

# Planning Committee AGENDA

**DATE:** Wednesday 17 June 2020

**TIME:** 6.00 PM

**VENUE:** Virtual Meeting - Online

**THERE WILL BE NO SITE VISIT FOR PLANNING COMMITTEE MEMBERS.**

**A BRIEFING FOR PLANNING COMMITTEE MEMBERS WILL TAKE PLACE ON 16 JUNE 2020 AT 6:30PM VIA MS TEAMS (ONLINE). INVITATIONS HAVE BEEN SENT OUT.**

## **MEMBERSHIP** (Quorum 3)

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**Chair:** Councillor Keith Ferry

### **Councillors:**

Ghazanfar Ali (VC)  
Simon Brown  
Sachin Shah

Marilyn Ashton  
Christopher Baxter  
Anjana Patel

### **Reserve Members:**

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- |                      |                     |
|----------------------|---------------------|
| 1. Christine Robson  | 1. Bharat Thakker   |
| 2. Ajay Maru         | 2. Norman Stevenson |
| 3. Peymana Assad     | 3. Ameet Jogia      |
| 4. Kiran Ramchandani |                     |

**Contact:** Mwim Chellah, Senior Democratic & Electoral Services Officer  
Tel: 020 8416 9269 E-mail: [mwimanji.chellah@harrow.gov.uk](mailto:mwimanji.chellah@harrow.gov.uk)

# Useful Information

## Meeting details:

This will be a virtual Planning Committee meeting, and can be followed on [www.harrow.gov.uk/virtualmeeting](http://www.harrow.gov.uk/virtualmeeting) .

Within the page, there is a hyperlink of the meeting with the Teams live event [Planning Committee 17 June 2020](#)

This meeting is open to the press and public.

## Filming / recording of meetings

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

Please note that proceedings at this meeting may be recorded or filmed.

## Recording of meetings

Please note that in the interests of improving access to the Council's meetings, recording is made of the public parts of many of the Council's Committees. The Chair will announce at the start of the meeting if it is being recorded.

## Meeting access

Members of the public wishing to follow the virtual meeting may do so at the following links:

[www.harrow.gov.uk/virtualmeeting](http://www.harrow.gov.uk/virtualmeeting) . Within the page, there is a hyperlink of the meeting with the Teams live event

[Planning Committee 17 June 2020.](#)

If you have special requirements, please contact the officer listed on the front page of this agenda.

**Agenda publication date: Tuesday, 9 June 2020**

## **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 - 20)

That the minutes of the meeting held on 20 May 2020 be taken as read, and signed as a correct record.

#### **5. PUBLIC QUESTIONS**

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

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

**[The deadline for receipt of public questions is 3.00 pm, Friday, 12 June 2020. Questions should be sent to [publicquestions@harrow.gov.uk](mailto:publicquestions@harrow.gov.uk)**

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

## 6. PETITIONS

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

## 7. DEPUTATIONS

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

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

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

## 9. 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

### 12. 1-01 - KILBY'S INDUSTRIAL ESTATE & NOS 1-5 BACON LANE - P-3667-19 (Pages 21 - 54)

## 13. SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

(a)	2-01 - 15 Aylmer Drive - P-0063-20	STANMORE PARK	GRANT	(Pages 55 - 96)
(b)	2-02 - 35-69 Imperial Drive - P-0247-20	WEST HARROW	GRANT	(Pages 97 - 124)
(c)	2-03 - 100-102 Headstone Road - P-0714-20	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 125 - 156)
(d)	2-04 - R/O 91 93 High Street - P-0773-20	CANONS	GRANT	(Pages 157 - 182)
(e)	2-05 - 180 -188 Northolt Road - P-0843-20	ROXBOURNE	GRANT SUBJECT TO LEGAL	(Pages 183 -

			AGREEMENT	216)
(f)	2-06 - 11 Adeliade Close & 5 Aylmer Drive- P-5043-19	STANMORE PARK	GRANT	(Pages 217 - 238)
(g)	2-07 - 102 College Road - P-5297-19	GREENHILL	GRANT SUBJECT TO LEGAL AGREEMENT	(Pages 239 - 280)
(h)	2-08 - 27 Radnor Road - P- 1020-20	MARLBOROUGH	GRANT	(Pages 281 - 300)

**14. ANY OTHER URGENT BUSINESS**

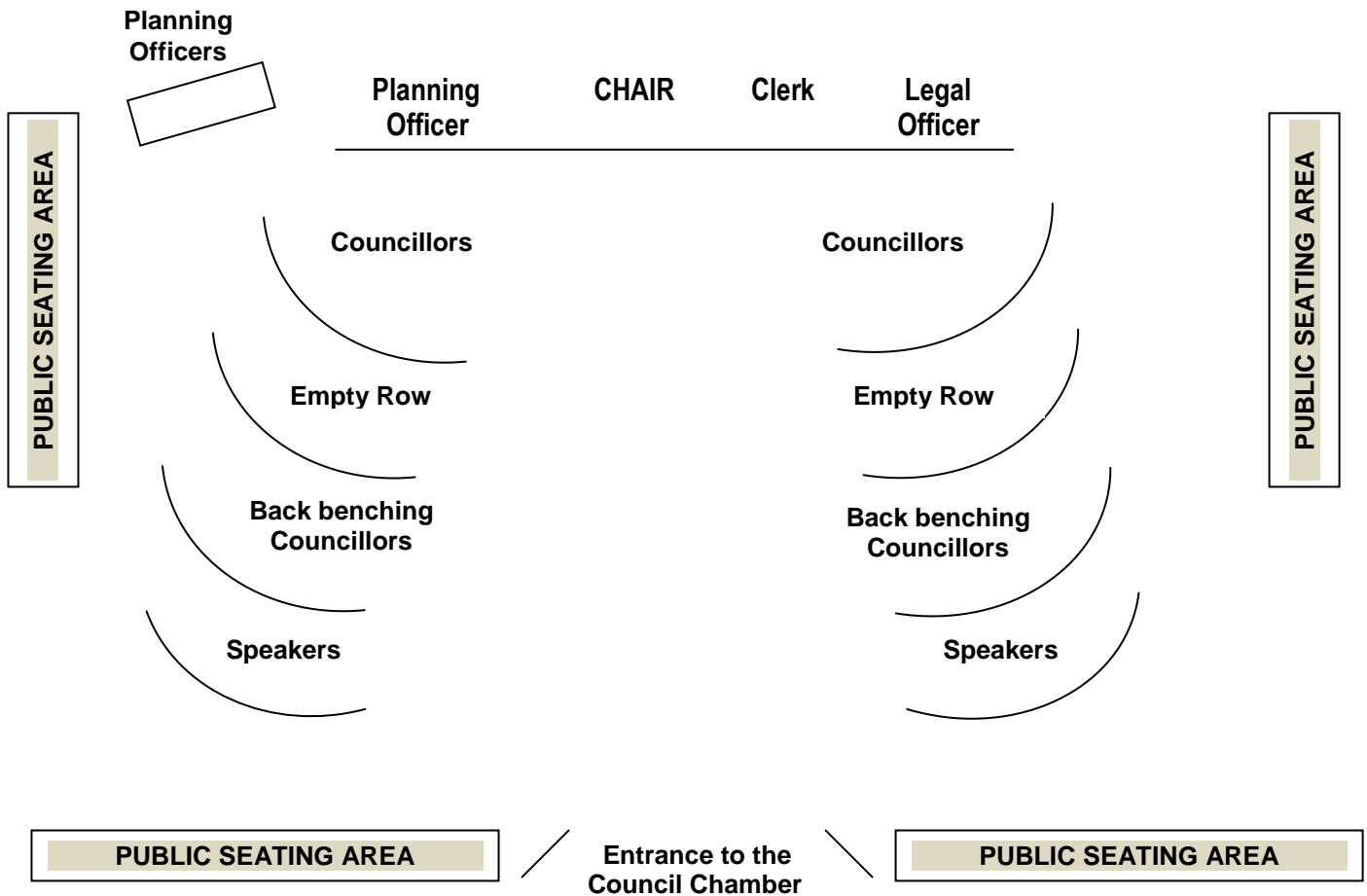
Which cannot otherwise be dealt with.

**AGENDA - PART II - NIL**

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

### Typical Planning Committee Layout for 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

### 20 MAY 2020

**Chair:** \* Councillor Keith Ferry

**Councillors:** \* Ghazanfar Ali \* Simon Brown  
\* Marilyn Ashton \* Anjana Patel  
\* Christopher Baxter \* Sachin Shah

\* Denotes Member present

#### 333. Attendance by Reserve Members

**RESOLVED:** To note that there were no Reserve Members in attendance at this meeting.

#### 334. Appointment of Vice-Chair

**RESOLVED:** To appoint Councillor Ghazanfar Ali as Vice-Chair of the Planning Committee for the 2020/2021 Municipal Year.

#### 335. Right of Members to Speak

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

#### 336. Declarations of Interest

**RESOLVED:** To note that the following interest was declared:

Agenda Item 2/05 - 326 Station Road

Councillor Keith Ferry declared a pecuniary interest in that he had an association with the applicant. He left the meeting whilst the matter was considered and voted upon.

**337. Minutes**

**RESOLVED:** That the minutes of the meeting held on 11 March 2020 be taken as read and signed as a correct record.

**338. Public Questions, Petitions and Deputations**

**RESOLVED:** To note that no public questions, petitions or deputations were received at this meeting.

**339. References from Council and other Committees/Panels**

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

**RESOLVED ITEMS**

**340. Representations on Planning Applications**

**RESOLVED:** To note that there were no representations received at this meeting.

**341. Addendum**

**RESOLVED:** To accept the Addendum.

**342. 1-01 - 38-44 St Anns House - P-0572-20**

**PROPOSAL:** Second floor rear extension; creation of additional 2 storeys to provide additional office space (Use class B1a); change of use of first floor from retail (use class A1) to office space (use class B1a) External alterations; refuse and cycle storage.

The Planning Committee resolved to approve the officer recommendations.

**RECOMMENDATION A**

- 1) Agree the reasons for approval as set out in the report; and
- 2) 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 report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

The Planning Policy Officer had confirmed that, given the scope and scale of the proposal, which comprised the extension and refurbishment of an existing building rather than wholesale redevelopment of the site, that it was not necessary to apply a requirement for zero net carbon development to the proposal. Under the GLA guidance, refurbishments / extensions did not have to meet London Plan targets, but should demonstrate that carbon reductions had been achieved where possible. In this particular instance, it was considered reasonable to allow such reductions to offset emissions from the new build elements.

The proposed heads of terms for the S.106 had, therefore, been amended as follows:

#### Travel Plan

- (i) A revised travel plan shall be submitted to the Council prior to the first occupation of the building), to be implemented as approved unless otherwise agreed in writing.
- (ii) A travel plan bond of £10,000 would be required to secure the implementation of all measures specified in the revised Travel Plan. In addition, a £5,000 monitoring fee was required to cover the cost of monitoring the travel plan. The developer would ensure the effective implementation, monitoring and management of the travel plan for the site.
- (iii) Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which would be met by the developer.

#### Employment and Training

- (iv) The developer would submit to the Council for approval, prior to commencement of the development, a Training and

#### Recruitment Plan

- (v) The developer would implement the agreed Plan. The training and Employment plan would include:
  - (a) employment initiatives opportunities relating to the construction of the Development and details of sector delivery;
  - (b) the provision of appropriate training with the objectives of ensuring effective transition into work and sustainable job outcomes;
  - (c) the timings and arrangements for implementation of such initiatives;
  - (d) suitable mechanisms for the monitoring of the effectiveness of such initiatives;
  - (e) a financial contribution towards the management and delivery of the construction training programme based on the construction value of the development. This was usually calculated using the formula: £2,500 per £1,000,000 build cost.

- (vi) The developer would use all reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.

### Legal Fees

- (vii) Legal Fees: payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## **RECOMMENDATION B**

That if the Section 106 Agreement was not completed by 30 August 2020, or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it was recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that:

The proposed development, in the absence of a legal agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), policies, 5.2, 6.3, 6.9 and 6.10 of The London Plan (2016), policies E11, SI 2 and T6.1 of The Draft London Plan (2019), Harrow Core Strategy (2012) policy CS1, policies AAP4 and AAP20 of the Harrow & Wealdstone Area Action Plan (2013) and policies DM1, DM12, DM13, DM14, DM42, DM43 and DM50 of the Harrow Development Management Policies Local Plan.

## **DECISION: GRANT**

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

### **343. 2-01 - 8 Headstone Road - P-3457-19**

**PROPOSAL:** Construction of additional three storeys to create six flats with parking and bin/cycle storage; external alterations.

Following comments from the Chair, an officer advised that:

- the consultation ended on 04 September 2019 (and not 04 September 2020, as shown on page 6 of the report or page 59 of the agenda). It was a typographic error that would be corrected.

The Committee resolved to approve the officer recommendations.

## **RECOMMENDATION A**

- 1) Agree the reasons for approval as set out in the report, and

- 2) 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 this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
  - (i) The development to be 'resident permit restricted' and the developer to ensure that: (i) all marketing/advertising material made reference to the fact that; and (ii) all lettings agreements contained a covenant to the effect that; future occupiers and tenants (other than those that were registered disabled) will not be entitled to apply for a residents parking permit or a visitor parking permit;
  - (ii) Legal Fees: payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## **RECOMMENDATION B**

That if the Section 106 Agreement was not completed by 30 August 2020, or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it was recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that:

The proposed redevelopment of the site, in the absence of a legal agreement for the restriction of resident parking permits, which sought to ensure the proposal would not result in any unreasonable impacts on the highway, contrary to the National Planning Policy Framework (2019), policy 6.9 of The London Plan (2016), policy T6.1 of The Draft London Plan (2019), Core Strategy (2012) policy CS1, Harrow & Wealdstone Area Action Plan policy AAP19, and policy DM42 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

## **DECISION: GRANT**

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

### **344. 2-02 - Walton Croft Cavendish Avenue - P-5102-19**

**PROPOSAL:** Addition of fourth floor to provide four flats; refuse and cycle storage.

The Committee resolved to approve the officer recommendation.

## **RECOMMENDATION**

- 1) Agree the reasons for approval as set out in the report; and

- 2) Grant planning permission subject to the Conditions listed in Appendix 1 of the report.

**DECISION: GRANT**

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

**345. 2-03 - Unit 25, St Georges Shopping Centre, St Anns Road - P-5205-19**

**PROPOSAL:** Change of use of unit to a flexible use including leisure (use class D2) and/or retail (use class A1).

Following a question and comments from a Member, an officer advised that:

- the premises could be used either as a gym or retail outlet, without the need to continue reapplying for change of use.

The Committee resolved to approve the officer recommendation.

**RECOMMENDATION**

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

**DECISION: GRANT**

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

**346. 2-04 - 47-49 High Street - P-5310-19**

**PROPOSAL:** Change of use from banqueting and function suite (Use Class Sui Generis) to self-storage use (Use class B8); external alterations.

Following a question from a Member, an officer advised that:

The hours of operation permitted, including when it would be not open to customers outside of the following times, were set in Condition 3 of the report as:

- a) 08:00 to 18:00 hours on Monday, Tuesday, Wednesday, Friday and Saturday;
- b) 08:00 to 20:00 hours on Thursdays; and
- c) 10:00 to 16:00 hours on Sundays, Public or Bank Holidays.

The Committee resolved to approve the officer recommendation.



## RECOMMENDATION

- 1) Agree the reasons for approval as set out in the report; and
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of the report.

## DECISION: GRANT

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

### 347. 2-05 - 326 Station Road - P-2279-19

Councillor Keith Ferry (Chair) left the meeting at 6:35pm, when consideration of the item begun, and Councillor Ghazanfar Ali (Vice-Chair) assumed the chair.

**PROPOSAL:** Change Of Use Of First Floor From D1 Use To 21 x Room HMO Shared Accommodation (Use Class Sui Generis); creation of 3rd and 4th Floors comprising of 13 x Room HMO Shared Accommodation (Use Class Sui Generis) to 3rd Floor and Resident's Amenity Space to 4th Floor; Bin and Cycle Stores.

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

- the development was considered an acceptable form of communal living, and that type of house of multiple occupancy (HMO) was now popular in London; and
- all rooms would have *ensuite* bathrooms, however, there would be shared amenities, such as the kitchen and laundry.

A Member proposed refusal on grounds of scale, and type of accommodation.

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

The Legal Officer advised that delegation be given to Planning Officers to articulate policies reasons for refusal.

The Committee resolved to reject the officer recommendations, and to authorise the Interim Chief Planning Officer to advance reasons for refusal of the officer recommendations.

## RECOMMENDATION A

- 1) Agree the reasons for approval as set out in the report, and
- 2) Grant planning permission subject to authority being delegated to the 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 report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- (i) Development to be Resident Permit Restricted: With the exception of disabled persons, no resident of the development should obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order;
- (ii) The submitted travel plan (or a revised Travel Plan if deemed necessary by the Council, and would be submitted to the Council prior to the first occupation of the building), to be implemented as approved unless otherwise agreed in writing;
- (iii) A travel plan bond of £10,000 would be required to secure the implementation of all measures specified in the revised Travel Plan. In addition a £5,000 monitoring fee is required to cover the cost of monitoring the travel plan. The developer to ensure the effective implementation, monitoring and management of the travel plan for the site;
- (iv) Should the travel plan not fulfil its agreed targets by year 5, the life of the travel plan may be extended, the cost of which will be met by the developer; and
- (v) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## **RECOMMENDATION B**

That if, by 3 September 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation is not completed, then delegate the decision to the Interim Chief Planning Officer to **REFUSE** planning permission on the grounds that:

The proposed development, in the absence of a legal agreement to provide appropriate provision for restriction of resident parking permits and implementation of the Travel Plan, would fail to comply with the requirements of policies 6.3 and 6.13 of The London Plan 2016, T4 and T6.1 of the Draft London Plan (2019), policy CS1 of the Harrow Core Strategy (2012), AAP19 of the Harrow & Wealdstone Area Action Plan (2013). and Policies DM42 and DM43 of the Harrow Development Management Policies Local Plan 2013 and would therefore be unacceptable.

## **DECISION: REFUSE**

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

*Councillors Ghazanfar Ali, Marilyn Ashton, Christopher Baxter and Anjana Patel voted against the application.*

*Councillors Simon Brown and Sachin Shah voted for the application.*

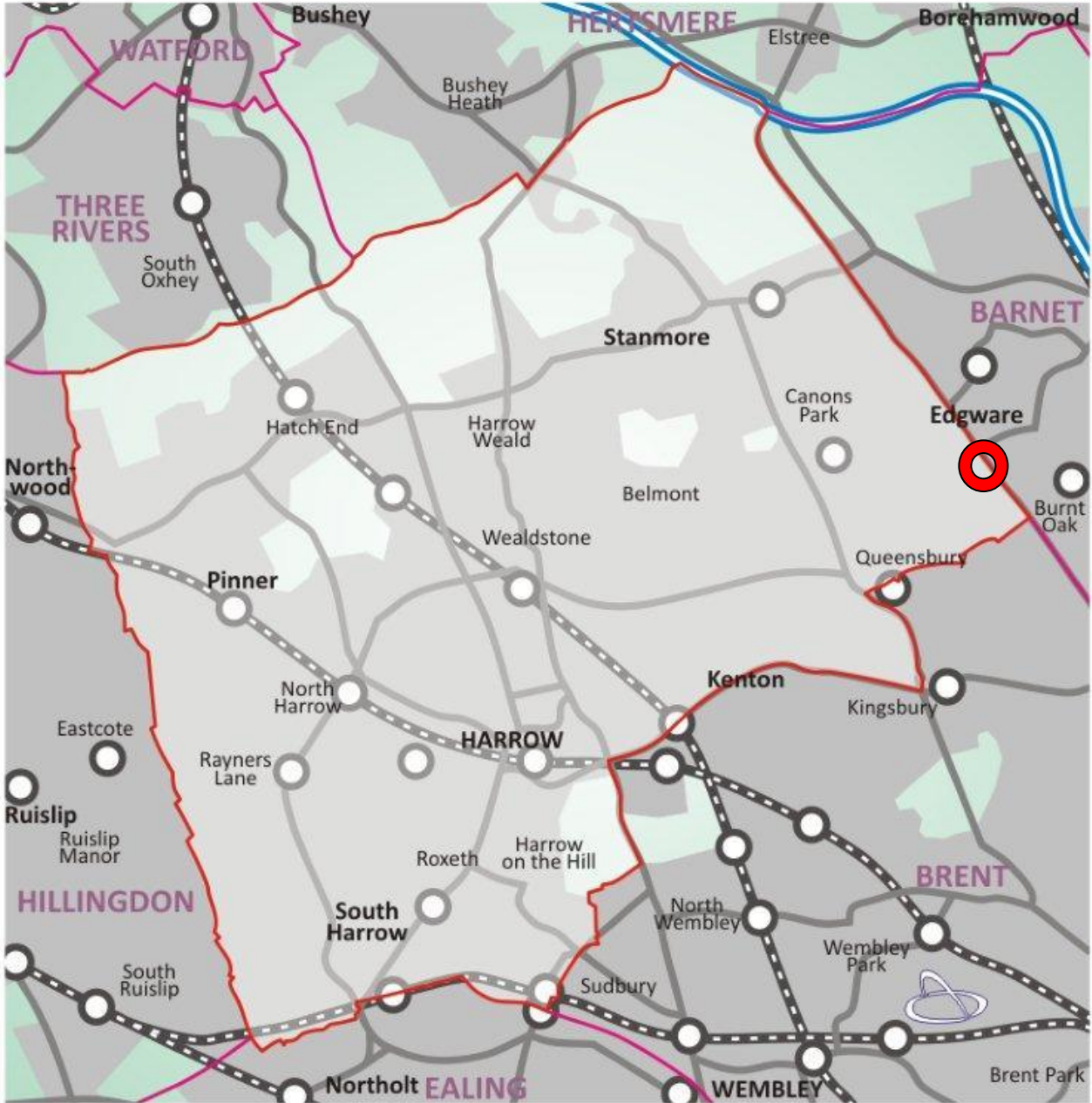
Councillor Keith Ferry (Chair) re-joined the meeting.

(Note: The meeting, having commenced at 6.00 pm, closed at 6.58 pm).

(Signed) COUNCILLOR KEITH FERRY  
Chair

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 = application site



<b>Kilby's Industrial Estate &amp; Nos 1-5 Bacon Lane</b>	<b>P/3667/19</b>
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# Kilby's Industrial Estate & Nos 1-5 Bacon Lane



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

17<sup>th</sup> June 2020

**APPLICATION NUMBER:** P/3667/19  
**VALID DATE:** 13<sup>th</sup> SEPTEMBER 2019  
**LOCATION:** KILBY'S INDUSTRIAL ESTATE AND NOS. 1-5  
BACON LANE  
**WARD:** EDGWARE  
**POSTCODE:** HA8 5AS  
**APPLICANT:** MR POLYCARPOU  
**AGENT:** CG ARCHITECTS  
**CASE OFFICER:** NABEEL KASMANI  
**EXTENDED EXPIRY DATE:** 28<sup>th</sup> OCTOBER 2020

### PROPOSAL

Redevelopment to provide 23 houses; associated landscaping and parking; refuse storage

### 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 in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The Section 106 Agreement Heads of Terms would cover the following matters:
  - I. Provision of offsite affordable housing contribution of £110,000 with a viability review mechanism
  - II. Harrow Employment and Training Initiatives: financial contribution towards local training and employment initiatives prior to commencement
  - III. Child Play Space provision contribution
  - IV. Parking permit restriction
  - V. Carbon offsetting contribution
  - VI. External materials strategy
  - VII. Planning Permission monitoring fee

## VIII. Legal fees

### **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 28th October 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation is not completed, then delegate the decision to the Interim Chief Planning Officer to REFUSE planning permission for the following reason:-

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2019), Policies 3.6, 3.12, 5.2, 6.3, 6.13 and 8.2 of the London Plan (2016), Policies H4, S4, SI2, T6, T6.1 and DF1 of the draft London Plan (2019) – intend to publish version, Policy CS1 of the Harrow Core Strategy (2012) and Policies DM12, DM28, DM42, DM50, of the Harrow Development Management Policies Local Plan (2013).

### **REASON FOR THE RECOMMENDATIONS**

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

It is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

### **INFORMATION**

This application is reported to Planning Committee as it would provide the construction of more than three dwellings and therefore falls outside category 1(b) of Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Largescale Major Dwelling Development
Council Interest:	n/a
Net Additional Floorspace:	2193m <sup>2</sup>
GLA Community	
Infrastructure Levy (CIL):	£131,580
Local CIL requirement:	£347,845



## **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.

<b>The Site</b>	
Address	Kilby's Industrial Yard and nos. 1-5 Bacon Lane, HA8 5AS
Applicant	Mr Polycarpou
Ward	Edgware
Local Plan allocation	H15 – Hill's Yard Bacon Lane – (28 homes)
Conservation Area	n/a
Listed Building	n/a
Setting of Listed Building	n/a
Tree Preservation Order	n/a
Flood Zone	n/a
Other	n/a

<b>Housing</b>		
Density	Proposed Density hr/ha	320
	Proposed Density u/ph	70
	PTAL	2-3
	London Plan Density Range	200-450 hr/ha
Dwelling Mix	Studio (no. / %)	n/a
	1 bed (no. / %)	n/a
	2 bed (no. / %)	n/a
	3 bed (no. / %)	10 (43%)
	4 bed (no. / %)	13 (57%)
	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	

<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	0
	No. Proposed Car Parking spaces	23
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	n/a
	No. Proposed Cycle Parking spaces	49

	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	2-3
	Closest Rail Station / Distance (m)	Burnt Oak / 1150m
	Bus Routes	Eight ( Routes : 32, 142, 204, 251, 292, 605, 606, 619)
Parking Controls	Controlled Parking Zone?	Yes (Zone X)
	CPZ Hours	10am - 11am & 2pm - 3pm Mon - Fri
	Other on-street controls	Double yellow lines
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Designated refuse store within the forecourt of each dwellinghouse

<b>Sustainability / Energy</b>	
Development complies with Part L 2013?	66% reduction over Part L1 2013

## **1.0 SITE DESCRIPTION**

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

## **2.0 PROPOSAL**

- 2.1 The application proposes to demolish the three dwellinghouses and in conjunction with the vacant parcel of land to the south, would provide 23 new dwellinghouses in 3 separate terraced blocks. The existing vehicular access would be retained and would serve as the vehicular and pedestrian access point into the site.
- 2.2 The proposed housing mix would consist of three and four bed dwellinghouses. Each dwellinghouse would benefit from private rear gardens and forecourts. The forecourt would be able to accommodate one off-street parking space and designated cycle and refuse storage.
- 2.3 The subject proposal is similar to that previously granted under planning application P/5810/17. The only notable differences being the removal of one dwellinghouse from that previously approved (i.e from 24 to 23) and minor alterations to the layout of the development to provide three terraced blocks rather than five.

## **3.0 RELEVANT PLANNING HISTORY**

P/5810/17: Redevelopment to provide 24 houses; associated landscaping and parking; refuse storage  
Grant: 16/04/2018

## **4.0 CONSULTATION**

- 4.1 A total of 94 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 4<sup>th</sup> October 2019.
- 4.2 A site notice was placed outside the application site on 3<sup>rd</sup> October 2019. The application was advertised in the local press on 19<sup>th</sup> September 2020

- 4.3 One objection letter has been received. A summary of the responses received are set out below with officer comments in Italics:

<b>Summary of Comments on original consultation</b>
Accommodating the number of residents proposed will create clutter and social provisions not in place; anti-social behaviour will increase
<i>Planning permission was previously granted for 24 new dwellinghouses on the site. The revised proposal would therefore not materially increase the associated clutter or social infrastructure provisions beyond the scheme that was previously approved. The Metropolitan Police Designing Out Crime Officer has raised no objection to the proposal subject to an appropriate condition to ensure the development achieves SbD accreditation;</i>

4.4 Statutory and Non Statutory Consultation

- 4.5 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

<b>Consultee and Summary of Comments</b>
<b>LBH Planning Policy</b> No Objection
<b>LBH Highways</b> The previous requirements will need to be secured again; the s106 parking permit restriction; a minimum of 2 sheltered, secure and accessible cycle parking spaces per dwelling and 20% active plus 20% passive electric vehicle charge points.
<b>LBH Drainage</b> No Objection, subject to conditions
<b>LBH Biodiversity Officer</b> If there are any buildings yet to be demolished these will need to be subject to a fresh preliminary roost assessment. The development would also require appropriate mitigation and biodiversity gain.
<b>LBH Landscape Officer</b> No objections to the proposals and the hard and soft landscape detail would be acceptable
<b>Metropolitan Police Secure by Design</b> No objection, subject to SbD accreditation being conditioned
<b>Thames Water</b> No Objection



## **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 2019] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

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

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

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Housing Supply, Density and Mix
- Affordable Housing
- Design, Character and Appearance
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage
- Landscape and Biodiversity
- Sustainability and Contamination

- Planning Obligations

## **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.8, 3.14, 4.4
- The draft London Plan (2019): H1, H8, E4
- Harrow Core Strategy (2012): CS1, CS8
- Harrow Development Management Policies (2013): DM31
- Site Allocations Local Plan: Site H15

6.2.2 The principle of development has been established in the previously granted planning application. Kilby's Industrial yard is an allocated site for residential development (site H15) within the Site Allocations Local Plan. The incorporation of the dwellinghouses fronting Bacon Lane would serve to facilitate the wider redevelopment of the site. It is considered that the principle of development would therefore be acceptable, subject to further considerations detailed below. The proposal would therefore comply with the relevant policies in this regard.

## **6.3 Housing Supply, Density and Mix**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.8
- The draft London Plan (2019): D3, H1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM24

6.3.2 Within the definitions of the London Plan density matrix, the site is considered to have an 'urban' setting. The proposed density and habitable rooms per hectare fall well within the overall matrix ranges for urban setting. Furthermore, the proposal would provide 23 family sized dwellinghouses that would be appropriate within the context of the location of the site, the character of its surroundings and the optimisation of housing output on previously-development land. The proposal would therefore comply with the relevant policies in this regard.

## **6.4 Affordable Housing**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.11, 3.12, 3.13
- The draft London Plan (2019): H4, H5, H6
- Harrow Core Strategy (2012): CS1

- 6.4.2 The Council recognises that it may not be viable to provide affordable housing targets within a scheme under all circumstances. Where this cannot be provided on site, a robust viability assessment must be provided to demonstrate that the proposed scheme cannot viably provide this requirement. The application is supported by a financial viability assessment which concludes that it would not be viable for the applicant to provide any affordable housing within the development or make any financial affordable housing contribution to the Council.
- 6.4.3 The submitted Financial Viability Assessment was the subject of independent appraisal by BNP Paribas Real Estate on behalf of the Council. The independent review concluded that the proposed development would generate a surplus and as such, could reasonably provide a financial contribution. The proposed affordable housing contribution of £110,000 would match that which was secured in the previously granted planning application. Officers are therefore satisfied that this would be acceptable in this instance and will be secured by way of a section 106 agreement.
- 6.4.4 Subject to securing the planning obligations, it is considered that the proposal would comply with the relevant policies in this regard.

## **6.5 Design, Character and Appearance**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.1, 7.3, 7.4, 7.6
- The Draft London Plan (2019): D1, D4,
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1, DM22, DM23

6.5.2 The surrounding land use is characterised by two-storey semi-detached and terraced inter-war residential housing. It is considered that the principle of a contemporary interpretation of suburban post/mid-war terraced housing would be acceptable within this context.

6.5.3 The subject proposal would provide one less dwellinghouse than the previously granted application, to comply with the respective accessible housing standards. As a result, the layout of the proposed development has also been slightly modified. The proposed dwellinghouses would be grouped into three terraced blocks rather than five. The terraced block fronting Bacon Lane would comprise of five dwellinghouses. The other two blocks, sited parallel to The Chase and Vancouver Road, would comprise of 9 dwellinghouses each. Officers consider that the layout of the proposed development would be acceptable.

6.5.4 The design of the proposed terraced dwellinghouses would be similar to those previously approved. The proposed dwellinghouses would be two-storey with habitable accommodation within the roof. The proposed terraced houses fronting Bacon Lane would feature front dormers, while the dwellinghouses within the other two terraced blocks would feature both front and rear dormers. Officers consider that the massing and form of the proposed dwellinghouses would be



consistent with the scale of housing in the surrounding area and would therefore be acceptable in this regard.

6.5.5 The application was referred to the Council's Landscape Officer who has advised that the hard and soft landscaping detail would be acceptable.

6.5.6 Subject to conditions to safeguard the quality of the proposed development, external finishing and landscaping, officers consider that the proposed development would be consistent with the principles of good design. The proposal would therefore comply with the relevant policies in this regard.

## **6.6 Residential Amenity**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.2, 7.6,
- The Draft London Plan (2019): D4, D5, D6, D7
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM2, DM27, DM28
- Mayor's Housing SPG (2016)

### Neighbouring Occupiers

6.6.2 The two terraced blocks within the former Kilby's industrial estate would be sited parallel to the neighbouring adjacent properties within The Chase and Vancouver Road. The front elevation of the proposed terraced dwellinghouses would be located approximately 27m from the respective rear elevations of the neighbouring properties fronting Vancouver Road. A separation distance of approximately 21m would be retained between the rear elevations of the proposed dwellinghouses and the respective rear elevations of the neighbouring properties fronting The Chase.

6.6.3 On this basis, officers consider that the proposed dwellinghouses would not have a detrimental impact on the residential amenities of those adjoining occupiers by reason of undue overshadowing, loss of light or loss of outlook. While the proposed terraced dwellinghouses would allow for an outlook over the respective rear gardens of the adjoining dwellinghouses, given the separation distances afforded, orientation and site context, officers consider that the resulting privacy impacts would be mutually acceptable and commensurate with the established privacy relationships prevalent within this suburban location.

6.6.4 The proposed end of terrace dwellinghouse sited adjacent to no. 7 Bacon Lane would be positioned approximately 1m closer to the flank elevation of that neighbouring property. As a result of the siting and form of the proposed dwellinghouse, the proposed end of terrace dwellinghouse would impact upon the light and outlook from the ground floor flank window of that neighbouring property. However, the submitted daylight and sunlight assessment confirms that the respective window would still receive an acceptable amount of sunlight in line

with BRE guidelines. On this basis, it is considered that the proposed development would not have a detrimental impact on the residential amenities of the occupiers at no. 7 Bacon Lane.

- 6.6.5 For these reasons, the proposal would comply with the relevant policy requirements regarding residential amenity of neighbouring occupiers.

#### Future Occupiers

- 6.6.6 The proposed terraced dwellinghouses would comply with the minimum space standards and would benefit from private rear gardens, thereby providing the appropriate quantum of private amenity space for the future occupiers. The proposed dwellinghouses would be dual aspect and would therefore benefit from acceptable levels of light and outlook. Officers consider that the proposed dwellinghouses would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

### **6.7 Traffic and Parking**

- 6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Draft London Plan (2019): T4, T5, T6, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM44

- 6.7.2 The subject site has a PTAL 2-3 and therefore benefits from moderate accessibility to sustainable transport modes. The proposal would make provision for 23 parking spaces at a ratio of 1 parking space per dwellinghouse. The proposed quantum of parking spaces would be compliant with the maximum standards set out in the London Plan. A condition is attached to ensure the provision of 20% active plus 20% passive electrical vehicle charge points. Furthermore, in order to avoid the possibility of overspill parking taking place within the surrounding roads and to ensure that no additional parking stress is placed on the public highway following the development, the Council's Highways Department have requested a planning obligation to restrict the future occupiers of the development from applying for on-street resident parking permits.

