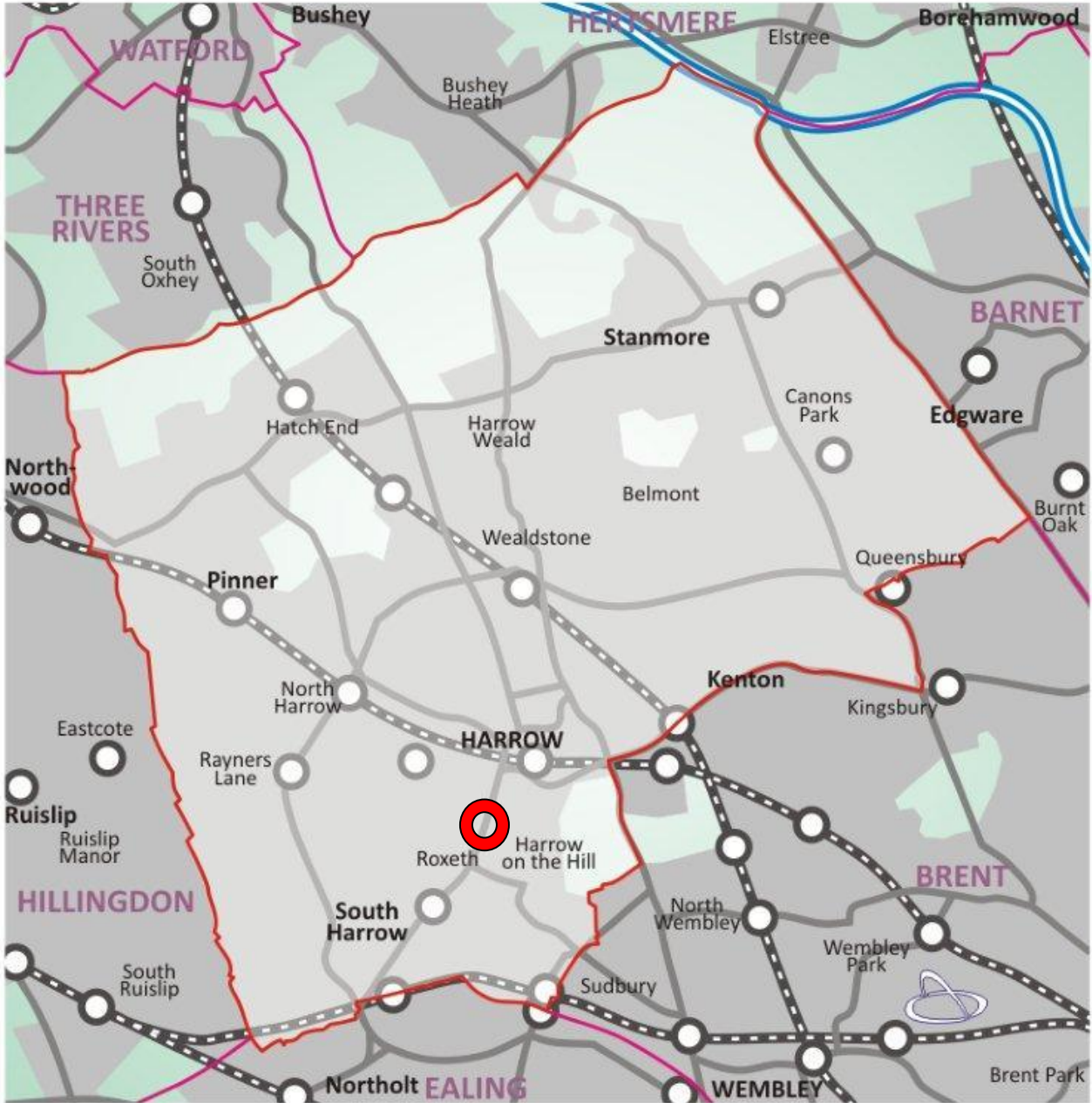




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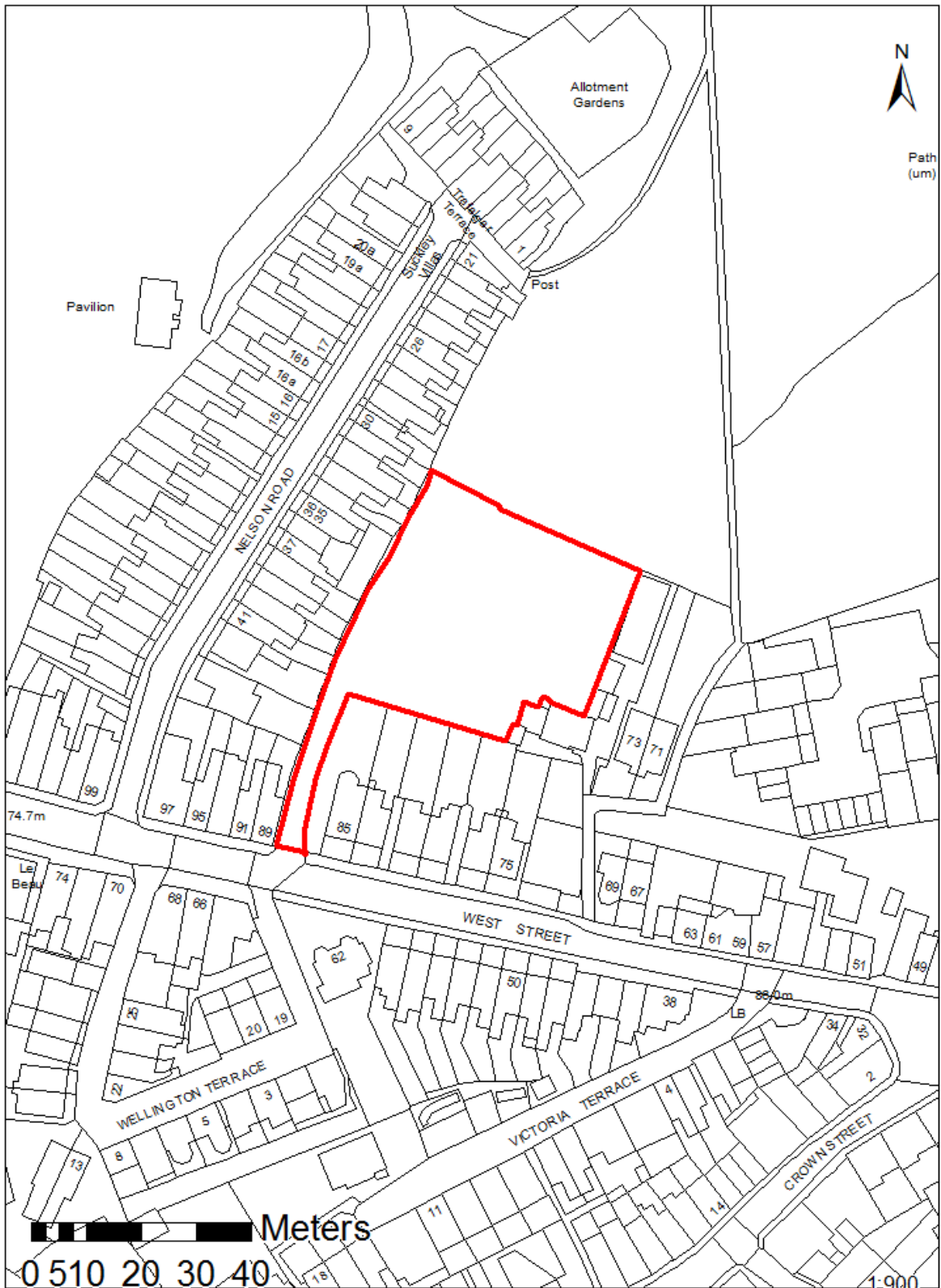
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 = application site



The Powerhouse, 87 West Street	P/1516/18
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The Powerhouse, 87 West Street



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st November 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

PROPOSAL

The proposal is in relation to 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.

This application was deferred from committee on 25 July 2018 for officers to seek further advice from Counsel. The report has been updated to reflect that advice.

The Planning Committee is asked to:

RECOMMENDATION

- 1) agree the reasons for refusal as set out in this report

REASON FOR THE RECOMMENDATIONS

Having obtained further legal advice at the Committee's request on the matter of whether the works approved under prior approval P/0326/17 dated 06/03/2017 ("Prior Approval") could be considered to have been completed as a single building operation with other works on site, Counsel's advice states that internal works do not require planning permission and as the Prior Approval authorised a change of use, it would be difficult to claim that the Prior Approval works and the other works were completed as a single development. In Counsel's view the issue is whether the Prior Approval is prohibited pursuant to Article 3(5) of the Town and Country Planning (General Permitted Development) Order 2015. It is considered that this needs to be determined on the basis of the timing of the completion of the units as fit for habitation.

As such, if the Prior Approval cannot be relied on, then the proposed amendments could not be approved via a non-material amendment application.

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 9th 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

The Site	
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

<u>Transportation</u>		
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. 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 the Prior Approval, 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 14th 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.
- 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, 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.

3.0 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 storage building to provide gatehouse/reception building	Granted 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	Granted

	development, contamination and flooding risks on the site and impacts of noise from commercial premises on the intended occupiers of the development)	06/03/2017
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 alterations to existing windows and doors, introduction of new windows and doors and part replacement of gabled roof to north east of the building	Refused 09/08/2018

	(Retrospective); Proposed Detached Single storey building to provide two cottages; External alterations; Associated landscaping and parking; Refuse and cycle storage	
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/3049/18	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	Undetermined

	development)	
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4.0 **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"> • Permitted development rights not undertaken in accordance with approved plans. • External works undertaken at same time as internal works • Misleading information, concealment of certain works • Breaches of construction Management Plan • Damage to environment • Interference of public rights of way • Overall lack of merit of scheme, out of character with conservation area • Unsuitable parking arrangements • Proposed bike storage interferes with 	<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 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</p>

<p>right of way</p> <ul style="list-style-type: none"> • Impact on Grade II listed building (Old Pye House) • Illegal entry into Church Fields • Unauthorised landscaping works 	<p>planning.</p> <p>Other issues raised are not material planning considerations for this application.</p>
<ul style="list-style-type: none"> • Lack of parking and congestion on West Street / Harrow on the Hill generally • Misleading information from applicant • Breaches of planning • Over occupation/high density • Disregard of conservation area status and Grade II listed building (Old Pye House) • Second storey overlooking adjoining residential properties, loss of privacy. • Unsuitable materials and out of character development • Damage to trees and hedges • Interference of public rights of way • Breaches of construction Management Plan 	<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>
<p>Cover letter referenced in the documents which is not visible on the website</p>	<p>This was an error, and the letter was posted to the website in response.</p>

4.7 Statutory and Non Statutory Consultation

4.8 The following consultations have been undertaken:

Consultee	Summary of Comments	Officer Comments
LBH Highways	The proposed changes 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.

5.0 POLICIES

5.1 This application has been made under Section 96A of the Town and Country Planning Act 1990. To clarify, this is a different type of application from one for planning permission, and thus the processes and material considerations differ.

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:

Can the applicant rely on the Prior Approval P/0326/17 Materiality, Matters Considered Under Prior Approval

6.2 Impact of Article 3(5) of the GPDO on the Prior Approval P/0326/17

- 6.2.1 This application was originally presented at the Planning committee on 25th July 2018. A request was made to obtain further legal advice regarding the status of the parent Prior Approval application P/0326/17 prior to proceeding further with a decision. The issue raised was whether it could be considered that a breach of planning had occurred with regard to the Prior Approval, as a result of concurrent works relating to other applications being considered a “single building operation”. It was further questioned whether this would then impact on this application for Non-Material Amendments.
- 6.2.2 The advice originally presented to the Committee on July 25th was that, on the basis of advice obtained to that point, it appeared that the works under the Prior Approval could be separated from and implemented independent of other works on site which required planning permission. The Committee was further advised that this was not a firmly established point of law, and that it did require an element of judgement; and the Committee did have the scope to come to a different conclusion on the basis of their own judgement. Thus, further legal opinion was requested.

- 6.2.3 A further legal opinion was obtained from Counsel and the advice is that as a result of the unauthorised works to the second floor, it can be considered that the Prior Approval may not be relied upon.
- 6.2.4 On the basis of the above advice, the officer's recommendation is that, based on information held by the Council, the Prior Approval cannot be relied on pursuant to Article 3(5) of the GPDO as advised by Counsel because the GPDO rights were not implemented (i.e. the flats were not fit for habitation) until after the unlawful second floor extension was substantially complete. Therefore, the non-material amendments proposed here should be refused. The Committee may therefore consider whether, in their judgement, they agree with the revised recommendation.
- 6.3 Materiality, Matters Considered Under Prior Approval
- 6.3.1 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 under P/0326/17 cannot be reversed or re-visited here as part of the assessment of materiality itself.
- 6.3.2 An appropriate test of materiality is whether the alterations are of significance, of substance and of consequence. To clarify, the question of whether the proposed changes are material is the only issue that can be considered for the purpose of this application, and is the only basis for a decision.
- 6.3.3 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.
- 6.3.4 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.
- 6.3.5 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.
- 6.3.6 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.

- 6.3.7 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) .
- 6.3.8 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.
- 6.3.9 These alterations are therefore considered to be non-material amendments to prior approval P/0326/17/PRIOR.

7.0 CONCLUSION AND REASONS FOR REFUSAL

- 7.1 Within the context of the Prior Approval, and the limitations and conditions of the GPDO, the proposed amendments identified in the above schedule would be non-material amendments. However, as the Prior Approval cannot be relied on pursuant to Article 3(5) of the GPDO the application for non-material amendments should be refused.
- 7.2 For these reasons, this application is recommended for refusal.

APPENDIX 1: Informatives

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2018)

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 S112 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

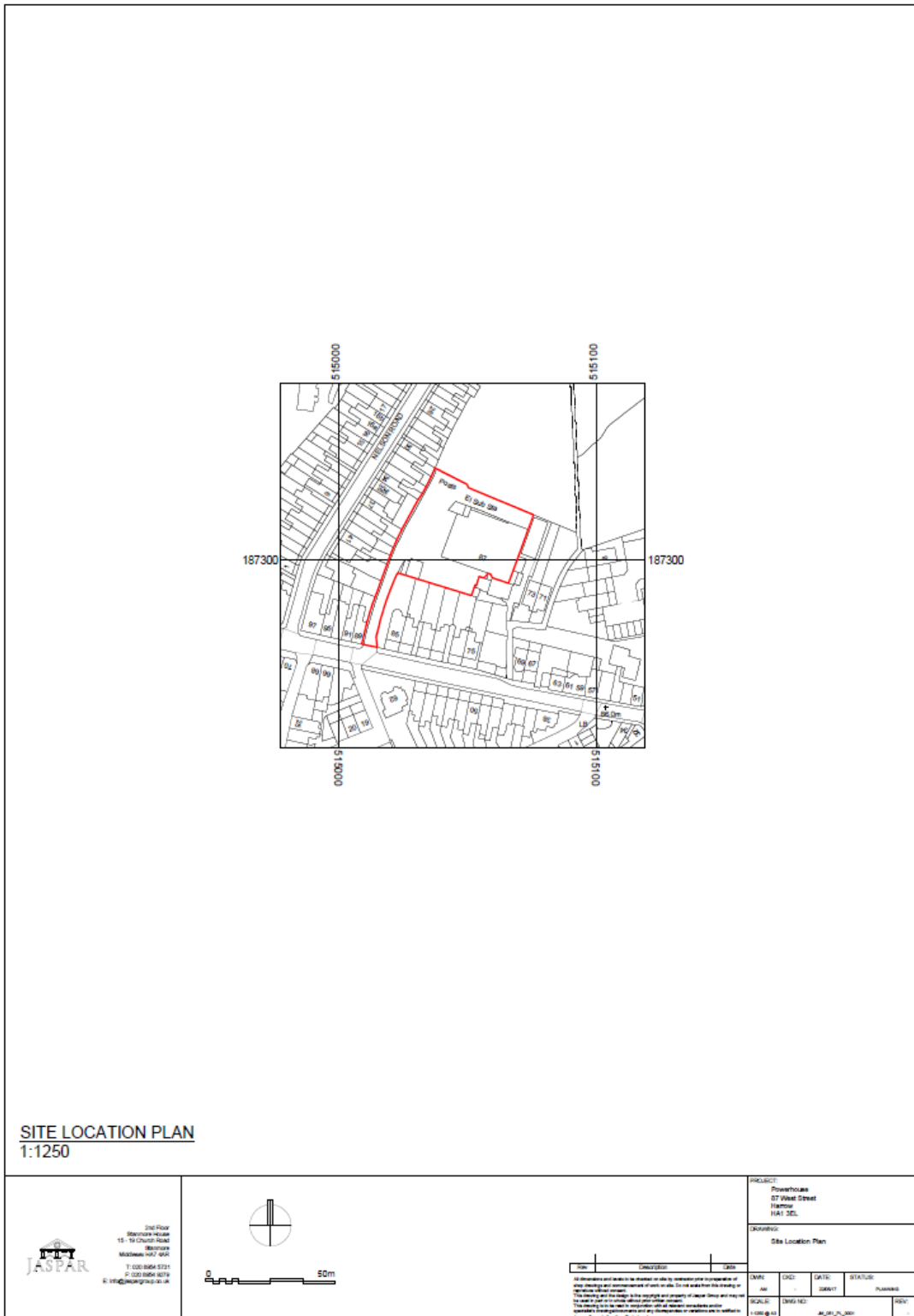
DM10 On Site Water Management and Surface Water Attenuation

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.