- 6.7.3 In relation to cycle parking, a minimum of 2 sheltered, secure and accessible cycle parking spaces would be required per dwelling. It is noted that space would be provided within the forecourt to accommodate two cycle spaces. A pre-occupation condition is attached to ensure that the proposed cycle parking spaces would be sheltered and secure.

- 6.7.4 Subject to conditions and securing the permit restriction through a planning obligation, the Council's Highways Department raise no objection to the proposals. On this basis, it is considered that the development would not have a detrimental impact on the safety and functioning of the highway and would not

result in undue parking stress within the locality. The proposal would therefore comply with the relevant policies in this regard.

## **6.8 Flood Risk and Drainage**

6.8.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13, 5.14
- The Draft London Plan (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.8.2 The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions and informatives. The proposal would therefore comply with the relevant policies in this regard.

## **6.9 Biodiversity**

6.9.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.19, 7.21
- The Draft London Plan (2019): G6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM20, DM21

6.9.2 An Extended Phase 1 habitat survey was submitted with the application which notes that habitats on the site are considered to be of some potential ecological value and the presence of protected species is probable. The Council's Biodiversity Officer has advised that for the buildings which have not been demolished, a fresh preliminary roost assessment is required. This is currently being undertaken by the applicant. Subject to the outcomes of this assessment, further mitigation may be required. The development would also require appropriate biodiversity gain. The outcomes of the preliminary roost assessment and the subsequent appraisal will be reported to the Planning Committee in the addendum.

## **6.10 Sustainability and Contamination**

6.10.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.2, 5.3, 5.7, 5.21, 7.14,
- The Draft London Plan (2019): SI1, SI2, SI3,
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM12, DM14, DM15

- 6.10.2 An Energy and Sustainability Statement has been submitted with the application. This details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. The Energy Statement goes on to investigate measures to reduce the carbon emissions on site.
- 6.10.3 The methodology for the proposed Energy Strategy accords with the hierarchy set out within the London Plan and demonstrates how the minimum savings in carbon emissions against Building Control targets would be achieved on site. These measures would correspond to a 66.3% reduction in CO<sub>2</sub> emissions. However, there would still be a shortfall in order for the development to achieve the 'zero carbon' requirements. The shortfall would therefore need to be addressed on site or by way of an off-site financial contribution. A planning obligation is therefore included to secure this.
- 6.10.4 The former Kilby's Industrial Yard was primarily used for motor related servicing and repairs. The proposed residential development would see a significant change from the former hard landscaped commercial use to a residential use with areas of soft landscaping. This would be a sensitive end use and there would be a moderate risk to future end users with respect to any former contamination of the land. A planning condition was attached to the previous planning permission requiring further investigation and remediation strategies to be provided. These details were submitted and subsequently discharged under approval of condition application reference P/0471/19. Subject to appropriate safeguarding conditions, it is considered that the proposal would comply with the relevant policies in this regard.

## **6.11 Planning Obligations**

6.11.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 8.2
- The Draft London Plan (2019): DF1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM50

6.11.2 The proposed scheme could reasonably provide a financial contribution of £110,000 which would contribute towards the provision of affordable housing within the borough. This would be secured by the planning obligation. Early and Late review mechanisms to ensure that if there is an improvement in viability, this contributes to the delivery of affordable housing within the Borough

6.11.3 The proposed development would not provide a designated play space for children and there is insufficient space on site to accommodate the required playspace area. A planning obligation will therefore secure monetary contribution towards an off-site provision to improve existing child play facilities within the locality.

6.11.4 To ensure that the proposal would be a 'zero carbon' development, the shortfall in Carbon Dioxide emissions on site would be off-set by a financial contribution

which would secure the delivery of carbon dioxide savings elsewhere in the borough and help towards the Harrow Green Grid.

- 6.11.5 In accordance with Harrow's Planning Obligations SPD, a contribution from the development has been requested to fund local employment and training programmes to optimise the local economic benefits of the construction of the development. It is also requested that the applicant provides a training and recruitment plan and implements it using reasonable endeavours to secure the use of local suppliers and apprentices during the construction of the development.
- 6.11.6 To ensure that no additional transport stress is placed on the public highway following the development and to promote sustainable modes of transport, the section 106 will also secure a resident/visitor permit restriction to exclude future occupiers of the development (except for disabled people) from applying for on-street parking permits.
- 6.11.7 The legal costs associated with the preparation of the planning obligation and the Council's administrative costs associated with monitoring compliance with the obligation terms will also be secured

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

- 7.1 The principle of providing a residential development on the application site has been firmly established by identifying the site as an Allocated Site within the Borough. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.
- 7.2 It is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development.
- 7.3 Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

## **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

Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

Site Location Plan, 1294/50, 1294/51, 1294/52, 1294/53, 1294/54, 1294/55, 1294/56, 1294/57, 1294/58, 1294/59, 1294/60, 1294/61, 1294/62, 1294/63, 1294/64, 1294/65, LLDD1210-LAN-DWG-100 Rev 04, 1294/71, 1294/72, 1294/73, 1294/73, LLDD1210-LAN-DWG-101 Rev 05, LLDD1210-LAN-DWG-102 Rev 05, LLDD1210-LAN-DWG-200 Rev 03, LLDD1210-LAN-DWG-201 Rev 05, LLDD1210-LAN-DWG-202 Rev 05, Design and access statement, Planning Statement, Energy and Sustainability Assessment, Phase 3 Remediation Strategy, Air Quality Impact Assessment, Contamination Assessment Report, Report on a Phase 2 Ground Investigation, Extended Phase 1 Habitat Survey, Food Risk Assessment and Drainage Strategy, construction Management Plan with supporting plans, Construction Logistics Plan, Transport Statement Addendum, Illustrated Schedule of Materials and Planting, Soft Landscape Specification, Daylight Sunlight and Overshadowing Assessment, Detailed Plant Schedule and Specification, Financial Viability Assessment

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

#### 3. Surface and Foul Water Disposal

The development shall not commence until works for the disposal of surface and foul water, including a foul water drainage strategy, have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. The applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk

#### 4. Surface Water Attenuation

The development of any buildings hereby permitted shall not commence until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved

conditions according to NPPF. For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk

5. Materials

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

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

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

REASON: To ensure that the development achieves a high standard of design and layout and safeguard the character and appearance of the area

6. Electric Charging Points

The development hereby permitted shall not progress beyond damp proof course level until details of the electric vehicle charger point/s for the proposed development in accordance with London Plan Standards (2016), shall be submitted to and approved in writing by The Local Planning Authority. The electric vehicle charger point/s shall be implemented on site prior to occupation of the development in accordance with the approved details and shall be retained thereafter.

REASON: In the interests of sustainable transport

7. Permitted Development Restriction 1

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development which would otherwise fall within Classes A - F in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling and to safeguard the amenity of neighbouring residents.

8. Permitted Development Restriction 2

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

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity

9. 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 first use of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the 5 development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development maintains appropriate provision for soft landscaping soft landscaping details

10. Hard Surfacing

Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency on <http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>

REASON: To ensure that adequate and sustainable drainage facilities are provided

11. Contamination 1

The development hereby permitted shall be undertaken in accordance with the remediation measures and strategy detailed within the Phase 3 Remediation Strategy (November 2018), unless otherwise agreed and approved in writing by the Local Planning Authority.

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

12. Contamination 2

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



the approved remediation scheme a verification report must be prepared, which is subject to the Local Planning Authority in writing to be agreed

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

13. Accessible and Adaptable Dwellings

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

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

14. Wheelchair user Dwellings

Ten per cent of the proposed dwellinghouses shall be constructed to meet the specifications of Building Regulation requirement M4(3) 'wheelchair user dwellings' and shall thereafter be retained in that form.

REASON: To ensure that the appropriate number of dwellinghouses are designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users

15. Construction Logistics Plan

The development hereby permitted shall be constructed in accordance with the details set out within the Construction Logistics Plan and Construction Management Plan, unless otherwise agreed and approved in writing by the Local Planning Authority.

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

16. Refuse Storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the approved designated refuse storage areas

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

17. Flank Windows

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

REASON: To protect the amenities of the neighbouring occupiers

18. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

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

19. Site Hoardings

Site works in connection with the development hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety

20. Flues and pipework

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

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

## **Informatives**

### 1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 2.13, 3.1, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.11, 3.12, 3.13, 5.2, 5.3, 5.13, 5.16, 6.3, 6.9, 6.10, 6.12, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.21

Draft London Plan (2019) – intend to publish version: H1, H4, H5, H6, H8, E4, D1, D3, D4, D5, D6, D7, T4, T5, T6, T6.1, SI1, SI2, SI3, SI13, G6, DF1

Harrow Core Strategy (2012): CS1, CS8

Development Management Policies (2013): DM1, DM2, DM10, DM12, DM14, DM15, DM22, DM23, DM24, DM27, DM28, DM42, DM43, DM44, DM45, DM50

Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Documents

Mayor of London, Housing Supplementary Planning Guidance (2016)

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.com](mailto:Ucommunities@twoten.com)U4T

### 4. Mayoral Community Infrastructure Levy (provisional)

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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £131,580. 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/form_1_assumption_of_liability.pdf) [https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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. Harrow Community Infrastructure Levy (provisional)

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £347,845

This amount includes indexation which is 323/224. 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).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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

6 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached 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.

7. Thames Water

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

8. Sustainable Urban Drainage

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

9. Compliance with 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.

10. Highways Interference

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

11. Street Naming and Numbering

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

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link. [http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

**CHECKED**

Interim Chief Planning Officer	Orla murphy pp Beverley kuchar
Corporate Director	Paul Walker 5.6.2020

**APPENDIX 2: SITE PLAN**



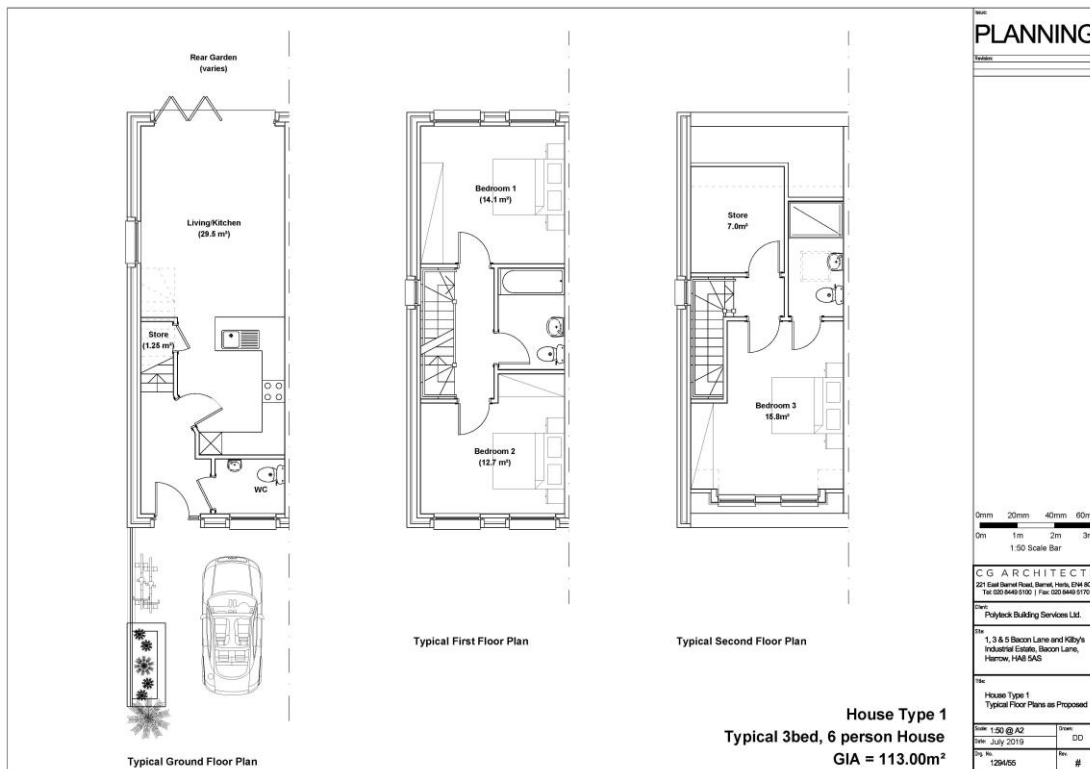
**APPENDIX 3: SITE PHOTOGRAPHS**

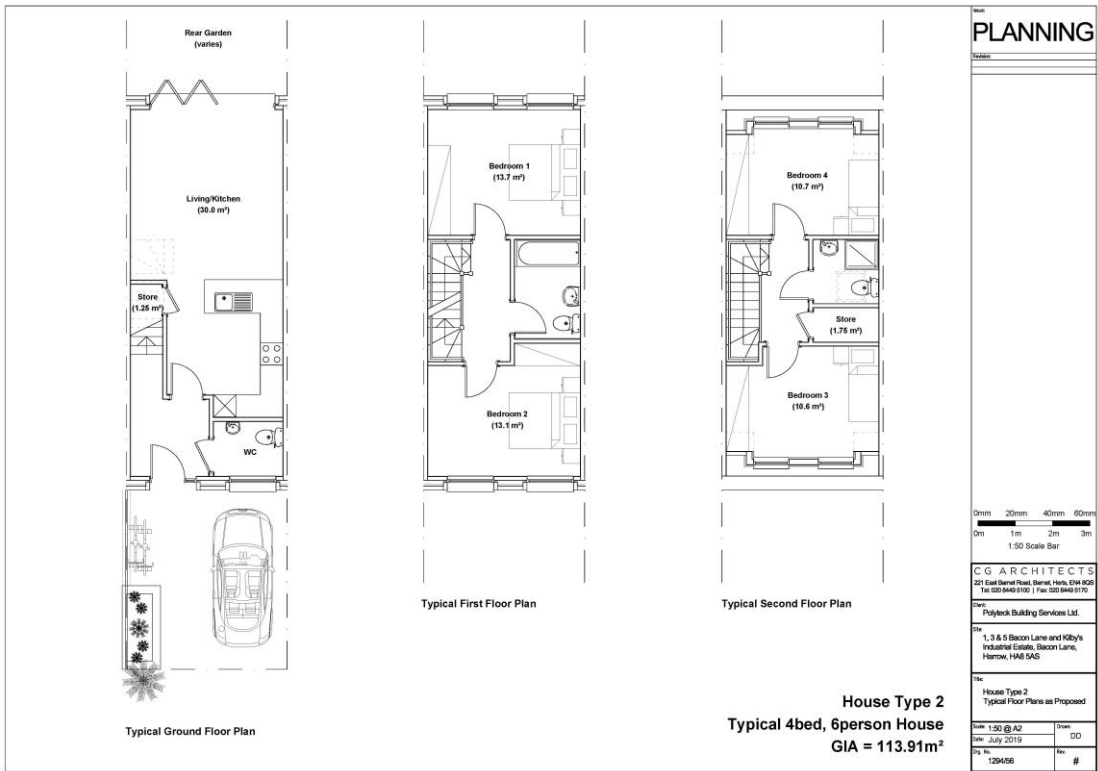


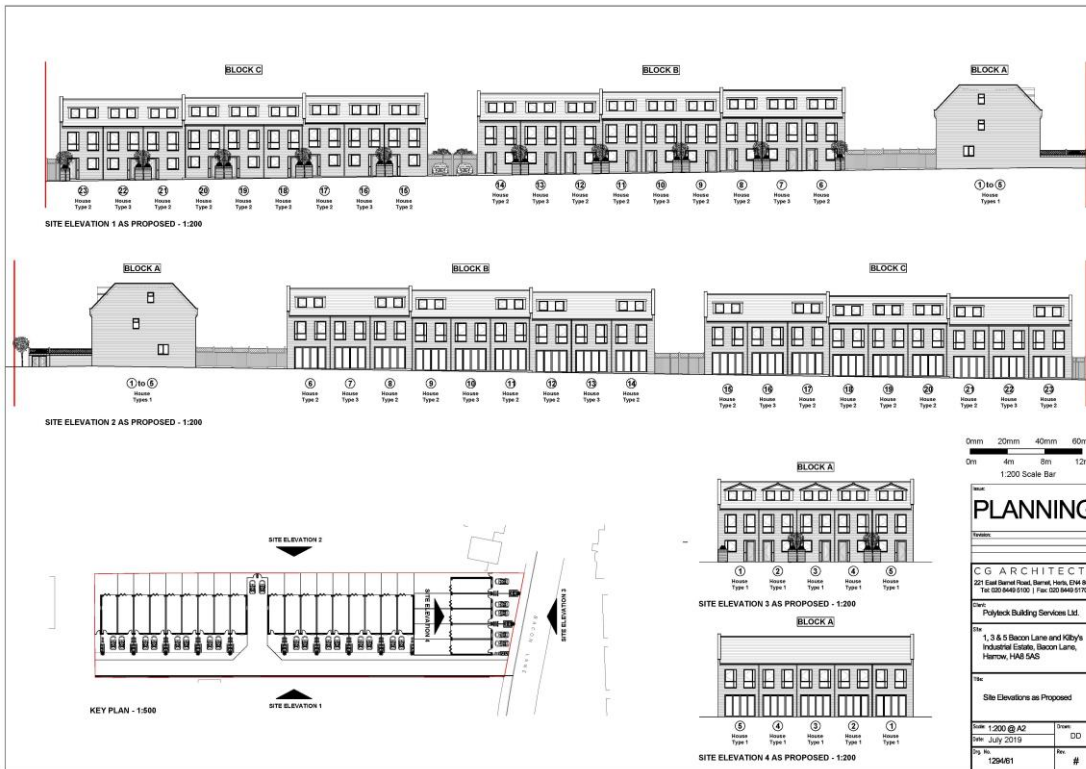




# APPENDIX 4: PLANS AND ELEVATIONS





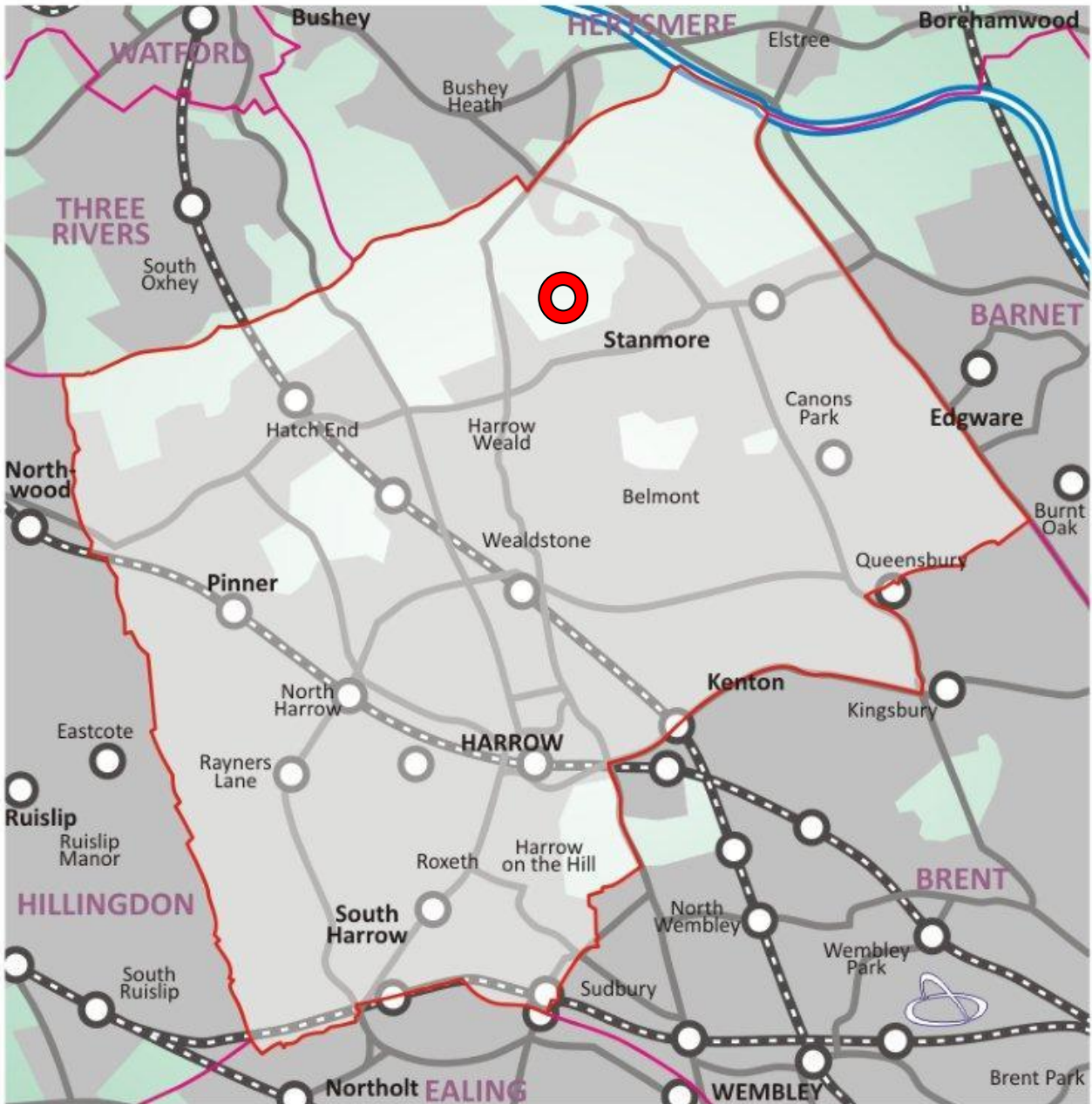


CG ARCHITECTS 221 East Barnet Road, Barnet, Herts, EN4 8QJ Tel: 020 8448 5100   Fax: 020 8448 5170	Client: Polyteck Building Services Ltd.	Site: 1, 3 & 5 Bacon Lane and Kilby's Industrial Estate, Bacon Lane, Harrow, HA8 5AS	Title: Visualisation as Seen from Bacon Lane	Scale: Not to Scale Date: July 2019 Disc. No: 1234/63	Drawn: DD Rev: #	Project: PLANNING
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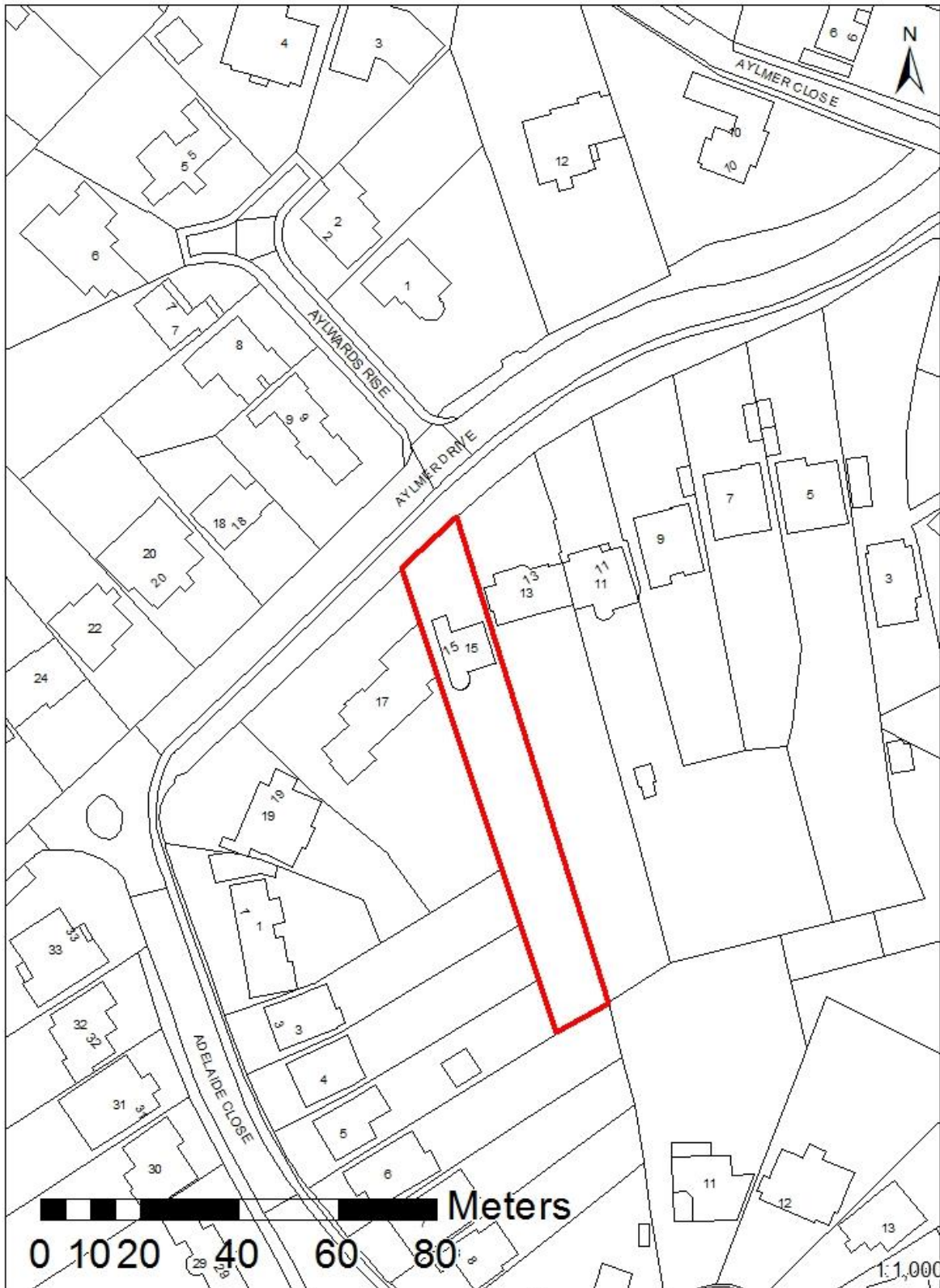
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 = application site



15 Aylmer Drive HA7 3EJ	P/0063/20
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# 15 Aylmer Drive HA7 3EJ



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**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**17<sup>th</sup> June 2020**

**APPLICATION NUMBER:** P/0063/20  
**VALID DATE:** 16<sup>th</sup> JANUARY 2020  
**LOCATION:** 15 AYLMER DRIVE, STANMORE, HA7 3EJ  
**WARD:** STANMORE PARK  
**POSTCODE:** HA7 3EJ  
**APPLICANT:** MR BHAVISH PATEL  
**AGENT:** N/A  
**CASE OFFICER:** WILL HOSSACK  
**EXPIRY DATE:** 23<sup>rd</sup> APRIL 2020

**PROPOSAL**

Redevelopment to provide a two storey dwelling with basement; parking; hard and soft landscaping; bin store (demolition of existing dwelling)

**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 RECOMMENDATION**

The proposal would provide a high quality replacement family dwellinghouse which responds appropriately to the site, local context, height, massing and architectural appearance. Officers consider that the proposal would not have an unduly harmful impact on the amenity of neighbouring occupiers in terms of privacy/outlook; daylight, sunlight or overshadowing.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

## **INFORMATION**

This application is reported to Planning Committee on request of a nominated member and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type:	E13 Minor Dwellings
Council Interest:	N/A
Net additional Floorspace:	373sqm
GLA Community	£22,380
Infrastructure Levy (CIL) Contribution (provisional):	
Local CIL requirement:	£60,256

## **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 proposal does not adversely affect crime risk.

## **1.0 SITE DESCRIPTION**

- 1.1 The application site consists of a two-storey detached dwellinghouse orientated towards the north-west along Aylmer Drive. The application site is sited on a raised slope from the roadside and has a long narrow plot spanning approx. 100m in depth. The flank elevations of the property have two gable walls and the eastern side of the property has a two-storey gable-styled rear projection. The property has an original single storey front projection with a catslide roof protruding approx. 3.6m from the main front building line spanning 3.15 in width. The property has previously extended at the rear by way of a single storey rear extension spanning 2.4m deep. The property is set back approximately 13m from the roadside (the north-western site boundary).
- 1.2 Aylmer Drive is sited off of Stanmore Hill and as such the levels of Aylmer Drive decline towards the south-west. Aylmer Drive is residential in character and has individually designed large detached properties within large plots, all of which are set back from the roadside and the streetscene. The application site is adjoined by large residential properties and gardens.
- 1.3 The eastern site boundary adjoins no.13 Aylmer Drive. No.13 Aylmer Drive is a two storey detached dwellinghouse which has been extended by way of a front porch; two storey front; two storey rear; single storey side extensions and roof alterations (raising ridge height and construction of a rear dormer). No.13 is sited forward of the application site. Due to the sloping levels of the area no.13 is on a higher natural ground level than no.15.
- 1.4 The western site boundary adjoins no.17 Aylmer Drive. No.17 is also a detached property within a large plot which is not as deep as that found at no.15 however, it is significantly wider. The property has historically been extended by two storeys to both sides (and partly to the rear); and a single storey side extension adjoining the shared boundary with no.15; resulting in the property having a cumulative width of approx. 29m. The orientation of no.17 is more towards the north-east than no.15. As such, the rear elevation of the property faces toward the shared boundary at no.15. Due to the sloping ground level no.17 is sited on lower natural ground level than no.15.
- 1.5 There is a Tree Protection Order for a tree sited along the front site boundary (TPO 21: Aylmer Drive, Stanmore Hill, T22 Ornamental Cherry) however, this tree is not actually within the site.
- 1.6 The application site has a PTAL rating of 1a. Aylmer Drive is a private road and as such is unadopted Highways land.
- 1.7 The application site is not located within a Critical Drainage Area or any Fluvial or Surface Water Flood Zones, nor any other site constraint.

## **2.0 PROPOSAL**

- 2.1 The proposal is a re-submission of application P/5300/15 which was previously granted on 07/01/2016 but not implemented.
- 2.2 The application seeks to demolish the existing dwellinghouse and re-develop the site to provide a two-storey dwellinghouse with an undercroft and basement extension. The proposed property would have a raised roof ridge, habitable roof space, and would project further forward towards the front and the rear of the existing house.
- 2.3 The slope of the front garden/drive would be excavated to provide an entrance, in the form of a garage door, to the undercroft/basement level (below ground floor level). The footprint of the basement would not project beyond the front building line of the existing dwelling, and would project 12.7m beyond the original rear wall of the property at its deepest point. The south-western side of the proposed basement would also see the ground to be excavated round to the rear garden beyond the rear elevation of the dwelling. This creates a lowered “terrace” area adjoining (and accessible to/from) the basement to the side and rear of the property.
- 2.4 In relation to the footprint of the existing dwellinghouse, the proposed dwelling would project further forward by 5.5m on the eastern side of the ground floor. The western side would not project further (matching the depth of the existing single storey front projection) but the width of the projection would be slightly increased on both sides resulting in a 5m wide projection. The proposed dwelling would at the rear project beyond the ground floor footprint by 5.6m at its deepest point. The flank elevations of the proposed ground floor would not exceed the width of the original dwelling, the rear component would be slightly set in from the width of the original dwelling. The space between these two projections is recessed and forms the main entrance to the property (in line with the original footprint).
- 2.5 The front of the first floor would match the footprint of the proposed ground floor. This would result in the front of the first floor increasing in depth between 1.4m – 5.5m. The first floor would also match the footprint of the recessed entrance projecting 2.5m. The rear of the first floor would project 2m at the rear. The rear first floor footprint would be set in approx. 1.2m on both flank elevations from the original footprint.
- 2.6 The proposal would see the maximum height of the roof ridge raised by 600mm from the highest point of the existing building. The proposed dwelling would have a pitched roof form and would form two small crowns set down from the raised ridge.
- 2.7 The overall appearance of the building would be contemporary in design. The property features two large glazed features serving to split the raised roof of the north-east part of the building resulting in an appearance where the remaining roof forms are lowered and subservient from the front of the building. One of the glazed features is in the front elevation above the recessed entrance – consisting of a large window serving the 1<sup>st</sup> floor stairway and rising up being flush with the slope

of the roof. The other glazed feature is sited within the eastern elevation (orientated towards the shared boundary with no.13) which spans from the ground floor to being flush with the roof. These features connect in the roof and serve to provide light throughout the dwelling and the habitable roofspace. The materials used in the property consist of stone cladding primarily in the north-east part of the building and the basement. The rest of the building is to be rendered whilst the roofslopes (where not glazed) feature tile.

2.8 The proposal also features raised boundary treatment in the form of retaining walls on both shared boundaries with no's. 13 and 17 Aylmer Drive.

### 3.0 **RELEVANT PLANNING HISTORY**

3.1 A summary of the planning history is set out below:

Ref no.	Description	Status & date of decision
P/1997/03/DFU	Two storey side extension incorporating front and rear dormer	Refused (21/10/2003)
P/322/04/DFU	Two storey side extension incorporating front and rear dormers (revised)	Granted (30/03/2004) Not Implemented
P/5300/15	Redevelopment to provide a two storey detached dwellinghouse with habitable roofspace and basement level parking and bin storage	Granted (07/01/2016) Not Implemented

### 4.0 **CONSULTATION**

4.1 A total of 6 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 6<sup>th</sup> February 2020.

4.2 6 Objections from 5 different objectors have been received following the public consultation.

4.3 These objections are summarised below with officer comments in italics:

**Character and appearance:**

- Poor design and detrimental to character of the area;
- Overbearing development in terms of scale and massing
- Disproportionate development in relation to its plot;
- Inappropriate basement development

*Officer response: As discussed in the report, the development would be considered proportionate relative to its plot whilst its design serves to mitigate some bulk. The report also highlights an appeal decision for a property within the locality where the Inspector concluded a contemporary design within the area can be acceptable The basement development is considered to be acceptable in*

*terms of impact to character and appearance.*

**Residential Amenity:**

- Overlooking issues impacting no's 13 and 17 Aylmer Drive;
- Loss of light issues impacting no.13 Aylmer Drive;
- Failure to comply with 45 degree code

*Officer response: It is considered the proposed development has the appropriate set-backs as to not significantly impinge upon the privacy, light and outlook of neighbouring properties whilst conditions can ensure windows in flank elevations are obscure glazed. The existing and proposed breach a 45 degree angle from no.17 however, it is considered the less bulky proposed building form and the distance between the properties would serve to mitigate any significant impacts.*

**Flood Risk and Drainage:**

- Proposal would be detrimental in terms of flood risk and drainage capacity

*Officer response: The Drainage Authority and Thames Water have raised no objections to the proposal and its impact to flooding/drainage capacity*

**Biodiversity:;**

- Reduction in biodiversity due to removal of bushes and trees

*Officer response: Removal of landscape features can be addressed by way of condition requiring landscaping to be provided prior to commencement of the proposal. The application site is not located within any policy constraints relevant to biodiversity or the conservation of wildlife.*

**Other issues:**

- Building works affecting foundations

*Officer response: Structural issues would be addressed at the Building Control stage and is not a planning consideration.*

4.4 Statutory and Non Statutory Consultation

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

Consultee and Summary of Comments

**LBH Highways**

No Objection – Aylmer Drive is an unadopted highway. The proposal should however still meet the requirements of The London Plan standards in terms of car parking (max. 1.5 spaces) and cycle storage (min. 2 spaces).