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

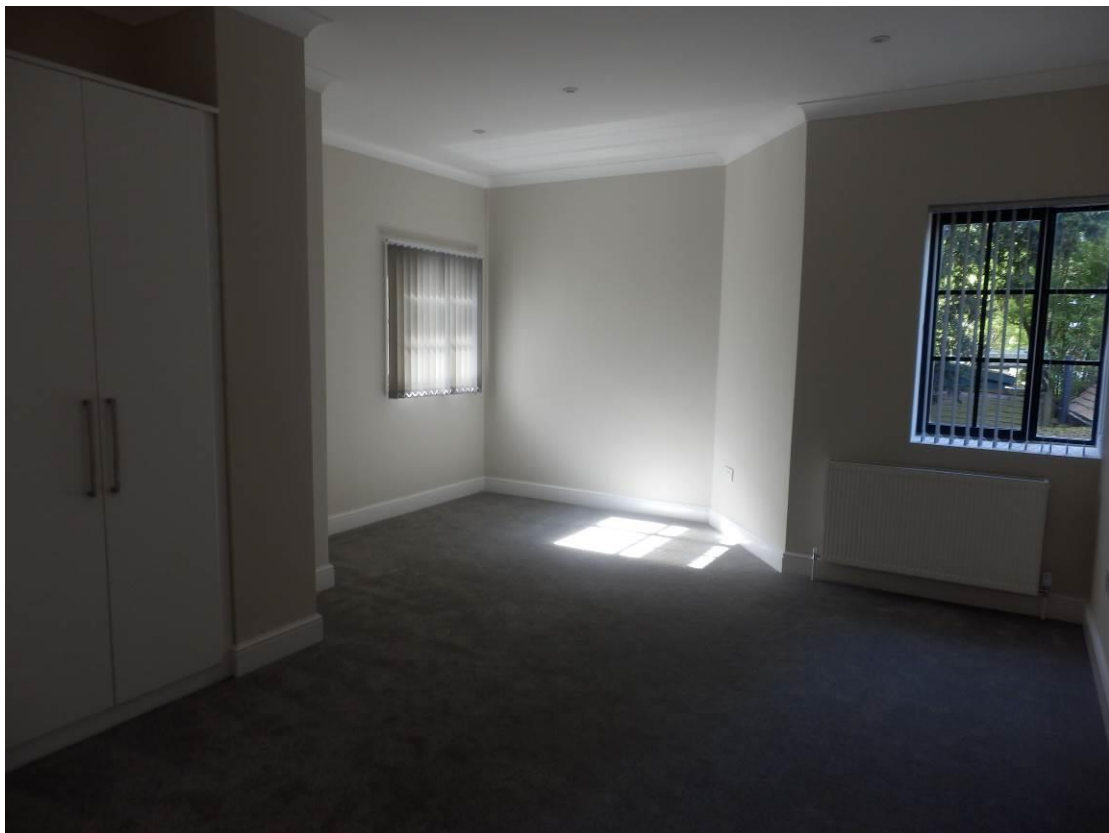


Kitchen and living area





Separation between living area and bedroom



Bedroom



APPENDIX 4: PLANS



Proposed Ground Floor Plans

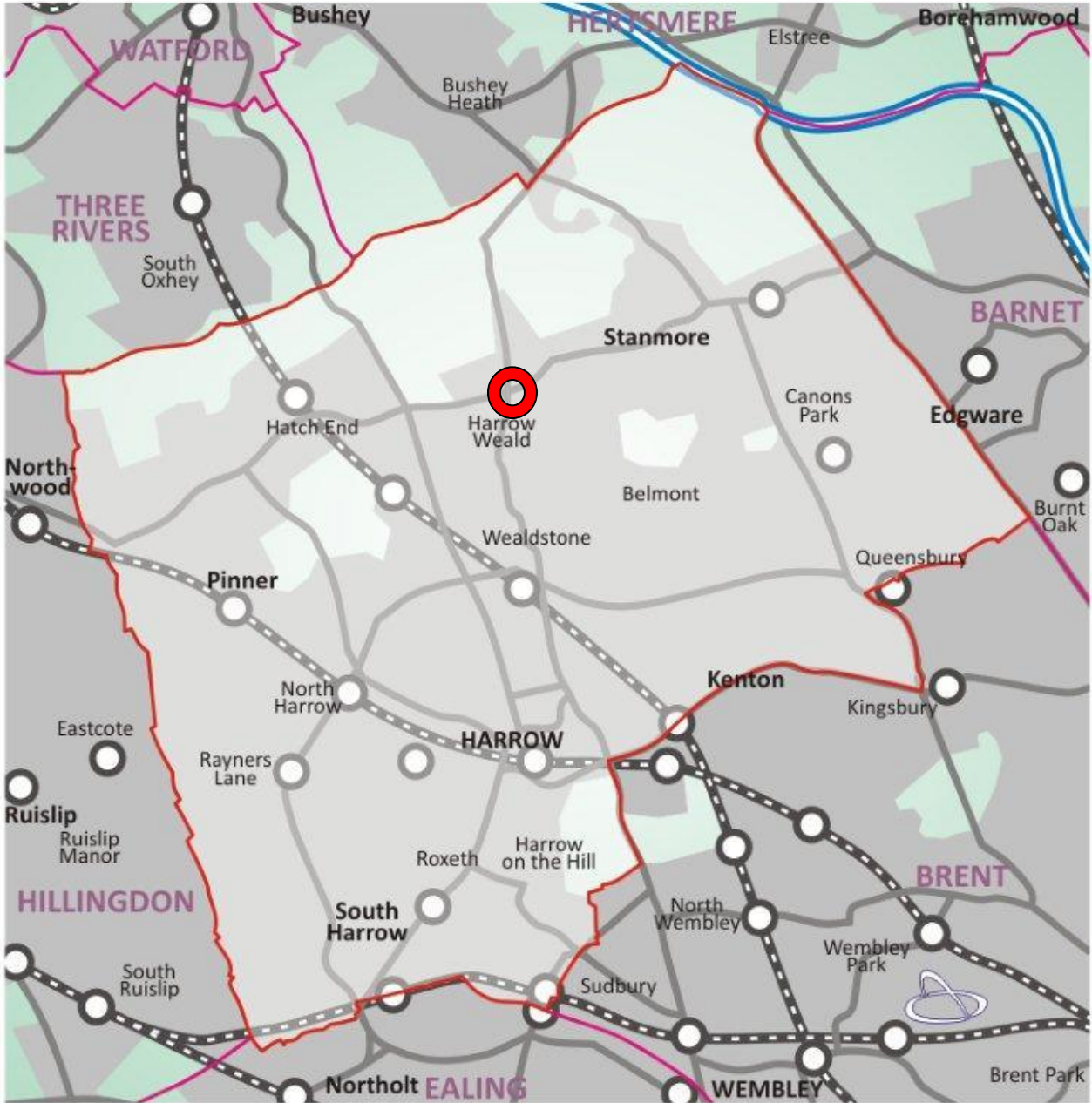


Proposed First Floor Plans

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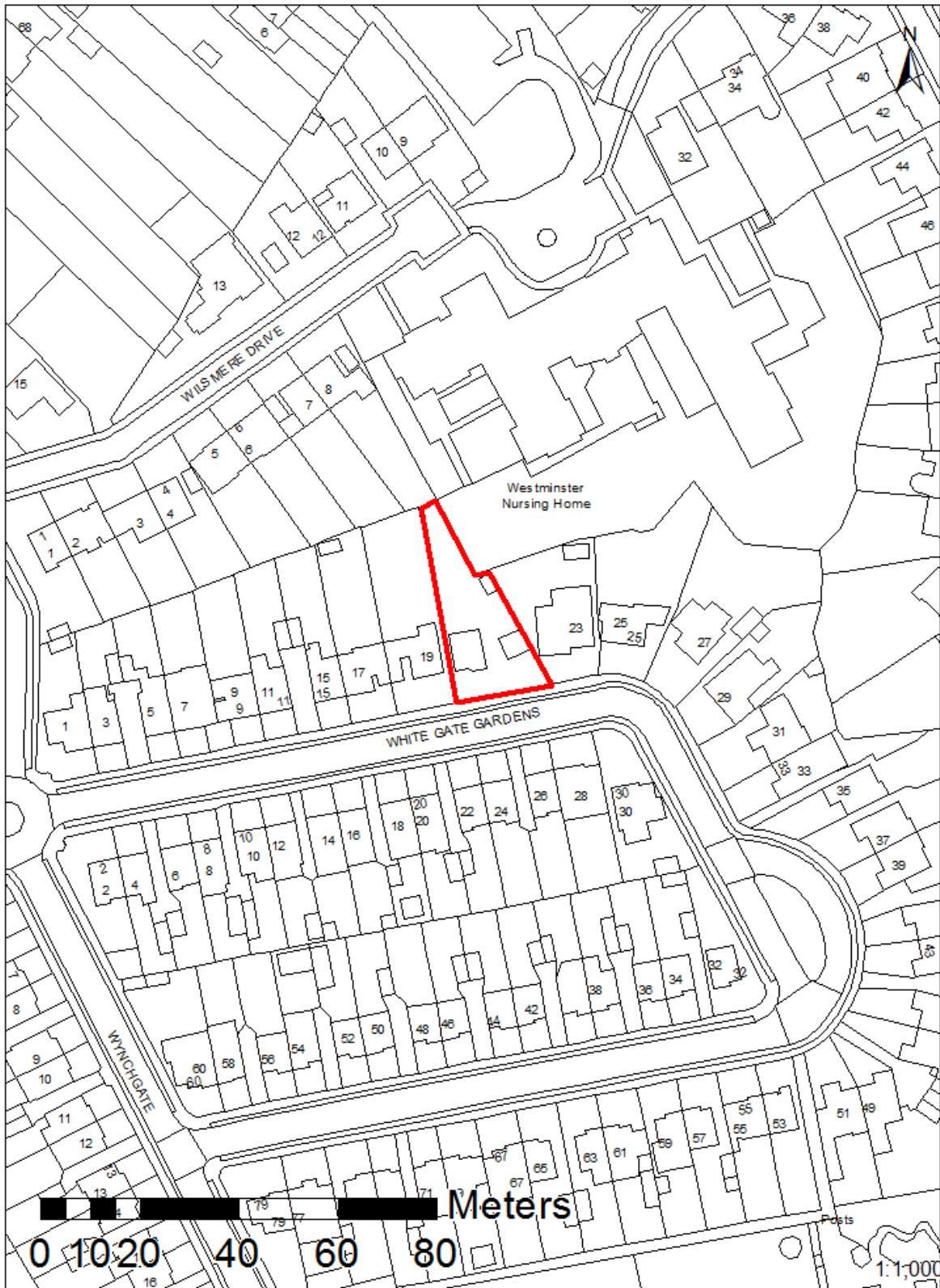
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 = application site



21 Whitegate Gardens	P/3800/18
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21 Whitegate Gardens



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

30th May 2018

Application Number: P/3800/18
Validate Date: 12/09/2018
Location: 21 WHITEGATE GARDENS
Ward: HARROW WEALD
Postcode: HA3 6BW
Applicant: MR PHILIP ECCLES
Agent: N/A
Case Officer: LOKENDRA CHEMJONG
Expiry Date: 06/11/2018 (EXTENDED TO 28/11/2018)

PROPOSAL

Re-development to provide a pair of semi-detached dwellinghouses with habitable roofspace; new vehicle access onto Whitegate Gardens; parking; amenity space; boundary treatment; landscaping and bin storage.

The Planning Committee is asked to:

RECOMMENDATION

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

REASON FOR THE RECOMMENDATIONS

The proposal would contribute towards the housing stock within the borough and the quality of accommodation for the future occupiers of the dwellinghouses would be in accordance with the development plan and policies. Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the area or the residential amenities of the neighbouring occupiers.

INFORMATION

This application is reported to Planning Committee as a nominated member has requested in writing that application be reported to Planning Committee.

Statutory Return Type: (E)13. Minor Dwellings
Council Interest: N/A
GLA Community
Infrastructure Levy (CIL) £5995.5
Contribution (provisional):
Local CIL requirement: £18,843

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 Crime & Disorder Act

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

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

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

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	21 Whitegate Gardens, Harrow, HA3 6BW
Applicant	Mr Philip Eccles
Ward	Harrow Weald
Local Plan allocation	N/A
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	N/A
Other	N/A

Housing		
Density	Proposed Density hr/ha	270.8
	Proposed Density u/ph	38.8
	PTAL	0
	London Plan Density Range	Suburban
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / %)	0
	3 bed (no. / %)	0
	4 bed (no. / %)	2
	Overall % of Affordable Housing	0
	Social Rent (no. / %)	0
	Intermediate (no. / %)	0
	Private (no. / %)	2
	Commuted Sum	N/A
	Comply with London Housing SPG?	Yes
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Conditioned	

Transportation		
Car parking	No. Existing Car Parking spaces	3
	No. Proposed Car Parking spaces	3
	Proposed Parking Ratio	1.5:1
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	1 per dwellinghouse (Conditioned to meet London Plan 2016 requirement)
	Cycle Parking Ratio	1:1
Public Transport	PTAL Rating	0
	Closest Rail Station / Distance (m)	Headstone Lane/ 1800m
	Bus Routes	Kenton Lane (nearest)
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	N/A
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	N/A
Parking Stress	Area/streets of parking stress survey	-
	Dates/times of parking stress survey	-
	Summary of results of survey	-
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Collected by the LPA

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

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 Subject property is a two storey detached dwellinghouse located on the northern side of Whitegate Gardens.
- 1.2 Subject dwelling has no. 23 Whitegate Gardens to east and has no. 19 Whitegate Gardens to west.
- 1.3 Rear boundary is connected to no. 8 Wilsmere Drive and Wilsmere House.
- 1.4 Subject dwelling is not a listed building or located in a conservation area or within any other land designated under Article 2(3) of the GPDO 2015.
- 1.5 The site lies within a critical drainage area.

2.0 PROPOSAL

- 2.1 Re-development to provide a set of semi-detached dwellinghouses with habitable roofspace.
- 2.2 The existing dwellinghouse would be demolished and replaced with a pair of semi-detached houses.
- 2.3 The pair of semi-detached houses would have gabled roof and a rear roof dormer, and rooflights on the front roofslope. The dwellinghouses would be two storeys with habitable roofspace.
- 2.4 Proposed semi-detached dwellinghouse to the west (western dwellinghouse), adjacent no. 19 Whitegate Gardens, would have three storey, contain four bedrooms, a combined living and kitchen room, an office/ storage room, two bathrooms and a water closet. It would accommodate up to seven people. It would have Gross Internal Area (GIA) of 136.4 sqm.
- 2.5 Proposed semi-detached dwellinghouse to the east (eastern dwellinghouse), adjacent no. 23 Whitegate Gardens, would have three storey, contain four bedrooms, a combined living and kitchen room, a study room, a large storage room, two bathrooms and a water closet. It would accommodate up to seven people. It would have Gross Internal Area (GIA) of 136.4 sqm.
- 2.6 Formation of separate outdoor rear amenity areas.
- 2.7 Refuse bins and cycle storage.
- 2.8 Hardsurfacing, vehicular access and soft landscaping at forecourts.
- 2.9 Parking and boundary treatment

3.0 **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status and date of decision
LBH/34342	Two storey side to rear extension to provide new dwelling unit and garages	Refused on 04/02/1988
P/0966/18	Re-development to provide a pair of semi-detached dwellings with habitable roofspace; new vehicle access onto Whitegate Gardens; parking; amenity space; boundary treatment; landscaping and bin storage	Refused on 10/05/2018; Currently undergoing appeal process Reason for refusal: Principle of Garden Land Development
P/2856/18	Certificate of lawful proposed development: front porch; single storey side extension; single storey rear extension	Granted on 22/08/2018
P/3123/18/PRIOR	Single storey rear extension: extending 8 metres beyond the original rear wall 2.7 Metres maximum height 2.7 Metres high to the eaves	Prior approval not required on 24/08/2018.