This is a relatively small proposal and unlikely to result in a severe impact for the surrounding highway network on its own. This is due to the proposal only being for four additional one bedroom flats and generally, this would not result in high

parking demand or trip generation.

**LBH Drainage**

No Objection subject to conditions - conditions requested are pre-commencement conditions pertaining to surface water drainage strategy; basement protection; and proposed parking/hardstanding

**Thames Water**

No Objection – expect developer to minimise groundwater discharge where possible and as part of basement construction would require a permit to discharge water into the network. If recommended for approval request attachment of informative.

**LBH Landscape Officer**

No Objection subject to conditions – conditions requested are pre-commencement conditions concerning:

- Landscaping details to be approved
- Hard Landscape Material Details
- Landscaping Scheme – Implementation including a period of 5 years for replacement of soft landscaping
- Boundary Treatment
- Site Levels
- Details of Tree Protection Measures

**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 2019] sets out the Government’s planning policies for England and how these should be applied, 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 (2019), 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 originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of Development
- Character and Appearance of the Area
- Residential Amenity
- Trees
- Traffic, Safety and Parking
- Flood Risk and Drainage

### **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.14
- The Draft London Plan 2019: H8, D10
- Harrow Core Strategy 2012: CS1

6.2.2 The proposal would require the demolition of the existing dwellinghouse. Although there is no specific policy against the principle of the demolition of the dwellinghouse, as they are not protected, Policy 3.14 of The London Plan (2016) and Policy H8 of The London Plan (2019) – 'Intend to Publish' safeguard the loss of housing. The proposal however, would provide a replacement dwellinghouse with a greater floorspace and would therefore not conflict with the policy in this regard.

6.2.3 Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the replacement of a residential dwelling here. Consequently, it is considered that the principle of a replacement dwellinghouse would be acceptable, subject to detailed consideration of the likely impact on the character and appearance of the surrounding area, neighbouring amenity, highway safety, flooding, trees and other matters addressed below.



6.2.4 The proposed dwelling includes basement development. Policy D10 of The London Plan (2019) – Intend to Publish Version, states boroughs should establish policies to address the negative impacts of large-scale basement development beneath existing buildings, where this is an identified local issue. There is currently no evidence base present within the London Borough of Harrow to establish that this is a local issue and therefore in relation to basement development there are no specific development plan policies. As such, there is no objection to the principle of the proposed basement development. The basement level has been assessed on its own merits in accordance with remaining relevant development plan policies in relation to impact to the Character and Appearance of the Area; Residential Amenities; Traffic and Parking; and Drainage and Flood Risk.

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

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.4, 7.6, 7.21
- The Draft London Plan 2019: D1, D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM22, DM23, DM42

Relevant Supplementary Documents

- Residential Design Guide (2010)

6.3.2 Paragraph 4.35 of the Council’s SPD states “Irrespective of whether a development compliments the existing building fabric of an area or constitutes an innovative new style in its setting, the design must be of a high standard. Building designs which are harmful in their site and setting will not be accepted’.

6.3.3 Aylmer Drive is characterised by various detached properties individually designed with albeit “traditional” styling with similar brickwork or render. However, there is not much uniformity or replication of exact buildings forms in the area and a new contemporary design would not be unjustified. Furthermore, buildings of a contemporary design are present within the area, notably no.33 Adelaide Close (allowed on appeal reference no.APP/M5450/A/12/2179736) which is sited at the bottom of the road on the corner of Aylmer Drive and Adelaide Close.

6.3.4 Landscaped frontages are a prominent feature throughout the locality. It is considered the proposal being set back from the front site boundary in conjunction with an acceptable landscaping scheme would serve to mitigate any harm caused by a contrasting design of the proposed dwelling to that within the area. No details of landscaping have been provided in the application however, this can be secured by way of a pre-commencement condition. In conjunction with providing high quality materials to be used in the development (which can also be secured by way of another pre-commencement condition) it is considered the contemporary

design of the new dwellinghouse would be acceptable. This is consistent with the aforementioned appeal decision at no.33 Adelaide Close.

- 6.3.5 It is noted the scale of the new dwellinghouse would be significantly larger in terms of footprint and depth when compared to the original dwellinghouse. The original house is smaller than others found in the area. This is due to being within one of the deeper and narrower plots in the locality. The total depth of the proposed dwelling would span approx. 25m<sup>2</sup> (from the front of the basement to the rear most point). The extended footprint although large would not be of detriment to the character or pattern of development of the locality. As previously mentioned the area is characterised by large dwellings of various scales, notably the adjoining neighbour no.17 (found within a significantly wide plot) has extended to be approx. 29m in width. Furthermore, the overall design of the proposal features set-backs and design features which serve to mitigate the bulk and massing normally associated with such a development. These include glass features, running down from the roof down to ground floor in both the principal and eastern flank elevations, which serve to break down the building into separate components reflecting the alternating materials; and the proposed hipped roof form. Although, the proposed roof form would be higher than the existing dwelling, the overall visual appearance from the front would be less bulky than the existing gabled roof form – maintaining the gaps between the host and neighbouring dwellings.
- 6.3.6 The front of the basement forms an undercroft and the garage door would be visible from the front elevation (excavating the slope leading up to the house). However, this would not be a feature unlike that already present at no.11 Aylmer Drive. No.11 has a detached garage sited beyond the front building line but within an excavated area (below the ground level of the host dwelling). In conjunction with the set back from the streetscene and landscaping details (secured by pre-commencement condition) the undercroft garage/basement would not be a prominent, intrusive nor incongruous feature to the street scene and locality.
- 6.3.7 The rear of the house would not be visible from the streetscene and is enclosed by the rear gardens of adjoining residential properties. The basement level of the proposal would not be visible to either of the adjoining neighbours due to the excavation and the raised boundary treatment. The ground floor (total depth 20m) is set in from the footprint of the basement and expands to a lesser depth than that which can currently be achieved via the utilisation of Permitted Development on the site (potential to expand 8m from existing rear building line). The first floor rear building line would only extend 2m beyond the original rear of the existing dwelling and due to its set-backs would serve to break down any visual bulk between the ground and first floors. However, it is ubiquitous that the proposal consists of an overall large development and it is considered this would be the extent as to what should be achievable within the plot for a residential property. It is recommended, if the proposal is approved, that the sites Permitted Development rights are removed by way of planning condition. This would allow the Local Planning Authority to exercise full control over any future development within the site.

- 6.3.8 The existing site has landscaping features to the front and rear of the site. The proposal provides some provision for landscaping. The Council's Landscape Architect has raised no objections to the proposal subject to conditions consisting of: the submission of a soft landscaping scheme, a 5 year schedule for the replacement of soft landscaping, materials used for the driveway and boundary treatment. A condition is also attached concerning site levels which would be a pre-commencement condition and is necessary in order to fully assess the proposal in relation to levels of the wider site (and external sites). The soft landscaping condition also contains details requiring protection measures for the TPO.
- 6.3.9 The proposal includes four refuse bins which would be sited along the entrance to the basement level, out of view from the streetscene. This would be an acceptable arrangement not serving to provide unnecessary clutter in the area.
- 6.3.10 For these reasons, officers consider that the proposal comply with the respective policies in this regard.

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5C, 7.6B
- The Draft London Plan (2019): D1, D3, D6
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013):DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)

- 6.4.2 The Gross Internal Area and room sizes of the proposed dwellinghouse, and the form and amount of amenity space provision, would comply with The London Plan (2019) – Intend to Publish and the Council's Residential Design Guide (SPD) and the Technical Housing Standards – Nationally Described Space Standards. As such, the proposal is considered acceptable in this regard and would provide acceptable living accommodation and amenity space for the future occupiers. The proposed dwelling would also have adequate floor to ceiling heights in accordance with the Technical Housing Standards and the habitable rooms would all benefit from an adequate amount of light and outlook.
- 6.4.3 In regard to the impact of neighbouring residential amenities to no.13, it is noted no.13 is sited further forward than the existing and proposed dwelling at no.15. The rear of no.13 has a protected rear window in its extended first floor and the existing relationship between the first floors of both properties (as originally built) would be contrary to the Council's SPD 45 degree rule. However, the proposed dwellings first floor is set in 1.6m further from the shared boundary than that of the

existing dwellings first floor. The hipped roof form would be of a lesser volume and bulk than the existing first floor wall and gable roof form (which is sited closer to the boundary). As such, the proposed dwelling would not be as visually intrusive as the existing relationship and would not be of significant detriment to no.13 in terms of loss of light or outlook or in creating a sense of enclosure.

- 6.4.4 The large amount of glazing in the flank elevation facing no.13 would be high level and can be conditioned to be non-opening (up to 1.7m above finished floor level) and obscure glazed. The windows in the flank elevation are either serving non-habitable rooms or provide a secondary window to a habitable room and due to this it is considered the relationship between these windows and no.13 would not give rise to increased levels of overlooking. Due to their high level non-opening design in conjunction with being obscure glazed it is considered the glazing in the flank elevation would not be of significant detriment to no.13 by way of actual/perceived overlooking nor loss of privacy. It is acknowledged that the large glazed element would be a significant expanse of glazing. But it should be acknowledged this would only serve a hallway/stairwell and not a habitable room and can also be conditioned – as such, given its non-habitable nature it is considered in conjunction with the appropriate obscure glazing (and non-opening) condition this would be an acceptable arrangement.
- 6.4.5 In regard to impact to no.17, the proposal would comply with all 45 degree codes. Due to the siting of the dwellings, four of the proposed windows in the flank elevation would extend beyond the rear building line of no.17 in the basement level and the ground floor. It is considered due to the existing relationship of the ground level and the excavation the basement level these windows would only offer views to the boundary treatment. Furthermore, the ground floor windows would not be the primary windows of the rooms they serve and as such can be secured by condition to be non-opening and obscure glazed.
- 6.4.6 Objections have been received concerning overlooking to the rear amenity space of no.17 from the ground floor terrace (atop the basement level). However, in conjunction with the raised boundary treatment and the closest part of the basement to the shared boundary being sited approx. 1.2m away, it is considered the proposal would not be of significant detriment to the residential amenities of no.17 Aylmer Drive. The removal of Permitted Development Rights as mentioned above would also prevent the installation of any new windows in the flank elevation without planning permission.
- 6.4.7 The windows in the front and rear elevation of the proposal remain the same orientation as that of the original dwelling and therefore it is considered not give rise to any new unacceptable relationships. For the reasons outlined above it is considered the proposal would not result in unacceptable living accommodation for the occupiers of the dwelling.
- 6.4.8 For these reasons above, officers consider the proposal to comply with the respective policies in this regard.

## **6.5 Trees**

6.5.1 The Council's Tree Officer raised no objection to the proposal. The application site does not contain a TPO but is adjacent to one, therefore measures of protection have been included in the Landscaping condition to be provided to mitigate the loss of soft landscaping and protect the TPO.

## **6.6 Traffic and Parking**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Draft London Plan (2019): T5, T6, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM44

6.6.2 The Highways Authority have raised no objection to the proposal. The basement provides two parking spaces and therefore officers consider the proposal acceptable in regard to respective policies.

## **6.7 Development and Flood Risk**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13
- The Draft London Plan (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM9, DM10

6.7.2 The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions and informative. Since the preceding application was granted, the West London Strategic Flood Risk Assessment (SFRA) has been updated. Conditions relating to basement protection measures and surface water attenuation and storage works have therefore been included to accord with the requirements of the SFRA. Subject to conditions, the proposal would therefore comply with the relevant policies in this regard.

6.7.3 The application was also referred to Thames Water who have raised no objection to the proposal however, have reiterated a permit would be needed to discharge ground water to a public network and have requested an informative to be attached to the proposal.

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

- 7.1 The proposal would result in a high quality contemporary design within the locality and would have an acceptable impact on the residential amenity of adjoining occupiers and in relation to the functioning and safety of the public highway. Further, subject to conditions the proposal does not raise any issues to flooding or drainage concerns. Officers conclude that the proposed development is worthy of support.
- 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: PL/01, PL/02, PL/03, PL/04, PL/05, PL/06, PL/07, PL/08, PL/09, PL/10, PL/11, PL/12, PL/13, PL/14, PL/15, PL/16, PL/17, PL/18, SL/512/002, Design and Access Statement, Planning Statement, Site Location Plan, existing and proposed 'aerial views'  
REASON: For the avoidance of doubt and in the interests of proper planning.

### 3. Materials

The development of the dwellinghouse hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces of

- the new dwelling
- the ground surfacing

have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the character and appearance of the locality. To ensure that measures are agreed and in place to safeguard the character and appearance of the locality during the construction phase of the development so that the development is completed in accordance with approved details. This condition is a PRE-COMMENCEMENT condition.

### 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 levels of the site, have been submitted to, and approved by, the local planning authority. The development shall be carried out in accordance with the approved details.  
REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.



5. Sewage Disposal Details

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

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

6. Surface Water Disposal Details

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

REASON: To ensure that adequate drainage facilities are provided. This condition is a PRE-COMMENCEMENT condition.

7. Basement Protection Measures

Notwithstanding the approved plans, the scheme shall not commence until details for basement protection for ground water flooding, which would include waterproofing and water tanking details have been submitted and approved by the Local Planning Authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided. This condition is a PRE-COMMENCEMENT condition.

8. Surface Water Attenuation

The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority.

REASON: To ensure that adequate drainage facilities are provided. This condition is a PRE-COMMENCEMENT condition.

9. Landscaping Details

The dwellinghouse hereby permitted shall not be occupied until there has been submitted to and approved in writing by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site.

Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities, and measures to protect the protected tree: TP21 at the front of the site. Hard landscaping shall include details of the boundary wall (materials, finished treatment including colour, height). 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.

10. Planting Schedule

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.

11. Tree Protection Measures

The erection of 2.5m heras steel fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

12. Construction Management Strategy

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

- a) 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 of the development;
- d) the erection and maintenance of security hoardings;
- e) measures for the control and reduction of dust, 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 ensure the transport network impact of demolition and construction work associated with the development is managed and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers. Details are required prior to commencement of development to ensure a satisfactory form of development.

13. Permitted Development Rights

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 in both the existing dwellinghouse and the new dwellinghouse hereby approved, without the prior written permission of the local planning authority.

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

a: amenity space

b: parking space

and to safeguard the amenity of neighbouring residents in accordance with Policy 7.6 of the London Plan (2016) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

14. Glazing

The window(s) and glazed elements in the side 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)

## **INFORMATIVES:**

### 1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

The London Plan (2016): 3.5, 5.12, 5.13, 6.9, 6.13, 7.4, 7.6

Draft London Plan: D1, D3, D6, SI13, T5, T6,

Core Strategy: CS1

Development Management Policies: DM1, DM9, DM10, DM22, DM23, DM42

### 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.com](mailto:Ucommunities@twoten.com)U4T

### 4. Pre-application engagement

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

5. 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. Thames Water

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [wwgriskmanagement@thameswater.co.uk](mailto:wwgriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to surface water drainage, Thames Water would advise if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

7. 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.

8. Mayoral Community Infrastructure Levy (provisional)

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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £22,380. This amount excludes indexation. 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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf) 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/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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

9. Harrow Community Infrastructure Levy (provisional)

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £60,256

This amount excludes indexation. 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).

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto:HarrowCIL@Harrow.gov.uk)

10. Damage to the Highway

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

11. Street Naming and Numbering

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

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and

Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.

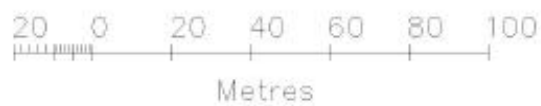
[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

**CHECKED**

Interim Chief Planning Officer	Orla Murphy pp Bev Kuchar
Corporate Director	Paul Walker 5 <sup>th</sup> June 2020



**APPENDIX 2: SITE PLAN**



**APPENDIX 3: SITE PHOTOGRAPHS**











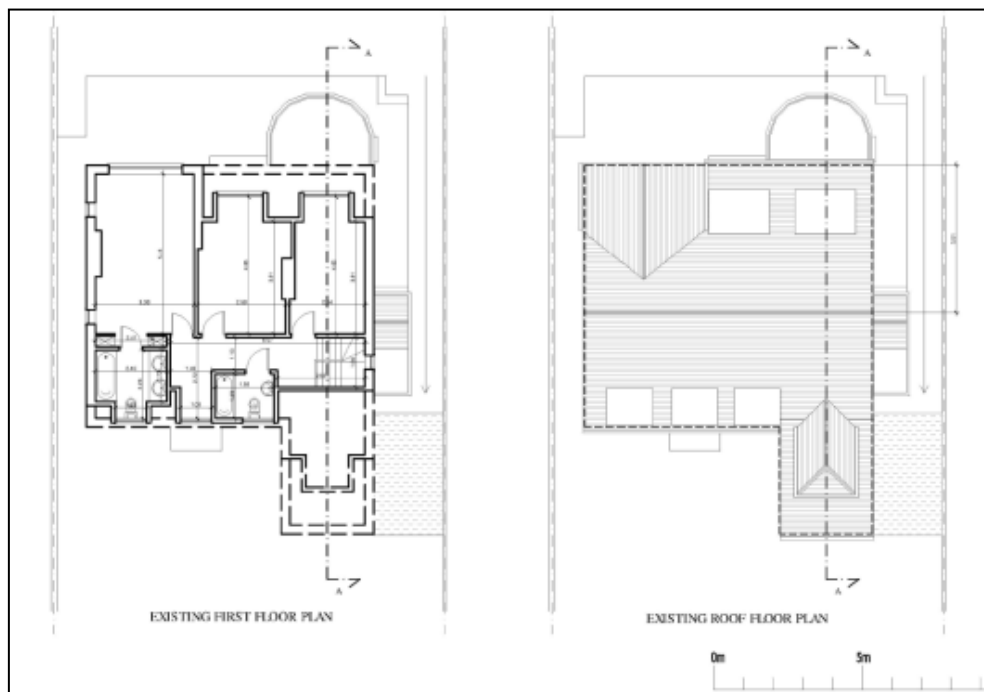
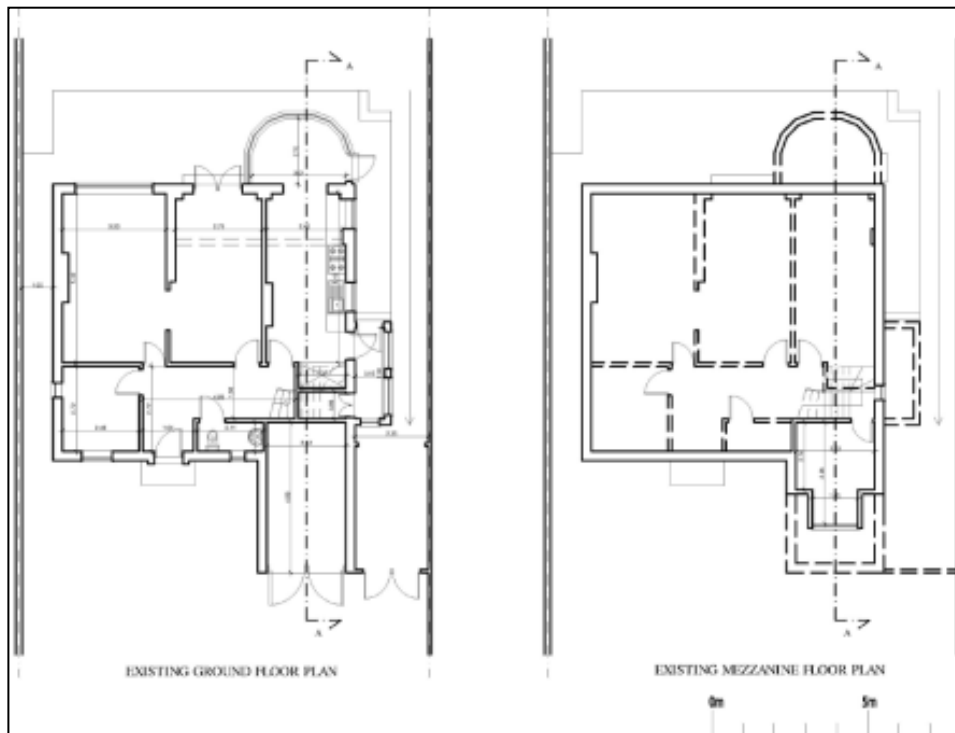


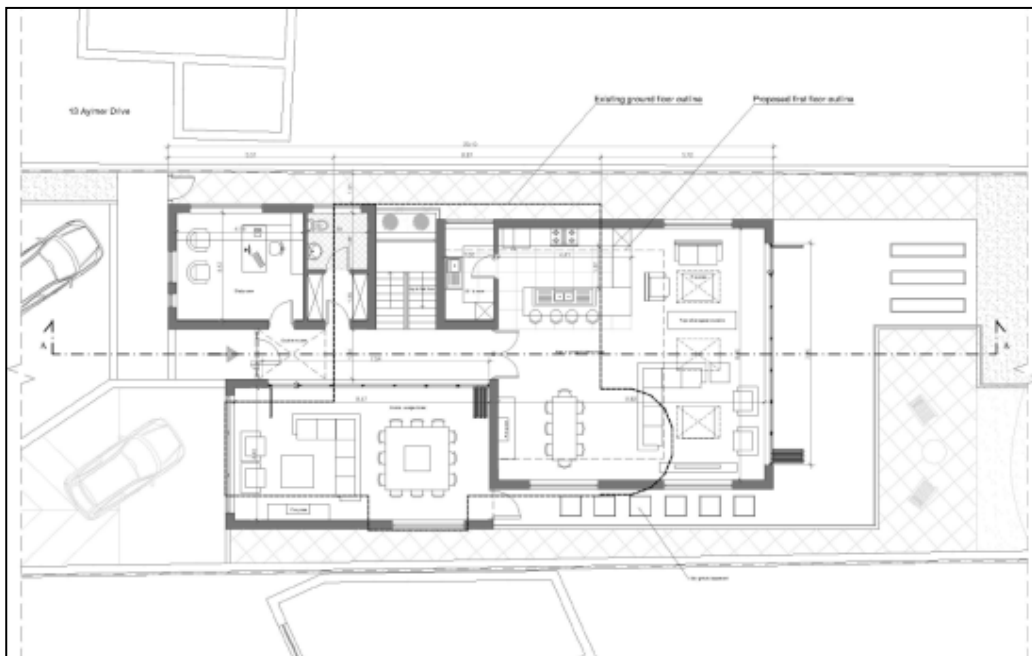
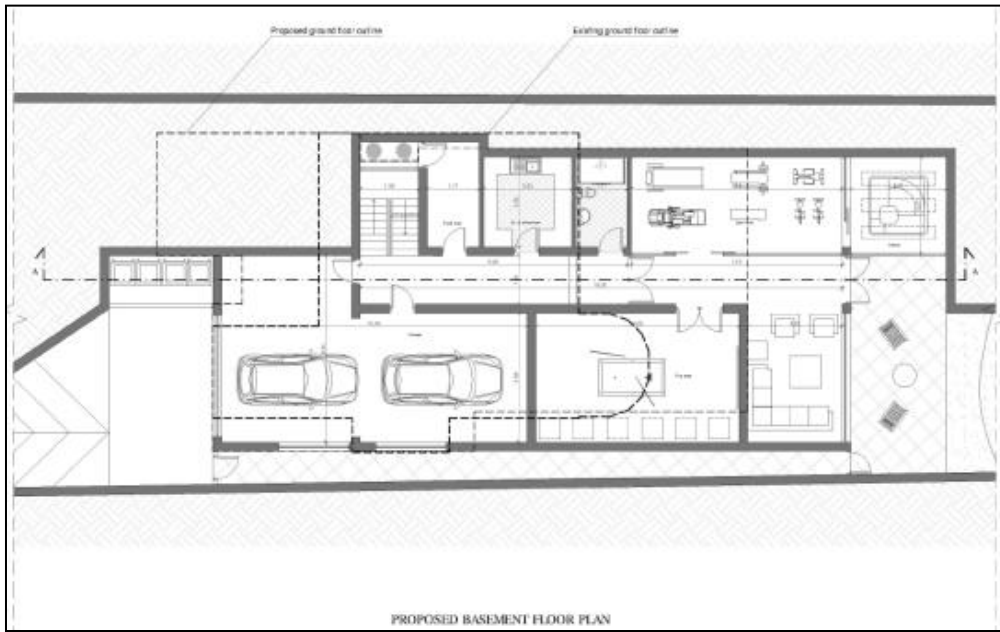


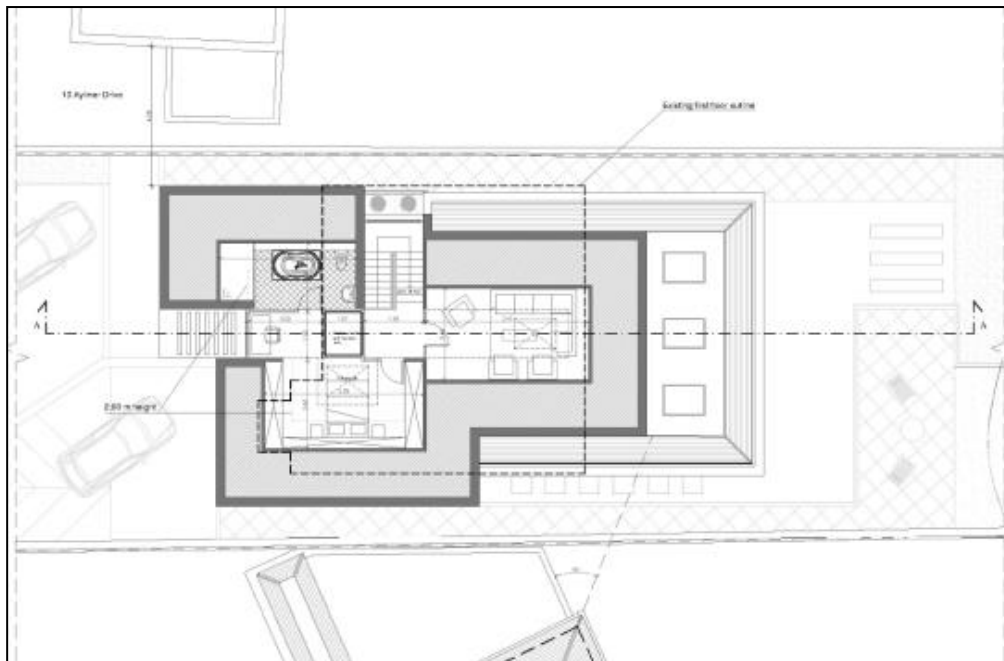
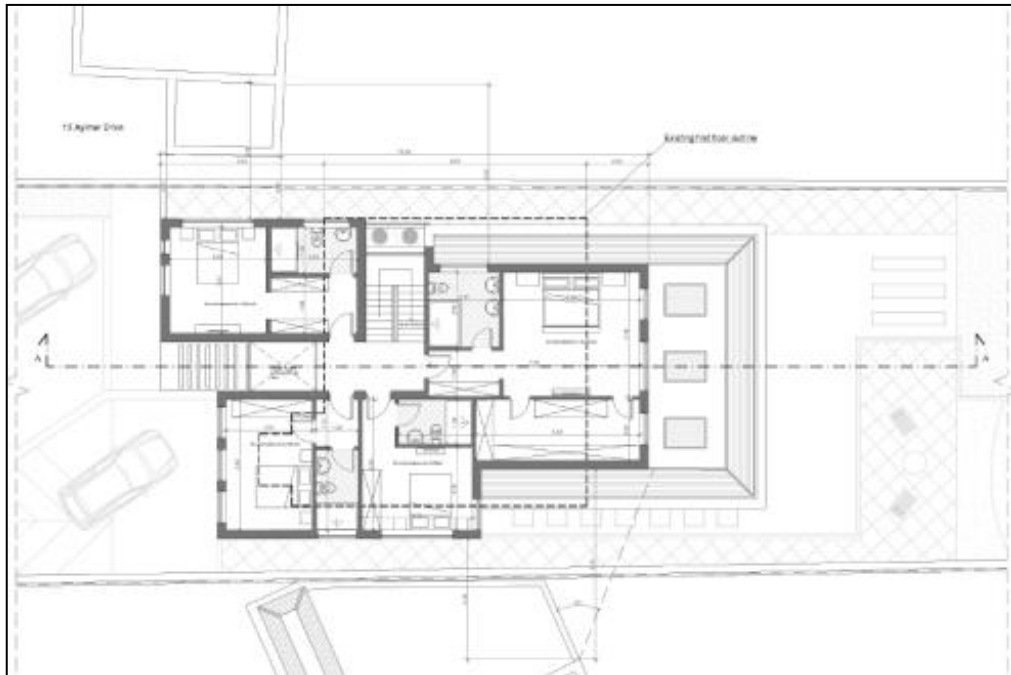


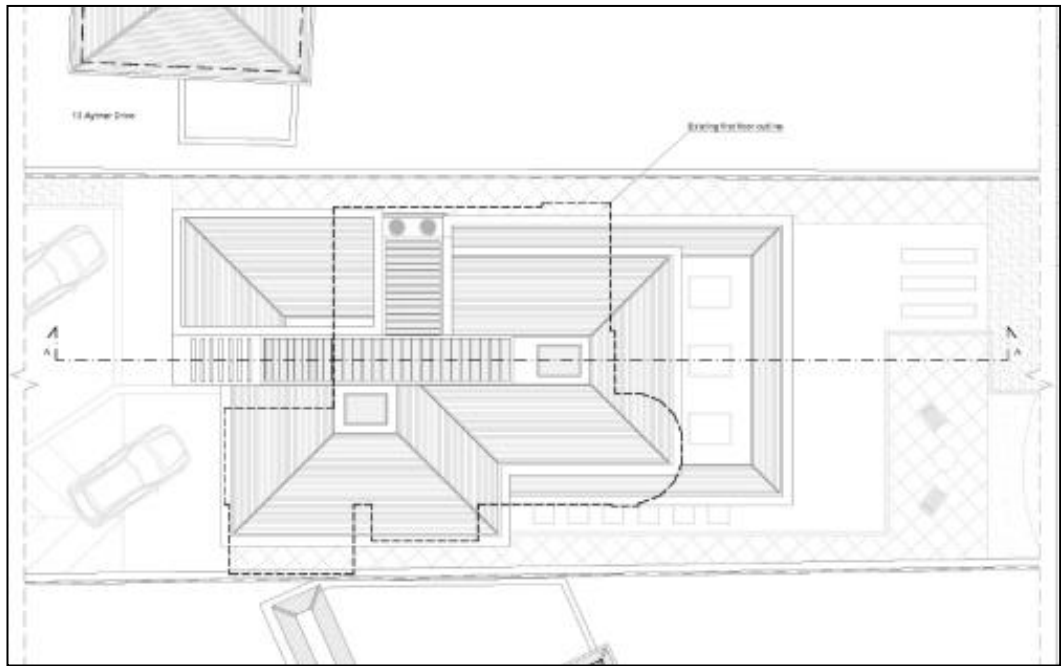


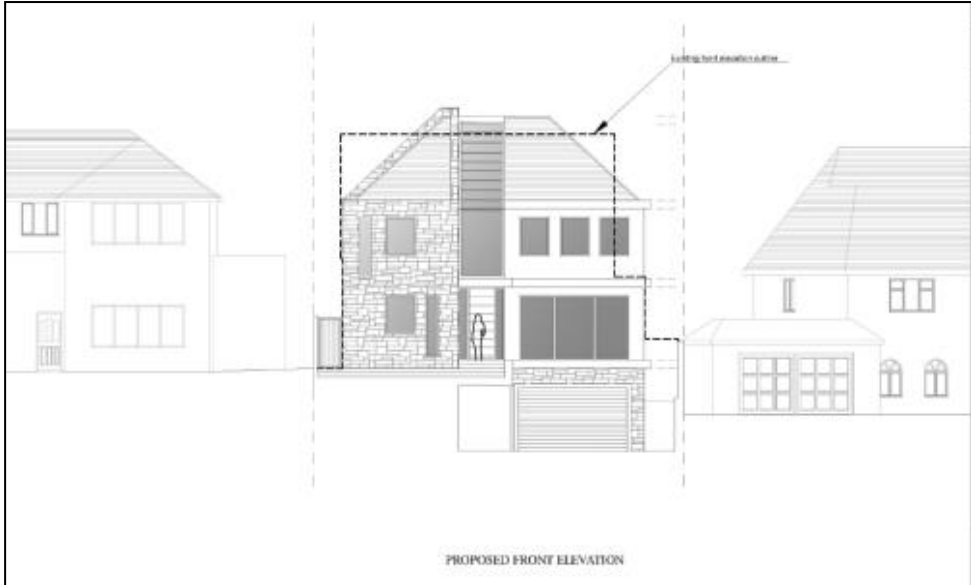
**APPENDIX 4: PLANS AND ELEVATIONS**









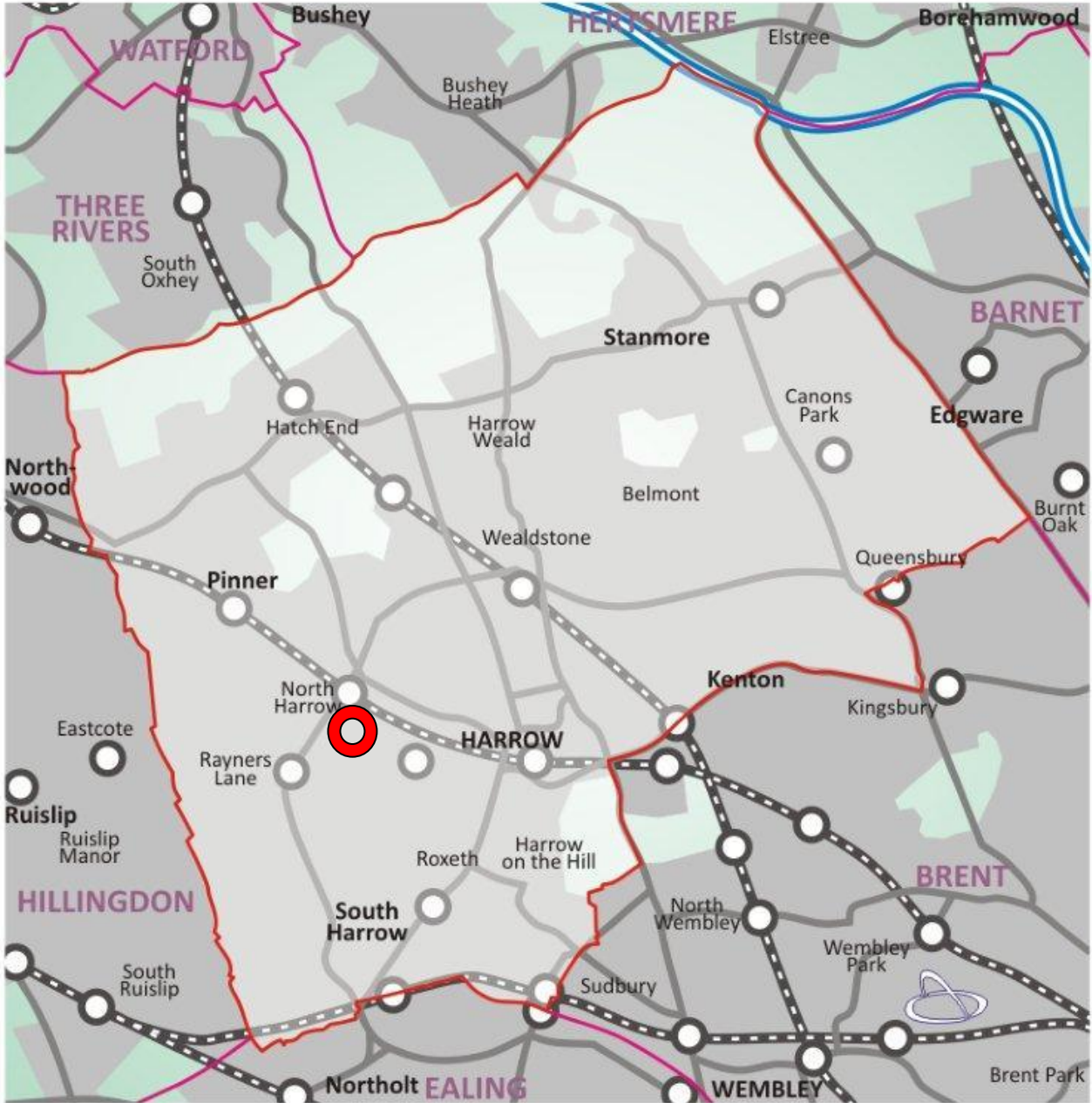




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 = application site



35-69 Imperial Drive	P/0247/20
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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17th June 2020

**Application Number:** P/0247/20  
**Validate Date:** 9<sup>th</sup> FEBRUARY 2020  
**Location:** 35-69 IMPERIAL DRIVE, HARROW  
**Ward:** WEST HARROW  
**Postcode:** HA2 7DT  
**Applicant:** MR ANIKET CHHIPPA  
**Agent:** LOUISE MORTON, QUADRANT PLANNING  
**Case Officer:** CATRIONA COOKE  
**Expiry Date:** 14<sup>th</sup> APRIL 2020 (EXTENDED 19<sup>th</sup> June 2020)

#### PROPOSAL

Addition of one floor to each building to provide two x one bed flats with balconies (additional 6 flats in total); patio area to ground floor flats; external alterations; parking; landscaping; refuse and cycle storage

#### RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report subject to conditions.

#### REASON FOR THE RECOMMENDATION

The form, scale and siting of the proposed additional floor on the site is appropriate in this location and does not appear at odds with the existing character of development in the immediate area and would not have an adverse impact on the amenity of the occupiers of adjoining properties in accordance with Policies 7.4B and 7.6B of The London Plan (2016) and Policy DM1 of the DMP (2013).