4.0 **CONSULTATION**

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

4.2 The overall public consultation period expired on 03/10/2018

4.3 Adjoining Properties

Number of letters Sent	5
Number of Responses Received	1
Number in Support	0
Number of Objections	1
Number of other Representations (neither objecting or supporting)	0

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

Summary of Comments	Officer Comments
<p>Objections to the application due to:</p> <ul style="list-style-type: none"> • Concerns regarding substantial development in restricted space, overall size and scale of proposed dwelling • gable end design and rear dormer would create overbearing visual impact • Would block daylight and be out of character • Put additional pressure on parking • Garden Land Development 	<p>Issues relating to principle of development (garden land), character, residential amenity, and parking are assessed in sections 6.2, 6.3, 6.4 and 6.5 of the report respectively.</p>

4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken:

LBH Highways Authority
LBH Landscape Architect
Designing Out Crime Officer, Metropolitan Police Service
LBH Drainage Authority
Vehicle Crossings Authority
Arboricultural Asset Officer
LBH Waste Management Policy Officer
Thames Water Utilities Ltd

4.8 Statutory and Non Statutory Consultation

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

Summary of Comments	Officer Comments
<p>LBH Highways:</p> <p>This development proposal is broadly acceptable. Further information is required in relation to the likelihood of the proposed vehicle crossings being accepted. The main concern relates to the proximity of the crossing to street tree. This information should be obtained. The proposed cycle parking is of poor quality and under the minimum requirements for dwellings of this size. Each house should provide sheltered, secure and accessible cycle storage for a minimum of two cycles. Details of the type of storage and the locations can be secured via pre-occupation condition should the application be granted.</p>	<p>Condition attached regarding construction method statement and cycle parking.</p>
<p>LBH Landscape Architect:</p> <p>The proposal should be conditioned for details of hard and soft landscape works, planting, levels and boundary treatment; the proposed vehicle crossing should be located 2m away from the street tree.</p>	<p>Condition attached requesting details for hard and soft landscape, and bins.</p>
<p>Designing Out Crime Officer, Metropolitan Police Service:</p> <p>The proposal is not within the remit of Secured by Design Officer as the no. of proposed units is less than 5. The proposal could however achieve Secured By Design accreditation and the developer should contact Secured by Design officer at the earliest opportunity.</p>	<p>Condition attached requiring to achieve Secure by Design accreditation.</p>
<p>LBH Drainage:</p> <p>Details of proposed drainage, permeable hard surfacing and maintenance plans needs to be submitted to be approved by the drainage team, to comply with Policy DM 10.</p>	<p>Condition attached requesting drainage details.</p>

Arboricultural Asset Officer: The proposed vehicle crossing for the western dwelling needs to be located 2m away from the street tree.	The vehicle crossing would be located 2m away from the street tree.
Vehicle Crossings Officer: The proposed vehicle crossing would be acceptable.	N/A
LBH Waste Management Policy Officer: No comments received.	N/A
Thames Water Utilities Ltd: No comments received.	N/A

5.0 **POLICIES**

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

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

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

5.3 In this instance, the Development Plan comprises The London Plan 2015 [LP], The Draft London Plan 2017 [DLP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

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

6.0 **ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Character and Appearance of the Area
- Residential Amenity and Accessibility
- Traffic and Parking
- Drainage

6.2 Principle of Development

- 6.2.1 Paragraph 11 of the NPPF (2018) recommends approving development proposals that accord with an up-to-date development plan without delay.
- 6.2.2 Paragraph 70 of the NPPF (2018) states that ‘...plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.’
- 6.2.3 Policy 3.5 of the London Plan (2016) states that Boroughs may introduce a presumption against development on private residential gardens where this can be locally justified. Following on from National and Regional Planning Guidance, Harrow's Core Strategy includes such a presumption, having been locally justified and independently examined through the development plan process.
- 6.2.4 To this end, policy CS1 (A) of Harrow's adopted Core Strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites whilst policy CS1 (B) resists development on garden sites, recognising the propensity for such proposals to lead to unmanaged, incremental growth that undermines the spatial strategy.
- 6.2.5 The Council has adopted a Garden Land Development Supplementary Planning Document (GLDSPD). This document has been subject to public consultation and was adopted on 11 April 2013 following on from National and Regional Planning Guidance, Harrow's Core Strategy includes such a presumption, having been locally justified and independently examined through the development plan process.
- 6.2.6 *Paragraph 3.6 of the GLDSPD (2013) clarifies that the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint, plus any appropriate enlargement(s) **would not** be garden land development.*

The GLDSPD (2013) identifies appropriate enlargements as:

- a. the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling(s); or*
- b. the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD.*

- 6.2.7 The Council's SPD Residential Design Guide (2010) considers 4m rear extension to be appropriate for a semi-detached dwellinghouse. Furthermore, the detached dwellinghouse can also have side extension and front extension. Having regard to the SPD Residential Design Guide (2010), a single storey side to rear extension with projecting 4m beyond the rear wall of the original house and half the width (3.15m) of the original house beyond the side wall is considered to be appropriate enlargement. A front porch of 3sqm in line with permitted development is also considered to be appropriate. Overall, the appropriate enlargement for the subject property having regard to the SPD Residential Design Garden (2010) would be 67.6 sqm (64.6 for a single storey side to rear extension and 3 sqm for porch). The total footprint allowed for redevelopment including the footprint of the existing house would be 119.6 sqm.
- 6.2.8 The cumulative footprint proposed for the redevelopment would be 107.2 sqm at the ground floor level and 118 sqm at first floor level. The higher 118 sqm footprint at the first floor level would be within the allowance of 119 sqm (cumulative footprint considered to include footprint of the original house and footprint of extensions that would be consistent with Harrow's SPD Residential Design Guide 2010).
- 6.2.9 As per the paragraph 3.6 of the GLDSPD (2013), the proposal would not be considered garden land development and would therefore be acceptable in principle.

6.3 Character and Appearance of the Area

- 6.3.1 National Planning Policy Framework (2018) advises at paragraph 127 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.
- 6.3.2 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.
- 6.3.3 Core Policy CS(B) states that 'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.'

- 6.3.4 Policy DM 1 A of the Local Development Management Policies Local Plan (2013) states that: “All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted”. It goes on to say that: “The assessment of the design and layout of proposals will have regard to:
- a. The massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;
 - b. The appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;
 - c. The context provided by neighbouring buildings and the local character and pattern of development;
 - d. The provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
 - e. The need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;”
- 6.3.5 The proposed dwellinghouses would have recessed front porch, wrapping windows on front and side, similar to what is existing in the nearby dwellinghouses. The proposed dwellings would have gabled roof form, which is not uncommon in the area. Many of the nearby properties have had hip-to-gable roof extensions. It is therefore considered that the proposed hipped roof would not harm the character and appearance of the area. The recessed design of ground floor rear elevation is considered to be acceptable. A very similar proposal (ref: P/0966/18) was reviewed by the Council’s design officer previously who found it to be acceptable and it reasonably well judged and within the context of the area.
- 6.3.7 The image in the Design and Access Statement shows that the roof tiles would be grey/ black in colour. It is considered that reddish brown roof tiles are more prevalent within the area, and reddish brown roof tiles would be preferred to preserve the character and appearance of the area. A condition has therefore been attached requesting for the samples of the external materials, to be approved by the Council, in order to preserve the character and appearance of the area.
- 6.3.8 The massing, bulk, scale and height of the proposed dwellinghouses would be similar to what is existing in the surrounding area. The proposed rooflights are considered to be acceptable. The proposed dwellings would have width of 6.5m and depths of 8.6m and 9.1m at the ground floor and first floor level respectively. The proposed dwellings would have a height of 8.7m compared to the height of the existing dwelling of 8m. However, the existing ground level would be reduced by 0.4m through excavation. As a result, the proposed dwellinghouses would not be higher than nos. 15 and 17 and slightly lower than no. 23. The height of the proposed dwellinghouses is therefore considered to be acceptable.

6.3.9 The dwellings would fit within the context of the surrounding area as there are many semi-detached dwellings nearby. The proposed dormers would be set away 1m from the gable end, 1m above the eaves and 0.5m from the party wall line. The proposed dormers would therefore appear visually contained within the roof profile. The proposed dwellings would retain gaps at the boundaries. The dwellinghouse to the west would retain 1.215m gap at the common boundary with no. 19. The dwellinghouse to the east would retain at least 1.35m gap at the first floor level increasing up to 3.8m at the front elevation. Overall, the designs of the proposed dwellinghouses are considered to be acceptable.

Landscaping:

6.3.10 Development proposals will be required to include hard and soft landscaping that:

- a. Is appropriate to the character of the area;
- b. Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;
- c. Achieves a suitable visual setting for the building(s);
- d. Provides for sufficient space for new or existing trees and planting to grow; and
- e. Supports biodiversity.

6.3.11 Out of 120 sqm combined forecourt, approximately 58 sqm would be hard surfaced. The remaining would contain soft landscaping including planting. It is considered that the proposed amount of hard and soft landscaping would be acceptable.

6.3.12 As per the Landscape and Arboricultural Asset Officers' recommendations, the proposed vehicle crossings for the dwelling in the west would be located 2m away from the street tree with a circumference of 50cm. The existing street lamp would be moved 1m further to the west to create sufficient space between the proposed vehicle crossing and the street lamp. The Council's Vehicle Crossings Officer has stated that the proposed relocating of the street lamp by 1m to the west would be acceptable.

6.3.13 However, the proposal does not include sufficient details of the hard and soft landscape work such as planting planting numbers, species, heights etc. A condition for requesting details of hard and soft landscaping including planting plans, schedule of plants, hard landscape material, landscaping implementation scheme, boundary treatment and levels has therefore been attached.

Waste Management:

6.3.14 Policy DM 45 A.c. of the Harrow Development Management Policies Local Plan (2013) states, "All proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting. The on-site provision must: be located and screened to avoid nuisance to occupiers and adverse visual impact."

6.3.15 The proposal provides three bins per dwellinghouse which are considered to be sufficient. The locations of the proposed bins are in the rear garden and the side of the proposed dwellinghouses which are considered to be acceptable.

6.4 Residential Amenity and Accessibility

6.4.1 Policy 7.6B, subsection D, of The London Plan states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

6.4.2 Policy DM1 of the DMP states that “All development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted (c)”. “The assessment of privacy and amenity considerations will have regard to:

- a. The prevailing character of privacy and amenity in the area and the need to make effective use of land;
- b. The overlooking relationship between windows and outdoor spaces;
- c. The distances between facing windows to habitable rooms and kitchens;
- d. The relationship between buildings and site boundaries (applying the Council's 45 degree code where relevant);
- e. The visual impact of development when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant);
- f. The adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces (applying the Council's 45 degree code where relevant);
- g. The adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers;
- h. The impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution; and
- i. The need to provide a satisfactory quantum

Impact on adjoining occupiers

6.4.3 The rear elevations of the proposed dwellings would not project beyond the extended rear elevation of no. 19. The distance from common boundaries with no. 19 from the proposal would be similar to what currently exists. The proposed windows in the western side elevation would serve non-habitable rooms (hall). The proposal would therefore not have detrimental impacts upon the residential amenities of the occupiers of no. 19 in terms of daylight, outlook, overshadowing, or privacy.

6.4.4 The rear elevations of the proposed dwellings would not project beyond the rear elevation of no. 23. The proposed window in the eastern side elevation would serve a non-habitable room (hall). The first floor element would be sited at least 4.4m away from side elevation of no. 23. The proposal would therefore not have

detrimental impacts upon the residential amenities of the occupiers of no. 23 in terms of daylight, outlook, overshadowing, or privacy.

- 6.4.5 Given the significant distance between the proposed dwellings and the rear boundaries, it is considered that the proposal would not be harmful to the amenity of the adjoining occupiers at the rear.

Impact on Future Occupiers:

Room Sizes and Layout:

- 6.4.6 Policy DM1 D(g) of Harrow Development Management Policies Local Plan (2013) states that the assessment of privacy and amenity considerations will have regard to the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers.

- 6.4.7 As Harrow is a London Borough, the suitable guidance for adequacy of internal layout of buildings is considered to be London Plan (2016) and Technical housing standards – nationally described space standard (2015) - (THS). The table below shows comparison of the proposed floor area and width versus the guidance listed in the documents above.

Dwelling	Room	Proposed Floor Area (m ²)	Minimum Floor Area Required (m ²)	Proposed Minimum room width (m)	Minimum room width required (m)	Proposed Built-In Storage (m ²)	Minimum Built-in Storage required (m ²)
Eastern dwelling house 4 bed; 7 person; 3 storey	Bedroom 1 (double)	13.7	11.5	3.44	2.75	6.2	3
	Bedroom 2 (double)	11	11.5	3.3	2.55		
	Bedroom 3 (single)	8.9	7.5	2.7	2.15		
	Bedroom 4 (double)	13.9	11.5	3.37	2.55		
	Total GIA	136.4	121				
Western dwelling house 4 bed; 7 person; 3 storey	Bedroom 1 (single)	13.7	11.5	3.44	2.75	6.2	3
	Bedroom 2 (double)	11	11.5	3.3	2.55		
	Bedroom 3 (double)	8.9	7.5	2.7	2.15		
	Bedroom 4 (double)	13.9	11.5	3.37	2.55		
	Total GIA	136.4	121				

- 6.4.8 As can be seen from the table above, the proposal would comply with and in some cases exceed the minimum space standards in the Technical Housing Standards – nationally described space standard 2015 (THS) and The London Plan (2016) and The Mayor of London, Housing Supplementary Planning Guidance (2016).

Given the large size of the bedrooms no. 2 in both dwellinghouses, they have been treated as a double bedroom. The floor areas of bedroom no. 2 in both dwellinghouses would be just 0.5 sqm less than the minimum 11.5 SMQ recommended but would meet the minimum width standard recommended for a double bedroom. However, the layout and sizes of the proposed dwellinghouses are generally acceptable and the other proposed bedrooms significantly exceed the minimum recommended floor area of 11.5 sqm. It is therefore considered that the proposal cannot be refused on the basis of the sizes of bedrooms no. 2 in both dwellinghouses as the proposed dwellinghouses would still provide good quality living accommodation.

Floor to Ceiling Heights:

- 6.4.9 The London Plan states, “The nationally described space standard sets a minimum ceiling height of 2.3 metres for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.” Crucially, the above standard applies for both new buildings and conversions of existing dwellings.
- 6.4.10 76% of GIA of the dwellinghouses would have floor to ceiling height of 2.5m, thereby meeting the floor to ceiling height recommendations set out in Technical Housing Standards – nationally described space standard 2015 (THS), The London Plan (2016) and Mayor of London, Housing Supplementary Planning Guidance (2016).

Private Outdoor Amenity Space:

- 6.4.11 Policy DM27 of the DMP states that residential development proposals should provide appropriate amenity space, the form and amount of which should be informed by the Mayor’s London Plan Housing SPG.
- 6.4.12 The proposed dwelling to the west would have rear garden area of 126.7 sqm and the proposed dwellinghouse to the east would have rear garden area of 132.6 sqm which are considered to be sufficient.

Accessibility:

- 6.4.13 Policy 3.8 B of The London Plan (2016) states:
“c. ninety percent of new housing meets Building Regulation requirement M4 (2) ‘accessible and adaptable dwellings’
d. ten per cent of new housing10 meets Building Regulation requirement M4 (3) ‘wheelchair user dwellings’, i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users
- 6.4.14 As per Policy 3.8 B, c. of The London Plan (2016), a condition has been attached to ensure that the proposal complies with Building Regulation requirement M4 (2) ‘accessible and adaptable dwellings’

6.5 Traffic and Parking

- 6.5.1 The London Plan (2016) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.
- 6.5.2 The proposal would be sited in an area with Public Transport Accessibility Level (PTAL) score of 0. To put the number in context, there are seven categories of PTAL; 0 being the worst and 6b being the best.
- 6.5.3 The Council's Highways team stated that the proposal is broadly acceptable but was concerned about the existing street trees, as to whether they would be in the way of construction of the vehicle crossing. The officer has visited the site to verify the location of the street trees. A small street tree is located 1.14m away from the proposed crossover. The proposed crossover was also in the same location in the previous application (ref: P/ 0996/18) and the Vehicle Crossings team did not object to the proposed crossover. Furthermore, there is approximately 1m space to the other side of the crossover should it require moving slightly. It is therefore considered that the proposed new crossover would be feasible.
- 6.5.4 The Highways Team stated that the proposed cycle parking is of poor quality and under the minimum requirements for dwellings of this size. Each house should provide sheltered, secure and accessible cycle storage for a minimum of two cycles, bearing in mind that these are family sized homes, it would be realistic to expect that more cycles would need to be stored in the future. A condition therefore has been attached requesting the cycle parking details to comply with the minimum standards set out in Table 6.3 of The London Plan (2016).
- 6.5.5 Given the demolition works and the scale of the construction works, a pre-commencement condition for Construction Method Statement has therefore been attached as agreed with the applicant.

6.6 Drainage

- 6.6.1 Policies DM 10 A, B and C state:
“A. Proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off.
B. Proposals for minor developments, householder development, and conversions should make use of sustainable drainage measures wherever feasible and must ensure separation of surface and foul water systems.
C. Proposals that would fail to make adequate provision for the control and reduction of surface water run off will be refused.”
- 6.6.2 The proposal lies within a critical drainage area. The Council's Drainage Authority has recommended conditions for drainage details and permeable paving details to be submitted.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposal would contribute towards the larger housing stock within the borough and the quality of accommodation for the future occupiers of the dwellinghouses would be in accordance with the development plan and policies. Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the area or the residential amenities of the neighbouring occupiers.
- 7.2 For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Drawing and Documents

Other than as is required by other conditions comprising this decision, the development hereby permitted shall be carried out in accordance with the following approved plans and documents: Design and Access Statement; EXT/BLOCK/01; EXT/FIRST/01; EXT/FRONTELEV/01; EXT/GROUND/01; EXT/GROUND/01 (showing existing drainage details); EXT/REARELEV/01; EXTSIDEELEV/01; PRO/GROUND/01 REV C; SITE LOCATION PLAN; PRO/BLOCK/01 REV B; PRO/FIRST/01 REV A; PRO/SS/01; PRO/FRONTELEV/01; PRO/ LOFTFLOOR/01 REV A; PRO/REARELEV/01 REV A; PRO/ROOFPLAN/01; PRO/SECTION/01; PRO/SIDEELEV/01 REV A

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

3. Materials- dwellinghouse (Pre-commencement Condition)

Notwithstanding the submitted details and approved plans, the development hereby permitted shall not commence beyond damp proof course, until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- Facing materials;
- Windows and doors;
- Rainwater goods
- boundary treatment
- Hardstanding

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

THIS IS A PRE-COMMENCEMENT CONDITION.

REASON: To safeguard the appearance of the locality and to ensure that the approved materials are used during the building works.

4. Levels (Pre-commencement Condition)

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

THIS IS A PRE-COMMENCEMENT CONDITION.

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

5. Construction Method Statement (Pre-commencement Condition)

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- (measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

This is PRE COMMENCEMENT CONDITION.

REASON: To ensure that the construction works of the development does not unduly impact on highway safety and the amenities of the existing occupiers of the properties adjacent to the site.

6. On Site Water Management and Surface Water Attenuation (Pre-commencement Condition)

The buildings hereby permitted shall not be commenced until details of works for the disposal of surface water and surface water storage and attenuation works have been submitted to and approved in writing by, the local planning authority. The submitted drawings shall include drainage and permeable hardstanding details. The works shall be implemented in accordance with the approved details and shall thereafter be retained. The applicant should contact Harrow Drainage Section and Thames Water at the earliest opportunity.

This is a PRE-COMMENCEMENT CONDITION.

REASON: To make use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the

management and maintenance of the measures, in accordance with Policy 5.13 of The London Plan (2016) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013)

7. Sewage (Pre-commencement condition)

The development hereby permitted shall not be commenced until details of works for the disposal of sewage have been submitted to and approved in writing by, the local planning authority. The works shall be implemented in accordance with the approved details and shall thereafter be retained.

THIS IS A PRE-COMMENCEMENT CONDITION.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2018) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013).

8. Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority in writing, a scheme of hard and soft landscape works for the forecourt of the site to include:

- Soft landscape works to: planting plans (at a scale not less than 1:100) and schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities.
- Hard landscape Material Details
- Landscaping Scheme - Implementation and programme of implementation, including a period of 5 year period for replacements of soft landscape
- Boundary Treatment
- Levels – a detailed Levels Plan of the proposed finished levels. This document needs to explain details of the levels of the building, car parking and footpaths and works adjacent to the existing trees in relation to the adjoining land and highways, and any other changes proposed in the levels of the site.

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

9. Landscaping Implementation

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

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

10. M4 (2) Accessibility

The development hereby permitted shall be constructed to the specifications of: “Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings” of the Building Regulations 2013 and thereafter retained to those standards.

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

To ensure provision of ‘Accessible and Adaptable Dwellings’ in accordance with Policy 3.8B of The London Plan (2016) and Policy DM2 the Harrow Development Management Policies Local Plan (2013).

11. Cycle storage

The development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, drawings showing the following:

- plan/s and elevations showing at least two secure and sheltered cycle parking spaces per dwellinghouse to comply with standards set out in Policies 6.9 and 6.13 of The London Plan (2016), i.e. provide secure and sheltered cycle storage spaces for two cycles per dwellinghouse.

REASON: To safeguard the character and appearance of the area and promote a sustainable method of transport, in accordance with Policies 6.9, 6.13 and 7.4 of The London Plan (2016), and Policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

12. Glazing 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plans shall be installed in the side elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

13. Obscure Glazing

The window(s) in the flank elevation(s) of the proposed development shall: (a) be of purpose-made obscure glass, (b) be permanently fixed closed below a height of 1.7m above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

14. Garden Fence

The outdoor rear private garden areas shall be bounded by close-boarded timber fencing to a maximum height of 1.8metres. The fencing required by this condition shall be erected prior to the occupation of the dwellings and shall be retained thereafter.

REASON: To protect the residential amenities of the future occupiers of the development in accordance with policies DM1 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide SPD (2010).

15. Secure by Design

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

16. Restriction of Permitted Development Rights- Classes A to F

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development and to safeguard the amenity of neighbouring residents in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

17. Construction Fence/ hoarding

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 and to manage the impact of the development upon the local area during its demolition of the existing structures and the construction of the new building in the interests of public amenity and the local natural environment in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013) throughout the construction period.

18. Permeable Paving

Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

19. Waste

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with policies DM1 and DM26 of the Harrow Development Management Policies Local Plan 2013.

Informatives

1. Policies

National Planning Policy Framework (2018) (NPPF)

The London Plan (2016):

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building Lifetime neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4B Local Character
- 7.6B Architecture

The Draft London Plan (2017):

- D1 London's form and characteristics
- D2 Delivering good design
- D3 Inclusive Design
- D4 Housing quality and standards
- D5 Accessible housing
- H1 Increasing housing supply
- H2 Small sites
- H12 Housing size mix

Harrow Core Strategy (2012):

- Core Policy CS 1 Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM 10 On Site Water Management and Surface Water Attenuation
- Policy DM 12 Sustainable Design and Layout
- Policy DM 22 Trees and Landscaping
- Policy DM 23 Streetside Greenness and Forecourt Greenery
- Policy DM 24 Housing Mix
- Policy DM 27 Amenity Space
- Policy DM 42 Parking Standards
- Policy DM 44 Servicing
- Policy DM 45 Waste Management

Relevant Supplementary Documents:

Supplementary Planning Document Garden Land Development (2013)
Supplementary Planning Document Residential Design Guide (2010)
Technical housing standards - nationally described space standard (2015)
Mayor of London, Housing Supplementary Planning Guidance (2016)

2. Pre-application engagement

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

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

3. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:
0800-1800 hours Monday - Friday (not including Bank Holidays)
0800-1300 hours Saturday

4. Party Wall Act

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

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

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

"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the Portal website:

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

5. Mayor of London CIL

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

The CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £35/sqm £5995.5

This amount however does not include indexation, which will be included when a formal Liability Notice is issued. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the [planningportal](http://planningportal.co.uk) website where you can download the appropriate document templates.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

6. Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £18,843. This figure excludes indexation, which will be included when a formal Liability Notice is issued. The CIL Liability is payable upon the commencement of development.

You are advised to visit the [planningportal](http://planningportal.co.uk) website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

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The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges

7. Protection of Highway

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

8. Sustainable Urban Drainage System (SUDS)

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

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

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

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

The applicant can contact Harrow Drainage Section for further information.

9. Street Naming and Numbering

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

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

You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

10. Highway Crossovers

Before implementing the planning permission hereby granted, or the works indicated in your certificate of lawful proposed development, the applicant is advised to contact the Council's Highways Crossings Officer on 020 8424 1799 or by email to frank.cannon@harrow.gov.uk to find out whether the construction of the crossover is acceptable in highway terms.

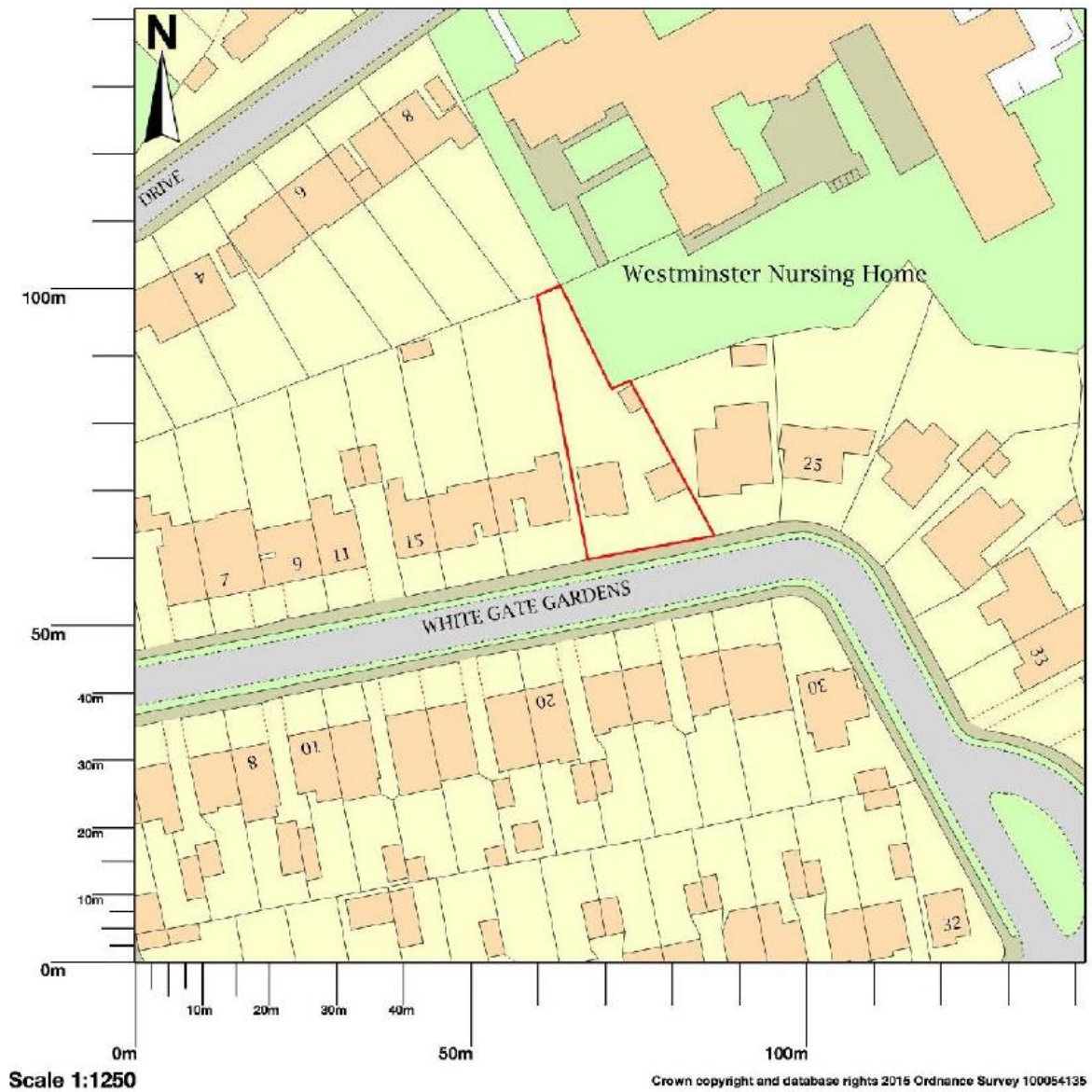
11. Compliance with Planning Conditions

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

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

APPENDIX 2: SITE PLAN

21 Whitegate Gardens, Harrow, HA3 6BW



APPENDIX 3: SITE PHOTOGRAPHS



Front Elevation



Front Elevation



Rear elevation



Rear elevation



Rear garden



Towards rear of no. 19



Towards side of no. 23 (from rear of no. subject dwelling)



Street

context- towards no. 19



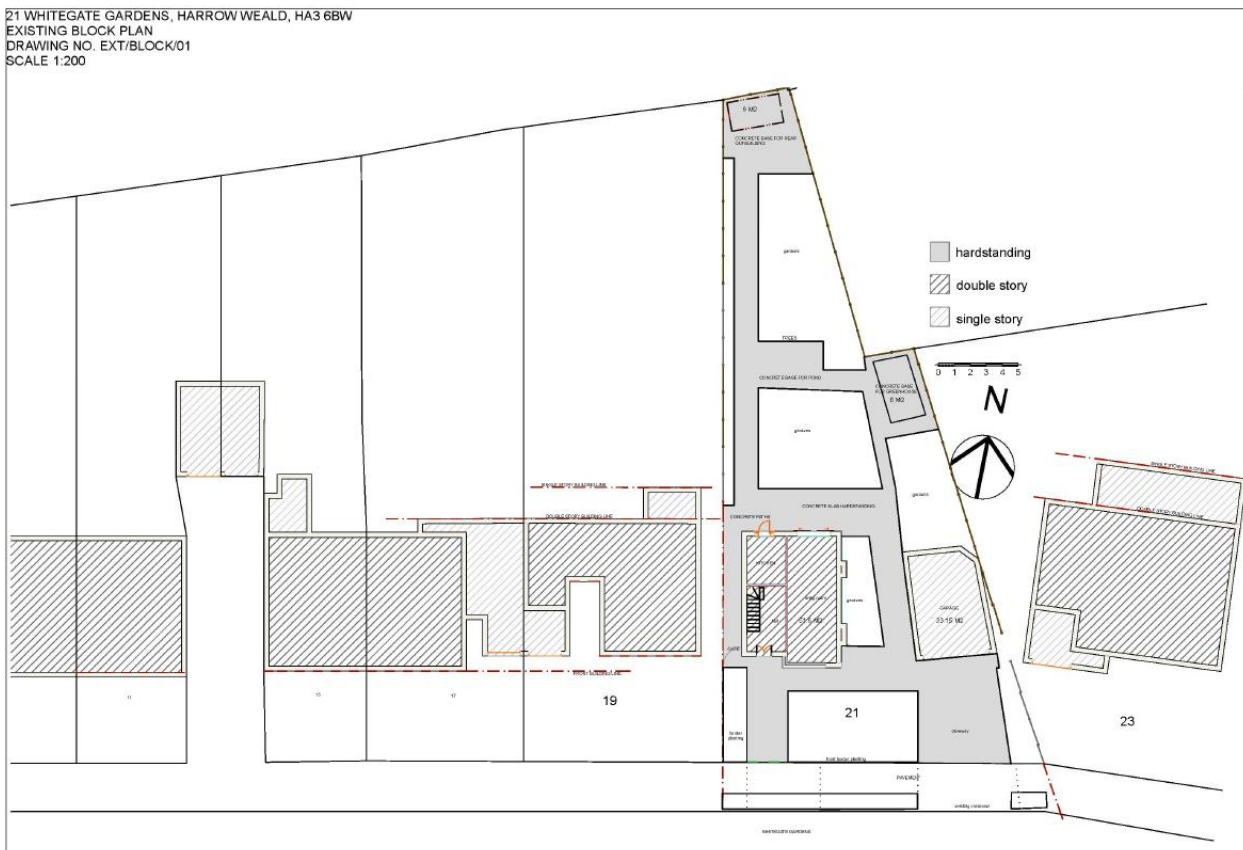
Street context- opposite side towards south-west

APPENDIX 4: PLANS AND ELEVATIONS



Visualised 3D Model

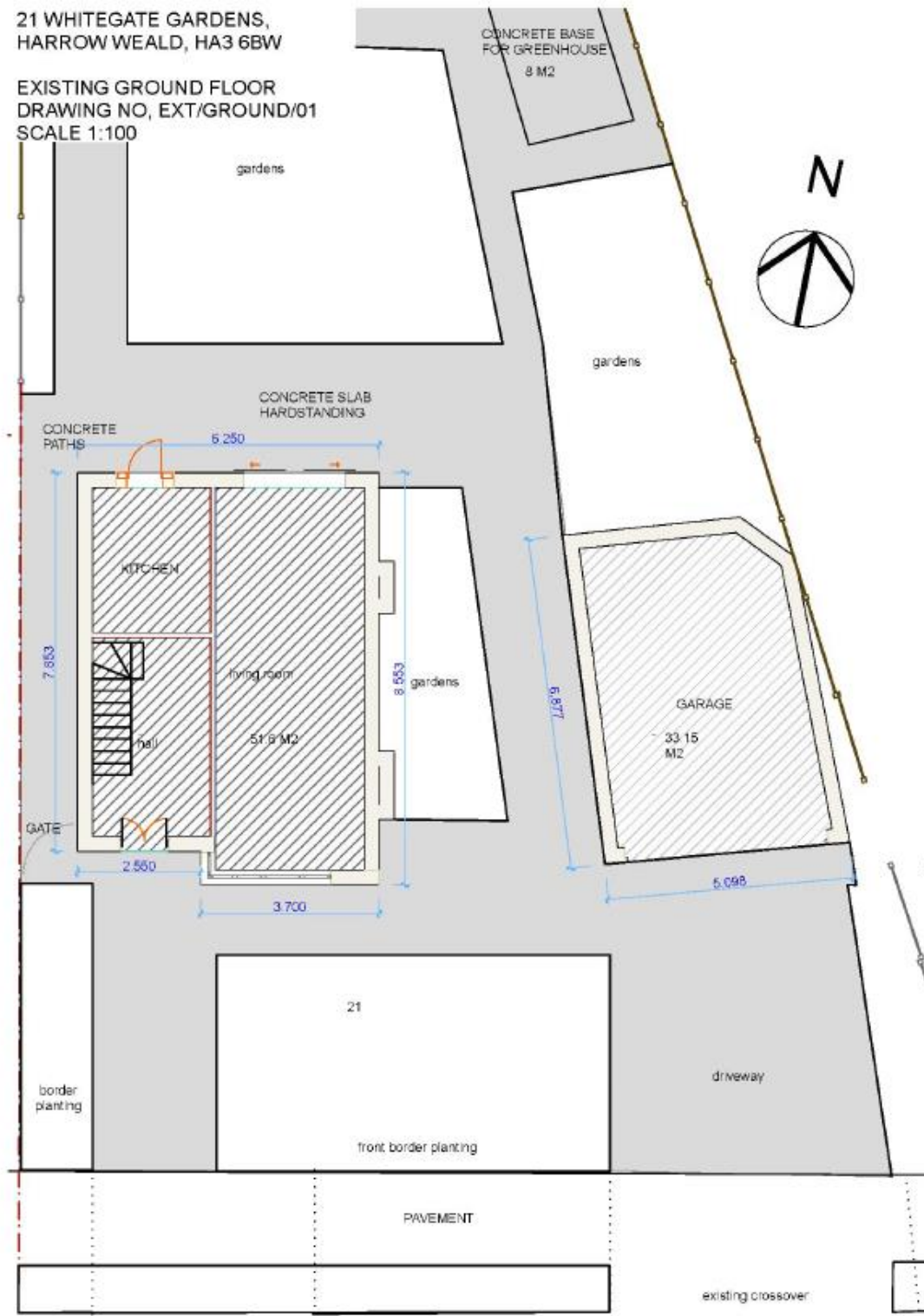
21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
EXISTING BLOCK PLAN
DRAWING NO. EXT/BLOCK/01
SCALE 1:200