#### INFORMATION

This application is reported to Planning Committee as it would provide in excess of 3 new residential units. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type: E13: Minor Dwellings  
Council Interest: None  
Additional Floor Area: 133 sq m

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £7,980 (based on a £60 contribution per square metre of additional floorspace)

Local CIL requirement: £21,291.88 (based on a £110 contribution per square metre of additional floorspace including indexation)

### **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.

## **1.0 SITE DESCRIPTION**

- 1.1 The site is on the east side of Imperial Drive and contains three, three storey flatted blocks, each containing 9 x 3 bed flats. The surrounding area is wholly residential in nature consisting almost solely of two storey semi-detached houses and terraces.
- 1.2 Neighbours immediately to the north are No's 33a and 33b Elm Drive. The rear gardens of houses along Parkthorne Drive abut the site to the rear/east. To the south there are neighbours at No's 171-177 The Ridgeway, although these are separated from the blocks by the on-site car park. The current buildings on site measure 25m in width and 8.50m in depth, with an eaves height of 8.60m and a full height of 11m.
- 1.3 The landscaping currently includes a lawn to the front and most of the rear of the site with some hard landscaping to the rear for a washing line area. The car parking area is in the far southern part of the site and currently provides 15 car parking spaces on site for the use of occupiers. The refuse bins at present in stores at the side of the building, and at the front of the building on collection days.

## **2.0 PROPOSED DETAILS**

- 2.1 It is proposed to remove the existing pitched roof and construct one additional floor above the existing flats on each of the three buildings to provide a total of 6 new one bedroom two person flats,
- 2.2 The proposed additional box floor would be set in 2.7m from the flank walls and 1.2m in from the front and rear elevation. The additional floor would be 2.7m in height an increase of 0.5m above the original pitched roof. A 2.8m wide mansard roof is proposed to the rear to accommodate the stair well to the additional floor.
- 2.3 The proposed front porches to each building would be partially glazed with a full height of 2.8m, and a projection from the main front wall of 1.50m.
- 2.4 The existing parking area of 15 unmarked spaces would be increased, with 3 x disabled parking spaces at the front of each block.. The current vehicle access/egress from Elm Drive and The Ridgeway will be maintained.

### 3.0 HISTORY

Ref no.	Description	Status & date of decision
P/3288/16	Addition of two floors to each building to provide three flats with balconies (additional 9 flats in total) ; five storey lift shaft extension to each building ; enlargement of existing balconies and ground floor patio areas; additional bin store, cycle store and parking; external alterations	Refused 03/10/2016
<p>Reason for refusal:</p> <ol style="list-style-type: none"> <li data-bbox="284 689 1422 1014">1. The proposed development, due to its excessive height and inappropriate design, including the proposed front porches, would not be in keeping with the character and appearance of the original buildings and would fail to respect the character of the surrounding neighbouring properties and pattern of development in the surrounding area, contrary to policies 7.4B and 7.6B of The London Plan (2016), policy CS 1 B of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</li> <li data-bbox="284 1059 1422 1384">2. The proposal, by reason of its size and siting in close proximity to neighbouring houses would result in an overbearing development which would appear excessively dominant, resulting in an unacceptable loss of outlook and visual amenity to the rear habitable rooms and rear gardens of neighbouring occupiers and would also result in an unacceptable degree of overlooking and loss of privacy to neighbouring occupiers, contrary to policy 7.6B of the London Plan (2016), policy DM1 of the Development Management Policies (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</li> <li data-bbox="284 1429 1422 1709">3. The proposed residential units, by reason of inadequate floor to ceiling height, inadequate size, lack of storage space and inadequate outdoor amenity space, would result in substandard, cramped and poor quality accommodation to the detriment of the residential amenities of future occupiers of the residential units, contrary to policy 7.6B of The London Plan (2016), the Mayor of London Housing Guide (2016), policy DM1 of the Development Management Policies Local Plan (2013), and adopted Supplementary Planning Document: Residential Design Guide (2010).</li> <li data-bbox="284 1753 1422 1966">4. The proposed one way system with cars exiting the site exclusively on to The Ridgeway, in conjunction with increased traffic flow on the site would be likely to increase traffic and parking stress on the surrounding network to the detriment of highway safety and convenience, contrary to Policies DM42 and DM43 of the Development Management Policies Local Plan (2013).</li> </ol>		

Appeal dismissed - 23/05/2017		
P/0027/18	Alterations to each building to create mansard roof to provide two flats with balconies and ground floor patio areas (additional 6 flats in total); additional bin store cycle store and parking; external alterations	Refused 28/02/2018
Reason for refusal		
<p>1. The proposed development, due to its height, bulk and inappropriate design, represents an incongruous addition to the host building and would not be in keeping with the character and appearance of the original buildings and would fail to respect the character of the surrounding neighbouring properties and pattern of development in the surrounding area, contrary to policies 7.4B and 7.6B of The London Plan (2016), policy CS 1 B of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</p> <p>2. The proposal, by reason of its size and siting in close proximity to neighbouring houses would result in an overbearing development which would appear overbearing, resulting in an unacceptable loss of outlook and visual amenity to the rear habitable rooms and rear gardens of neighbouring occupiers, contrary to policy 7.6B of the London Plan (2016), policy DM1 of the Development Management Policies (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</p>		

#### 4.0 **CONSULTATION**

- 4.1 A total of 62 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The public consultation period expired on 30<sup>th</sup> March 2020 3 objections were received from adjoining residents and 9 consultation responses in support.
- 4.3 A list is set out below of the comments submitted, divided into objections, followed by those in support:

##### **Neighbouring Amenity**

- Would cause additional overlooking from balconies.

*Officer response: Noted – see section 6.4*

##### **Character of the Proposal**

- The additional floor would be wholly out of scale with the 2-storey dwelling houses in the locality.
- Would make a dominant building in this area and would create a dangerous precedent.

**Support**

- This will not only create space but will uplift the look of the property and strengthen the security of the existing flats.

*Officer response: Noted – see section 6.3*

4.4 Statutory and Non Statutory Consultation

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

4.5 Internal Consultation

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

Consultee and Summary of Comments
<p><b>LBH Highways</b></p> <p>Objection to the increased level of car parking.</p> <p><b>LBH Policy</b></p> <p>No objection to the proposal in principle, subject to character amenity issues.</p>

**5.0 POLICIES**

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

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

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

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the



Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Regeneration
- Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Accessibility

## **6.2 Principle of development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016:3.3
- The Draft London Plan 2019:D1
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM24

6.2.2 Policy 3.8 of The London Plan (2015) 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'.

6.2.3 Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed extensions would constitute an increase in housing stock within the Borough and the development would therefore be acceptable in principle.

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

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.4, 7.6
- The Draft London Plan 2019: D1, D2, D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM42, DM44, and DM45

## Relevant Supplementary Documents

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

- 6.3.2 The existing buildings on the application site comprise a development which is significantly greater in terms of scale and height than the existing pattern of development, which along the main highway of Imperial Drive and the neighbouring streets are two storeys, generally semi-detached or terraced houses. The proposed new floor would have a flat roof and would be subservient to the host property. The overall increase in height of 0.5m would be modest and would not result in a dominant addition to the streetscene
- 6.3.3. The rear mansard would be modest in overall scale and would be subservient to the extended building; it would not be clearly visible from the streetscene and therefore is considered acceptable.
- 6.3.4 The front porch elements, are not excessive in size, and with their brick construction would be in keeping with the original buildings and would be acceptable in terms of character and appearance..
- 6.3.5 The proposed balconies would be acceptable in terms of character and appearance impact, although they would need to be assessed in terms of future occupier amenity. See Section 6.6.
- 6.3.6 In terms of materials, the proposed plain tile hanging external vertical surfaces is considered unacceptable. The applicant has agreed to a condition requiring details of facing brick to match the host property.
- 6.3.7 Paragraph 4.13 of the adopted SPD states that building forecourts make a particularly important contribution to streetside greenness and the leafy, suburban character in Harrow's residential areas.
- 6.3.8 The Council's Landscape Architect has commented that the removal to that extent of green landscaping is not encouraged, although it is acknowledged that this is partly for disabled parking spaces and is partly mitigated by the remaining tree coverage at the front of the site.
- 6.3.9 There would be an increase in the number of wheeled bins required due to the presence of the new flats. Paragraph 4.50 of the adopted Residential Design Guide SPD states that: the design and layout of residential development must provide satisfactory arrangements for the storage and collection of recycling and waste. Objections have been made by neighbours that the provision would not be sufficient. The proposed plans 5 x 1 s q m refuse bins located to the side of each building which would provide sufficient refuse storage space in accordance with the Code of Practice for Refuse Disposal (2008).

## 6.4 Residential Amenity

### 6.4.1 *The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM27
- London Plan Policy 7.4
- The Draft London Plan Policy D1, D6

#### *Relevant Supplementary Documents*

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

#### Neighbouring Occupiers

- 6.4.2 Neighbours to North/North-East at Imperial Drive: The northernmost of the three buildings on site, which contains No. 35-45 Imperial Drive is located directly adjacent to the rear garden of neighbour's residential units at No's 33a and 33b Elm Drive. It is considered, given that the proposed additional floor would be set in and would be a modest 0.5m higher than the existing roof there would be an acceptable impact on these neighbouring properties.
- 6.4.3 Neighbours to North-East at Elm Drive: An objection has been received from neighbours in this street. The nearest of these neighbours is No. 2 Elm Drive with, the rear of the building on site at No. 35-45 approximately 17-18m from this neighbour. Given the distance from the building to the rear garden, of this neighbour and the existing relationship between the two buildings, proposal would not constitute an unacceptable degree of loss of light or outlook. This would also apply to neighbours further away along Elm Drive.
- 6.4.4 In terms of privacy and overlooking due to the orientation, this top floor bedroom would be 20m from the rear boundary of these neighbours. The main living room windows would be facing in the other direction and only a small part of the terrace, which would be the furthest part of the building from this boundary would be facing towards Elm Drive. Therefore the impact would be acceptable in terms of overlooking and privacy in accordance with policy DM1.
- 6.4.5 Neighbours to East/South-East Parkthorne Drive: There have been a number of objections from neighbours in this street. The gardens of neighbouring houses to the rear along Parkthorne Drive would be located a minimum of 12 m from the blocks on the application site, with the blocks angling away from these neighbours and so the distance is generally greater than this. Therefore while there may be some loss of light and outlook to these neighbours, this would be limited by this distance and the existing relationship between the buildings. Furthermore, the orientation is such that loss of sunlight would be limited to the later part of the day.

- 6.4.6 As with the neighbours on Elm Drive, the loss of privacy would be limited by the fact that only one of the habitable rooms faces this neighbouring street on each block and these would be the furthest distance from the boundaries at a minimum of 20 metres. Therefore the relationship would be acceptable in terms of overlooking and loss of privacy in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).
- 6.4.7 Neighbours to West at Imperial Drive: The blocks onsite are a minimum distance of 37m from the houses on the opposite side of Imperial Drive. This would be a sufficient distance to ensure that there would not be an unacceptably harmful impact on the occupiers of these houses in terms of loss privacy and overlooking or a loss of light and outlook, in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

#### Future Occupiers

- 6.4.8 The submitted drawings indicated that the new flats are 1 bedroom 2 person units, which would require a Gross Internal Floor Area (GIA) of 50 sq m. The flats on the would measure 51.56 sq m. In terms of building storage 1.50 sq m has been allocated per unit, which would meet the required standards.
- 6.4.9 The stacking arrangements would place habitable rooms above similar and the same would apply with the non-habitable rooms which would be acceptable. The submitted sections show that the floor to ceiling height for the third floor flats would be 2.5m for the additional floor which is considered acceptable.
- 6.4.10 Outdoor amenity space is a requirement of the Mayor of London Housing Standards and the balconies should measure a minimum of 5 sq m for a 2 person dwelling. It is noted that the proposed balconies would fall below this requirement. However, there is communal space available around the property and therefore in this instance the balconies are considered acceptable.

### **6.5 Traffic and Parking**

- 6.5.1 Policy DM42 relates to parking standards and states that the number of car parking spaces and cycle spaces should meet London Plan (2016) standards. There are currently 15 car parking spaces in an un-delineated communal car park area to the south of the site according to the Design and Access Statement.
- 6.5.2 The number of cycle parking spaces to be provided is 30 which would be sufficient to meet the requirements of 1 spaces per unit. Highways have raised objection regarding the number of parking space above that required in the Draft London Plan (2019). However, it is considered given that this is an extension to an existing block and not a redevelopment of the site, the increase in parking of 3 spaces would be acceptable.
- 6.5.3 Objections have been made by neighbours that the proposal would result in unacceptable pressure on parking spaces in the nearby area. However, the new proposal would provide a higher ratio of parking spaces than the current situation.

## **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. Accordingly, the development would accord with development plan policies and is recommended for approval.

## **APPENDIX 1: CONDITIONS AND INFORMATIVES**

### **Conditions**

1. Timing

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans: MCA338/PC18/303 Rev D; MCA338/PC18/330 Rev D; MCA338/PC18/305 Rev C; mca338/101 Rev C; Design and Access Statement.

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

3. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been made available to view on site, and approved in writing by, the local planning authority:

- a: facing materials for the building, including down pipes
- b: windows / doors
- c: boundary treatment
- d: hard landscape materials:

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.

4. Construction Traffic Management Plan

No development shall take place, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the local planning authority, this must include (but is not limited to):

- a) Parking of vehicles of site operatives/visitors;
- b) HGV access to site – loading and unloading of plant and materials;
- c) Number of HGV's anticipated;
- d) Storage of plant and materials used in constructing the development;
- e) Programme of work and phasing;
- f) Site layout plan;

- g) Highway condition (before, during, after);
- h) Measures to control dust and dirt during construction;
- f) Loading/unloading arrangements
- g) Number and types of vehicles anticipated for each phase of works
- h) Any temporary traffic management requirements eg. parking bay suspensions
- i) Vehicle tracking drawings if any large HGV's will be entering/exiting the site

The development shall be carried out in accordance with the approved Construction Traffic Management 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 to ensure that development does not adversely affect safety on the transport network.

#### 5. Communal Television Equipment

The development hereby approved shall not commence, until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) as been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area

#### 6. Landscaping

The development hereby approved shall not be occupied until a scheme for the hard and soft landscaping details for the ground level areas have been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. Tree planting along the boundaries in particular the frontage and screening around the communal amenity space with hedge planting. Screening of the bin collection point with soft landscaping. The hard surfacing details shall include details of all furniture, boundary treatment, samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.

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.

7. 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 building, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

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

- 8 Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.



## **INFORMATIVES:**

### 1. Policies

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

#### **National Planning Policy Framework (2019)**

#### **The London Plan 2016**

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

#### **Intend to Publish Draft London Plan (2019):**

- D1 London's form and characteristics
- D2 Delivering good design
- D3 Inclusive Design
- D5 Accessible Housing
- T5 Cycling
- T6 Car Parking

#### **Harrow Core Strategy 2012**

Core Policy CS 1 – Overarching Policy Objectives

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

- DM 1 – Achieving a High Standard of Development Policy
- DM 2 – Achieving Lifetime Neighbourhoods Policy
- DM 9 - Managing Flood Risk Policy
- DM 10 – On Site Water Management and Surface Water Attenuation
- DM 12 – Sustainable Design and Layout
- DM22 – Trees and Landscaping
- DM 24 – Housing Mix
- DM 27 – Amenity Space
- DM 42 – Parking Standards
- DM 44 - Servicing
- DM 45 – Waste Management

#### **Relevant Supplementary Documents**

Mayor of London Housing Supplementary Planning Guidance (2016)  
Residential Design Guide Supplementary Planning Document (2010)  
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)  
Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings

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. Considerate Contractor Code of Practice

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

4. Party Wall Act:

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

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

and that work falls within the scope of the Act.

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

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Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

## 5. London Mayor's CIL Charges

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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £12,240.

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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 Council CIL Charges

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £32,313.60

This amount includes indexation which is 323/224. 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).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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. Street numbering

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

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

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.

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

#### 8. Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to [nrswa@harrow.gov.uk](mailto:nrswa@harrow.gov.uk) or telephone 020 8424 1884

where assistance with the repair of the damage is available, at the applicants expense. Failure to report any damage could result in a charge being levied against the property.

9. Sustainable Drainage Systems

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.

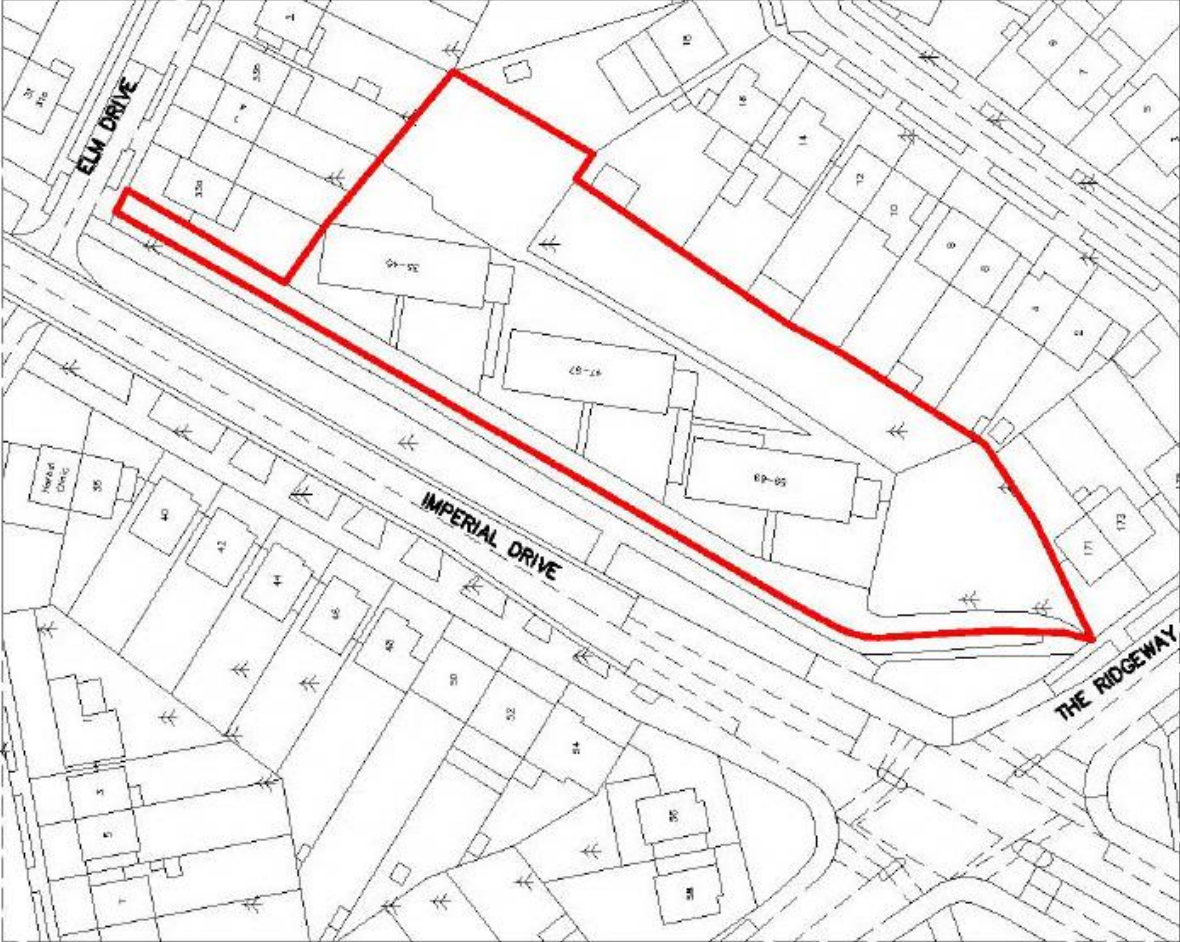
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

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 (2019) 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.

**CHECKED**

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Paul Walker 5.6.2020

**APPENDIX 2: SITE PLAN**



**APPENDIX 3: SITE PHOTOGRAPHS**







# Appendix 4 – Plans and Elevations





RADHU DIRIPA ASSOCIATES  
 Architects & Engineers  
 100/104 BIRCHDALE ROAD  
 WILSONS CREEK, VIC 3086  
 Tel: 03 9475 3445  
 Fax: 03 9475 3446  
 Email: radhu@radhu.com.au

No.	Revisions	Date
1	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
2	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
3	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
4	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
5	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
6	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
7	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
8	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
9	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019
10	Revised to include all of the above 1:100 to 1:500 scale	10/10/2019

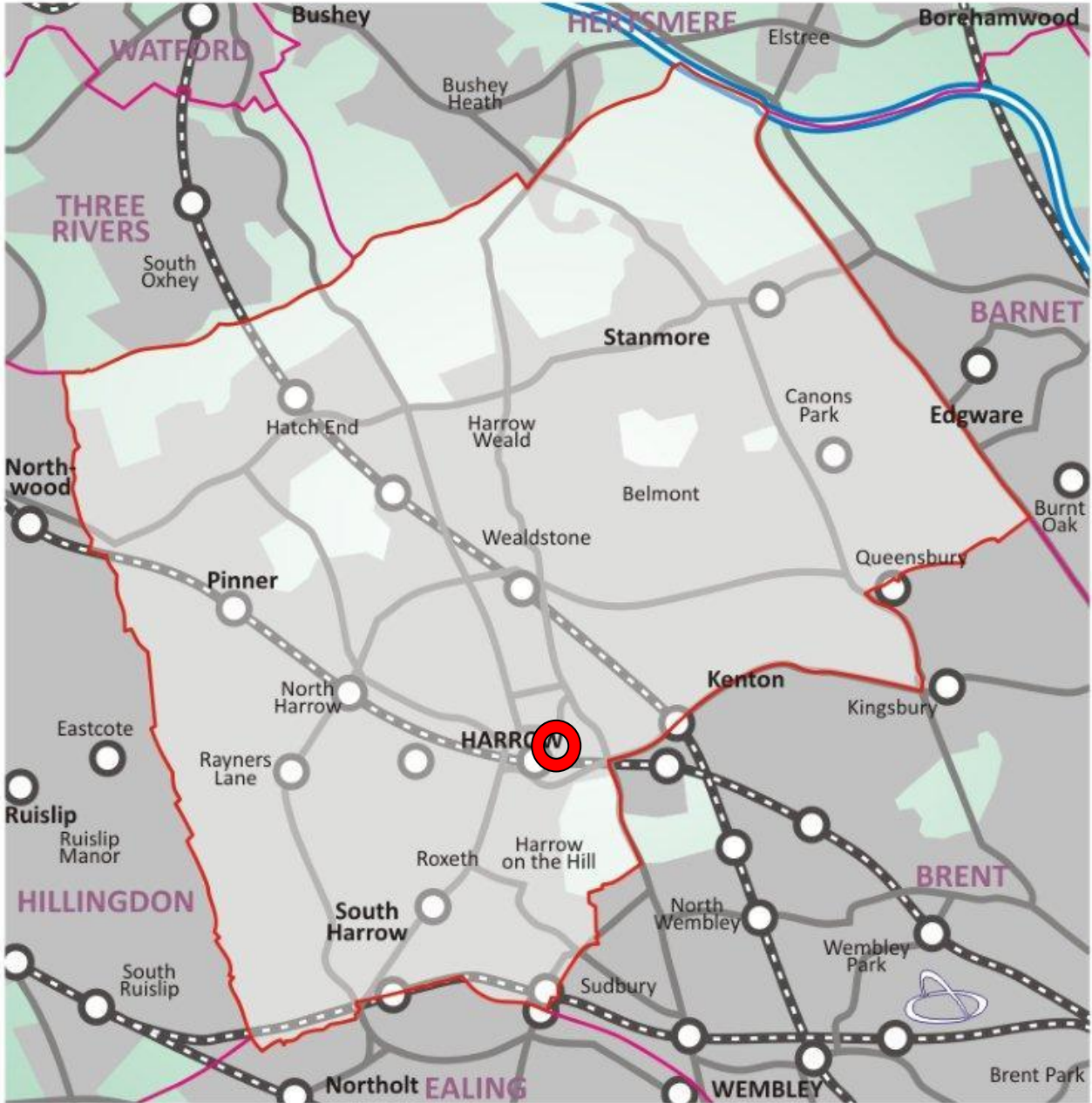
Each Flat Area GIA = 52.17m<sup>2</sup> (1b2p) X 2 per Block  
 Common Area GIA = 11.76m<sup>2</sup> X 1 per Block  
 Balcony Area GIA = 2.87m<sup>2</sup> X 2 per Block

Project: Proposed 3rd Floor Extension to 364-366/6 of Pass St, St-Albans & St-Albans Road, Melbourne  
 Date: 10/10/2019  
 Drawn: WJC  
 Checked: MCA338/PC18/303

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 = application site



<b>100-102 Headstone Road</b>	<b>P0714/20</b>
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# 100-102 Headstone Road HA1 1PF



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

17th June 2020

**APPLICATION NUMBER:** P/0714/20  
**VALID DATE:** 19<sup>th</sup> MARCH 2020  
**LOCATION:** 100 - 102 HEADSTONE ROAD, HARROW  
**WARD:** GREENHILL  
**POSTCODE:** HA1 1PF  
**APPLICANT:** MR VICK PATEL  
**AGENT:** WSP INDIGO  
**CASE OFFICER:** CATRIONA COOKE  
**EXPIRY DATE:** 20<sup>th</sup> APRIL 2020 (EXTENDED 31<sup>st</sup> JULY 2020)

### PROPOSAL

Redevelopment to provide two storey building with habitable roofspace to be used as house in multiple occupation (HMO) for up to 17 residents (sui generis)

### 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 in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
  - i) Prior to occupation of the development notify all prospective owners, residents, occupiers or tenants of the units of the development that they will not be eligible for a Resident Parking Permit or Visitors Parking Permit to park a motor vehicle where a CPZ has been implemented unless they hold a Disabled Person's Badge.
  - ii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
  - iii) Planning Administration Fee: Payment of £1580 administration fee for the monitoring and compliance of the legal agreement

## **RECOMMENDATION B**

That if, by 31st July 2020 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 delegate the decision to the Interim Chief Planning Officer to **REFUSE** planning permission for the following reason:-

The proposed development 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, policy AAP 19 of the Harrow and Wealdstone Area Action Plan (2013) and the Supplementary Planning Document: Planning Obligations (2013).

### **REASON FOR THE RECOMMENDATION**

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. Accordingly, the development would accord with development plan policies and is recommended for approval.

### **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 Infrastructure Levy (CIL) Contribution (provisional):	£15,610.00
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 Polices 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.

## **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 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 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.
- 2.3 The proposed development would provide a House in Multiple Occupation for up to 17 residents (sui-generis). The submitted plans do not provide any car parking as this will be a car free development but shows refuse storage, cycle storage and communal amenity space.

## **3.0 RELEVANT PLANNING HISTORY**

3.1

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
P/3326/19	Redevelopment to provide two storey building with habitable roofspace to be used as house in multiple occupation (hmo) for upto 15 residents (sul generis)	Refused 14/10/2019
Reasons for refusal: 1. The proposed development, by reason of the poor design and layout and resultant outlook and orientation to the side bedrooms facing north, would provide a poor quality living arrangement to the detriment of the living conditions of future occupiers of the proposed development, contrary to the National Planning Policy Framework (2019) policy 7.6B of The London Plan (2016) policies DM1 and DM30 of the Harrow Development Management Policies Local Plan (2013) and the Mayor of		

London SPD (2016).

2. In the absence of a satisfactory Flood Risk Assessment the development has failed to demonstrate that it would be resilient and resistant to the risk of flooding within the site and elsewhere, to the detriment of the future occupiers of the site. The proposal would therefore be contrary to the National planning Policy Framework (2019), policy 5.12B/C of The London Plan (2016), Core Policy CS1U of Harrow Core Strategy (2012) and policies DM9 and DM10 of the Development Management Policies Development Plan Document (2013).

P/1915/19

Redevelopment to provide two storey building with habitable roofspace to be used as hmo for upto 15 residents

Refused  
27/06/2019

Reasons for refusal:

1. The proposed development by reason of failure to meet the minimum required Gross Internal Area floorspace standards would give rise to a substandard and poor quality accommodation to the detriment of the residential amenities of the future occupiers, contrary to policies 3.5C and 7.6B of The London Plan (2016), policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013), the Mayor of London Housing Supplementary Planning Guidance (2016) and the adopted Supplementary Planning Documents Residential Design Guide (2010).
2. The proposed development, by reason of the excessive number of occupiers that it would accommodate would represent an overly intensive use of the site and in the absence of satisfactory common amenity space, would provide a poor quality living arrangement for future occupiers, and would cause excessive level of disturbance to the detriment of the living conditions of future occupiers and the amenities of the adjoining occupiers. The proposed development would therefore be contrary to the National Planning Policy Framework (2019) policy 7.6B of The London Plan (2016) policies DM1, DM30 and DM42 of the Harrow Development Management Policies Local Plan (2013).
3. In the absence of a Flood Risk Assessment the development has failed to demonstrate that it would be resilient and resistant to the risk of flooding within the site and elsewhere, to the detriment of the future occupiers of the site and future occupiers. The proposal would therefore be contrary to the National planning Policy Framework (2019), policy 5.12B/C of The London Plan (2016), Core Policy CS1U of Harrow Core Strategy (2012) and policies DM9 and DM10 of the Development Management Policies Development Plan Document (2013).
4. The proposed large entrance door to the side elevation, by reason of inappropriate location would receive inadequate natural surveillance from the highway and would give rise to a risk or fear of crime, to the detriment of the safety of future occupiers of the residential unit, contrary to Policy 7.3 of The London Plan (2016) and Policy DM2 of the Harrow

Development Management Policies Local Plan (2013).		
P/1182/18	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	Granted 24/01/2019
P/3526/13	Outline permission for layout only: Two storey building to provide 7 flats	Refused: 22/01/2014 Appeal dismissed
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

#### 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 09<sup>th</sup> April 2020 . One comment was received which is summarised below.

Concern regarding constant changes.

*Officers Response  
Noted*

#### 4.3 **Statutory and Non Statutory Consultation**

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

#### **Consultee and Summary of Comments**

##### **LBH Highways**

No objections subject to S106 Agreement for permit restrictions , condition for construction logistic plan and cycle parking.

##### **LBH Drainage**

No objection subject to conditions.

##### **Environmental Health Officer**

No objection subject to conditions

##### **Secure by Design Officer**

No objection subject to condition

## **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.

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP], the Draft London Plan (2019) 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 (2019), 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 originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, 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

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.55; 7.4
- The Draft London Plan 2019:D1
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM30

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

- 6.2.3 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.
- 6.2.4 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.
- 6.2.5 Headstone Road is characterised by a mixture of varying properties including a parade of local shops, flatted developments but mainly two-storey terraced and semi-detached houses on narrow plots 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.
- 6.2.6 Paragraph 3.55 of the London Plan (2016) identifies that shared accommodation or houses in multiple occupation are a strategically important part of London's housing offer, which meets distinct needs and reducing pressure on other elements of the housing stock.
- 6.2.7 Policy DM30 of the DMP (2013) supports the provision of large houses in multiple occupation (HMO's), residential hostels and secure accommodation subject to compliance with the following criteria a) there is good accessibility to local amenities and public transport; b) they accord with Accessible Homes Standards and provide satisfactory living conditions for the intended occupiers; and c) there

will be no adverse impact on the amenity of the occupiers of neighbouring properties of the character of the area.

- 6.2.8 It is considered that the principle of this type of housing accommodation is acceptable, as it provides an increased supply of smaller accommodation and is located in an area in close proximity to local amenities and sustainable transport modes. The principle of a residential use has already been established under a recently approved application P/1182/18. The other policy requirements are dealt with in the sections below.

### **6.3 Design and Character of the Area**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 7.6
- The Draft London Plan 2019:D1
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1

#### Relevant Supplementary Documents

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

6.3.2 The proposed scale and massing of the proposed building has already been accepted under a recently approved application P/1182/18, albeit with its use as flats. The differences of this current scheme are the internal layout (which is now for rooms) and some external changes including additional flank windows. The overall design of the building remains the same as for the approved scheme of 2018.

6.3.3 The pattern of development in the area is mainly made up of terraced, detached, semi-detached properties and blocks 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.

6.3.4 The use of a traditional hipped roof with single ridges reduces the bulk of the proposed roof, especially when viewed from the front. 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.

- 6.3.5 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.
- 6.3.6 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 The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM2; DM27
- London Plan Policy 7.4
- The Draft London Plan Policy D1, D6

Relevant Supplementary Documents

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

6.4.2 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.

6.4.3 The new building would be a minimum of approximately 1.4m and 1.5m respectively from the 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.

6.4.4 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.

6.4.5 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.



- 6.4.6 The windows in the flank elevations would at ground floor level would serve a plant room, a laundry room, shared kitchen/diner and a bathroom, these rooms would not be in constant use and would offer views of the flank wall of the neighbouring properties which is considered acceptable. The windows in the first and second floor serve bathrooms and wc's, it is considered that given that these windows are small and would be obscure glazed there would be an acceptable impact on neighbouring properties within regard to overlooking.
- 6.4.7 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 proposed building would have no unacceptable impact on the living conditions at these neighbouring properties in terms of loss of light, outlook and privacy.

#### Impact of the proposed use on Neighbouring Amenity

- 6.4.8 The site is near to a number of neighbouring residential uses. it is considered that the maximum 17 residents would not result in significant increase in disturbance to the amenities of local residents.
- 6.4.9 Given the above, it is considered that the development would have an acceptable impact on neighbouring residential amenities.

#### Amenity of future occupiers

- 6.4.10 All the residents would have access to a communal garden space which is approximately 120sqm 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).

#### Room Size and Layout

- 6.4.11 The proposal includes the formation of a total of 13 room shared accommodation (House in Multiple Occupation, or HMO). As the proposed units would be subject to licencing, separate from planning permission, a detailed assessment is not provided here of whether the proposal fully complies with licencing standards; nor does this permission serve as confirmation of compliance with HMO licencing.
- 6.4.12 The proposal would provide 7 single occupancy rooms and 4 double occupancy room It is noted that each of the proposed units would meet the minimum required size for a single occupancy HMO bedroom, and eight of the rooms would have a private en-suite bathroom with an additional four communal bathrooms/shower rooms. The first and third floors have an internal height of 2.7m and the fourth floor has an internal height of 2.6m, thus the units would have good floor-to-ceiling height. Given their layouts, circulation space would not be unreasonable for HMOs. Each of the units has windows providing reasonable degrees of light and outlook. There are no apparent issues with regard to overlooking or lack of privacy to the units themselves.

- 6.4.13 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.
- 6.4.14 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 metres 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.
- 6.4.15 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.

#### Accessibility

- 6.4.16 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
- 6.4.17 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.

#### 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.

## 6.5 Traffic, Parking and Drainage

6.5.1 The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM9; DM10; DM42
- London Plan Policy 6.3, 6.9, 6.13
- The Draft London Plan Policy T4, T5, T6

### Traffic

6.5.2 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.

6.5.3 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.

6.5.4 Details of secure cycle storage for 20 cycles have been provided and a condition has been attached to ensure that this is maintained as approved.

6.5.5 Subject to a S106 agreement, it is therefore considered that the development would not result in any unreasonable impacts on highway safety and convenience.

### Drainage

6.5.6 The site is within surface flood zone 3a according to the surface water flood maps and therefore there is a high risk of flooding which is of concern given that there are ground floor units proposed. Therefore, the development should be protected against flooding. There would also be an increase in flood risk, due to displacement of water from the proposed development into the neighbouring properties. Therefore suitable measures to address flooding issues including flood displacement storage, flood mitigation measures, and surface and foul water disposal should be provided. The submitted FRA has been reviewed by the Drainage Authority and found to be sufficient. Further details are required with regard to Compensatory Flood Storage, Mitigation Measures and Drainage Strategy. Conditions have been recommended.

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

- 7.1 The proposed development would contribute to the housing stock of the borough, in accordance with paragraph 3.55 of the London Plan (2016). Furthermore, the proposed development would have a satisfactory impact on the character of the area and the amenities of existing neighbouring occupiers and future occupiers of the development. It would not harm the setting of the listed and locally listed buildings.
- 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 Plans and documents**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 100-102HEAD-SP01; 100-102HEAD-PPE02; 100-102HEAD-LEVELS-EXISTING; 100-102HEAD-LP01; 100-102HEADSTONE-LEVELS; Design and Access Statement; Flood Risk Assessment.

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.

#### **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 progress beyond damp course level 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.

6 Drainage 2

The development hereby permitted shall not proceed beyond damp course level 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.

7 Drainage 3

The development of any building hereby permitted shall not be commenced until flood mitigation and displacement measures have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained thereafter.

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

8 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.

9 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).

10 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.

11 Recycle 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.

12 Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirement cannot be met. Secure by design measures shall be implemented where practicable and the development shall be retained in accordance with the approved details.

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.

13 Communal Facilities for Television Reception

Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to the Local Planning Authority in writing to be agreed. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the development 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.

14 Demolition and Construction Logistics Plan

No development shall take place, including any works of demolition, until a detailed 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;
- 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; and
- i) How traffic would be managed to minimise disruption.

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 and to ensure that the transport network impact of demolition and construction work associated with the development is managed. 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 as the proposed measures must be in place prior to commencement of works.



## **Informatives**

### 1 Policies

The following policies are relevant to this decision:

#### **National Planning Policy Framework (2018) (NPPF)**

##### **The Draft London Plan 2019:**

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

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

**CHECKED**

Interim Chief Planning Officer	Orla murphy pp Bev Kuchar
Corporate Director	Paul Walker 5.6.2020

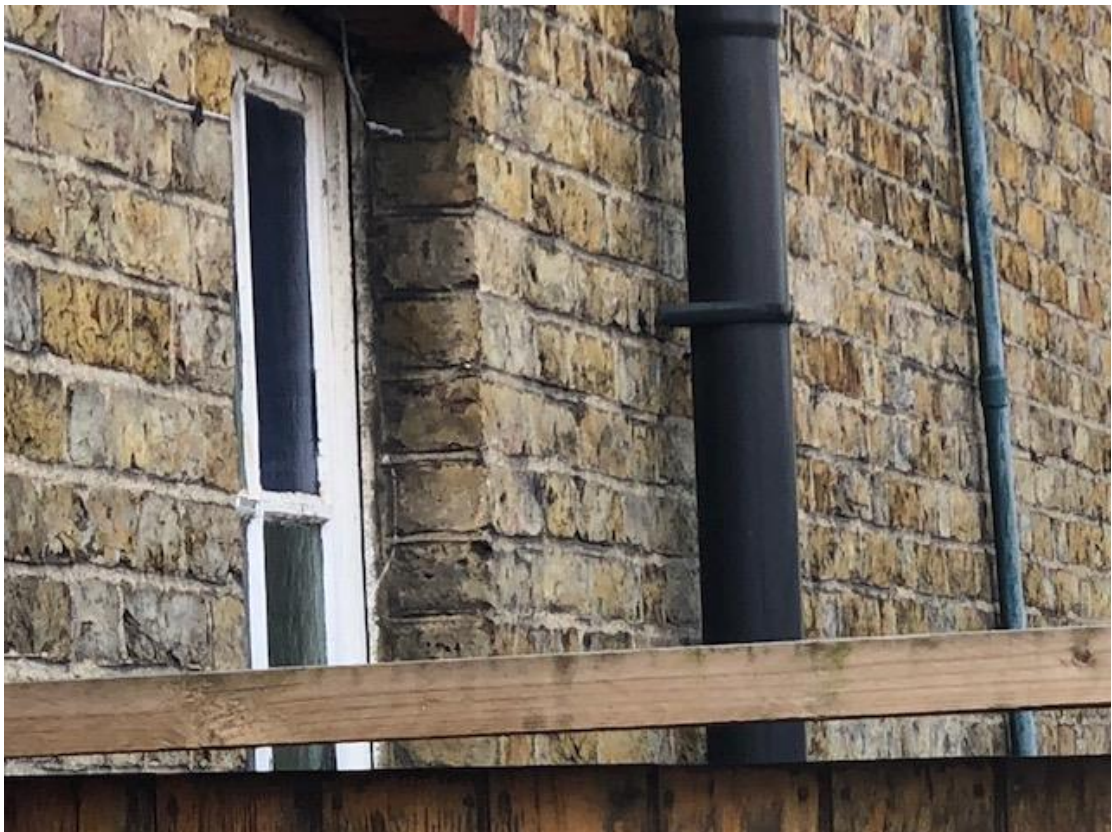
**APPENDIX 2: SITE PLAN**



**APPENDIX 3: SITE PHOTOS**











# APPENDIX 4: PLANS AND ELEVATIONS

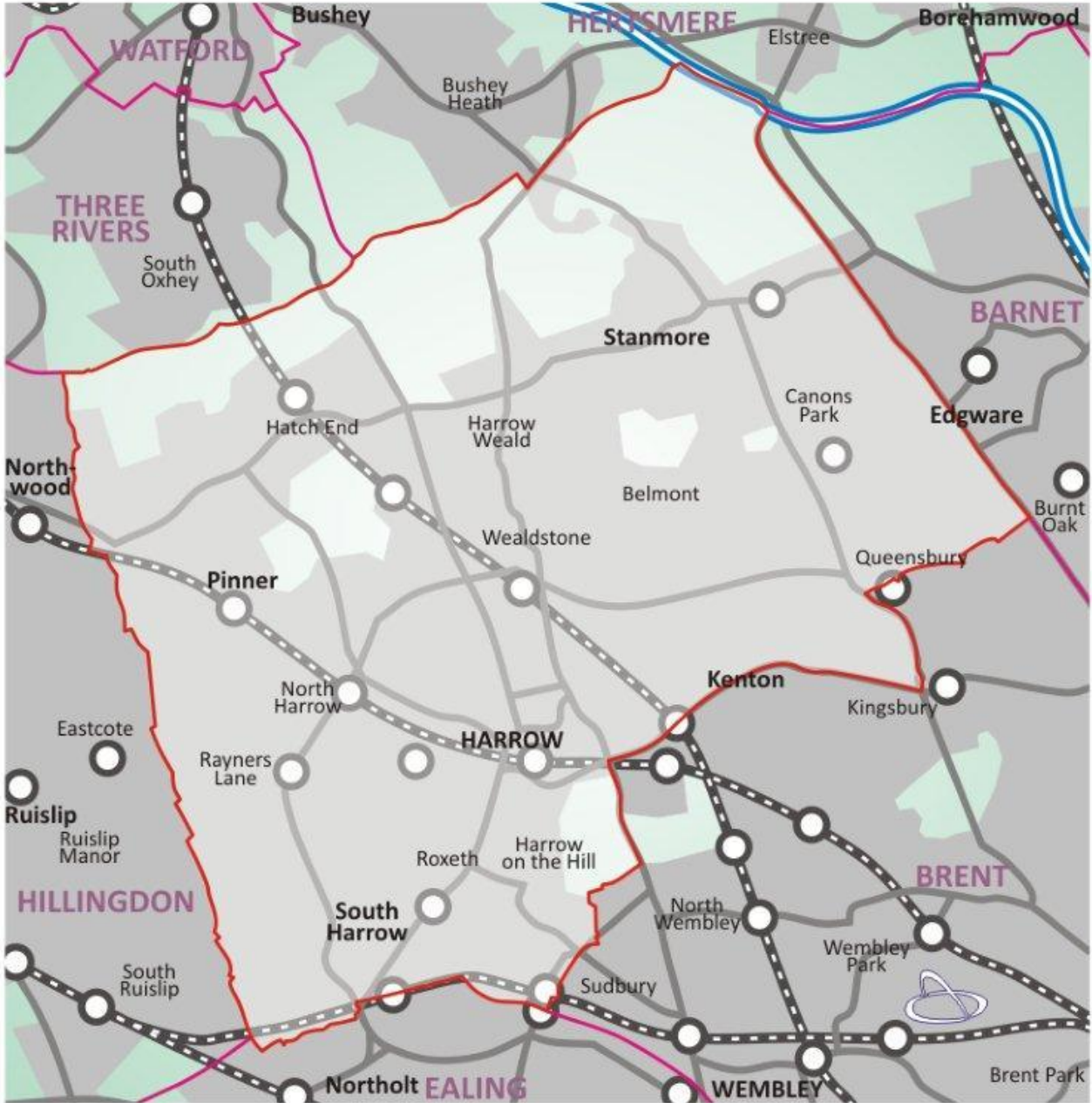


<p><b>NOTES</b></p> <p>1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT BUILDING REGULATIONS AND ALL APPLICABLE STANDARDS.</p> <p>2. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.</p> <p>3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.</p> <p>4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.</p>	
<p><b>PROJECT INFORMATION</b></p> <p>Project Name: 100-102 HEADSTONE ROAD</p> <p>Client: [REDACTED]</p> <p>Architect: [REDACTED]</p> <p>Phase: EXISTING + SECTION</p>	<p><b>DATE</b></p> <p>Rev. 1: 10/2019</p> <p>Rev. 2: 01/2020</p> <p>Rev. 3: 03/2020</p> <p>Rev. 4: 05/2020</p> <p>Rev. 5: 06/2020</p>
<p><b>PROJECT INFORMATION</b></p> <p>Project Name: 100-102 HEADSTONE ROAD</p> <p>Client: [REDACTED]</p> <p>Architect: [REDACTED]</p> <p>Phase: EXISTING + SECTION</p>	<p><b>DATE</b></p> <p>Rev. 1: 10/2019</p> <p>Rev. 2: 01/2020</p> <p>Rev. 3: 03/2020</p> <p>Rev. 4: 05/2020</p> <p>Rev. 5: 06/2020</p>

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 = application site



<b>Address of Site</b>	<b>P/****/20</b>
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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17<sup>th</sup> June 2020

**APPLICATION NUMBER:** P/0773/20  
**VALID DATE:** 23<sup>rd</sup> MARCH 2020  
**LOCATION:** REAR OF 91 - 93 HIGH STREET,  
**WARD:** CANONS  
**POSTCODE:** HA8 7DB  
**APPLICANT:** TOZERPLAN DEVELOPMENTS SUDBURY LTD  
**AGENT:** PPM PLANNING LIMITED  
**CASE OFFICER:** NABEEL KASMANI  
**EXTENDED EXPIRY DATE:** 24<sup>th</sup> JUNE 2020

#### PROPOSAL

Redevelopment to provide four x two storey (1 bed) dwellings; bin and cycle stores; landscaping;

#### 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 proposal would respond appropriately to the site, local context, massing and architectural appearance and 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. Given the context of the site, the proposal would not unacceptably impact upon the adjacent heritage designations or amenity of neighbouring occupiers. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

## **INFORMATION**

This application is reported to Planning Committee as it would provide the construction of more than three dwellings and therefore falls outside category 1(b) of Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(E)13 Minor Dwellings
Council Interest:	n/a
Net Additional Floorspace:	118m <sup>2</sup>
GLA Community Infrastructure Levy (CIL):	£7,080
Local CIL requirement:	£18,716

## **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.

## **1.0 SITE DESCRIPTION**

- 1.1 The application site comprises a single storey building attached to the rear of no. 91 High Street and associated hardstanding. The subject building was formerly used as a print works (Use Class B1c), but has since been converted into four studio flats (Use Class C3) following prior approval application P/5642/17/prior.
- 1.2 No. 91 High Street consists of a commercial unit on the ground floor with residential flats above. The ground floor of no. 93 High Street features a commercial unit fronting High Street and a self-contained residential flat at the rear.
- 1.3 Rodwell Place, a two-storey building comprising five self-contained flats adjoins the application site to the south-east. Nos. 61 and 61A Mead Road, adjoins the application site to the south and is sited perpendicular to the subject building.
- 1.4 The application site is located within the Edgware High Street Conservation Area and is within the setting of grade II listed 85, 87, 89 and 95 High Street. The application site is also located within an Archaeological Priority Area
- 1.5 The application site is within Edgware Town Centre and has a public transport accessibility level (PTAL) of 6a.

## **2.0 PROPOSAL**

- 2.1 The subject proposal is for demolition of the existing building and the construction of four x two storey, 1 bed terraced dwellinghouses.
- 2.2 The proposed dwellinghouses would have a width of 5.7m, a depth of 6.9m and a maximum flat roof height of 6m. Private amenity space would be provided to the front of the dwellinghouses. The forecourt would also feature designated cycle storage.

## **3.0 RELEVANT PLANNING HISTORY**

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
P/0774/07:	Certificate of lawful existing use: continued use of ground floor of number 93 for light industrial use (class b1)	Granted: 08/06/2007
P/5642/17/Prior	Conversion Of Light Industrial (Class B1c) To 4 Self-Contained Flats (Class C3) (Prior approval of transport & highways impacts of the development, and of contamination risks and flooding risks on the site, and whether the building is within an	Granted: 12/03/2018



	area that is important for providing industrial services or storage / distribution services or a mix of those services and impacts of residential premises on the sustainability of those services)	
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#### 4.0 **CONSULTATION**

- 4.1 A total of 37 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 13<sup>th</sup> April 2020.
- 4.2 A site notice was placed outside the application site on 16<sup>th</sup> April 2020. The application was advertised in the local press on 26<sup>th</sup> March 2020
- 4.3 No responses have been received following the public consultation
- 4.4 **Statutory and Non Statutory Consultation**
- 4.5 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

<b>Consultee and Summary of Comments</b>
<p><b>LBH Conservation Officer</b></p> <p>The site is located to the rear of 91-93 High Street comprising an area of hardstanding and makeshift single storey outrigger extension behind 91. This is a former printworks.</p> <p>The proposal would fit in with the backland character of the site given scale, siting and design including materials. A simple, robust and practical design is proposed that would be subordinate to the principal buildings along the High Street and aligned with the other outriggers in a similar adjacent location. The proposed areas of green landscaping here would provide an enhancement. Given the scale of development is just for 4 residential units, and the existing conservation area has some historical residential use, this is not out of keeping in this instance. Commercial uses would remain dominant in the area.</p> <p>Historic England's comment on archaeological matters. The proposal only affects the setting of the listed buildings in a minor way given the limited prominence of the proposals and as there is little or no perception or understanding of the listed buildings from the site or the approach from Mead Road.</p> <p>Therefore the proposal is considered to preserve the character and appearance of the conservation area and the setting of the listed buildings. Historic England's GLAAS team should comment on the archaeology matters.</p> <p><b>LBH Planning Policy</b></p>

The proposal would seek to replace a residential element to the rear of this parade of shops, with residential units of better quality. The proposal would not result in the loss of employment floorspace, nor would it be located within the secondary shopping frontage of the Edgware Town Centre. Planning Policy have no objection to this application.

#### **LBH Highways**

This proposal is within a ptal 6a location meaning that access to public transport is considered to be excellent. The flats provided under P/5642/17/PRIOR will be removed as part of this development therefore, the parking associated with those would no longer be required. If the shops and other flats do not have use of this land too, then the loss of parking space is acceptable.

We generally do not support upright cycle storage as it is not easy to use and cannot accommodate non-standard cycles. It would be preferable to seek an alternative storage solution to ensure that cycling is able to be considered a realistic option for all future residents.

The waste and refuse storage team should advise if the servicing and refuse collections would be acceptable.

#### **LBH Waste and Refuse**

No Comment

#### **LBH Drainage**

No Objection subject to conditions

#### **Historic England Archaeology**

The site lies on the edge of an archaeological priority area. Archaeological investigations both to the north and the south of the site have recorded medieval field and boundary ditches and residual medieval pottery. Such remains are considered to be of low significance and it is likely that similar remains could survive within the site. In light of likely low significance of the archaeology and the small scale of the proposed works, it is unlikely that there would be a substantial archaeological impact at this location. No further assessment or conditions are therefore necessary.

#### **London Borough of Barnet**

No Comment

## **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 2019] sets out the Government's planning policies for England and how these should be applied, 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 (2019), 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 originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Character, Appearance and Heritage
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage
- Biodiversity

### **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.3, 3.8
- The Draft London Plan (2019): H1
- Harrow Core Strategy (2012): CS1, CS10

- Harrow Development Management Policies (2013): DM37

6.2.2 The subject building is currently in use as four self-contained residential units following the prior approval to convert the former print works. The residential use of the site (Use Class C3) is therefore established. The existing residential units are substandard and do not provide a high quality form of accommodation. The proposed dwellinghouses would meet the relevant space standards (as detailed in section 5.4 of the report) and would therefore provide an improvement in the quality of residential accommodation for the occupiers.

6.2.3 On this basis, it is considered that the proposed residential units would comply with the housing growth objectives and policies of the Harrow Development Plan. Furthermore, the use of the site for residential accommodation would be commensurate with the established existing use and would therefore not prejudice the functioning of the adjacent ground floor commercial unit which is designated as a secondary shopping frontage within the Edgware Town Centre.

6.2.4 The principle of development is therefore considered acceptable and would accord with the relevant policies in this regard.

### **6.3 Character, Appearance and Heritage**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.4, 7.6, 7.8
- The Draft London Plan (2019): D1, D2, HC1
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1, DM7

6.3.2 The existing building occupies approximately half of the application site with the remainder of the site being hardsurfaced. The building itself is finished with corrugated steel and is of limited architectural quality. The proposed terraced block of housing would have an increased depth beyond the rear elevation of no. 91 High Street, but would be narrower in width. The proposed dwellinghouses would be well proportioned and would feature a simplified geometry and materials palette. The proposed flat roof profile would serve to mitigate the bulk and massing of the proposed development within the context of the application site.

6.3.3 The layout, form, appearance and design of the proposed terraced dwellinghouses are considered to be appropriate and would positively enhance the character and appearance of the locality.

6.3.4 The application site is within the Edgware High Street Conservation Area and the setting of grade II listed 85, 87, 89 and 95 High Street. The application was referred to the Council's Conservation Officer who has advised that the proposal would preserve the setting of the heritage assets subject to conditions. The application was also referred to Historic England Archaeology who have raised no objection to the proposal.

6.3.5 The proposal would therefore comply with the relevant policies in this regard subject to appropriate conditions.

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 3.5, 7.6,
- The Draft London Plan (2019): D2, D4
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM27, DM45,
- Mayor's Housing SPG (2016)

### Neighbouring Occupiers

6.4.2 The application site is adjoined by residential uses to the east (within the first-floor rear elevations of the mid-terraced units fronting High Street), Rodwell Place to the south and no. 61/61a Mead Road to the west. There are no habitable windows on the first-floor rear elevation of no. 91 High Street or on the north-west facing elevations of Rodwell Place. On this basis, it is considered that the proposal would not have a detrimental impact on the residential amenities of those adjoining occupiers.

6.4.3 A habitable window is located on the first-floor rear elevation of no. 89 High Street. The submitted Daylight and Sunlight Report confirms that there would be no adverse effect on the level of daylight or sunlight to that respective adjacent window.

6.4.4 Nos. 61/61a Mead Road adjoins the application site to the south-west and consists of two self-contained flats with windows in the flank elevations. The proposed terraced dwellinghouse would be sited approximately 3.3m away from the adjacent flank elevation of nos. 61/61a Mead Road. It is likely that the windows within the flank elevation are either primary or secondary windows to habitable rooms. However, by virtue of their orientation within the flank elevation, the windows also favourably benefit from increased light and outlook obtained by virtue of the absence of development on the adjacent sites.

6.4.5 The submitted Daylight and Sunlight Report confirms that the proposed development would impact upon the level of daylight to the adjacent flank wall windows and rear window elevation of the adjacent ground floor flat. It is noted that the windows which would be most affected are the dual-aspect windows that likely serve the kitchen. These windows however would be afforded less protection as they serve a non-habitable room. Furthermore, the siting of the windows on the flank elevation contributes to their sensitivity to changing conditions and reliance on daylight and outlook over neighbouring land. Taking into account the limited degree of daylight and sunlight losses that would occur against the need to balance the efficient use of the previously developed site, it is

considered that the proposal would maintain an appropriate standard of amenity for the neighbouring residential occupiers at nos. 61/61a Mead Road.

- 6.4.6 For these reasons, it is considered that the proposed development would not have a detrimental impact on the residential amenities of the adjoining occupiers by reason of overshadowing, loss of light or loss of outlook. The proposal would therefore comply with the relevant requirements of the policies with regard to residential amenity.

#### Future Occupiers

- 6.4.7 The proposed residential dwellinghouses would adhere to the minimum space standards. Moreover, all the double bedrooms would be generously sized and would meet the minimum size and width requirements. The dwellinghouses have been designed in a manner which would seek to provide a dual-aspect on the ground floor. Although the primary window openings would have a northerly aspect, given the backland context of the application site and the existing development constraints, it is considered that the proposed dwellinghouses would benefit from acceptable levels of light and outlook. Furthermore, the proposed quality of residential accommodation when taken as a whole would be a significant improvement over the existing. Private amenity space would be provided to the front of the dwellinghouses and would be de-lined by close boarded fencing. Officers consider that the proposed dwellinghouses would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

### **6.5 Traffic and Parking**

- 6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.3, 6.9, 6.13
- The Draft London Plan (2019): T4, T5, T6, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM44

- 6.5.2 The subject site has a PTAL 6a and therefore benefits from excellent accessibility to sustainable transport modes. The proposal would be car free which would accord with the draft London Plan with regard to maximum parking standards. Designated cycle storage space would be provided within the forecourt for each dwellinghouse.

- 6.5.3 For these reasons, it is considered that the proposal would not have a detrimental impact on the safety and functioning of the highway. The proposal would therefore comply with the relevant policies in this regard.

### **6.6 Flood Risk and Drainage**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13, 5.14
- The Draft London Plan (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.6.2 The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions and informatives. The proposal would therefore comply with the relevant policies in this regard.

## **6.7 Biodiversity**

6.7.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.19
- The Draft London Plan (2019): G6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM21

6.7.2 The development should seek to deliver net biodiversity gain within the site. Subject to securing this by condition, the proposal would therefore comply with the relevant policies in this regard.

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

7.1 The proposal would respond appropriately to the site, local context, massing and architectural appearance and 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. Given the context of the site, the proposal would not unacceptably impact upon the adjacent heritage designations or amenity of neighbouring occupiers. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.

7.2 Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

## **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

Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

1662-01, 1662-02, 1662-03, 1662-04, 1662-05, 1662-06, 1662-07, 1662-08, 1662-09, 1662-10, 1662-11, 1662-12, 1662-13, 1662-14, 1662-15, 1662-16, 1662-17, 1662-18, 1662-19, 1662-20, 1662-21, 1662-22, 1662-23, 1662-31, 1662-32, 1662-33, Design and Access Statement, Archaeological Desk-Based Assessment (February 2019), Foul and Surface Water Drainage Strategy – Revision A, Heritage Statement (February 2020), Daylight, Sunlight and Overshadowing Report (February 2020), Energy and Sustainability Statement (12<sup>th</sup> February 2020), Transport Statement (February 2020),

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

#### 4. 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 and agreed in writing by the Local Planning Authority. 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 of the development;
- d) the erection and maintenance of security hoardings;
- e) measures for the control and reduction of dust, 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 ensure the transport network impact of demolition and construction work associated with the development is managed and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers. Details are required prior to commencement of development to ensure a satisfactory form of development.

5. Surface and Foul Water Disposal

The development hereby permitted shall not be commenced until works for the disposal of surface and foul 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. Details are required prior to commencement of development to ensure a satisfactory form of development.

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

7. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall proceed above damp proof course level until samples of the external facing materials, brickwork bond details, boundary treatment and ground treatment have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained

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

8. Landscaping 1

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above damp proof course level until there has been submitted to, and approved in writing, by the local planning authority, a scheme of hard and soft landscaping and boundary treatment. Soft landscape works shall include planting plans which also detail 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

9. Biodiversity

The development hereby permitted shall not proceed above damp proof course level until full details of the biodiversity enhancements have been submitted to, and agreed in writing by, the local planning authority. The enhancements to be considered should include (but not limited to) a biodiverse green roof, bat and bird boxes and Invertebrate bricks. The development shall be completed in accordance with the approved details prior to the occupation of the development and shall thereafter be retained,

REASON: To enhance the ecology and biodiversity of the area in accordance

10. 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

11. 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

12. Cycle Storage

Notwithstanding the details shown on the approved plans, the development shall not be occupied until details of secure cycle storage including location of stands, type of cycle stands and shelters have been submitted to and approved in writing, by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the occupation of the development and shall thereafter be retained.

REASON: To provide secure, convenient and accessible cycle parking facilities

13. Refuse Storage

The refuse bins shall be stored at all times, other than on collection days, within the designated refuse storage area to be approved, unless otherwise agreed in writing by the local planning authority.

REASON: To avoid visual clutter within the streetscene and safeguard the character and appearance of the area.

14. Accessible Dwellings

Unless otherwise agreed in writing by the local planning authority, the internal specification of the dwellinghouses shall comply with Building Regulation Standard M4(2).

REASON: To ensure that all of the homes within the development are accessible to all

15. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development 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 in relation to the dwellinghouse hereby permitted without the prior written permission of the local planning authority.

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

16. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

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

17. Flues and pipework

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

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

## **Informatives**

### 1. **Planning Policies**

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 3.3, 3.5, 3.8, 5.13, 5.14, 6.3, 6.9, 6.13, 7.4, 7.6

Draft London Plan (2019): H1, D1, D2, D4, T4, T5, T6, T6.1, SI13, HC1

Harrow Core Strategy (2012): CS1

Development Management Policies (2013): DM1, DM10, DM27, DM37, DM42, DM44, 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.com](mailto:Ucommunities@twoten.com)U4T

### 4. **Mayoral Community Infrastructure Levy (provisional)**

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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £7,080. This amount includes indexation which is 323/323. 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/form_1_assumption_of_liability.pdf) [https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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. Harrow Community Infrastructure Levy (provisional)

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £18,716

This amount includes indexation which is 323/224. 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).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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

## 6 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached 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.

## 7. 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

## 8. Compliance with 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.

9. Highways Interference

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

10. Street Naming and Numbering

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

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link. [http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

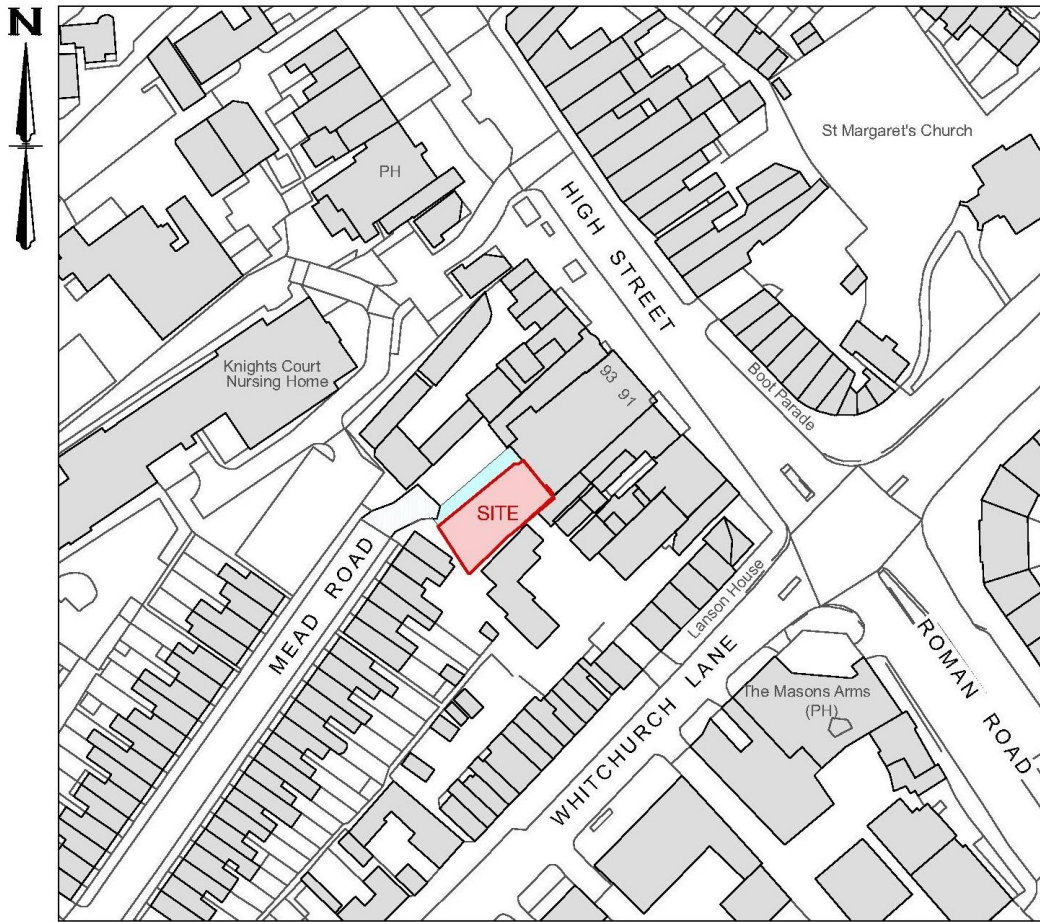
11. Window protection

The applicant is advised that the windows in the front elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

**CHECKED**

Interim Chief Planning Officer	Orla murphy pp Beverley Kuchar
Corporate Director	Paul Walker 5.6.2020