Existing site plan

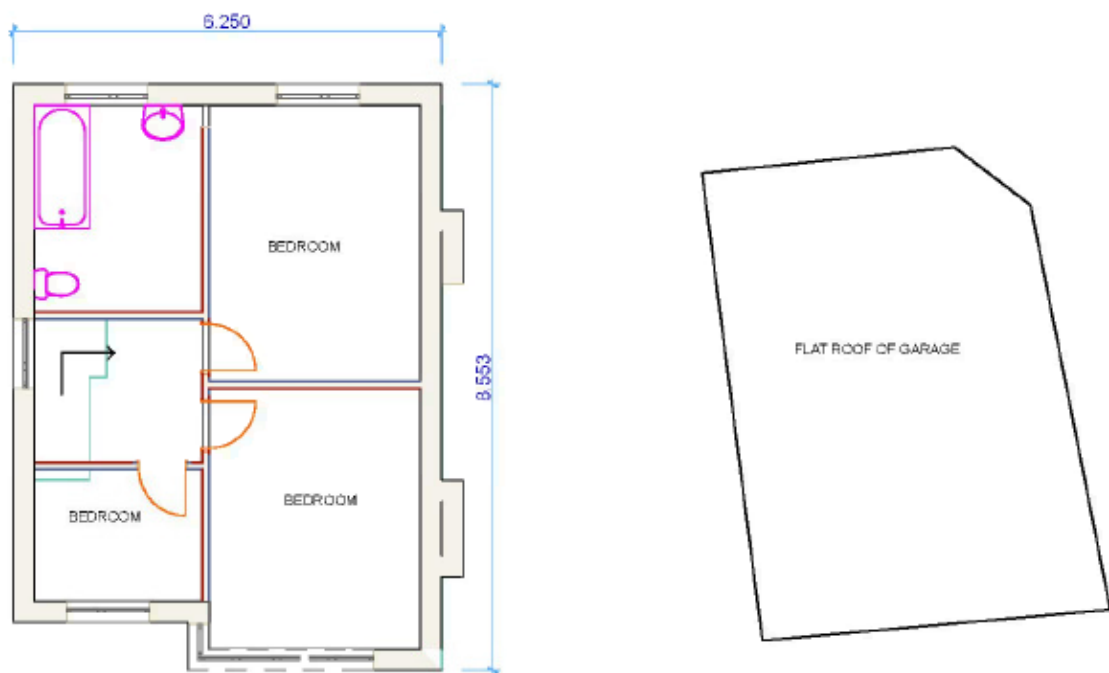
21 WHITEGATE GARDENS,
HARROW WEALD, HA3 6BW

EXISTING GROUND FLOOR
DRAWING NO, EXT/GROUND/01
SCALE 1:100



Existing ground floor plan

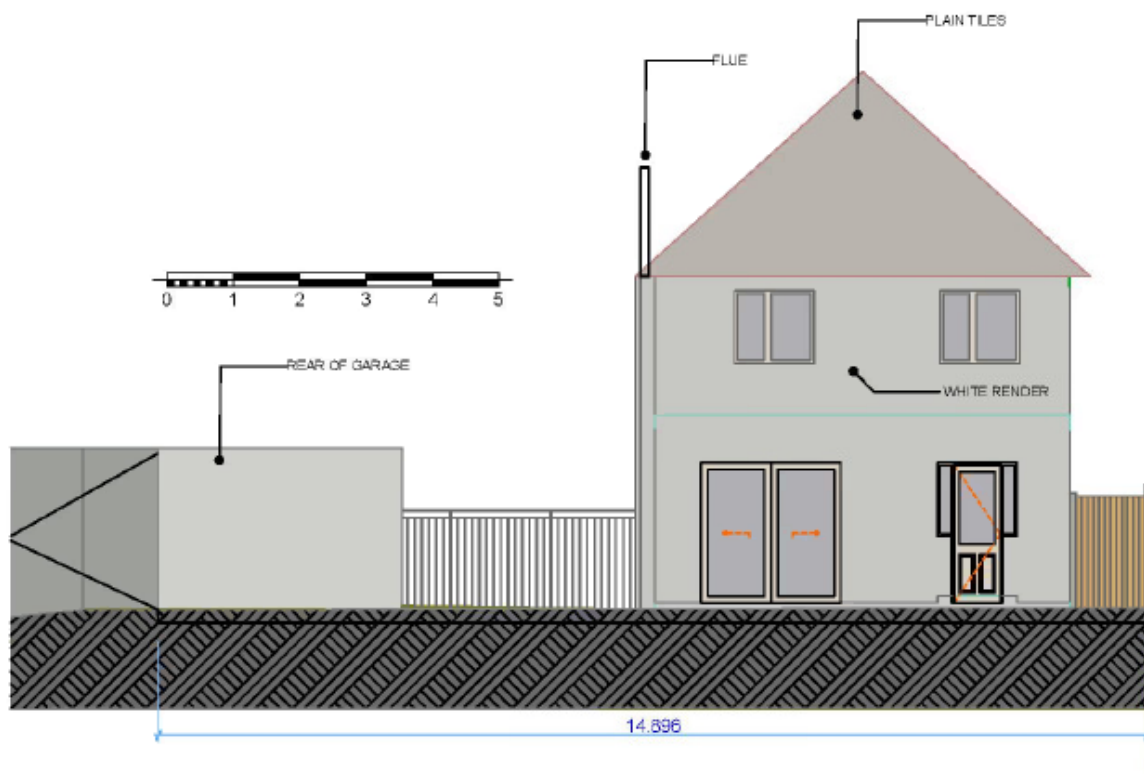
21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
EXISTING FIRST FLOOR
DRAWING NO. EXT/FIRST/01
SCALE 1:100



Existing first floor plan

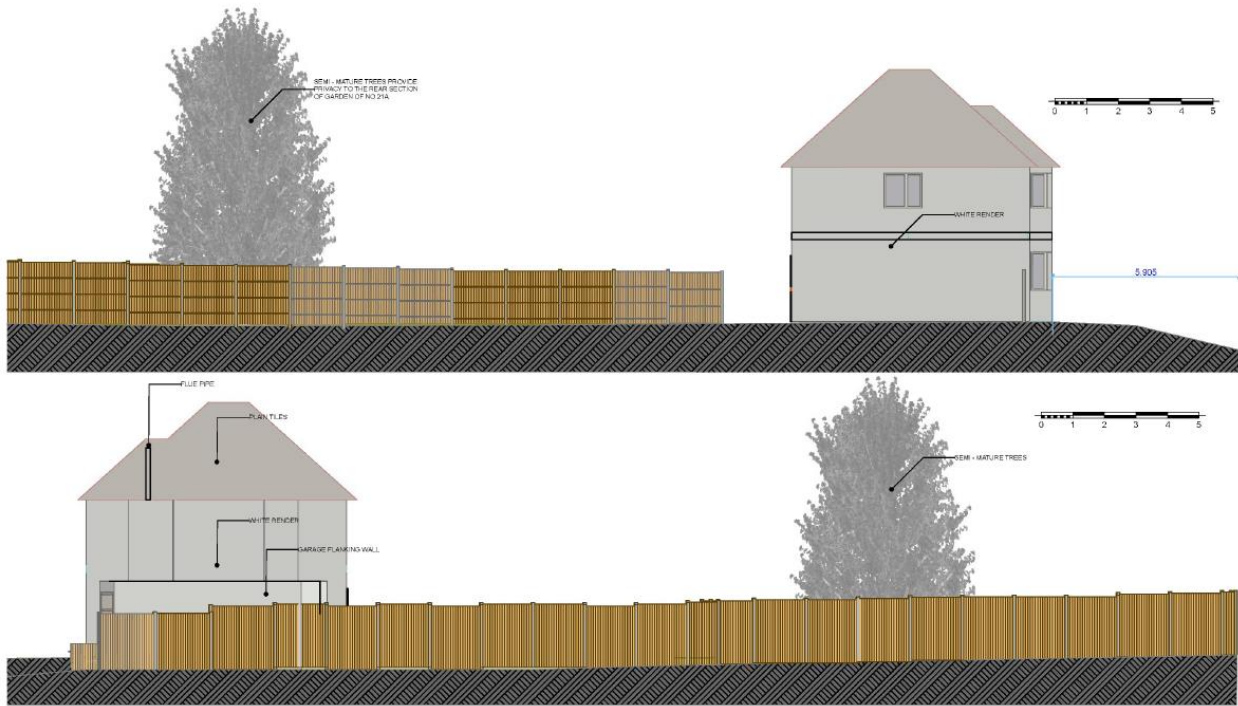


Existing front elevation



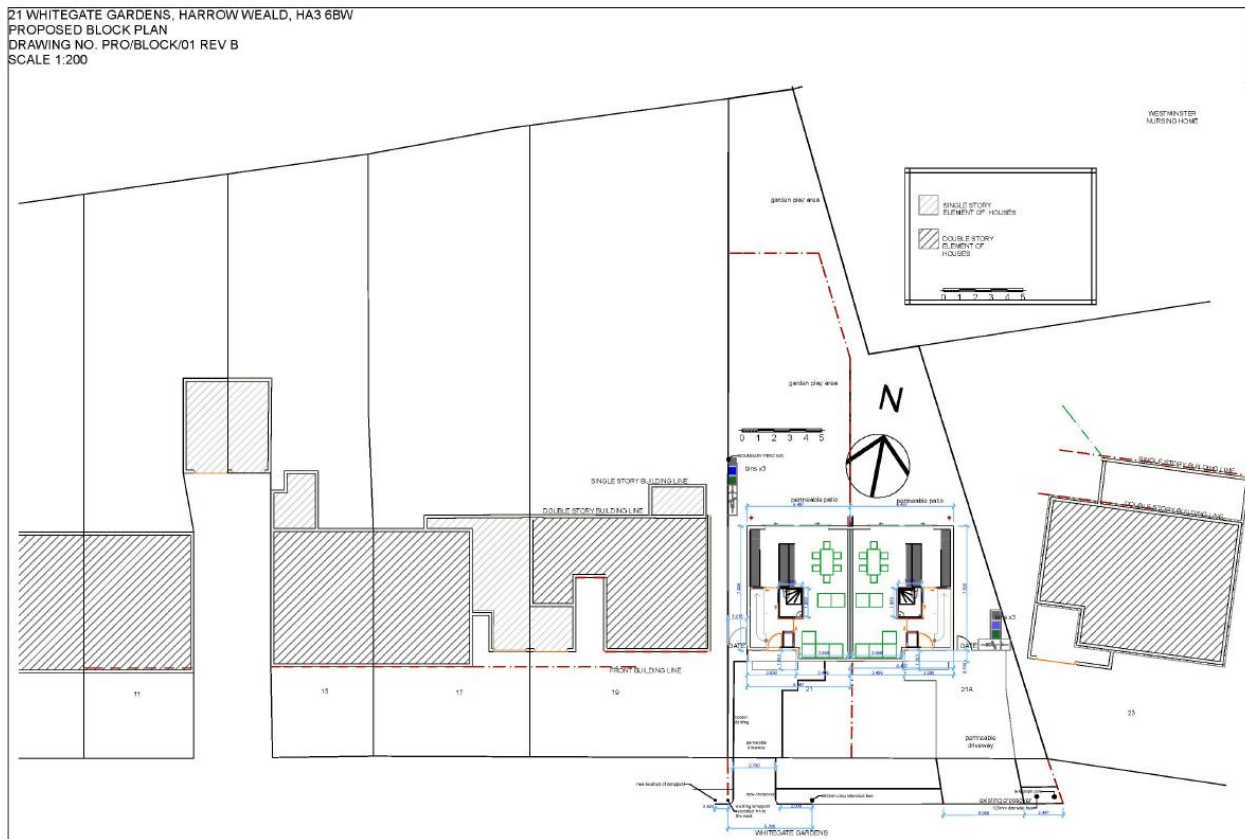
Existing rear elevation

21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
 EXISTING SIDE ELEVATIONS
 DRAWING NO. EXTSIDEELEV/01
 SCALE 1:100



Existing side elevations

21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW
 PROPOSED BLOCK PLAN
 DRAWING NO. PRO/BLOCK/01 REV B
 SCALE 1:200