**APPENDIX 2: SITE PLAN**



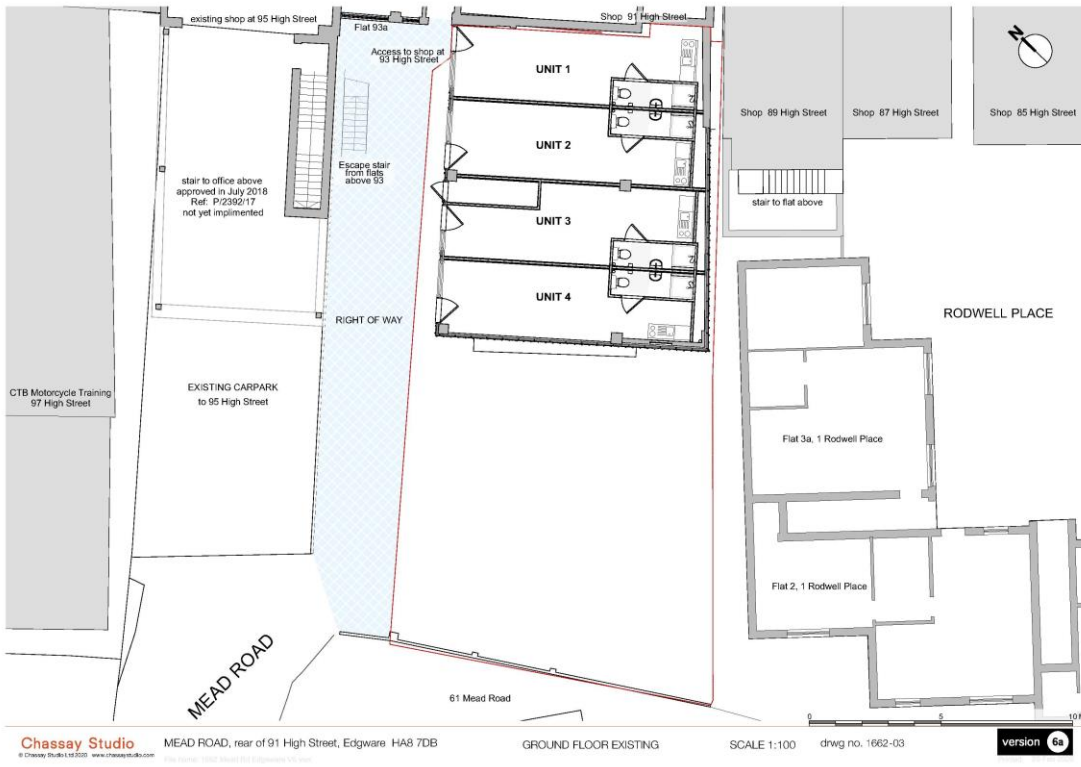


**APPENDIX 3: SITE PHOTOGRAPHS**





# APPENDIX 4: PLANS AND ELEVATIONS

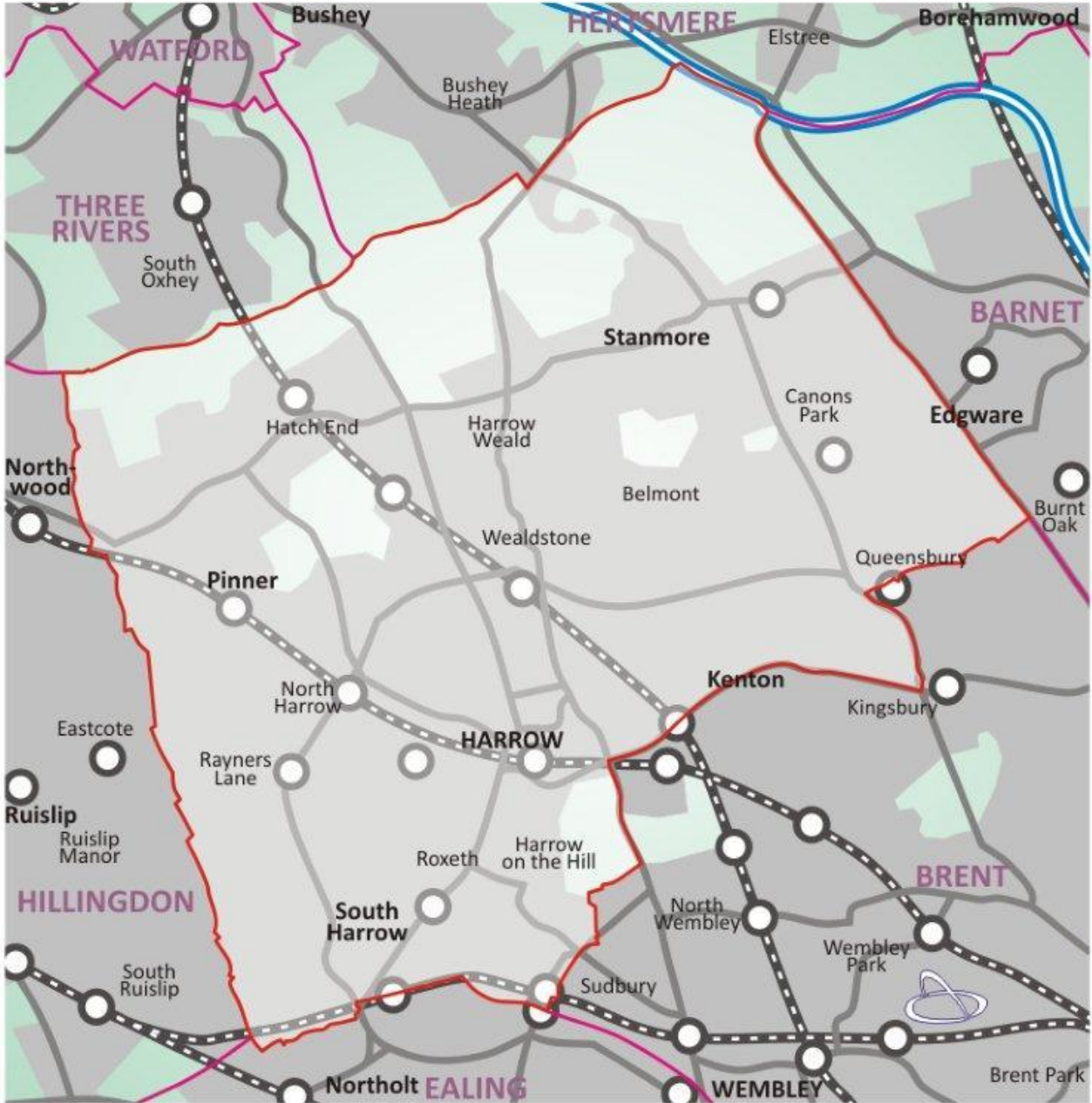




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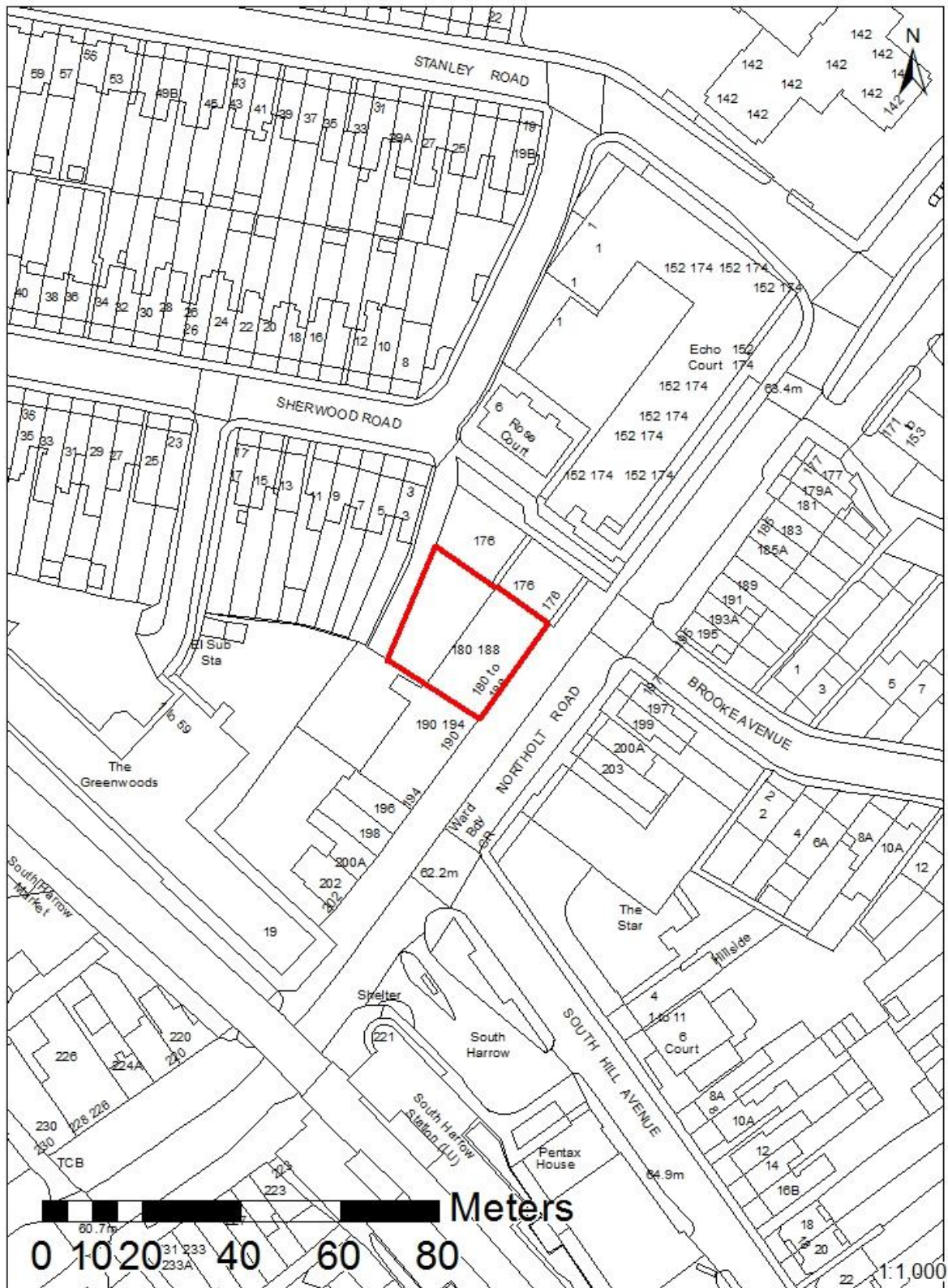
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 = application site



180-188 Northolt Road	P/0843/20
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# 180-188 Northolt Road



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17<sup>th</sup> June 2020

**APPLICATION NUMBER:** P/0843/20  
**VALID DATE:** 3<sup>rd</sup> MARCH 2020  
**LOCATION:** 180-188 NORTHOLT ROAD, SOUTH HARROW  
**WARD:** ROXBOURNE  
**POSTCODE:** HA2 0ED  
**APPLICANT:** NITEN HANDA  
**AGENT:** POINT THREE DESIGN LTD  
**CASE OFFICER:** SELINA HOTWANI  
**EXPIRY DATE:** 19<sup>th</sup> MAY 2020 (EXTENDED EXPIRY: 10<sup>th</sup> JULY 2020)

### PROPOSAL

Creation of fourth and fifth storey of residential accommodation (C3) comprising eight flats (8 x 1 bed); Refuse and Cycle Storage

### 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 in consultation with the Director of Legal and Governance Services for the completion of the Deed of Variation related to Section 106 legal agreement subject of application P/1347/18/PRIOR and pursuant to sections 106 and 106A of the 1990 Act and is a supplement to the Principal Deed and should be read in conjunction with the Principal Deed The Section 106 Agreement Heads of Terms would cover the following matters:
  - i. Development to be Resident Permit Restricted: With the exception of disabled persons, no resident of the development shall obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order.
  - ii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

### RECOMMENDATION B

That if, by 10<sup>th</sup> July 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason:

The proposed development, in the absence of a legal agreement to provide appropriate provision for restriction of resident parking permits would fail to comply with the requirements of policies 6.3 and 6.13 of The London Plan 2016, T4 and T6.1 of the Draft London Plan (2019), policy CS1 of the Harrow Core Strategy (2012), and Policies DM50 and DM42 of the Harrow Development Management Policies Local Plan (2013) and would therefore be unacceptable.

### **REASON FOR THE RECOMMENDATION**

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. Accordingly, the development would accord with development plan policies and is recommended for approval.

## **INFORMATION**

This application is reported to Planning Committee as it would provide in excess of 3 new residential units. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	E13 Minor Dwellings
Council Interest:	N/A
Net additional Floorspace:	492sqm
GLA Community Infrastructure Levy (CIL):	£29,520
Contribution (provisional):	
Local CIL requirement:	£77,932.80

## **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. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

## **1.0 SITE DESCRIPTION**

- 1.2 The property comprises a four storey 1970's office building on north-western side of Northolt Road. The building was formally known as Durbin House. The block has recently been converted to create a mix of 28 x 1 & 2 bedroom flats over ground, first, second and third floors (P/1374/18/PRIOR).
- 1.3 The site has an existing part undercroft / part surface car park at the rear of the building, accommodating 16 spaces.
- 1.4 Refuse and recycling storage is also located at the rear of the building. Within the building, access to the upper floors is by stairs and lifts.
- 1.5 The site has a public transport accessibility level (PTAL) of 5.
- 1.6 The site is within flood zone 1 and a critical drainage area and a designated Business Use Area.

## **2.0 PROPOSAL**

- 2.1 Creation of a fourth and fifth storey of residential accommodation to create result in eight additional flats comprising 8 x 1 bedroom, 2 person accommodation, each with private outdoor balconies. This would increase the height of the building by 5.5m.
- 2.2 New aluminium glazed doors are proposed to the front and rear elevations and would align with the existing fenestration below. Balconies and Juliet balconies at the front of these with frameless glass balustrades are proposed to align with the protruding bay windows below. 'Cedral' fibre cement horizontal cladding which would be pewter in colour are proposed for the external walls.
- 2.3 This proposal seeks to provide 10 cycle spaces, two of which would be located to the front of the site for short stay and 8 cycle spaces which would be added to the existing 32 cycle spaces. The development would result in the loss one existing car parking space and would be car free development.
- 2.4 A bin store would be provided to the rear of site and would incorporate 4 x 1100 waste bin, 4 x 1280 blue bins + 640 litres and garden waste (optional) which would be collected from Sherwood Road as per the existing situation.

## **3.0 RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
HAR/5000/B	Erection Of 4 Storey Office Building (Outline)	Granted: 04/11/1963

HAR/5000/C	Erection Of 4 Storey Office Building	Granted: 29/03/1965
LBH/1385/6	Erection Of 1st & 2nd Floors Rear Extension To Office Building	Granted: 02/11/1970
LBH/1385/7	Erection Of 1st & 2nd Floors Rear Extension To Office Building (Revised)	Granted: 17/02/1971
P/2339/COU	Provision of an additional floor of office accommodation	Granted 11/11/2004
P/4164/15	Prior approval for conversion of offices (class B1a) to 25 self-contained flats (class C3) (prior approval of transport & highways impacts of the development and of contamination risks and flooding on the site)	Granted: 29/10/2015
P/5573/15	Third floor rear extension and creation of fourth floor for B1 office use; cycle and bin storage.	Grant: 24/02/2016
P/0587/18	Third floor rear extension and creation of fourth floor to accommodate 11 unit HMO single occupancy units over extended third and fourth floors with communal kitchen/dining area	Granted: 03/06/2019
P/1374/18/PRIOR	Conversion of offices (Class B1a) to 28 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 and commercial premises on the intended occupiers	PAR Granted: 01/06/2018
P/3312/18	Replacement windows to front and rear elevations; cladding to front and rear elevations	Granted 16/10/2018
P/4150/18	Fourth floor extension to create four x one bed flats; Refuse and Cycle Storage	Granted 24/04/2019

## 4.0 CONSULTATION

- 4.1 A total of 20 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 15 April 2020 and no comments were received.
- 4.3 Re-consultation was carried out to include the approved scheme (P/4150/18) within the current description of development as the permission has not yet been implemented. The re-consultation period expired on 28 May 2020. No comments were received.

### Statutory and Non Statutory Consultation

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

Consultee and Summary of Comments
<p><b>LBH Highways</b> No objection to car free proposal given excellent PTAL 5/6 area, subject s106 agreement for parking permit restriction (£1500 contribution to amend the Traffic Management Order).</p> <p><b>LBH Drainage</b> Initially unsatisfactory.  Updated Flood Risk Assessment and plans were submitted and Drainage Officer has no further objection subject to standard informatives being attached to any grant for permission.</p> <p><b>LBH Waste Management Policy Officer</b> The applicants have put 8 bins on the plans but based on 36 flats they will require 9 bins in total. 5 x 1100 general waste and 4 x 1280 recycling. They may have to expand the bin area a bit as there could be potential issues if not enough bin space once all the residents have moved in. <i>Applicant updated drawing to reflect this.</i></p> <p><b>Landscape Officer</b> No comments received.</p> <p><b>Travel Plan Officer</b> We welcome developers to implement sustainable travel initiatives and engagement with occupiers, no matter the size of the development. However, this application is under the threshold for a travel plan statement requirement therefore, the document is enough to satisfy TfL requirements. No further monitoring is required but once again we would encourage the developer to implement the measures suggested in the plan. The council reserve the right to review future policy at a local level to ensure the continued sustainable</p>

development within the borough.

**Network Rail:**

No comments.

## 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 2019] sets out the Government’s planning policies for England and how these should be applied, 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 (2019), 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 originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.
- 5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, 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 Development
- Character and Appearance of the Area
- Residential Amenity
- Traffic, Safety and Parking
- Development and Flood Risk
- Accessibility
- Equalities Implications
- S17 Crime & Disorder

### **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.3, 3.8
- The Draft London Plan 2019:GG1, GG2, GG4 and H1
- Harrow Core Strategy 2012: CS1, CS4C
- Harrow Development Management Policies Local Plan (2013):DM1, DM24

6.2.2 The application site is just outside of the designated Neighbourhood Parade close to the South Harrow Town Centre Boundary. It is a designated Business Use area (Site EM1). Policy CS 4C is relevant. The policy states that proposals within the Northolt Road business use area for mixed-use redevelopment or conversions which make provision for a diversified range of appropriate employment generating uses will be supported. This section of Northolt Road has been redeveloped with mix-use development of up to 8 floors in part and directly south (190-194 Northolt Road) benefits from prior approval for 48 self-contained flats (P/2905/16) as does the subject property for 28 self-contained units (P/1374/18/PRIOR) which has now been implemented.

6.2.3 Although the subject site is not allocated for housing development, policy changes have taken precedent in the guise of prior approval from business use to residential resulting in redevelopment of some of the sites within the business use area for housing. Following the implementation of the prior approval for residential use at this site and the fall-back of position of permission P/4150/18 which allowed for an additional storey of residential above (4 x 1 bed units); residential use at this property as well as the intensification of residential use by virtue of creating additional floors has been accepted and is therefore acceptable in principle.

6.2.4 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 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 would constitute an increase in housing stock within the borough, and would therefore be acceptable in principle. There is no specific policy in the Council's Core Strategy that precludes the principle of extending an existing building to provide new flats in this location.

- 6.2.5 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.
- 6.2.6 The unit mix comprises 8 x 1 bedroom units which is considered to be acceptable in this location. Whilst the Council's policies prioritise family housing (3 bed), policy DM24 states that an appropriate mix of housing will regard the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land. The existing property comprises a mix of 2 and 1 bed units (4 x 2 bed and 24 x 1 bed) and given the site constraints by virtue of its business use designation, it is considered that the property would be more suited to lower occupancy units. In this context, the proposed mix would be appropriate and would provide much needed high quality housing through the intensification of the existing site.
- 6.2.7 For these reasons it is considered that the provision of housing at this site is acceptable, subject to consideration of further policy requirements as detailed below.

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

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.3, 3.5, 3.8, 6.3, 6.9, 6.13, 7.4, 7.6
- The Draft London Plan 2019: D1, D2, D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM24, DM27, DM42, DM44, and DM45

Relevant Supplementary Documents:

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

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

building.’ Policy DM1 of the DMP gives advice that “all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout. Paragraph 4.7 and 4.8 of the Council’s adopted Residential Design Guide SPD that local character is an important consideration and that built form and room form are important elements of this. They also state that the design and layout of new development should recognise the character of the area in which it is located. Paragraphs 4.14 and 4.15 address issues related to design of new buildings and state that the roof form is very important in the character of new development.

- 6.3.3 The principle of an additional (fourth) storey of residential accommodation has already been accepted under planning reference: P/4150/18. This has not been implemented and as such the current proposal now seeks to create two storeys of residential accommodation (fourth and fifth storey). It would replicate the design and appearance of what was previously approved, albeit incorporating an additional floor, resulting in the height of the property increasing by 5.5m above the existing building line, with the lift overrun being marginally higher (0.4m). Heights along this terrace vary and whilst there is no distinctive or uniform building height, the general flat roof design consistent along this row of commercial properties would be maintained. Notwithstanding this, the proposed development would be 1.7m higher than the highest part of the adjacent property to the south (190-202) and would be lower than the 152-158 & 160 Northolt Road nearby, a residential development known as ‘Echo One’ comprising between 6-9 storeys (permitted under planning reference P/2163/15).
- 6.3.4 The additional storeys would also be set back from the edge of the existing roof to the front and rear by approximately 0.6m which would ensure it would not appear overly prominent or dominant when viewed from the street scene or public vantage points. Accordingly, it is considered that the additional storey would be appropriate in scale with the host property and would not detract from the existing development pattern.
- 6.3.5 Due to the changes in levels from front to rear, the rear of the building already appears as 5 storeys high when viewed from residential properties on Sherwood Road. However, given the 15-19m distance between the closest rear garden and the building itself the additional height is unlikely to appear overly dominant, particularly given the scale of properties which immediately surround. Furthermore, the set back of the additional storeys behind the existing parapet around the front and rear elevations of the building would also offer some visual relief. The proposed balconies / terraces would not project beyond the existing bays given that they would be part recessed and set back from the edge of the existing building. Their alignment with the projecting bays below would ensure they would not appear bulky or unduly prominent. On this basis, the proposal is considered to respect the general scale and appearance of the host property and wider area and would not detract from their character and appearance.
- 6.3.6 In terms of design and appearance, the cladding (concrete pewter finish), grey aluminium framed windows and green sedum roof are consistent with that approved under permission ref: P/3312/18 for the replacement of windows and cladding to facilitate the implementation of the prior approval application. As this

has now been implemented, the proposal would therefore match the existing property which is acceptable. Notwithstanding this, a condition ensuring matching materials and appropriate window depths for the reveals are used will be attached.

- 6.3.7 In conclusion, it is considered that the proposal would have an acceptable impact on the character and appearance of the property and wider area.

#### Refuse and Servicing

- 6.3.8 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’.
- 6.3.9 As a result of the proposal the existing refuse store would need to ensure that it could accommodate 9 bins for 36 units (28 existing and 8 proposed). This would need to comprise 5 x 1100 litre general waste and 4 x 1280 recycling bins. The proposal indicates that the existing refuse store would accommodate the additional bins required. The Council’s Waste Officer had indicated that an additional bin would be required to meet the requirements outlined in the Council’s Code of Practice for the storage and collection of refuse and materials for recycling in domestic properties (2016) document. Notwithstanding this, there appears to be sufficient space within the proposed store to accommodate this and as such a condition requiring a revised basement plan showing the appropriate number of bins is recommended. A condition is also appropriate to ensure such refuse bins are provided within suitable storage enclosures, prior to the first occupation of the units.
- 6.3.10 It is therefore considered that the proposed development would not result in a detrimental impact to the character and appearance of the surrounding area, in accordance with the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5, 7.4 and 7.6 of The London Plan (2016), policy CS1 of the Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).

#### Landscaping

- 6.3.11 Policy DM22 seeks that proposals include hard and soft landscaping. However, given limited scope for soft landscaping and the existing site constraints it is not considered that the site could provide any meaningful form of landscaping. It is therefore considered that in this case the hard landscaping as retained would be acceptable.

## 6.4 Residential Amenity

### 6.4.1 *The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM27
- London Plan Policy 7.4
- The Draft London Plan Policy D1, D6

### *Relevant Supplementary Documents*

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

### Residential Amenity of neighbouring Occupiers

6.4.2 As noted in the table below, all of the proposed flats would meet the minimum floor space as set out in the London plan. Each of the flats include bedrooms over 11.5sqm which is a suitable size for a double room. The main habitable communal rooms within the flats have sufficient daylight and outlook and all bedrooms are served by a window which allows sufficient light availability, ventilation and outlook.

	<b>Proposed Size</b>	<b>Proposed GIA</b>	<b>Minimum GIA</b>	<b>Minimum Storage</b>
Flat 29	1 bed 2 persons	50sqm	50sqm	1.8sqm
Flat 30	1 bed 2 persons	50sqm	50sqm	1.5sqm
Flat 31	1 bed 2 persons	50sqm	50sqm	1.5sqm
Flat 32	1 bed 2 persons	50sqm	50sqm	1.5sqm
Flat 33	1 bed 2 persons	50sqm	50sqm	1.8sqm
Flat 34	1 bed 2 persons	50sqm	50sqm	1.5sqm
Flat 35	1 bed 2 persons	50sqm	50sqm	1.5sqm
Flat 36	1 bed 2 persons	50sqm	50sqm	1.5sqm

6.4.3 The floor to ceiling height of each of the flats will be 2.4m for the entire floor area which exceeds the prescribed London Plan requirements and it is therefore considered acceptable. Although the Council prefers developers to provide a 2.5m floor to ceiling height in line with Draft “Intend to Publish” London Plan (2019), this has not been adopted and therefore alignment with the current adopted London Plan is acceptable on this basis.

6.4.4 Paragraph 4.55 of the Residential Design Guide SPD specifies that ‘the vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms, kitchens and bathrooms, as well as communal areas such as halls and stairs’.

6.4.5 Although there is some overlap between the existing third floor and proposed fourth floor in terms of stacking, with bedrooms overlapping living rooms in part, since it is only to a small degree, this is not considered to constitute a reason for

refusal. Furthermore, the stacking arrangements between the fourth and fifth storey would be acceptable. Accordingly, it is considered that the vertical stacking between the proposed units would not give rise to unacceptable living conditions for future occupiers of the units.

#### Amenity Space

- 6.4.6 Policy DM1 of the DMP seeks to inter alia ensure that development proposals provide an appropriate form of useable outdoor space. Policy DM27 expects proposals for residential development to provide appropriate amenity space in accordance with the London Plan standards which requires a minimum of 5 sqm for a 1 bedroom flat. Balconies should also be a minimum of 1.5m in depth. The proposed flats would meet these standards as each flat would benefit from access an appropriately sized balcony. The larger of the terraces would be 5 sqm and more than 1.5 sqm. This is considered to be acceptable.
- 6.4.7 Overall, it is considered that the proposed development is likely to provide an acceptable level of amenity for future occupiers, subject to conditions.

#### Neighbour Amenity

- 6.4.8 The proposed siting of the development, relative to the nearest residential properties would allow for some oblique overlooking, however this would be limited due to both the height of the windows and the set-in of the new floor from the existing roof edge. Whilst the proposed balconies / terraces to the rear would face the rear gardens of properties between 3-17 Sherwood Road, it is not considered that this would exacerbate the situation over and above the existing given the large distance between them (over 16m). This would also ensure that the proposal would not materially result in any loss of daylight or outlook to neighbouring occupiers given that the proposal would be wholly contained within the existing building footprint.
- 6.4.9 The proposed additional storeys would accommodate an additional eight flats. It is considered that the likely increase in activity associated with the additional flats would not be significant and are not likely to cause unreasonable disturbance to the neighbouring properties.
- 6.4.10 In summary, it is considered the proposal would not have an unacceptable impact on the residential amenities of adjoining occupiers or the occupiers of the subject site 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 Traffic, Safety and Parking**

- 6.5.1 The relevant policies are policies 6.3, 6.9 and 6.13 of The London Plan (2016), Policies T4, T5 and T6 of the Draft London Plan (2019) Policy CS1 R of the Harrow CS (2012) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

- 6.5.2 The existing property has 16 car parking spaces and no additional car parking spaces are proposed as part of the current scheme, although there would be a loss of one parking space. Whilst an amount of parking was previously considered acceptable as part of the prior approval application this was an existing situation. At that time, the trip generation assessment indicated that the residential scheme would generate less traffic than the previous office use and as such the site was in excess of parking. Notwithstanding this, given the significant weight now afforded to the draft London Plan, the Highways Officer has considered the proposal against the aforementioned guidance. The application site has a Public Transport Accessibility Level of very good / excellent (5/6) and in such areas standard car parking is no longer acceptable. With the application property falling just outside the South Harrow Town Centre and South Harrow Station being located 75m away from the property equating to 1 minutes walk it is considered that the loss of a car parking space would be insubstantial. Accordingly, the car free intentions of the development are considered acceptable given the highly sustainable location.
- 6.5.3 Car free development at this site was accepted in principle as part of the prior approval to convert the lower levels to residential. This was subject to a Section 106 agreement to restrict parking permits for future occupiers. The applicant has agreed to enter into a deed of variation so the additional flats could form part of the existing agreement. This is considered to be acceptable. An updated Transport Statement and revised travel plan incorporating the proposed scheme with the current use was submitted and found acceptable by the Council's Highways department.
- 6.5.4 The highways requirement for the proposal seeks eight additional sheltered, secure and accessible cycle parking spaces to be provided for each flat. Cycle parking for an additional 8 bicycles to the existing 32 approved within the prior approval scheme is required. As such, the proposed development provides for a total of 26 within an internal bike store in the undercroft area of the building and to the rear of the site and a further 14 within an external cycle store within the existing car park. Two short stay Sheffield stands have been provided to the front of the property. As such, the Highways Officer considers the provision to be acceptable as the entire development would have a total of 40 cycle spaces and 2 short stay spaces. A condition requesting specific measurements and appearance of the Amazon Cycle Shelter is recommended to be secured via condition.
- 6.5.5 In summary, Highways Officers have no objection to this proposal subject to a pre-commencement condition for cycle parking details and a S106 agreement for parking permit restriction (£1500 contribution to amend the Traffic Management Order). It is therefore considered that the proposed development would be acceptable in Highway terms and would accord with policies 6.9B and 6.13 of The London Plan (2016) and T5, T6, T6.1 of the "Intend to Publish" Draft London Plan (2019) and policy DM42 of the Harrow Development Management Policies Local Plan (2013).

## **6.6 Development and Flood Risk**

- 6.6.1 The relevant policies are DM 9 and DM 10 of the Development Management Policies Local Plan (2013).

- 6.6.2 The site is located within surface water flood zone 3a and 3b. The main access to the development is from Northolt Road which is also identified as being at high risk of flooding as it is situated within flood zones 3a and 3b. The Flood Risk Assessment was found to be sufficient by the drainage department and is therefore acceptable. The Drainage Officer had however asked the applicant to install HD slot drains outside of the building where the flooding would intercept floodwater before it enters the basement as well as show the connection to the existing surface water drain. A plan to this effect was submitted and the proposal was subsequently found to be acceptable in terms of Flood Risk.
- 6.6.3 Subject to the Council's standard drainage informatives, the proposal complies with the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policy CS1 of the Core Strategy (2012) and policies DM1, DM9 and DM10 of the Harrow Development Management Policies Local Plan (2013).

## **6.7 Accessibility**

### *6.7.1 The relevant policies are:*

- The London Plan 2016: 3.5, 3.8
- The "Intend to Publish" London Plan 2019:D5
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM2

6.7.2 The submitted Design and Access Statement states that there is a stepped access from the existing street level access and level access from the rear car park. The existing lift would be extended to provide access to the new upper levels and the stairwell extended to fourth and fifth floors. It also states that the new flats would be designed to meet regulation M4 as required.

6.7.3 On this basis, it is considered that the proposal complies with the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5 and 7.2 of The London Plan (2016), policy CS1 of the Core Strategy (2012), policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).

## **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. Accordingly, the development would accord with development plan policies and is recommended for approval.

## APPENDIX 1: CONDITIONS AND INFORMATIVES

### Conditions

#### 1. Timing

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

#### 2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans: Location Plan, EX01, EX02, EX03, EX04, EX05, S01, S02, P01 Rev B, P02, P03, P04, P05, P06, P07, P08, P09, PA02, PA06, Rev A, Transport Statement (Dated November 2019), Flood Risk Assessment & SUDS Report (C2166-R1-REV-C), Planning, Design and Access Statement (P3D/JF/191101), dated December 2019,

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

#### 3. Materials

The materials to be used in the construction of the external surfaces of the extension and for the external alterations to the existing building hereby permitted shall be those specified on drawing numbers P04 and P05.

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

#### 4. Details of windows and doors

Notwithstanding the details shown on the approved drawings, prior to commencement of the development hereby permitted shall not commence until details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- i) detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations;
- ii) sections and elevations of the parapet detail and roofline of the proposed building.

The development shall be completed 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.



## 5. Communal Television Equipment

The development hereby approved shall not commence, until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) as been submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

## 6. Cycle Parking

The flats hereby approved shall not be first occupied until cycle parking details showing a layout plan of the storage area, types of stands and access doorways with dimensions of the external cycle store have been submitted to, and agreed in writing, by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the development and shall thereafter be retained.

REASON: To ensure that adequate, secure and acceptable form of cycle parking is provided.

## 7. Part M of the Building Regulations

The development hereby permitted shall be constructed to the specifications of:

“Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings” of the Building Regulations 2013 and thereafter retained in that form.

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

## 8. Flues and Pipework

The development hereby approved shall not progress beyond damp proof course level until full details, including specifications have been submitted to and approved in writing by the local planning authority:

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

REASON: To ensure a high quality of design.

## 9. Secure by Design

Prior to occupation of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the development shall be installed in accordance with details to be agreed in writing by the local planning authority. The applicant shall apply for a

Secured by Design Certification which shall be submitted and approved in writing by the local planning authority, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

## **INFORMATIVES:**

### 1. Policies

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

#### **National Planning Policy Framework (2019)**

##### **The London Plan 2016**

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

#### **Intend to Publish Draft London Plan (2019):**

D1 London's form and characteristics  
D2 Delivering good design  
D3 Inclusive Design  
D5 Accessible Housing  
D6 Housing Quality and Standards  
T4 Assessing and Mitigating Transport Impacts  
T5 Cycling  
T6 Car Parking

#### **Harrow Core Strategy 2012**

Core Policy CS 1 – Overarching Policy Objectives

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

DM 1 – Achieving a High Standard of Development Policy  
DM 2 – Achieving Lifetime Neighbourhoods Policy  
DM 9 - Managing Flood Risk Policy

DM 10 – On Site Water Management and Surface Water Attenuation  
DM 12 – Sustainable Design and Layout  
DM22 – Trees and Landscaping  
DM 24 – Housing Mix  
DM 27 – Amenity Space  
DM 42 – Parking Standards  
DM 44 - Servicing  
DM 45 – Waste Management  
DM 50 – Planning Obligations

### **Relevant Supplementary Documents**

Mayor of London Housing Supplementary Planning Guidance (2016)  
Residential Design Guide Supplementary Planning Document (2010)  
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)  
Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings

#### 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. Considerate Contractor Code of Practice

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

#### 4. Party Wall Act:

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

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

3. excavating near a neighbouring building, and that work falls within the scope of the Act.

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

#### 5. London Mayor’s CIL Charges

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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £29,520.

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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 Council CIL Charges

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £77,932.80

This amount includes indexation which is 323/224. 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).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.

## 7. Street numbering

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

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

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.

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

8. Liability For Damage to Highway

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

9. Sustainable Drainage Systems

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 (2019) 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.

**CHECKED**

Interim Chief Planning Officer	Orla murphy pp Bev Kuchar
Corporate Director	Paul Walker 5.6.20

## APPENDIX 2: SITE PLAN



## **APPENDIX 3: SITE PHOTOS**

Front Elevation



Rear Elevation and undercroft parking





Surface level car parking

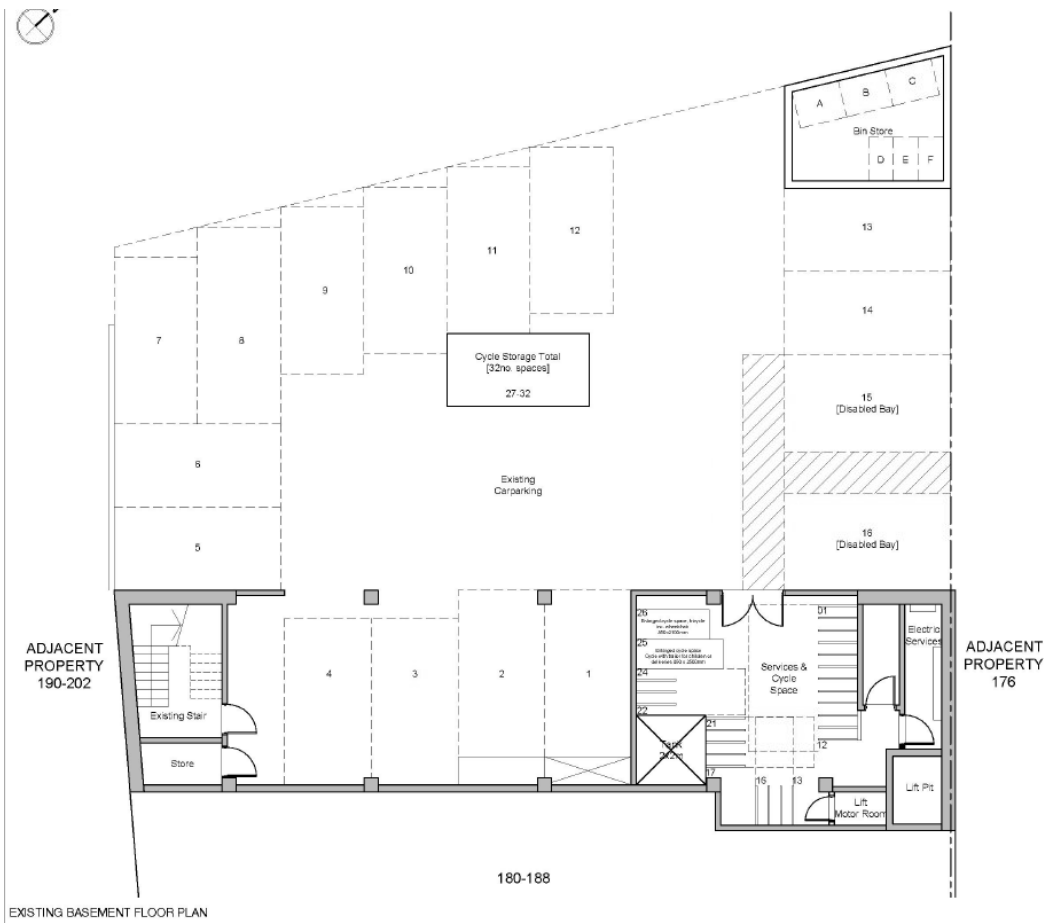


Front Elevation

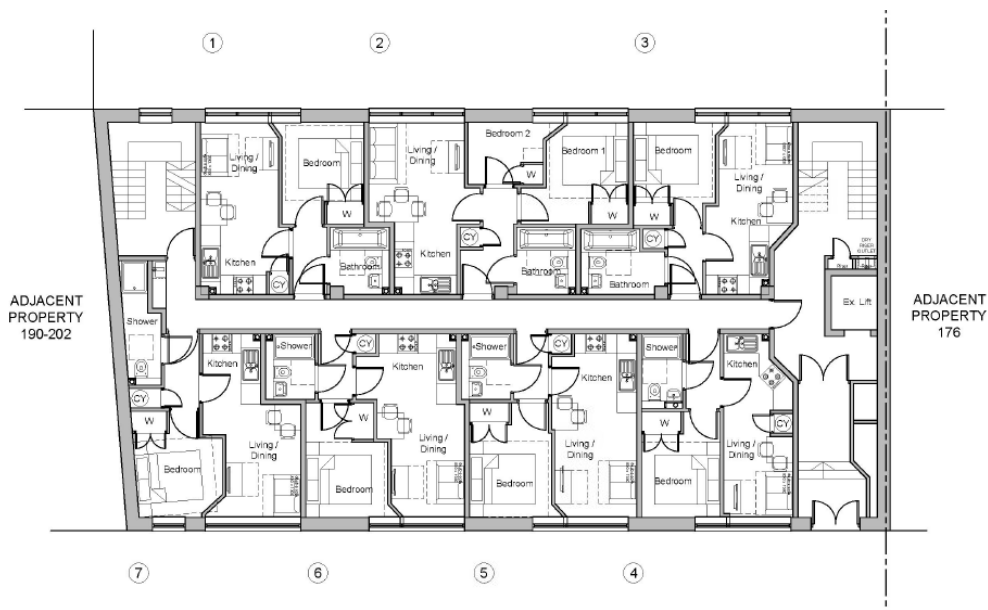


# APPENDIX 4: PLANS AND ELEVATIONS

## Existing Site Plan



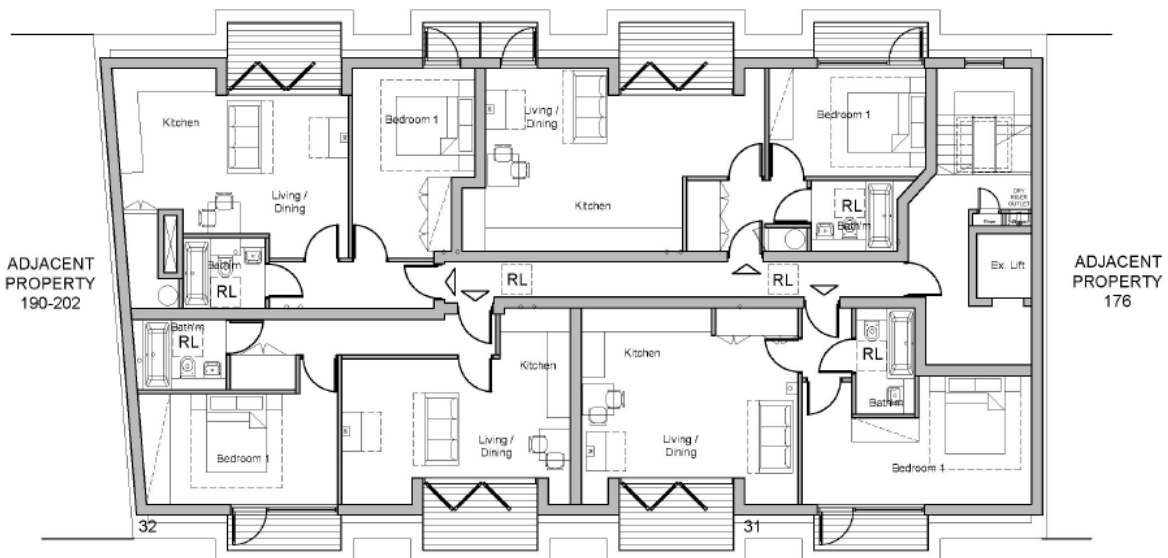
## Existing Ground Floor Plan (Similar layout for Floors 1, 2 and 3)



# Proposed Site Plan

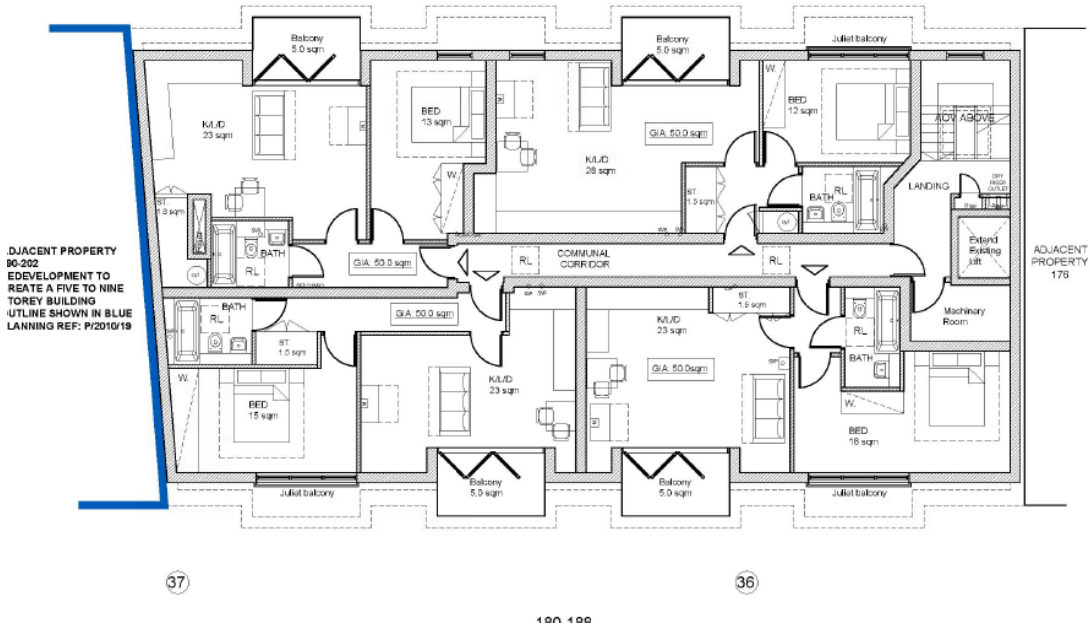


# Proposed Fourth Floor



D

# Proposed Fifth Floor



# Existing Front Elevation



## Proposed Front Elevation

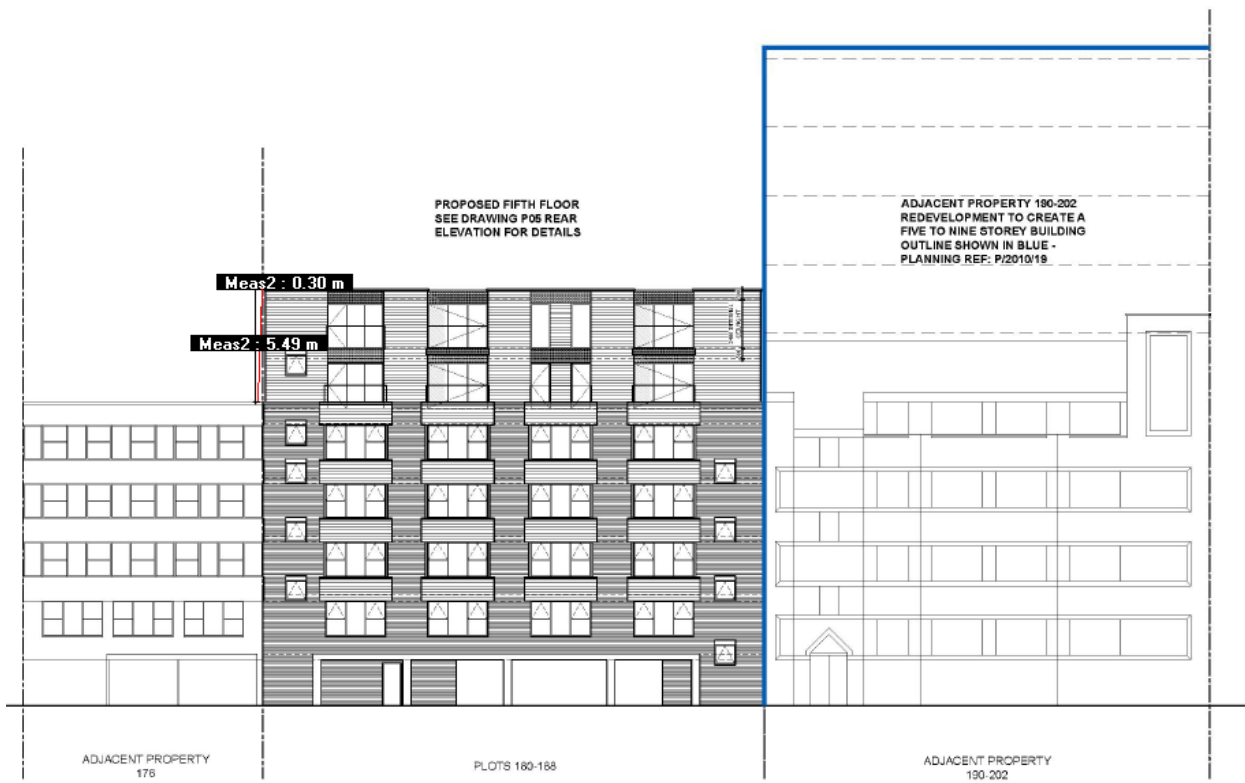


Existing

## Rear Elevation



# Proposed Rear Elevation

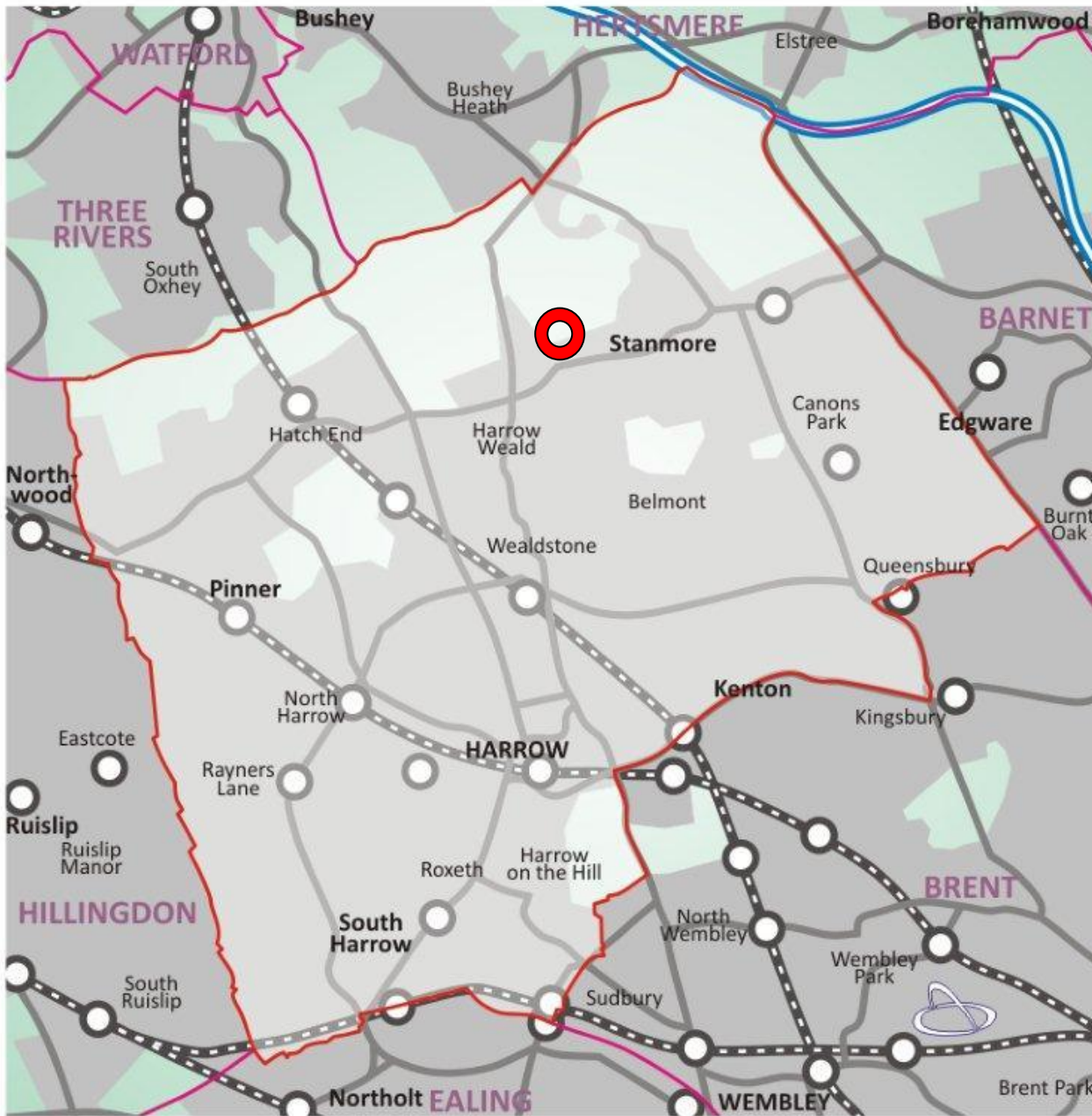


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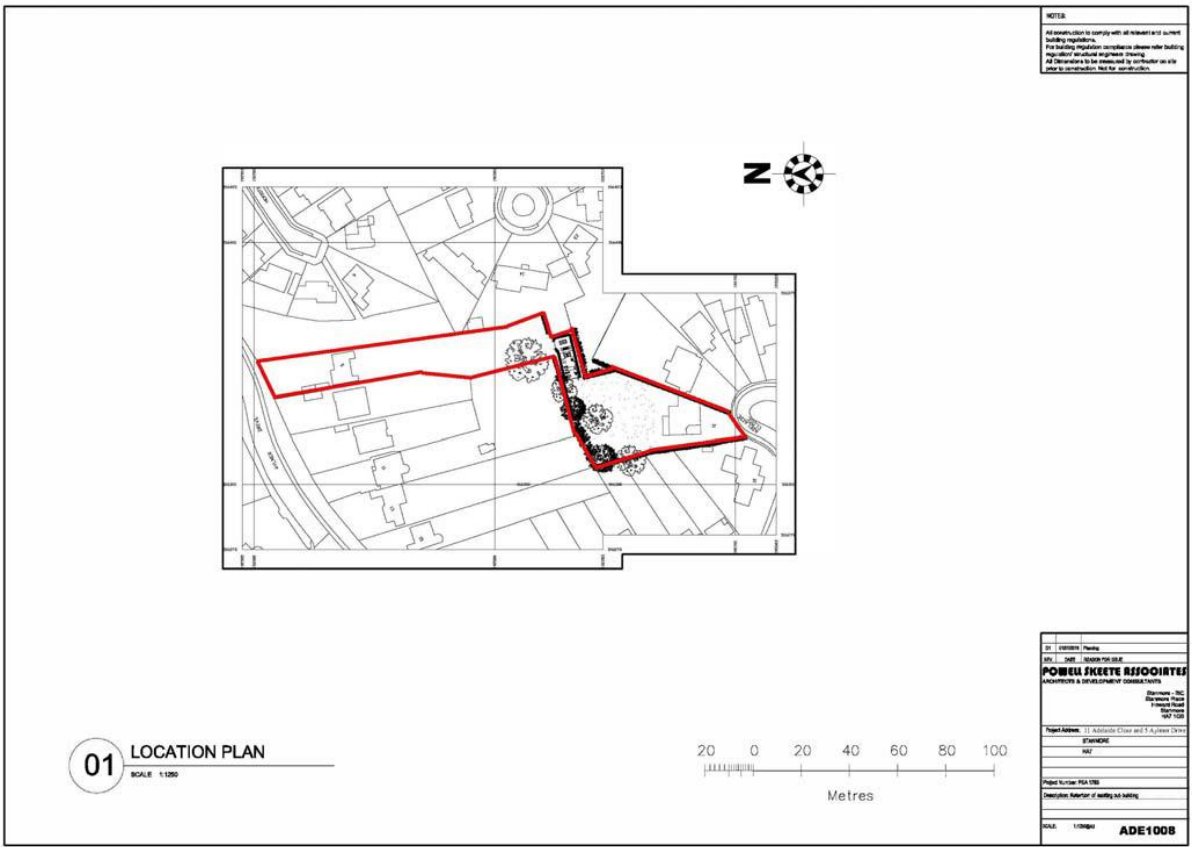
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 = application site



11 Adelaide Close & 5 Aylmer Drive	P/****/20
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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17<sup>th</sup> June 2020

**APPLICATION NUMBER:** P/5043/19  
**VALID DATE:** 7<sup>th</sup> JANUARY 2020  
**LOCATION:** 11 ADELAIDE CLOSE, STANMORE, HA7 3EL  
and 5 AYLMER DRIVE, STANMORE, HA7 3EJ  
**WARD:** STANMORE PARK  
**POSTCODE:** HA7 3EL  
**APPLICANT:** MR J SHAH  
**AGENT:** ATLAS PLANNING GROUP  
**CASE OFFICER:** FAYE MCELWAIN  
**EXPIRY DATE:** 11<sup>th</sup> FEBRUARY 2020

### PROPOSAL

Outbuilding At Rear (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.

### REASON FOR THE RECOMMENDATION

The form, scale and siting of the outbuilding on the site is appropriate in this location and does not appear at odds with the existing character of development in the immediate area and would not have an adverse impact on the amenity of the occupiers of adjoining properties in accordance with Policies 7.4B and 7.6B of The London Plan (2016) and Policy DM1 of the DMP (2013).

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework (2019), the policies and proposals in The London Plan (2016), the draft London Plan - Intend to Publish Version (2019) 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 has been called in by a nominated member. The application was deferred from the consideration of the planning committee which took place on 11<sup>th</sup> March 2020 to allow for further consideration regarding the refusal of planning application P/3786/18 to retain the building for use for the occupiers of 11 Adelaide Close independently.

Statutory Return Type:	Minor Development
Council Interest:	N/A
Additional Floorspace:	113.6sqm (residential)

GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£6819
Local CIL requirement (provisional):	£18,018,78

## **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. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

## **1.0 SITE DESCRIPTION**

- 1.1. The application site comprises of two large detached two storey dwellings with a large rear gardens which meet at the rear.
- 1.2 The wedged shaped garden of 11 Adelaide Close has a small rectangular section which meets with the rear of 5 Aylmer Drive where the outbuilding is located.

## **2.0 PROPOSAL**

- 2.1 The application proposes to retain an outbuilding located at the rear of the garden beside the boundary with 5 Aylmer Drive, 11 Aylmer Drive and 14 Old Forge Close.
- 2.2 The outbuilding has a footprint of 18m by 7m and has a height of between 2.8m and 3.25m due to the differences in height of the site.
- 2.3 It is proposed to utilise the outbuilding in conjunction with the occupiers of 5 Aylmer Drive.

## **3.0 RELEVANT PLANNING HISTORY**

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

### 11 Adelaide Close

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
HAR/16308	Erection of a 2-storey extension and car port	Granted 21/01/1960
LBH/21899	Single storey side and rear extensions	Granted 10/09/1982
P/0488/15	Certificate of lawful development (proposed): single storey outbuilding in rear garden	Granted 31/03/2015
P/1876/15	Single and two storey rear extension; part first floor and two storey side extension; alterations to the roof involving raising the ridge height; formation of basement and	Granted 12/06/2015

	provision of flank dormer; external alterations	
P/3242/08	Demolition of existing dwelling house, construction of replacement two-storey dwelling house with basement and accommodation in roofspace	Granted 19/12/2008
P/2439/13	Certificate of lawful proposed development: single storey outbuilding in rear garden	Granted 10/10/2013
P/3786/18	Outbuilding At Rear (Retrospective):	Refused 16/10/2018:
<p>Reason for refusal: The out-building, by reason of its siting in relation to the neighbouring site boundaries and its excessive scale and height, gives rise to a visually bulky and unduly dominant structure which is out of character with the pattern of development in the locality, to the detriment of the character and appearance of the area and the visual amenities of the neighbouring occupiers in particular no. 14 Old Forge Close, contrary to the high quality design aspirations of the National planning Policy Framework (2018), policies 7.4 B and 7.6 B of The London Plan (2016), Core Policy CS1 (B) of the Harrow Core Strategy (2012), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document - Residential Design Guide (2010).</p>		

### 5 Aylmer Drive

Ref no.	Description	Status & date of decision
HAR/5854/A	Front Extension to Garage	Granted 15/09/1958
HAR/5854/B	Brick Covered Wall in Front Garage	Granted 16/03/1964
LBH/18842/E	Garage, Single, 2 Storey and 2 <sup>nd</sup> Floor Extension to Front, Side and Rear	Granted 27/04/1981 (not enacted)
P/0725/17	Single and Two Storey Rear Extension With Glass Balustrade To Rear Roof Terrace; Second	Refused 06/04/2017

	Floor Extension With Rear Roof Terrace; External Alterations	
P/2028/17	Single And Two Storey Rear Extension; Single Storey Rear Extension; External Alterations.	Granted 15/06/2017

#### 4.0 Consultation

- 4.1 A total of 14 consultation letters were sent to neighbouring properties regarding this application. Letters were sent out on 07/01/2020.
- 4.2 Three objections were received in relation to this proposal. Prior to the committee on 11<sup>th</sup> March 2020 a letter was submitted to members outlining further concerns with the application.
- 4.3 The overall public consultation period expired on 28/01/2020. The responses are summarised below.

Summary of Comments
<ul style="list-style-type: none"> <li>• The previous reason for refusal has not been addressed and this goes against case law which requires officers to take into account previous planning decisions. (See paragraphs 6.1.1 – 6.1.8)</li> <li>• The occupiers of 13 Aylmer Drive also likely to utilise the building due to a permanent access path. (See paragraph 8.1.5)</li> <li>• The building could become an independent dwelling house. (See paragraph 7.1.3)</li> <li>• Light/noise pollution (See paragraph 8.1.6)</li> <li>• Impact on character of the area. (See section 7)</li> <li>• The scale of the building is incommensurate for use in a residential area. (See paragraph 7.1.4)</li> <li>• The materials and design are out of keeping. (See Paragraph 7.1.4)</li> <li>• Impact on trees. (See paragraph 10.1.1)</li> <li>• No details of surface water drainage. (See section 9)</li> <li>• The comparisons to GPDO are irrelevant in the determination of a planning permission (See paragraphs 6.1.4 – 6.1.6)</li> </ul>

#### 4.4 Statutory and Non Statutory Consultation

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

Consultee and Summary of Comments
-----------------------------------

### **LBH Drainage Engineer**

Drainage plan indicating all surface and foul water connections and their outfall details should be approved by Harrow Drainage Authority. Separate systems are used in Harrow for surface water and foul water discharge.

#### ***Officer Comments***

*Noted and informatives added*

## **5.0 POLICIES**

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, 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 (2019), 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 originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant policies referenced within the report below and a summary within Informative 1.



## **6.0 ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Character and Appearance of the Area
- Residential Amenity
- Development and Flood Risk
- Trees and Development

### **6.2 Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- Policies 7.4B and 7.6B of the London Plan (2016)
- Core Policy CS1 of the Core Strategy (2012)
- Policy DM1 of the Development Management Local Plan (2013).

6.2.2 Members will be aware that the Council has refused a householder application for the same building in the same location. The applicant for this proposal was the occupiers of 11 Adelaide Close independently. Although no material changes are proposed to the building since this refusal, it is considered that the current proposal differs from the previous application as set out in this report and overcomes the reasons for refusal.

6.2.3 The current proposal has been submitted by two households, and it is proposed that the outbuilding is to be used by two residential properties, 11 Adelaide Close and 5 Aylmer Drive. The Council has carefully weighed up the arguments presented in the Planning Statement, which was submitted in support of the application and considers that the application satisfactory addresses the concerns of the previous refusal and that the application differs sufficiently to support the change in recommendation by officers.

6.2.4 Of particular relevance in the determination of the application is the fact that the applicant could build a structure of a similar scale, form and height under permitted development. In fact the applicant successfully gained a certificate of lawful development for an outbuilding with a larger footprint on the site. The certificate granted an outbuilding with a footprint of 157sqm. The current outbuilding has a footprint of 127sqm. Although of smaller footprint, the height of the outbuilding is over permitted development levels and therefore requires planning permission. The applicant could therefore either demolish the current building and fully rebuild a structure of a similar scale or modify the height of the existing structure and the Council would have no control.

6.2.5 Although this permitted development position was a consideration on the previous application, the difference with the current application is that the building is proposed to be utilised by both 11 Adelaide Close and 5 Aylmer Drive. 5 Aylmer Drive is a separate dwelling house with separate permitted development rights. The fact that the two properties have jointly applied to retain the outbuilding is

therefore considered to be a material consideration which significantly alters the proposal.

- 6.2.6 The occupiers of 5 Aylmer Drive could utilise their own permitted development rights and construct a structure of a similar or larger footprint provided that the height was kept to a maximum of 2.5m. In addition they would be permitted to construct other such structures in the garden areas up to a total of 50% of the total curtilage of the property which, given the large scale of the gardens, could amount to a significant built up area.
- 6.2.7 In addition, as the Council's enforcement officers have deemed that it is not expedient to take enforcement action on the structure, and 11 Adelaide Close still maintains full permitted development rights, the occupiers of this dwelling could also construct a number of structures up to 50% of the curtilage of this dwelling. Potentially further adding to the proportions of the garden which are built up.
- 6.2.8 Because of the undesirability of the potential permitted development 'fall back' position of both properties maximising their permitted development rights, officers have come to the view that the proposed use of the outbuilding for the two properties is materially different to the previous application, primarily because the Council has the opportunity to impose planning conditions to remove permitted development rights from both properties which would safeguard against the potential for overdevelopment of the site with permitted structures and consequently protect the character of the area.

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

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- Policy 7.4B of the London Plan (2016)
- Core Policy CS1B of the Core Strategy (2012)
- Policy DM1 of the Development Management Local Plan (2013).

#### *Relevant Supplementary Documents*

- Residential Design Guide (2010)

6.3.2 It is acknowledged that the previous reason for refusal noted that the outbuilding was unacceptable due to excessive scale and height and the fact that it gives rise to a visually bulky and unduly dominant structure which is out of character with the pattern of development in the locality. However, as the outbuilding is now proposed for dual use for the two dwellings, the bulk and scale is considered to be more suitable. The overall footprint, scale and height is considered to be acceptable in relation to the combined scale of the two existing properties at 11 Adelaide Close (footprint of approximately 192sqm) and 5 Aylmer Close (footprint of approximately 109sqm).

6.3.3 It was noted in the previous refusal that the building was of a scale capable of being used as a separate residential unit which would be wholly out of character

with the pattern of development in the area. The planning permission gives the Council the opportunity to impose a planning condition to ensure that the outbuilding remains as an ancillary residential use to the two residential properties.

6.3.4 It is also noted that a previous criticism of the building was that it does not appear as a traditional outbuilding. However, given that there is no restriction on the use of materials or the form of outbuildings constructed under permitted development given the potential permitted development 'fall-back' position as highlighted above, this is not considered a strong reason to withhold planning permission.

6.3.5 Accordingly, when considering the siting and proportions of the outbuilding in relation to the two application dwellings, the development is considered acceptable. Therefore in respect of character and design the scheme complies with the relevant policies

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- Policy 7.6B of the London Plan (2016)
- Core Policy CS1B of the Core Strategy (2014)
- Policy DM1 of the Development Managements Local Plan (2013).

Relevant Supplementary Documents

- Residential Design Guide (2010)

### Residential Amenity of neighbouring Occupiers

6.4.2 The outbuilding is positioned on a rectangular section in the north east corner of the garden abutting the boundaries of four residential properties, beside the boundary with 5 and 11 Aylmer Drive and 14 and 23 Old Forge Close.

6.4.3 In the assessment of the previous application, officers considered that the outbuilding has a negative impact on the visual amenities of occupiers of neighbouring dwellings in particular 14 Old Forge Close.

6.4.4 As stated above, currently both dwellinghouses have permitted development rights and therefore 5 Aylmer Close would have the opportunity to construct structures and outbuildings over a significant proportion of its rear garden area. Such structures could potentially be directly adjacent to the boundary with 14 Old Forge Close. As it has been deemed non-expedient to take enforcement action on the outbuilding, any other structures on the boundary with 14 Old Forge Close, combined with the existing outbuilding, could have an amplified detrimental impact on the visual amenities of the occupiers of this dwelling and lead to a significantly increased enclosing and overbearing impact. As the applicants have agreed to the removal of permitted development rights to restrict building further outbuildings for each of the dwellings, this would safeguard against this undesirable eventuality and would also protect the future visual amenity of the occupiers of other neighbouring dwellings.

- 6.4.5 It has also been suggested as a result of the neighbour consultation, that it is the intention for the outbuilding to be utilised by the occupiers of 13 Aylmer Drive. It was observed on site that there is an access path from the rear garden of this property to the outbuilding. The agent has confirmed that it is not the intention to allow the use of the outbuilding in conjunction with this property. This has therefore not been considered as part of the application. Any such use by no. 13 would require a further planning permission.
- 6.4.6 The use will be restricted to the occupiers of the two residential properties and not for any organised events. Therefore the number of users of the building is not likely to be significant. The location of the building would not give rise to light and noise pollution as it is located a sufficient distance away from neighbouring properties.
- 6.4.7 Subject to compliance with the attached conditions, it is considered that the proposal for both 11 Adelaide Close and 5 Aylmer Close to utilise the outbuilding would be acceptable in terms of the amenity of neighbouring occupiers in accordance with the relevant policies.

## **6.5 Development and Flood Risk**

- 6.5.1 The site is not within a flood zone or critical drainage area. [SuDs] is encouraged and an informative is added to this effect.

## **6.6 Trees and Development**

- 6.6.1 The construction of the outbuilding has not led to the loss of any protected trees.

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

- 7.1 The combined use of the outbuilding by 11 Adelaide Close and 5 Aylmer Drive allows for the Council to take control of future structures in the rear gardens of both of these properties and to prevent any undesirable use of the building, hence safeguarding future impacts on neighbouring amenity and the character and appearance pattern of the wider area. As such, the proposal is appropriate in terms of its size, scale and design, the impact on the amenity of occupiers of neighbouring properties.
- 7.2 The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2019, the policies and proposals in The London Plan 2016, the Harrow Core Strategy 2012 and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

## **APPENDIX 1: CONDITIONS AND INFORMATIVES**

### **Conditions**

#### **1 Approved Drawing and Documents**

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

ADE1007 Rev D1; ADE1001 Rev D1; ADE1002 Rev D1; ADE1003 Rev D1; ADE1004 Rev D1; ADE1006 Rev D1; ADE1008; Planning Statement.

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

#### **2 Ancillary Use**

The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of 11 Adelaide Close, Stanmore, HA7 3EL & 5 Aylmer Drive, Stanmore, HA7 3EJ.

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

#### **3 Restriction of Permitted Development**

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 Class E in Part 1 of Schedule 2 to that Order shall be carried out in relation to both 11 Adelaide Close and 5 Aylmer Drive, without the prior written permission of the local planning authority.

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

## **INFORMATIVES:**

### 1. Policies

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

#### **National Planning Policy Framework (2019)**

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

7.4 Local Character

7.6 Architecture

#### **Intend to Publish Draft London Plan (2019):**

D1 London's form and characteristics

D2 Delivering good design

#### **Harrow Core Strategy 2012**

Core Policy CS 1 – Overarching Policy Objectives

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

DM 1 – Achieving a High Standard of Development Policy

#### **Relevant Supplementary Documents**

Residential Design Guide Supplementary Planning Document (2010)

### 2. Pre-application engagement

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

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

### 3. GLA 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 £60/sqm £6816

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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

#### 4 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: **£18,018.78.**

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

#### 5 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.

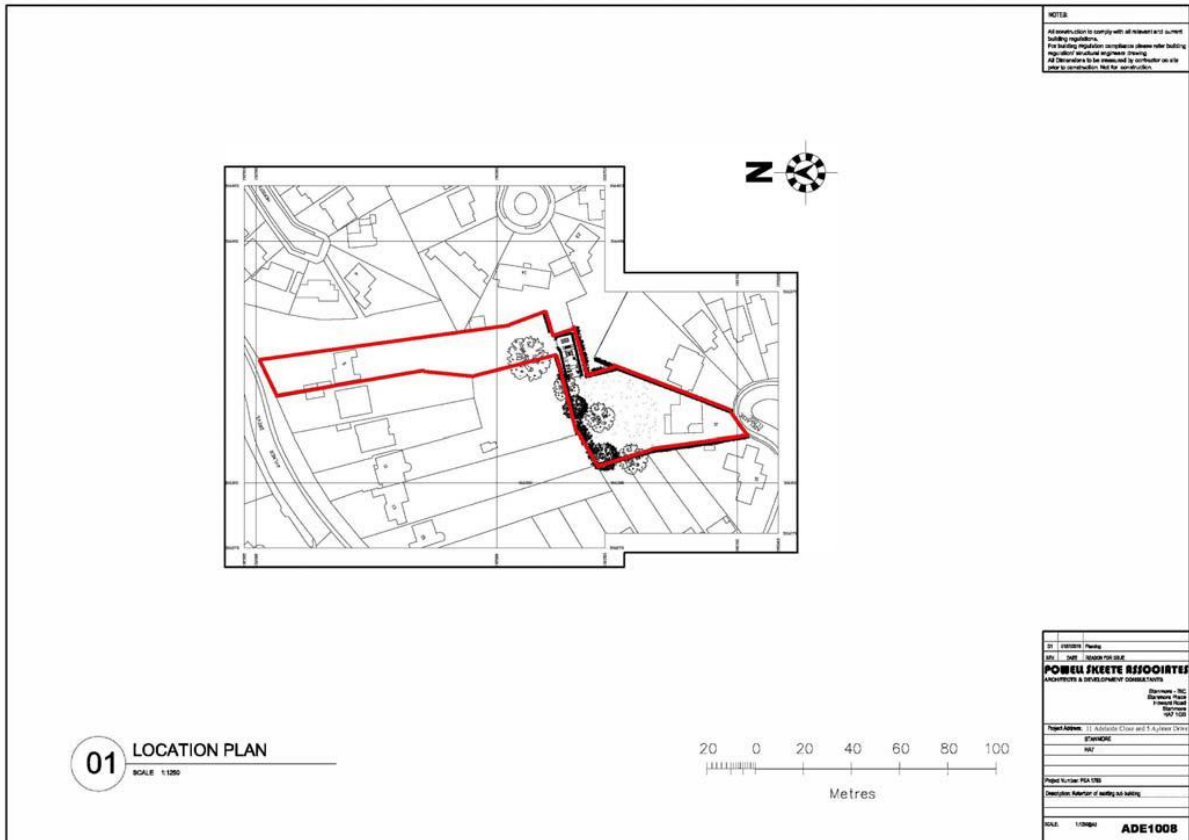
The applicant can contact Harrow Drainage Section for further information.