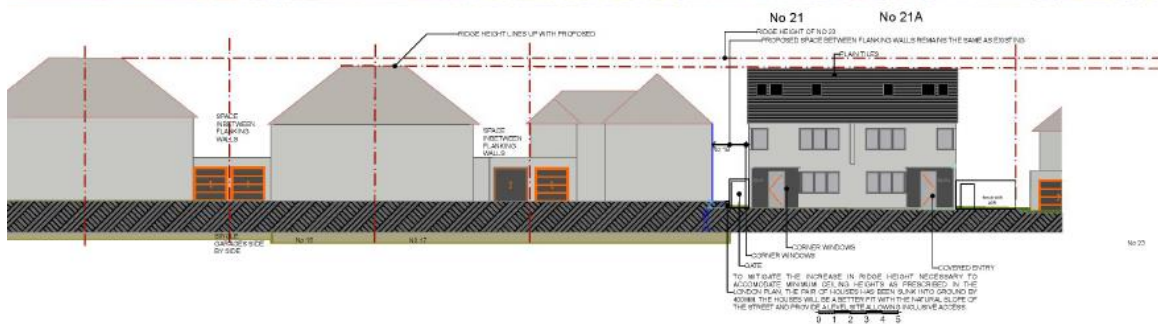


Proposed site plan

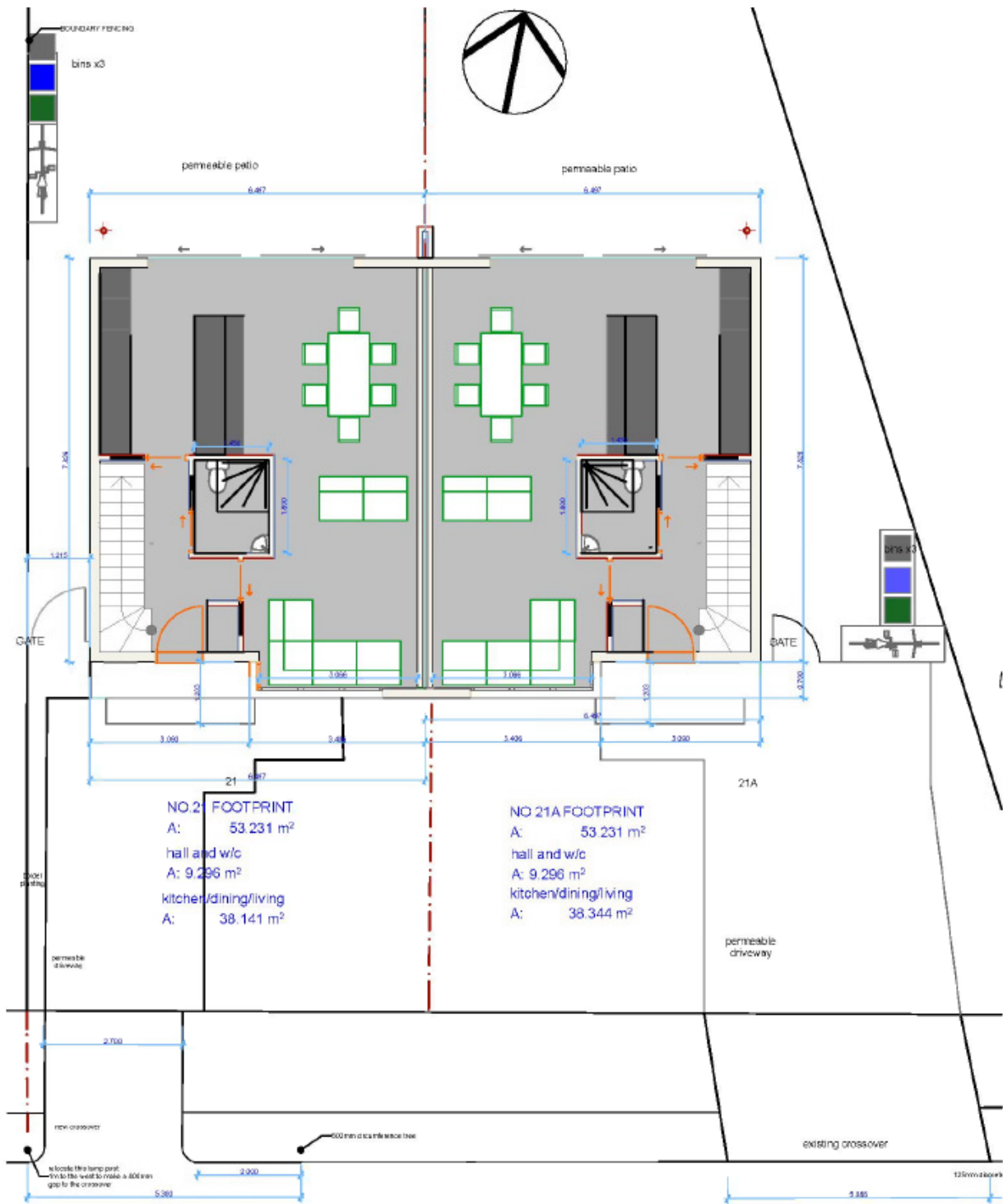
21 WHITEGATE GARDENS, HARROW WEALD, HA3 6BW

PROPOSED STREET SCENE

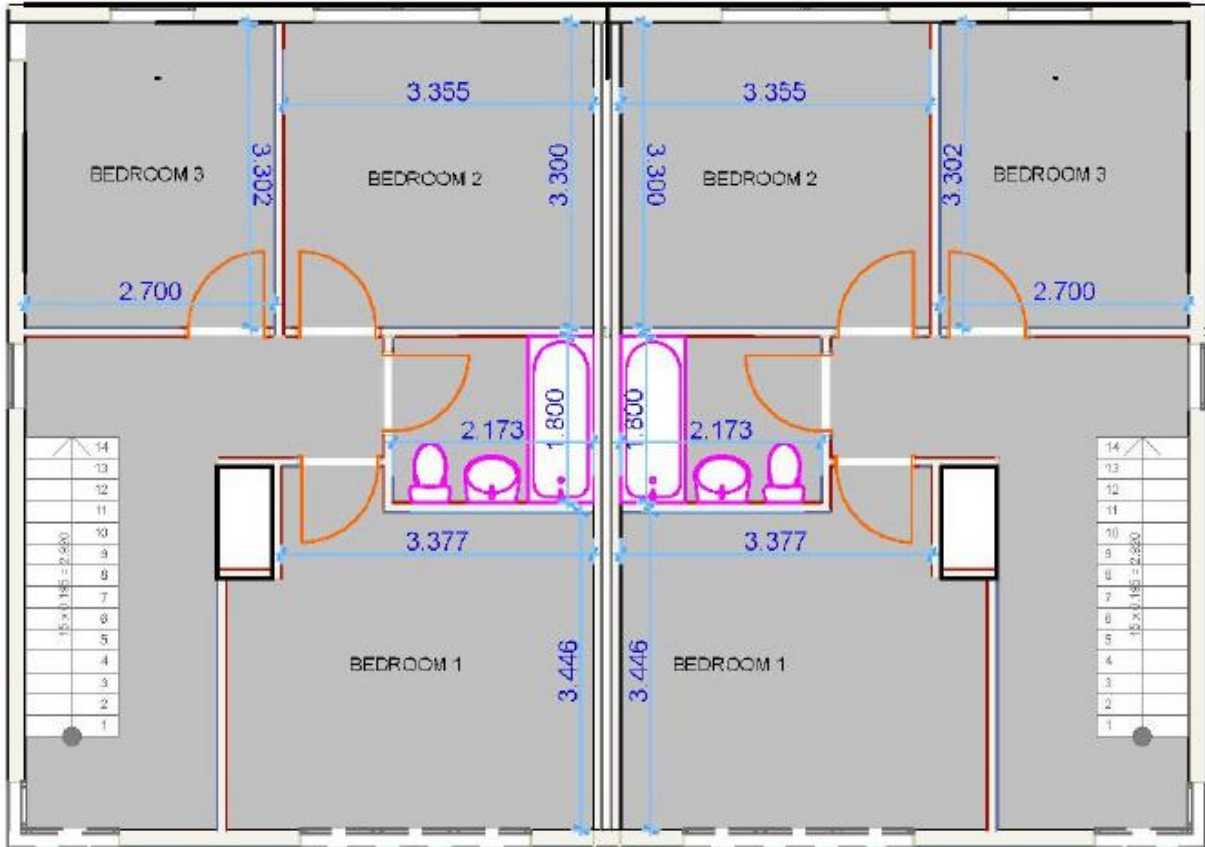
DRAWING NO. PRO/SS/01
SCALE 1:200



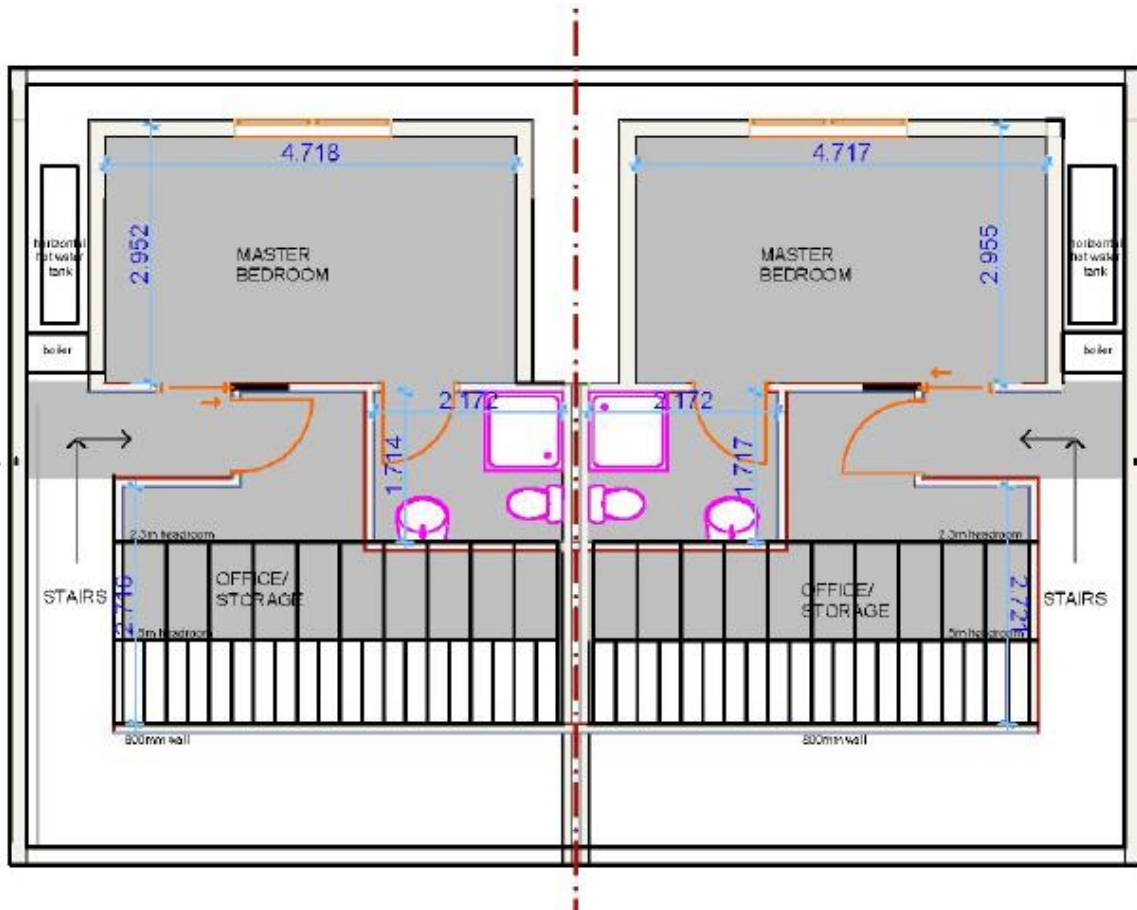
Proposed street context



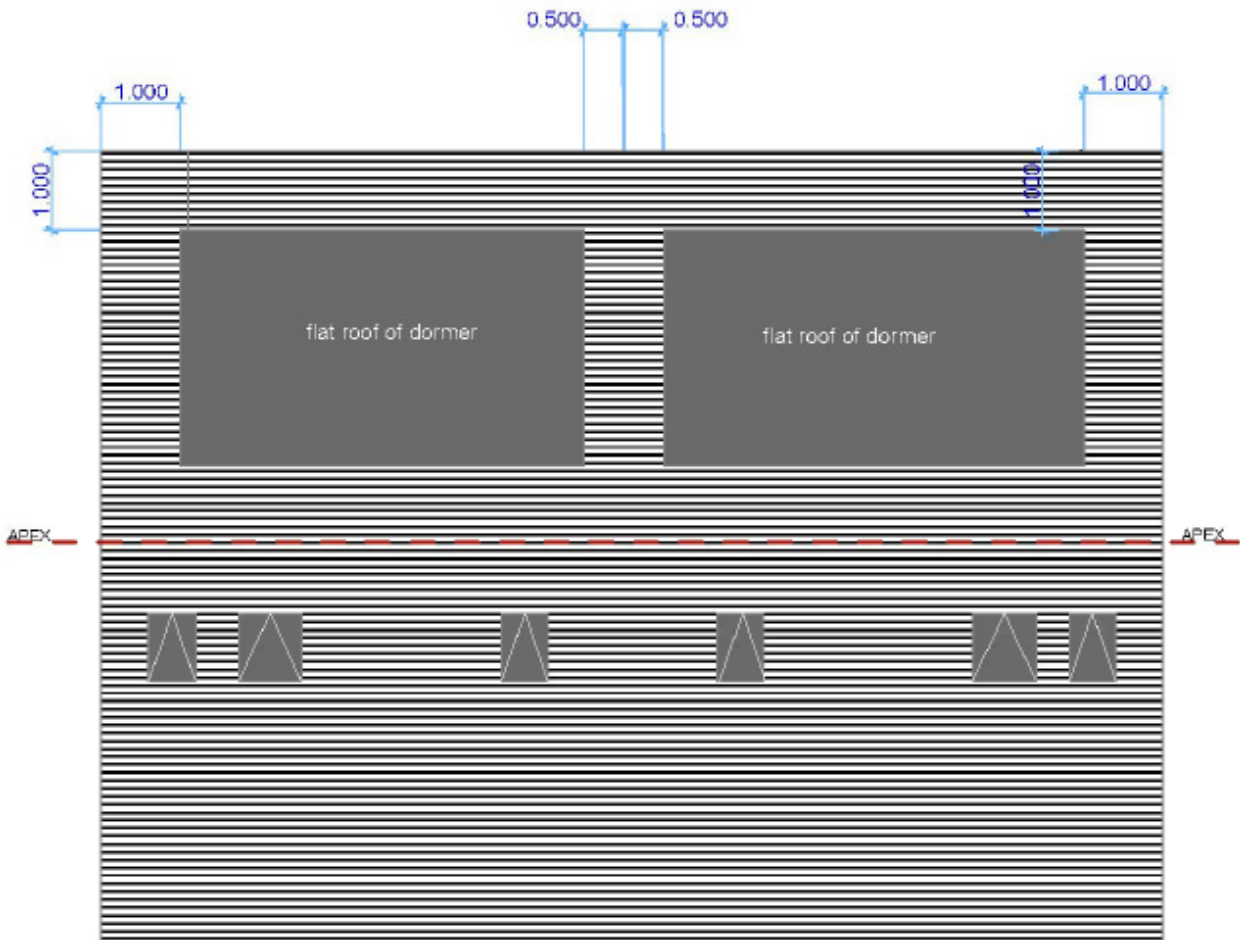
Proposed ground floor plan



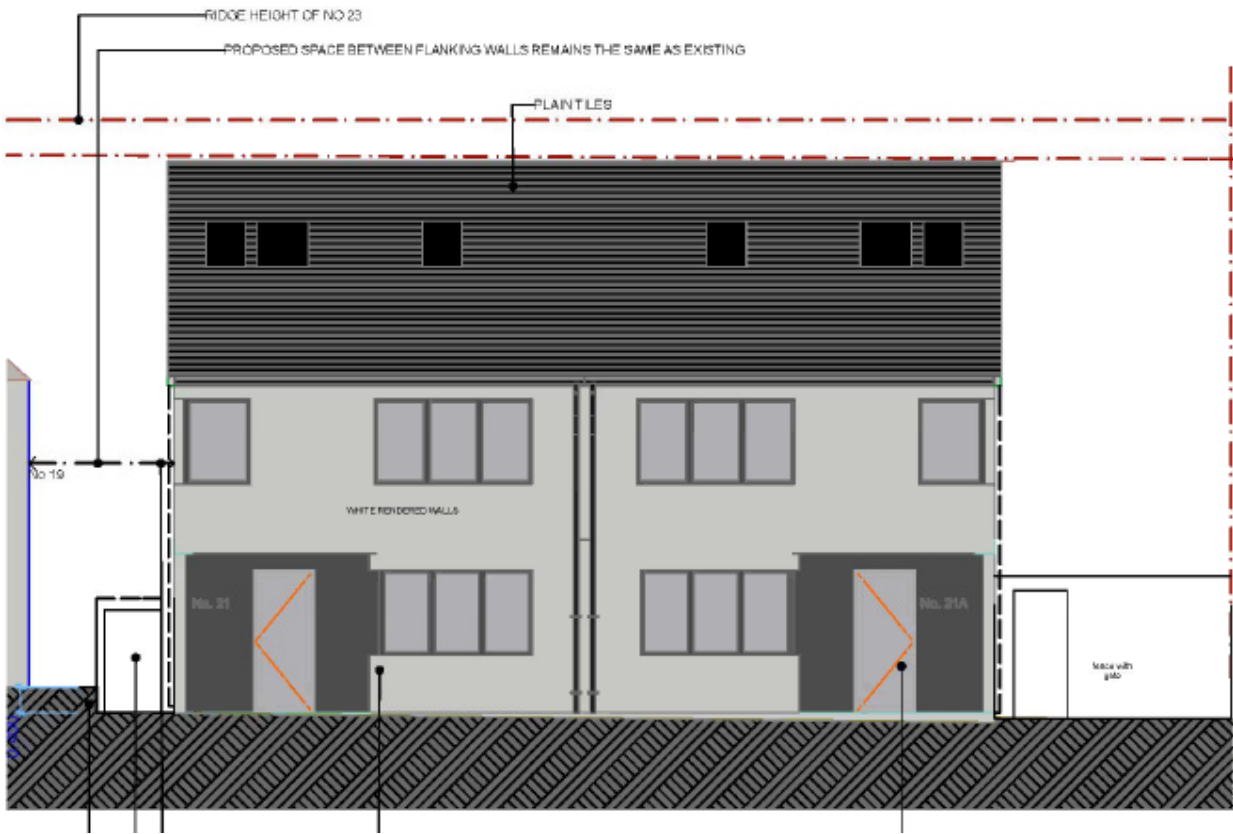
Proposed first floor plan



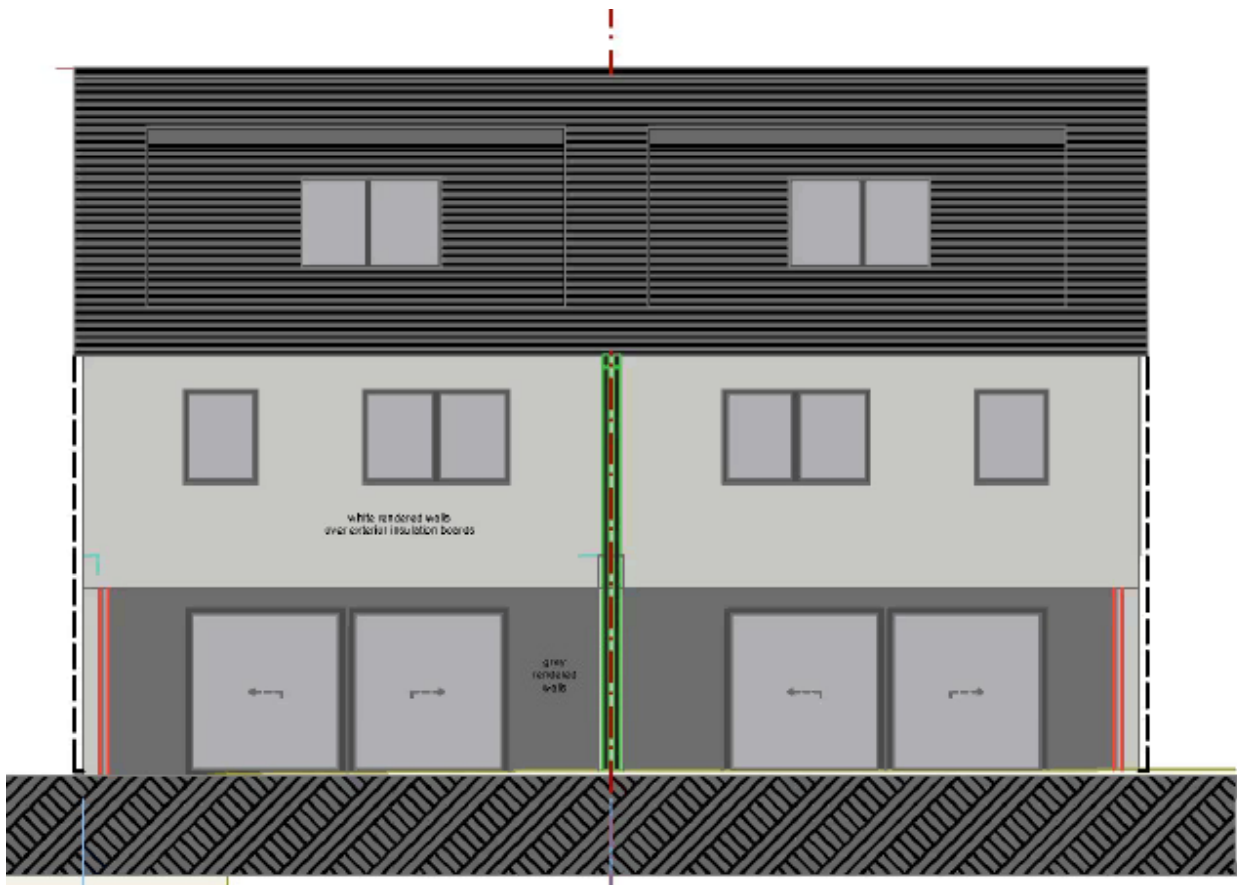
Proposed second floor plan



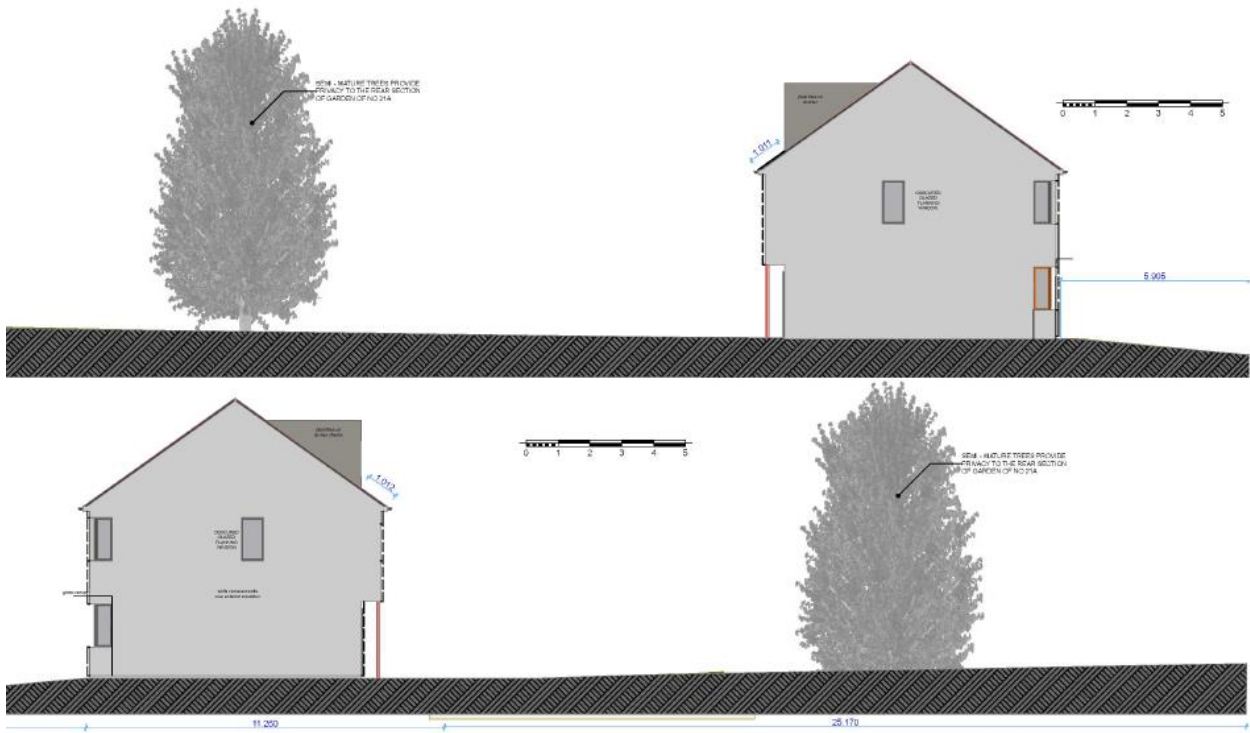
Proposed roof plan



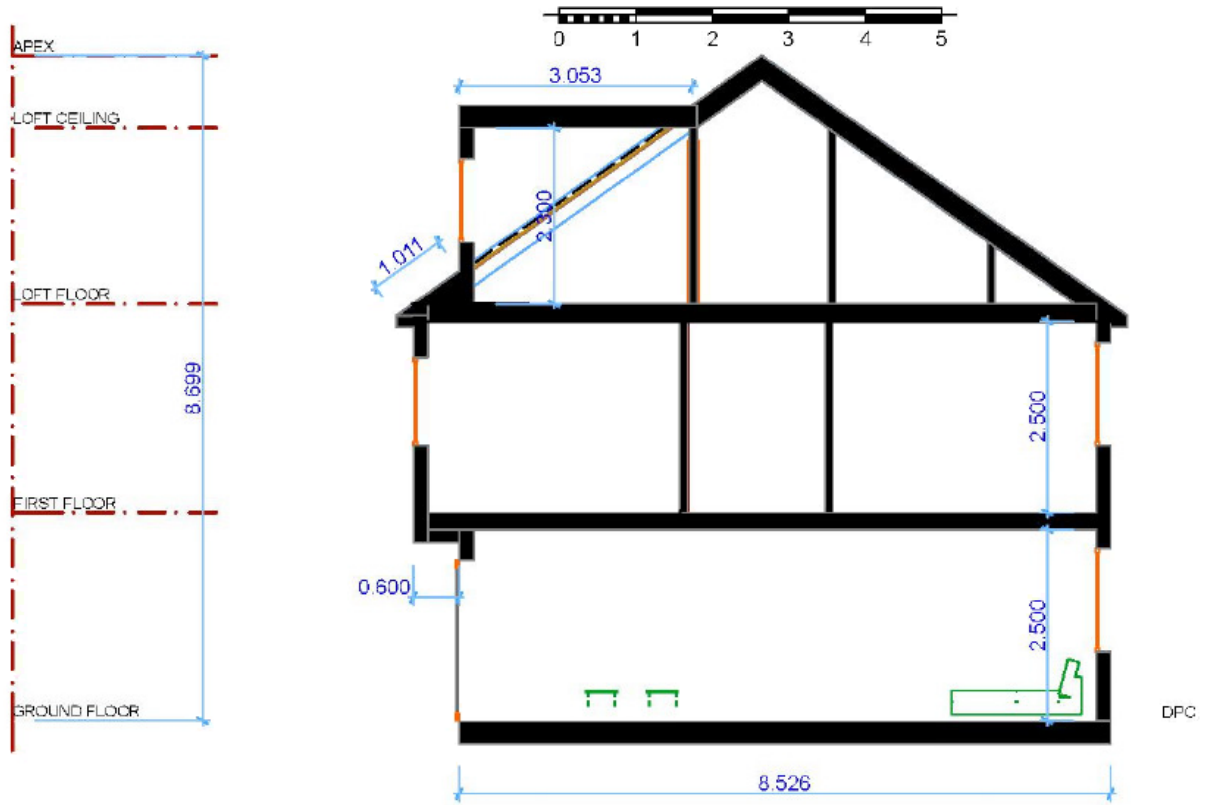
Proposed front elevation



Proposed rear elevation



Proposed side elevations

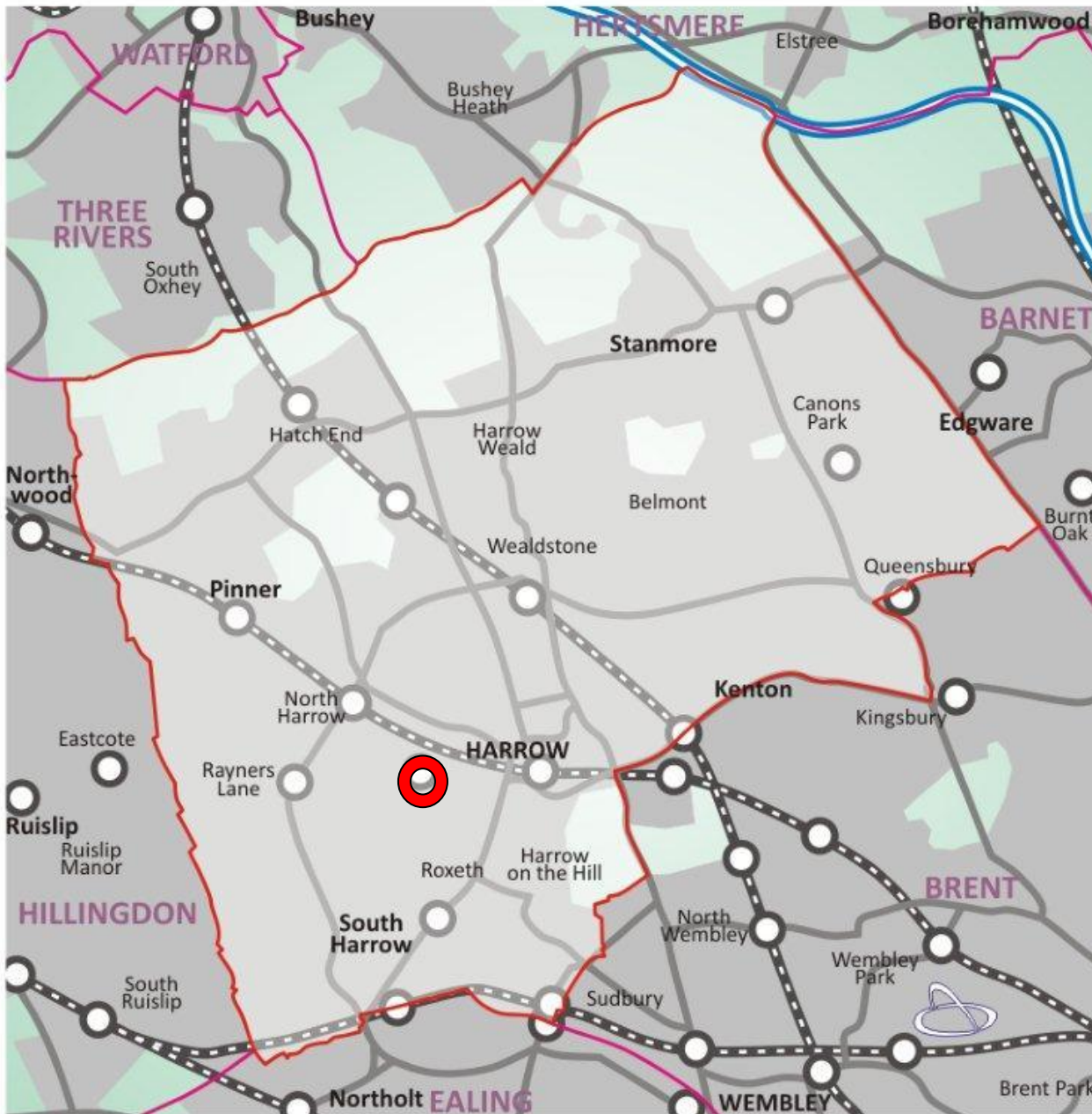


Proposed section

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 = application site



19 Marshall Close	P/3415/18
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19 Marshall Close



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

21st NOVEMBER 2018

APPLICATION NUMBER: P/3415/18
VALIDATE DATE: 13/02/2018
LOCATION: 19 MARSHALL CLOSE
WARD: ROXBOURNE
POSTCODE: HA1 4DH
APPLICANT: LONDON BOROUGH OF HARROW
AGENT: EAR ARCHITECTURE LTD
CASE OFFICER: JONATHAN ASHWORTH
EXPIRY DATE: 19/11/2018

PROPOSAL

Conversion of children's care home to nine flats, external alterations

The Planning Committee is asked to:

RECOMMENDATION

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report

REASON FOR THE RECOMMENDATION

The proposed redevelopment of the site would provide nine new flats of an acceptable standard of residential accommodation. The siting of the development would be appropriate in this location and would not be at odds with the existing character of development in the immediate area. The proposed internal layouts, specifications and management of the proposed development would provide an acceptable standard of accommodation in accordance with Policies 3.3 and 3.5 of The London Plan (2016), Policy DM1 of the DMP (2013).

The decision to **GRANT** planning permission, pursuant to Regulation 3, has been taken having regard to the National Planning Policy Framework (2018), 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.

INFORMATION

This application is reported to Planning Committee as it falls outside Schedule 1 of the Scheme of Delegation as it is Council owned land over 100sqm of floorspace.

Statutory Return Type:	13 (Minor Dwellings)
Council Interest:	Yes
Additional Floorspace:	N/A

GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£24,710
Local CIL requirement:	£77,660

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	Atkins House, 19 Marshall Close, Harrow HA1 4DH	
Applicant	London Borough of Harrow	
Ward	West Harrow	
Local Plan allocation		
Conservation Area	N/A	
Listed Building	N/A	
Setting of Listed Building	N/A	
Building of Local Interest	N/A	
Tree Preservation Order	N/A	
Other	N/A	
Housing		
	Proposed Density hr/ha	249 hr/ha
	Proposed Density u/ha	64 u/ha
	PTAL	1b-2
	London Plan Density Range	150-250 hr/ha
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / %)	7 / 77.7%
	3 bed (no. / %)	2 / 22.3%
	4 bed (no. / %)	0
	5 bed (no. / %)	0
	Overall % of Affordable Housing	N/A
	Social Rent (no. / %)	N/A
	Intermediate (no. / %)	N/A
	Private (no. / %)	N/A
	Commuted Sum	N/A
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Yes	

Transportation		
Car parking	No. Existing Car Parking spaces	0
	No. Proposed Car Parking spaces	0
	Proposed Parking Ratio	0
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	10
	Cycle Parking Ratio	1:1
Public Transport	PTAL Rating	1b-2
	Closest Rail Station / Distance (m)	515 metres
	Bus Routes	114, 140, 395, 640, H9, H10, H11
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	N/A
	Previous CPZ Consultation (if not in a CPZ)	
	Other on-street controls	
Parking Stress	Area/streets of parking stress survey	
	Dates/times of parking stress survey	
	Summary of results of survey	
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Internal refuse store.

PART 2 : Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site comprises Atkins House, a part two, part single storey building that had formerly been used as a Children's care home along with associated facilities. The building is presently vacant and has boarded up windows. To the rear of the building is an open, garden area that extends to the rear boundary of the site.
- 1.2 The site is bounded by residential properties that make up Marshall Close. Marshall Close is a residential cul-de-sac with the properties then arranged around the road. The neighbouring properties are generally two-storeys in height and comprise dwellings and flats, with a visual appearance not dissimilar to the application building. On-street parking is available without restriction and there is a small off-street parking area that is also used by residents.
- 1.3 The rear of the site is then bound by a public footpath beyond which is an allotment garden. There are a number of mature trees within the rear garden area of the site.
- 1.4 The site is within Environment Agency flood zone 3a, and is therefore at a high risk of surface water flooding. However it is not within the Local Plan designated Critical Drainage Area.

2 PROPOSAL

- 2.1 It is proposed to create 9 flats, with the following mix:
- 4 x 2 bedroom (3 person)
 - 1 x 2 bedroom (4 person)
 - 1 x 3 bedroom (4 person)
 - 3 x 3 bedroom (5 person)
- 2.2 Secure cycle storage and refuse bin facilities will be incorporated into the development.

3 RELEVANT PLANNING HISTORY

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

WEST/638/99/CLE	Certificate of Lawful Existing Use: Use of former Local Authority Residential Children's Home as Offices (B1)	Refused; 03/10/2000 on the grounds: 1 – The property is a detached building 2 – Insufficient evidence has been submitted to prove
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		continuous use of the whole premises as offices over a period of more than ten years to the date of the application
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4 **CONSULTATION**

4.1 A total of 33 consultation letters were sent to neighbouring properties regarding this application. Letters were sent out on 26/9/2018.

4.2 The overall public consultation period expired on 17/10/2018.

4.3 Adjoining Properties

Number of letters Sent	33
Number of Responses Received	0
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	0

4.4 No letters of objection were received.

4.5 Statutory and Non Statutory Consultation

4.6 The following consultations have been undertaken:

4.7 External Consultation

4.8 There was no external consultation in relation to this proposed development.

4.9 Internal Consultation

Consultee	Summary of Comments	Officer Comments
LBH Highways	The cycle parking requirement appears to be met. S106 Agreement.	Noted.
LBH Drainage Department	It is confirmed that the	Noted

	revised Flood Risk Assessment (Doc Ref: 45059/2001; Dated: October 2018; Revision: Final 2, Date: 23/10/2018) submitted is satisfactory.	
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5 **POLICIES**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 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.
- 5.4 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].
- 5.5 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.
- 5.6 The document was published in draft form in December 2017. Given that the draft Plan is still at early stages of the formal process it holds very limited weight in the determination of planning applications. Although this weight will increase as the Draft London Plan progresses to examination in public stage and beyond, applications would continue to be determined in accordance with the 2016 London Plan. It is anticipated that the Examination in Public will commence early 2019.
- 5.7 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 **ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Character and Appearance of the Area
- Impact to Residential Amenity
- Housing Supply, Density and Overall Housing Mix
- Standard of Residential Accommodation
- Traffic and Parking
- Flood Risk/Drainage

6.2 **Principle of Development**

6.2.1 The 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 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 The provision of additional housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (2016) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough.

6.2.4 Policy DM24 of the Harrow Development Management Policies Local Plan (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of the surroundings and the need to optimise housing output on previously developed land.

6.2.5 The proposed residential use would be consistent with surrounding land uses. As the proposal is a conversion scheme, it would utilise previously-developed land and therefore represent a sustainable form of development. The use of the land for residential uses could therefore be supported in principle and would make a contribution to the housing stock in the borough. For these reasons it is considered that the principle of the use of this site for the provision of housing is

acceptable, subject to consideration of further policy requirements as detailed below.

- 6.2.6 Given the above, the principle of the proposed development to create an additional 9 flats is considered to be acceptable by officers, subject to consideration of further policy requirements as detailed below.

6.3 **Character and Appearance of the Area**

- 6.3.1 The London Plan (2016) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2016) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2016) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation.
- 6.3.2 Core Policy CS(B) states that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’
- 6.3.3 Policy DM 1 A of the Local Development Management Policies Local Plan (2013) states that: “All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted”. It goes on to say that:

“The assessment of the design and layout of proposals will have regard to:

- a) the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;
- b) the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;
- c) the context provided by neighbouring buildings and the local character and pattern of development;
- d) the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;
- e) the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;”

- 6.3.4 Paragraph 4.6 of the Council's adopted SPD (2010) states that 'The design and layout of new development should be informed by the pattern of development of the area in which it is situated. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are likely to be important components when redeveloping sites within existing residential areas'. In addition, paragraph 4.16 makes clear that development proposals should recognise the scale, massing and roof form of the surrounding buildings.
- 6.3.5 The application site comprises a part single, part two-storey building that is a former children's home and associated facilities. That use has been abandoned and is presently vacant and with boarded up windows. The surrounding area comprises a number of residential properties of varying sizes, and the present appearance of the building detracts from the appearance of the area. The proposal does not include any extensions to the building and any external alterations are purely aesthetic. These alterations are considered to be reasonably appropriate for a conversion scheme on this scale and would also be in scale and character with the building and the surrounding properties. The proposal would result in an improvement to the appearance of the building by re-introducing a use to a vacant property and so accord with the aims of the aforementioned policies in this regard.
- 6.3.6 Refuse Storage
- 6.3.7 Policy DM45 of the Development Management Policies Local Plan states that 'all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting'. In terms of character and appearance, this policy requires refuse storage bins to 'be located and screened to avoid nuisance to occupiers and adverse visual impact'. The proposal includes the provision of an additional two refuse binds
- 6.3.8 The application site does have enclosed waste storage facilities with 6.1sqm of floorspace. BS 5906:2005 'Waste management in buildings – Code of practice' states that the minimum combined refuse and recycling storage required for a domestic communal bin store is calculated by:
Number of dwellings x {(volume arising per bedroom [70l] x average number of bedrooms) + 31l}
- 6.3.9 This calculation would require a provision of 1428l of storage space and to meet this requirement for separate refuse and recycling bins, a minimum floorspace of 2.73sqm would be required. This can comfortably be provided within the available space whilst still giving residents easy access to and manoeuvrability of the bins for collection. As there would be no requirement for the outdoor storage of the bins, there would be no adverse impact upon the appearance of the area. The doors to the bin storage area are external features of the building and are readily accessible to Marshall Close for collection when required.

6.4 **Housing Supply, Density and Overall Housing Mix**

- 6.4.1 Paragraph 11 of the NPPF reminds local planning authorities that applications should be considered in the context of the presumption in favour of sustainable development.
- 6.4.2 Policy 3.4 of the London Plan (2016) seeks to optimise housing output from development by applying the sustainable residential quality density matrix table 3.2 of the Plan). Supporting text to the policy makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor's Housing SPG (2016).
- 6.4.3 Policy 3.5 of the London Plan (2016) sets out several criteria for achieving good quality residential development. The policy aims to ensure that developments enhance the quality of local places and create homes that reflect the minimum space standards and are fit for purposes in other respects. The Mayor's Housing SPG sets out detailed guidance on a range of matters relating to residential quality, incorporating the Secured by Design principles, and these form the basis for the assessment below. Core Strategy Policy CS1K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 Achieving a High Standard of Development and DM27 Amenity Space set out a number of privacy and amenity criteria for the assessment of proposals for residential development.
- 6.4.4 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 (2016).
- 6.4.5 The application site area is 0.14ha and it has a public transport accessibility level (PTAL) score of 1b-2 indicating a fairly poor level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have a Suburban2 location setting.
- 6.4.6 The table below provides further details on the densities.

Density		
	Proposed	London Plan Density Matrix (Suburban2-PTAL2)
No. of Units Per Hectare	64	40-80
No. of Habitable Rooms per Hectare	249	150-250

- 6.4.7 The densities fall within the overall matrix ranges for suburban2 setting sites with a PTAL rating of 1b-2, and therefore meet the requirements of the London Plan in terms of appropriate density.

6.4.8 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 following is a breakdown of the proposed housing mix across the scheme:

Unit Size	No. of Units (Total)	% of All Units
2 Bed (three person)	4	44.5%
2 Bed (four person)	3	33.3%
3 bed (four person)	1	11.1%
3 bed (five person)	1	11.1%

6.4.1 Overall, it is considered that the proposed development would provide a satisfactory density and mix of residential accommodation within the site. The proposed units would provide an increased stock of housing within the borough and would therefore comply with policies and guidance listed above.

6.5 Standard of Residential Accommodation

6.5.8 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.

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

6.5.10 Internal space

6.5.11 The following is a breakdown of the internal space of each unit.

Proposed Unit	Proposed GIA	Proposed Storage	Minimum GIA	Minimum Storage
Flat 1 2B / 3P	65	0	61	2
Flat 2 2B / 3P	64	0	61	2
Flat 3 3B / 5P	93	1.2	86	2.5
Flat 4 3B / 5P	89	1.4	86	2.5
Flat 5 3B / 5P	77	1.4	86	2
Flat 6 2B / 3P	66	2.6	61	2
Flat 7 2B / 3P	64	2.6	61	2

Proposed Unit	Proposed GIA	Proposed Storage	Minimum GIA	Minimum Storage
Flat 8 3B / 4P	80	2.6	70	2
Flat 9 2B / 4P	88	2.7	70	2

6.5.12 The above calculations regarding the size of the flats in terms of number of bedrooms is based on the Technical housing standards – nationally described space standard (2015). Only one flat would fall short of the prescribed standards in terms of GIA, though this would not be a significant shortfall that would result in a substandard form of accommodation. The subdivision of the building into nine flats would represent the most efficient use of space available, and whilst there are flats that overachieve the standards, a re-working of the layout may not be the most practicable way of addressing the shortfall, especially as there is no scope for redressing the balance with the first floor flats. There are shortfalls in the amount of designated storage spaces in some of the flats, however given that they overachieve in terms of GIA, this shortfall can be addressed through additional wardrobe space, which would not compromise remaining floorspace.

6.5.14 Privacy and Amenity Space

6.5.15 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.

6.5.16 There is a significant area of outdoor space that will be used as communal amenity space rather than being subdivided into areas for each flat. It would not be practical to divide the area into individual garden areas, especially with limited access from the first floor flats, and to do so would introduce a large amount of hard landscaping into this open area. It is recognised that this can result in a loss of privacy for the ground floor flats from this area, however this can be problematical when a building contains ground floor flats, as it is not always possible to protect privacy from private and public areas. The amount of communal amenity space is considerable so there is ample areas for residents to use to give some separation distance from other users.

6.5.17 The positioning and layout of the building would ensure that an acceptable level of privacy would be maintained at the neighbouring properties around the site.

6.5.18 Internal Noise

6.5.19 With regards to vertical stacking, the majority of the layout achieves similar rooms to be positioned above the other, and where there is some floorspace that does not achieve this, noise disturbance would be controlled through Building Regulations.

6.5.20 It is concluded that the proposed development would provide an acceptable type and amount of accommodation to provide an acceptable level of amenity for future occupants of the development as well as neighbouring residents, and would therefore accord with the afore-mentioned Development Plan policies and provisions of the NPPF.

6.6 Traffic and Parking

6.7 The London Plan (2016) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS 1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.

6.8 The site is located in a residential area where the provision of parking is predominately on-street. There is a small area of off-street parking which is presently used by local residents.

6.9 The application site is located within a PTAL 1b-2 location meaning that access to public transport is considered to be fairly poor. The applicant has undertaken a parking survey in order to determine the availability of on-street parking spaces within the local area around the site.

6.10 Census data for this area indicates that 44% of flats have access to one car or van and 8% have access to two or more vehicles, and based on this information that site may generate a demand for 4-5 parking spaces. The parking survey data confirms that there is sufficient capacity on-street to cater for this anticipated demand. Based on this information it is concluded that a proposal with no dedicated car parking is acceptable in this location.

6.11 The proposal is required to provide sheltered, secure and accessible cycle parking in accordance with London Plan standards, therefore a pre-occupation for details of cycle storage for a minimum of 18 cycles is required. At present the scheme will only provide for ten spaces. With such a condition in place it is not anticipated that the proposal would have a significant highway impact, and would therefore comply with the requirements of Development Plan policy.

6.12 Drainage

- 6.13 The site is located within flood zones 3a and 3b, as defined by the Environment Agency and therefore at the highest risk of flooding. In line with paragraph 164 of the NPPF, as this proposal involves a change of use there would be no requirement to undertake a sequential test in order to identify alternative sites that are at a lower risk of flooding. As both the existing and proposed use would fall within the 'More Vulnerable' flood risk classification, there would be no increase in the vulnerability for occupants.
- 6.14 The application includes a site-specific Flood Risk Assessment (FRA) that identifies the risk of flooding in and around the site; and outlines potential measures that be incorporated into the scheme in order to ensure that the development and future occupants can be made safe from flood risk. The Drainage Engineer has assessed the content of the FRA and does not raise any objections. An appropriately worded condition can be imposed requiring the development to be carried out in accordance with the FRA, which will ensure that the development accords with policies 5.12 and 5.13 of the London Plan, policy CS1 of the Core Strategy and policies DM9 and DM10 of the Local Plan.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would re-introduce a use to a vacant building that will provide nine residential flats. The use of an existing building would represent a sustainable form of development. The proposal would seek to address the housing needs of the borough and the strategic aims of the London Plan. By introducing a use to a vacant building, the development would improve its overall appearance and therefore that of the wider area.
- 7.2 The proposed internal layouts and specifications offered by the proposed development would provide an acceptable standard of accommodation. There is adequate on-street parking in the area to meet the expected needs of future occupants and the provision of cycle storage space can be secured by an appropriate condition.
- 7.3 The proposed development, due to its relationship with neighbouring properties, in particular separation distances, would have an acceptable impact in terms of residential amenity.
- 7.4 Whilst the property is located in an area at high risk of flooding from surface water, mitigation measures can be incorporated into the development to ensure that it should be safe from flooding throughout its lifetime without increasing the risk in the surrounding area.

- 7.5 The recommendation to approve planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan (2016), the Draft London Plan (2017), the Harrow Core Strategy (2012) and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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

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

2 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

ELE02 Rev. C, ES02 Rev. A, PS02 Rev. B, SL01 Rev. A, SP01 Rev. B, Flood Risk Assessment, Parking Stress Survey

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 the external surfaces have been provided, 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. To ensure that the materials are agreed in time to be incorporated into the development, in accordance with policies 7.4.B of The London Plan (2016) and Policies DM1 and DM26 of The Development Management Policies Local Plan (2013).

4 Cycle Storage

Notwithstanding the details shown on approved drawings, the accommodation hereby approved shall not be occupied details of additional external cycle storage facilities have been submitted to, and approved in writing, by the local planning authority. The facilities shall be implemented in accordance with the approved details and thereafter be retained.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 6.9.B of The London Plan (2016) and Policies DM1, DM24 and DM42 of The Development Management Policies Local Plan (2013). To ensure that the works are agreed in time to be incorporated into the development, this is a PRE-COMMENCEMENT condition.

5 Flood Risk

Prior to the first occupation of the accommodation hereby approved, the development hereby approved shall be carried out in accordance with the findings and recommendations of the Flood Risk Assessment ref. 45059/2001 rev. Final 2 and dated October 2018. The recommendations shall then be retained throughout the lifetime of the development, unless otherwise agreed in writing with the local planning authority.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding

Informatives

1 **Policies**

National Planning Policy Framework (2018) (NPPF)

The London Plan (2016)

3.3 Increasing Housing Supply
3.5 Quality and Design of Housing Developments
3.8 Housing Choice
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.3 Assessing Effects of Development on Transport Capacity
6.9 Cycling
6.13 Parking
7.1 Building London's Neighbourhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.6 Architecture

Draft London Plan (2017)

H1 Increasing Housing supply
H12 Housing Size Mix
D1 London's form and characteristics
D2 Delivering good design
D10 Safety, security and resilience to emergency
SI13 Sustainable Drainage
T5 Cycling
T6.1 Residential Parking

Harrow Core Strategy (2012)

Core Policy CS 1 Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

Policy DM 1 Achieving a High Standard of Development
Policy DM 9 Managing Flood Risk
Policy DM10 On Site Water Management and Surface Water Attenuation
Policy DM 12 Sustainable Design and Layout
Policy DM 24 Housing Mix
Policy DM 27 Amenity Space
Policy DM 42 Parking Standards
Policy DM 44 Servicing
Policy DM 45 Waste Management

Relevant Supplementary Documents

Supplementary Planning Document Residential Design Guide 2010
London Plan Housing Supplementary Planning Guidance (2016)
Technical Housing Standards – Nationally described Space standards (2015)

2 Compliance with planning conditions

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

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

3 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

4 INFORM 61

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL. The CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £35/sqm £24,710

This amount however does not include indexation, which will be included when a formal Liability Notice is issued. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

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

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf

The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

5 INFORM 62

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;

Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4)

Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £77,660. This figure excludes indexation, which will be included when a formal Liability Notice is issued. The CIL Liability is payable upon the commencement of development.

You are advised to visit the planning portal website where you can download the relevant CIL Forms.

6 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.

7 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.

8 Sustainable Urban Drainage System (SUDS)

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

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

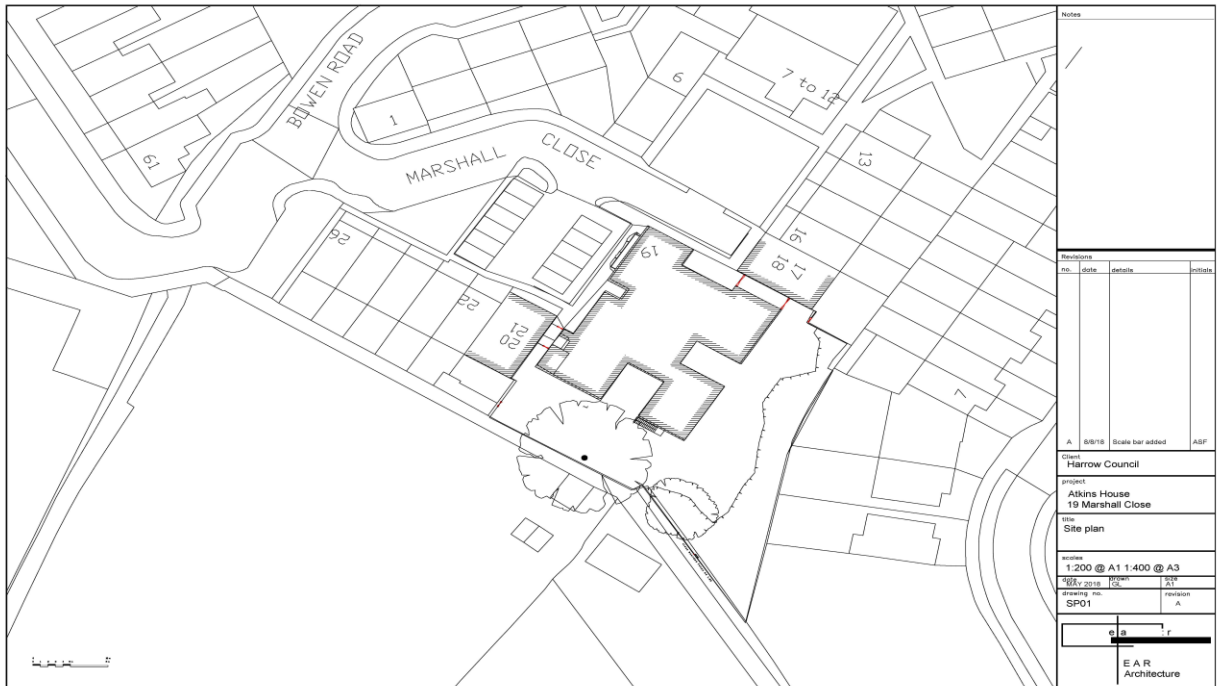
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2018) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

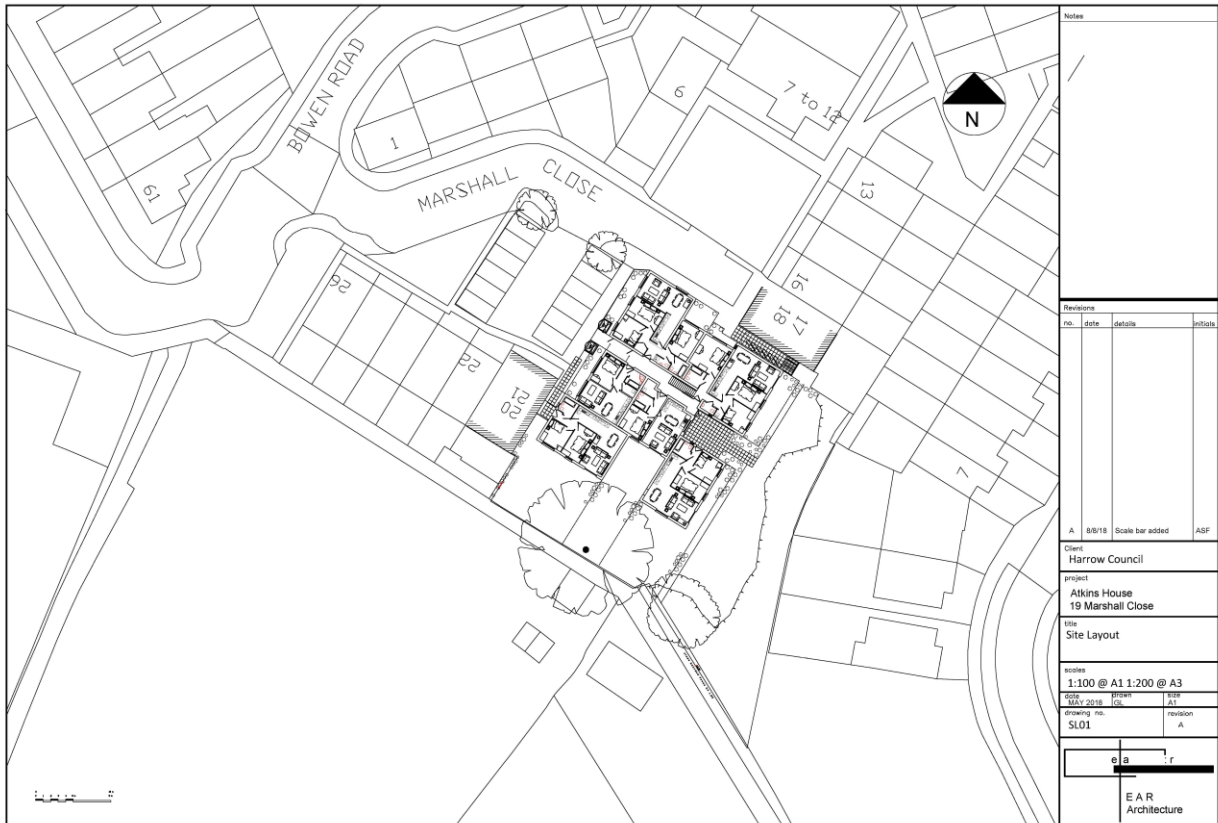
The applicant can contact Harrow Drainage Section for further information.

APPENDIX 2: SITE PLAN

Existing Site Plan



Proposed Site Plan



Existing Floor Plan

Ref	Access	Type	Subs ref	Area, m ²	Sub rooms	No beds	Priority
1	Apartment	23.20'	01	4	3	2	250 sq ft
2	Apartment	23.20'	02	4	3	2	250 sq ft
3	Apartment	23.20'	03	4	3	2	250 sq ft
4	Apartment	23.20'	04	4	3	2	250 sq ft
5	Apartment	23.20'	05	4	3	2	250 sq ft

Sub-totals: 200 16 12

Ref	Access	Type	Subs ref	Area, m ²	Sub rooms	No beds	Priority
1	Apartment	23.20'	01	4	3	2	250 sq ft
2	Apartment	23.20'	02	4	3	2	250 sq ft
3	Apartment	23.20'	03	4	3	2	250 sq ft
4	Apartment	23.20'	04	4	3	2	250 sq ft
5	Apartment	23.20'	05	4	3	2	250 sq ft

Sub-totals: 200 16 12

Notes

no.	date	details	initials
A	25/07/18	Amended to reflect previous construction	AB

Client: Harrow Council
 Project: Atkins House 19 Marshall Close
 Title: Existing floor plans
 Scale: 1:100 @ A1 1:200 @ A3
 Date: May 2018
 Drawing no: ES02
 Revision: A
 E A R Architecture

Proposed Floor Plans

Ref	Access	Type	Subs ref	Area, m ²	Sub rooms	No beds	Priority
1	Apartment	23.20'	01	4	3	2	250 sq ft
2	Apartment	23.20'	02	4	3	2	250 sq ft
3	Apartment	23.20'	03	4	3	2	250 sq ft
4	Apartment	23.20'	04	4	3	2	250 sq ft
5	Apartment	23.20'	05	4	3	2	250 sq ft

Sub-totals: 200 16 12

Ref	Access	Type	Subs ref	Area, m ²	Sub rooms	No beds	Priority
1	Apartment	23.20'	01	4	3	2	250 sq ft
2	Apartment	23.20'	02	4	3	2	250 sq ft
3	Apartment	23.20'	03	4	3	2	250 sq ft
4	Apartment	23.20'	04	4	3	2	250 sq ft
5	Apartment	23.20'	05	4	3	2	250 sq ft

Sub-totals: 200 16 12

Notes

no.	date	details	initials
B	25/07/18	Amended to reflect latest plan	ABP
A	25/07/18	Amended to reflect construction	ABP

Client: Harrow Council
 Project: Atkins House
 Title: Proposed floor plans
 Scale: 1:100 @ A1 1:200 @ A3
 Date: May 2018
 Drawing no: PS02
 Revision: B
 E A R Architecture

Existing and Proposed Elevations

Existing Elevation 5

Proposed Elevation 5

Existing Elevation 7

Proposed Elevation 7

Existing Elevation 6

Proposed Elevation 6

Existing Elevation 8

Proposed Elevation 8

Revisions			
no.	date	details	initials
A	09/07/18	Approved to reflect construction details	ASP
B	09/07/18	Approved to reflect screen corners	HE
C	22/07/18	Approved to reflect revised plan	ASP

Client: Harrow Council

Project: Atkins House

Title: Existing and Proposed Elevations sheet 2

Scales: 1:100 @ A1 1:200 @ A3

date	drawn	check
10 May 2018	GL	A1

drawing no: ELE02 revision: C

E A R Architecture

APPENDIX 3: PHOTOGRAPHS



View of neighbouring properties



View of application building



View of application building



Boundary between application property and neighbouring residents



Rear elevation of application building



Side elevation of application building



Garden area to side and rear of application building

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