## **CHECKED**

Interim Chief Planning Officer	Orla Murphy pp Bev Kuchar
Corporate Director	Paul Walker 5.6.2020



# APPENDIX 2: SITE PLAN



**APPENDIX 3: PHOTOGRAPHS**



Elevation from 11 Adelaide Close



Elevation from 5 Aylmer Close



Boundary with 14 Old Forge Close

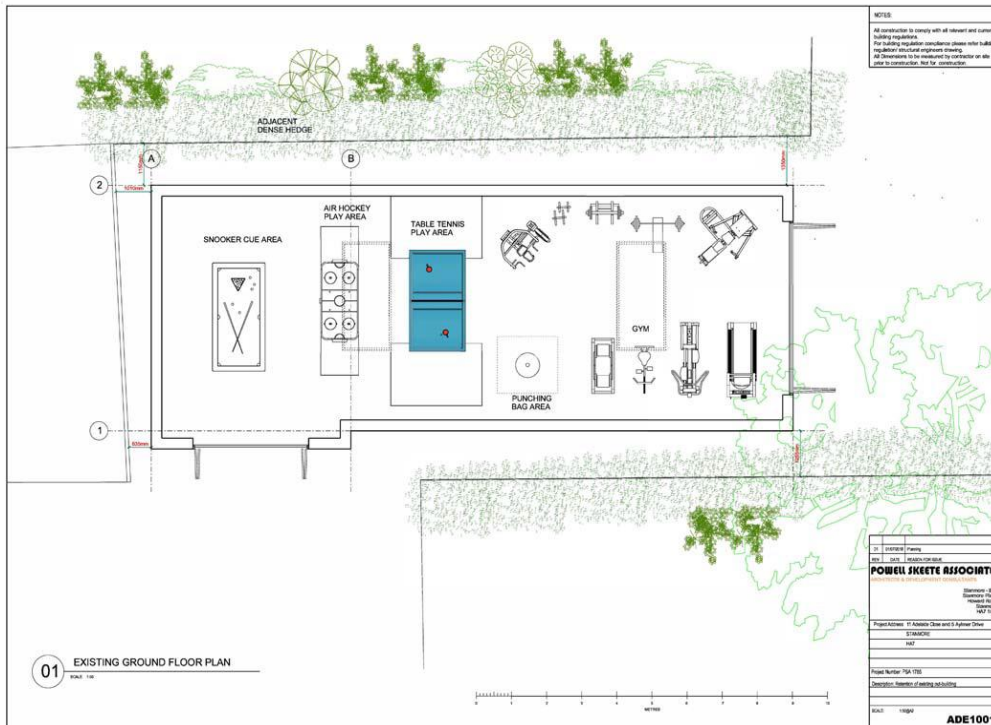


Boundary with 23 Old Forge Close

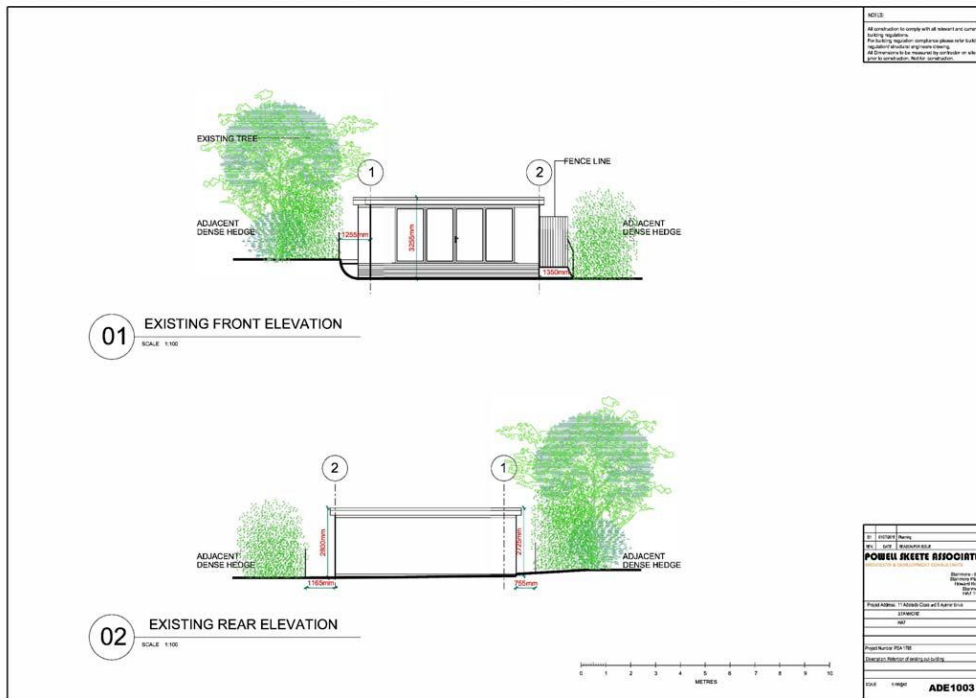


Internal.

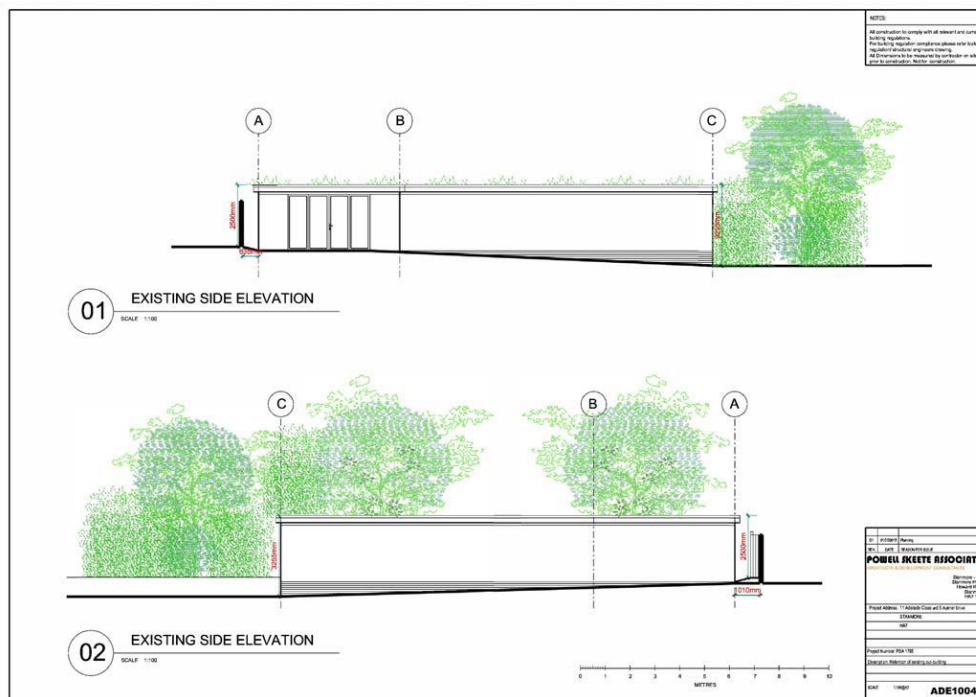
## APPENDIX 4: PLANS AND ELEVATIONS



Ground Floor Plan



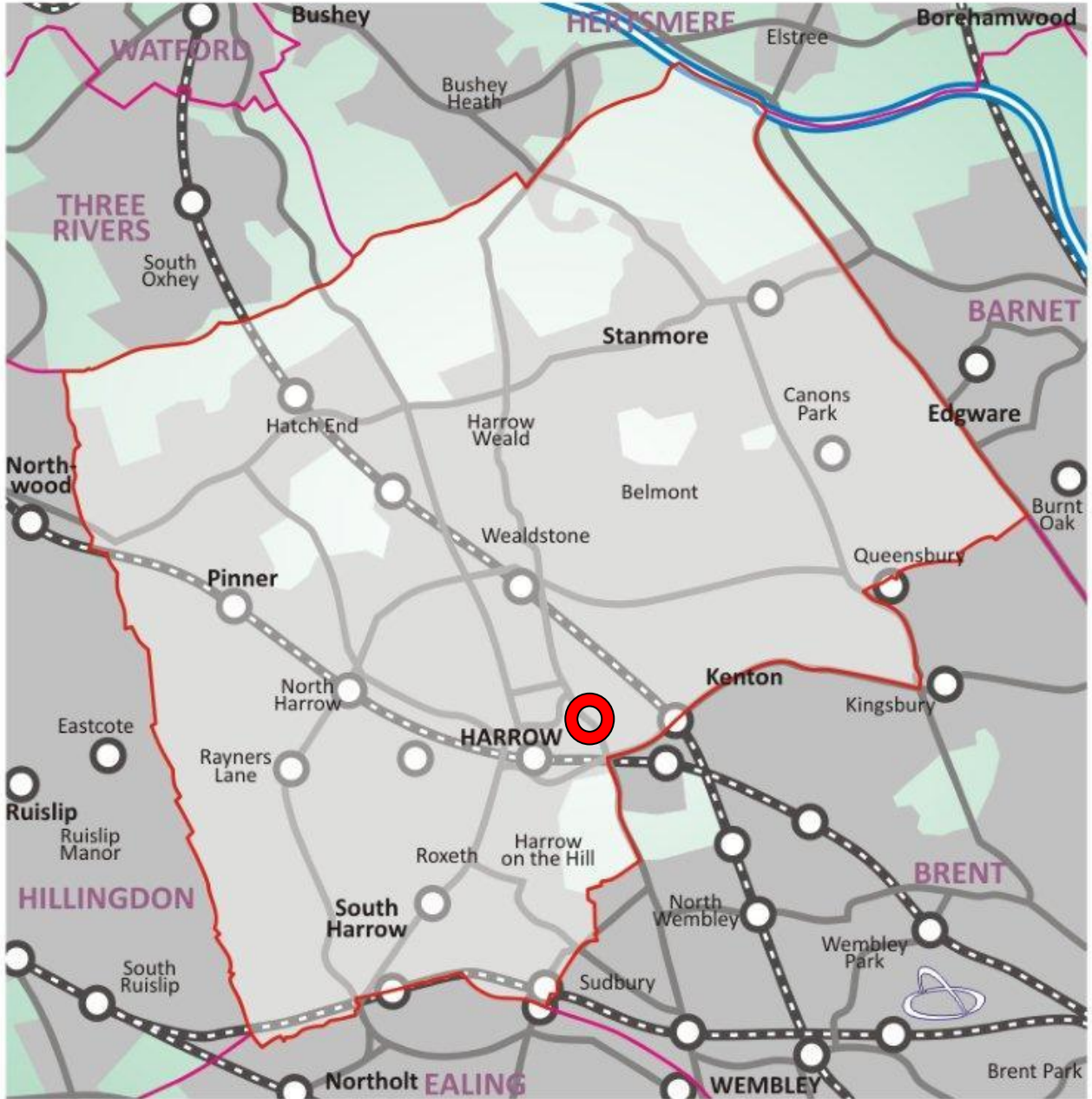
Front and rear elevations



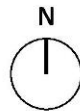
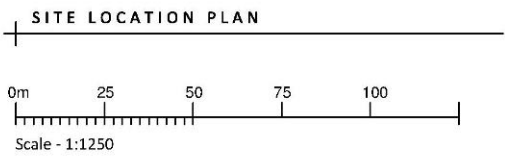
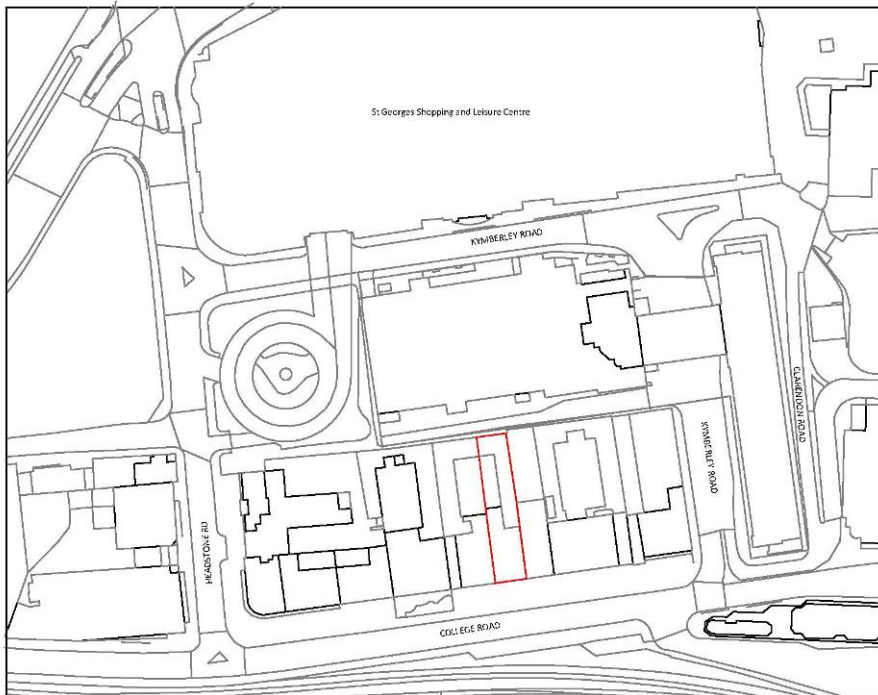
Side Elevations

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 = application site



102 College Road	P/5297/19
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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

17<sup>th</sup> June 2020

**APPLICATION NUMBER:** P/5297/19  
**VALID DATE:** 7<sup>th</sup> JANUARY 2020  
**LOCATION:** FERRARI HOUSE  
102 COLLEGE ROAD  
HARROW  
**WARD:** GREENHILL  
**POSTCODE:** HA1 1BQ  
**APPLICANT:** DANDI HARROW REGENERATION LTD  
**AGENT:** RAPLEYS LLP  
**CASE OFFICER:** KIMRY SCHLACTER  
**EXTENDED EXPIRY DATE:** 24<sup>th</sup> JUNE 2020

### PROPOSAL

Third floor rear extension and creation of fourth and fifth floors to create 19 additional HMO units (44 no. C3 and HMO units in total on site); additional 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 in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
  - i. Development to be Resident Permit Restricted: With the exception of disabled persons, no resident of the development shall obtain a residents' parking permit within the Controlled Parking Zone. An additional £1,500 contribution towards the cost of amending the traffic order.
  - ii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## **RECOMMENDATION B**

That if, by 30<sup>th</sup> November 2020 or such extended period as may be agreed in writing by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation is not completed, then delegate the decision to the Interim Chief Planning Officer to **REFUSE** planning permission on the grounds that:

The proposed development, in the absence of a legal agreement to provide appropriate provision for restriction of resident parking permits would fail to comply with the requirements of policies 6.3 and 6.13 of The London Plan 2016, T4 and T6.1 of the Draft London Plan (2019), policy CS1 of the Harrow Core Strategy (2012), AAP19 of the Harrow & Wealdstone Area Action Plan (2013) and Policies DM50 and DM42 of the Harrow Development Management Policies Local Plan (2013) and would therefore be unacceptable.

## **REASON FOR THE RECOMMENDATION**

The proposed scheme seeks to provide 19 additional residential accommodation/rooms within a sustainable town centre location. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). The proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development. Accordingly, the development would accord with development plan policies and is recommended for approval.

## **INFORMATION**

This application is reported to Planning Committee as the proposed development relates to the creation of new floor space in excess of 400sqm. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	Minor Development
Council Interest:	None
Net additional Floorspace:	467.8sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£28,068.00
Local CIL requirement:	£74,889.77

## **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, Policy D11 of the Draft London Plan (2019) 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.

## **1.0 SITE DESCRIPTION**

- 1.1 The application site is located on the northern side of College Road, to the west of the Harrow on the Hill station. The site is within the Harrow Metropolitan Centre and the Harrow & Wealdstone Opportunity Area. The site also forms part of a larger allocated site in the Harrow & Wealdstone Area Action Plan (College Road West, AAP Site 15).
- 1.2 The building is formerly four storeys in height; however the building is currently undergoing construction and has been extended to five storeys (see ref: P/0587/18). The pre-existing building was a maximum of 15.5m high (including plant area on the roof).
- 1.3 The pre-existing building had gained Prior Approval for 25 studio flats (ref: P/4164/15), which the applicant confirms to have been implemented, although the property is not currently occupied. The submitted existing and proposed plans for the ground-third floor match the approved prior approval plans, with the exception that a smaller laundry room on the third floor would be lost.
- 1.4 Five parking spaces are located in the rear curtilage; along with cycle parking and waste storage areas.
- 1.5 The neighbouring building to the west, 104 College Road, is a four-storey office building with commercial use on all floors. It benefits from an extant planning permission for a part 3<sup>rd</sup> floor and full 4<sup>th</sup> floor addition, to create a five-storey building with additional office space (ref: P/1827/17).
- 1.6 The neighbouring building to the east, 100 College Road, is a four-storey office building which also has an extant planning permission for an upwards extension to create a 5-storey building to create additional office space.
- 1.7 The northern side of the highway features a mix of different building types and heights, varying from two to four storeys in scale; although the application buildings forms one of a set of buildings with a relatively coherent height and massing.
- 1.8 Railway tracks leading to Harrow on the Hill station are sited on the southern side of the highway, opposite the site.
- 1.9 The site also lies within a Protected Views Setting Corridor and Protected Views Restricted Corridor, and an RAF Northolt Safeguarding zone (green) which requires consultation for any building or structure exceeding 15.2m in height. The site also sits within a Critical Drainage Area.
- 1.10 The site is located within the Harrow town centre and has a public transport accessibility level (PTAL) of 6b.

## **2.0 PROPOSAL**

- 2.1 It is proposed to construct a rear extension to the existing third floor and a fourth and fifth floor addition to create a six-storey building. The proposal would contain 19 new rooms as part of a managed house of multiple occupancy (HMO) (Sui Generis use class). The total number of units on site would be 44, in combination with the implemented 25 no. C3 flats; or, for comparison, 8 additional units above the previously granted permission ref: P/0587/18. Access will be controlled via a key-fob access system. 2 wheelchair accessible rooms are included.
- 2.2 The proposed additions would be contained within the external footprint of the existing building and would increase the overall height to 18.4m. The fourth and fifth floor addition would be set away from the front by 1.6m.
- 2.3 Replacement and reconfiguration of the car parking provision approved under ref: P/4164/15 (4 spaces plus 1 blue badge) and replacement with 2 blue badge bays. The proposal is otherwise car-free. For the proposed and existing units combined, 48 cycle parking spaces are proposed.
- 2.4 A dedicated waste storage area is proposed in the rear curtilage, with servicing from College Road.
- 2.5 Solar photovoltaic modules are proposed in conjunction with energy efficient building fabric and energy efficient fixtures, to allow the building to improve sustainability.

### 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 & date of decision
HAR/5000/B	Erection Of 4 Storey Office Building (Outline)	Granted: 04/11/1963
HAR/5000/C	Erection Of 4 Storey Office Building	Granted: 29/03/1965
LBH/1385/6	Erection Of 1st & 2nd Floors Rear Extension To Office Building	Granted: 02/11/1970
LBH/1385/7	Erection Of 1st & 2nd Floors Rear Extension To Office Building (Revised)	Granted: 17/02/1971
P/4164/15	Prior approval for conversion of offices (class B1a) to 25 self-contained flats (class C3) (prior	Granted: 29/10/2015

	approval of transport & highways impacts of the development and of contamination risks and flooding on the site)	
P/5573/15	Third floor rear extension and creation of fourth floor for B1 office use; cycle and bin storage.	Grant: 24/02/2016
P/0587/18	Third floor rear extension and creation of fourth floor to accommodate 11 unit HMO single occupancy units over extended third and fourth floors with communal kitchen/dining area	Granted: 03/06/2019

### 3.2 Revisions to previous application

- 3.2.1 Key differences with previous application ref: P/0587/18: One additional floor with 8 additional units proposed, and associated minor revised details to layout and facilities.

### 3.3 Revisions to this application

- 3.3.1 Revised development description, plans, and documents clarifying terminology/unit type. Minor amendments to layout and operational details.

## 4.0 CONSULTATION

- 4.1 A total of 24 consultation letters were sent to neighbouring properties regarding this application. The initial public consultation period expired on 06/02/2020. No comments were received.

- 4.2 After the receipt of amended plans and information, a second consultation period was conducted and expired 21/05/2020. No objections were received.

### 4.6 Statutory and Non Statutory Consultation

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

<b>Consultee and Summary of Comments</b>
<p><b>Planning Policy Officer</b></p> <p>There is no objection to the principle of new floors and also residential use of them. However, the plans are saying the units are HMO, while the supporting documents are saying co-living, thus requires clarification. Ultimately, the site is one planning unit, and there will be different residential uses, which will</p>

need clarification on how these will be managed, given the HMO and the co-living all access from the site at the same point; and the application notes that there will be 44 units in total on the site.

*Response to revised information:*

In principle the HMO units are ok, subject to detailed consideration.

### **LBH Waste Management**

More detail requested on who will control the waste separation at the site. There is an access way adjacent to 104 College Road which we assume they will use to bring the bins out. Would need to ensure that bins are not placed on the pavement on collection day as the frontage is traditionally used for car parking so. It is also noticed there is no provision for food waste, but I need this clarified.

*Comments to revised information:*

Revised information appears to be ok. They have taken into account of the increase in HMOs so we are happy with the proposed increase in bins. Will deal further with where the bins will be on collection day at such time as it comes into operation.

### **Highways Authority**

This proposal is within Harrow Town Centre, this is a PTAL 6 location meaning that public transport access is at the highest level. There are all of the amenities expected from a town centre within a short walking distance.

The anticipated trip rate sees a negligible increase on the existing levels as the overall uplift in residents is low.

We would consider this a suitable location for a car free development. There is little on-street parking available within the vicinity of the site and request that the developer/applicant enter into an agreement (via s106) that would prevent future residents from obtaining permits for the surrounding Controlled Parking Zone.

Disabled parking spaces are existing however two bays are still within the expected minimum provision for the total number of dwellings on-site. It would be appropriate to provide electric vehicle charging facilities to at least one of the spaces. A pre-occupation condition for details of the type of charge point and its location would be sufficient.

Level of cycle parking proposed for the new dwellings is acceptable; A pre-occupation condition for details would be sufficient.

There doesn't appear to be much information on delivery and servicing arrangements. The site waste management has been noted but this would not cover deliveries. There are no waiting and loading at any time restrictions fronting the property, therefore how are deliveries planned to be

received. This information needs to be provided prior to determination to ensure that practical arrangements are in place.

A construction logistics plan following TfL guidance should be secured by pre-commencement condition.

Subject to receipt of the information requested above, conditions and agreement to restrict parking for residents, Highways have no objection to this proposal.

*Comments to Revised Proposal:*

If the off carriageway space is being retained then the proposal may be acceptable. Waste collections are often exempt from restrictions but general deliveries will not be; and there will be some from time to time. This is a particularly busy bus route so it is essential that the route is kept free from obstruction.

**Travel Planning Officer**

In order to keep consistency with the Conditions of the previously approved application at this address (P/0587/18), a full Travel Plan should also be submitted as part of this updated application.

Revisions are required; details have been provided to the applicant.

A draft Full Travel Plan should be provided to the council prior to occupation for review and approval. Targets are to be reviewed and agreed with the council upon receipt of the baseline survey results. These can be secured via an appropriately worded Condition.

**Environmental Health Officers**

No comments received.

**London Underground**

London Underground Infrastructure Protection has no objection, conditions to protect infrastructure recommended.

**Drainage Authority**

No comments to make.

**MOD Northolt (Safeguarding)**

No comments received.



## 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 2019] sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

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

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

5.5 The document was originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel's report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, 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 Development
- Design, Character and Appearance of the Area
- Residential Amenity and Internal Layout
- Traffic, Parking and Refuse and Servicing
- Sustainability

## 6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 2.13, 2.15, 3.3, 3.4, 3.8 and 3.9 of
- Draft London Plan (2019): GG2; GG4; SD1; SD6, H1
- Harrow Core Strategy (2012): CS.1 and CS.2
- Harrow and Wealdstone Area Action Plan (2013): AAP1 and AAP13
- Harrow Development Management Policies Local Plan (2013): DM24 and DM30

6.2.2 The application site is situated within the Harrow town centre and the Harrow and Wealdstone Intensification Area, as set out in the Harrow Core Strategy (2012) and The London Plan (2016). The site is part of an allocated development site (College Road West as defined within the adopted Harrow & Wealdstone Area Action Plan (2013), which is allocated for housing.

6.2.3 The proposal retains the C3 flats now implemented in the original building, but seeks to create extensions at the 3<sup>rd</sup>-5<sup>th</sup> floors which would provide additional HMO units. Residential uses on upper floors of town centre buildings are broadly acceptable, and as noted above, the site is allocated. It is noted that many adjacent buildings also have residential use at upper floors, and other similar extensions have been granted nearby. In this case, the principle of residential use on the upper floors of the application buildings has been established and deemed acceptable in a previous application, for an extension at 3<sup>rd</sup>-4<sup>th</sup> floors.

6.2.4 The proposed residential accommodation would represent an appropriate town centre use and is consistent with the site allocation. The development would take place on previously developed land which, subject to appropriate impacts on the character and appearance of the area and other relevant material considerations (considered below), is also supported by adopted policy, providing more effective and efficient use of land.

6.2.5 The proposal initially included a variety of tenure types, which gave rise to issues of compliance with policy requirements for shared living accommodation type in the Draft London Plan. However, the application was subsequently amended to confirm the units as falling within HMO use (sui generis).

6.2.6 The proposed development would contribute to the town centre and would accord with the strategic aims of the Core Strategy in enhancing the vibrancy of the area and contribute towards the housing targets for the borough identified within the development plan.

## Housing Mix

6.2.7 The proposal would provide a total of 19 single occupancy HMO units (not self-contained), with a large shared amenity area. Given the type of tenure proposed, no affordable housing is required.

### **6.3 Design, Character and Appearance of the Area**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan (2106): 7.4, 7.6 and 7.8
- Draft London Plan (2019): D3, D5, D6 and HC1,
- Harrow Core Strategy (2012): CS.1
- Harrow and Wealdstone Area Action Plan (2013): AAP1, AAP2, AAP4, AAP5, and AAP6
- Development Management Policies Local Plan (2013): DM1 and DM7
- SPD – Residential Design Guide.

6.3.2 The site is located within Harrow Metropolitan Centre and on a busy Street just outside of the Primary Shopping Area and near the bus station and Harrow-on-the-Hill station. The surrounding area has a strongly urban character, and faces onto the railway tracks. The buildings along this section of College Road have a strong building line and some commonality of design, but with varying details and heights.

6.3.3 The proposal would increase the maximum height of the building from 12.5m (15.5m including lift overrun) to 18.4m. The front elevation of the 4<sup>th</sup> and 5<sup>th</sup> floor extension is set back by 1.6m. The applicant has confirmed that there is no lift overrun on the roof area. Policy AAP6(B) requires that building heights are of a scale consistent with the site's surroundings; while Policy DM3 requires building within the Protected Views Setting Corridors must not harm protected views. As the surrounding area includes a varied range of building heights, including nearby buildings which either are or have been granted permission for similar heights, the proposal would be considered to be consistent with the character and appearance of the context of the site and surrounding development and would not interfere with or appreciably change protected views.

6.3.4 The set-back from the front of the newly proposed 4<sup>th</sup> and 5<sup>th</sup> floors would help decrease the impact of the proposed development on the streetscene. The existing structure would be retained with minor alterations to allow the functionality of residential units (new windows and doors at ground floor front elevation) and alterations to the layout of the curtilage.

6.3.5 The extension to the existing 3<sup>rd</sup> floor is sited at the rear, and so would not be visible from College Road. The design and materials match those of the existing building.

- 6.3.6 The design and detailing of the extensions on the rear and side elevations would match the existing officer building. Whilst not high quality, this would be no worse than the existing. The proposed front elevation of the fourth and fifth elevations would be of dark grey zinc with a double glaze curtain wall. However, this would not blend well with the existing finishes; and zinc cladding may not be acceptable due to fire safety requirements. A condition is therefore recommended for approval of materials to ensure a more suitable match.
- 6.3.7 Overall, the proposal would integrate well with the existing building and would be of an appropriate height for its context. Given this, and subject to approval of the materials on site, the proposed development would be considered acceptable with regard to character and appearance.

## **6.4 Residential Amenity and Internal Layout**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- London Plan (2016): 3.5 and 7.6
- Draft London Plan (2019): D6
- Harrow Core Strategy (2012): CS.1
- Harrow and Wealdstone Area Action Plan (2013): AAP4 and AAP13
- Development Management Policies Local Plan (2013): DM1, DM2 and DM30
- SPD – Residential Design Guide.

6.4.2 The immediately adjacent neighbouring buildings on either side (nos. 100 College Road and 104 College Road) do not include residential uses. The nearest residential windows to the east, at the rear of 88-89 College Road, at approximately 17m away, with the rear elevation being screened by the rear projection of no. 100. To the west, the proposal is approximately 12m from the common boundary with of no. 116 College Road, with windows on the facing flank of this building being approximately 17m away. To the rear is a parking garage rather than residential properties.

6.4.3 The proposed fourth and fifth floor extensions would not interrupt a vertical 45-degree from the first floor of the facing flanks of both nos. 88-89 and 116, taking account that the ground floors of both properties are not in residential use. Given the deep projection of the proposed extensions to the rear of the site, the proposal would interrupt a horizontal 45-degree splay from the adjacent corners of both buildings. However, given the minimum distance of 12m from each of these buildings, and taking into account the Daylight and Sunlight report as detailed below, this would, on balance, be an insufficient reason for refusal.

6.4.4 The proposal has been accompanied by a Daylight Sunlight & Overshadowing Report, which assesses the impacts of the development on the following properties: 88-89, 104, and 116 College Road. This report concludes that the proposal would result in an acceptable level of Vertical Sky Component (VSC)

for all but one of the assessed windows, with this window being only marginally below the BRE guidelines limit. However, 14 windows on the ground, first and second floor did not meet the criteria for sunlighting. This is considered acceptable taking into account that these windows appear to serve office space rather than residential uses. Although residential use has been granted and appears to be implemented on the upper floors of this building, the ground, first and second floors appear to still be in office or commercial use. Therefore, on balance, this is considered acceptable.

#### Layout and Amenity of Future Occupiers

- 6.4.5 The site is located in a town centre location and the surrounding land uses, comprising a typical town centre mix of commercial and residential uses. The proposal has been accompanied by a Noise Report, which concludes that, subject to the implementation of the recommended quality of new glazing meets the specified minimum values and specified types of ventilation, the proposal would meet the requirements of BS8233:2014. In addition, the development would be subject to Building Control regulations. Subject to a condition ensuring the mitigations measures set out in the report are implemented, this would be considered acceptable.
- 6.4.6 The application has been accompanied by an Operations and Management Plan. This document confirms that access for residents of this proposed development would be controlled by means of an electronic key-fob system, thus providing a reasonable degree of secure control over access, and privacy. This document also sets out the services that would be provided for residents, such as cleaning services; and how these would be managed including fire safety and out-of-hours emergency management for major incidents.
- 6.4.7 The proposal includes the formation of a total of 19 room shared accommodation (House in Multiple Occupation, or HMO). As the proposed units would be subject to licencing, separate from planning permission, a detailed assessment is not provided here of whether the proposal fully complies with licencing standards; nor does this permission serve as confirmation of compliance with HMO licencing.
- 6.4.8 However, it is noted that each of the proposed units would exceed the minimum required size for a single occupancy HMO bedroom, and would have a private en-suite bathroom. The fourth and fifth floors have an internal height of 2.6m and the third floor would have an internal height of 2.8m, thus the units would have good floor-to-ceiling heights. Given their layouts, circulation space would not be unreasonable for HMOs. Each of the units has windows providing reasonable degrees light and outlook, as does the shared kitchen and amenity area. There are no apparent issues with regard to overlooking or lack of privacy to the units themselves. The third floor provides shared kitchens and a dining area which is of a suitable size; and a laundry room on the ground floor. Accessible wheelchair adaptable housing is not a planning requirement for HMO units. However, the inclusion of two wheelchair accessible sized rooms is

encouraged and supported; and the proposal has step-free access from the street and includes a lift.

6.4.9 For all the reasons set out above, the proposed layout and quality of accommodation provided is therefore satisfactory.

6.4.10 Finally, a standard condition requiring the development achieve Secure by Design accreditation has also been attached, to ensure a suitable quality of safety and security for future occupiers.

## **6.5 Traffic, Parking and Refuse and Servicing**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 6.9 and 6.13
- Draft London Plan (2019): T4; T5; T6.1, and T7
- Harrow Core Strategy (2012): CS.1
- Harrow and Wealdstone Area Action Plan (2013): AAP19
- Development Management Policies Local Plan (2013): DM42, DM43, DM44, and DM45.

6.5.2 The application site is located within an area with a PTAL (Public Transport Accessibility Level) of 6b. The location of the development would be accessible for existing local amenities and public transport and would in turn support local shops and services. This is a suitable location for a car free development.

6.5.3 A Transportation Statement was submitted with the application. This document, as well as the Operations and Management Plan and other submitted documents, assesses the proposal on the basis of the proposed units here as well as the existing 25 no. C3 studio units on the pre-existing ground through third floors. The site includes a service yard at the rear, which is accessed via a shared access way leading from College Road with the adjacent no. 104. The submitted Operations and Management Plan confirms that occasional service deliveries could be accommodated in the service yard at the rear; and can be organised with the building management in advance. In addition, the applicant has noted that temporary parking for deliveries is possible in the front curtilage, as can currently be done. The Council's Highways Officer has noted that given the existing double lines and waiting restrictions along College Road, deliveries would need to be accommodated on-site. Deliveries taken in the forecourt or rear service yard would be considered acceptable by the Highways officer and would not restrict the flow of traffic on College Road.

6.5.4 All proposals need to meet the requirements of the draft London Plan (intend to publish) 2019. Car free proposals are acceptable in places that are well connected by public transport, however, should still provide disabled parking in line with Policy T6 Part E and Policy T6.1 Part G. The proposal seeks to provide 2 blue badge parking spaces and 2 electric vehicle charging points. The proposed parking layout would supersede that approved under ref: P/4164/15,

and would result in a net reduction in parking levels compared to that previously implemented permission. The vehicle charging point locations and their details are not indicated on the submitted plans, however this can be dealt with via a condition for additional information. The Operations and Management Plan mentions 4 car parking bays for temporary use for servicing/visiting are also included, however this is not shown on the submitted plans and there does not appear to be sufficient space for them within the curtilage. This appears to be an error in the document; nevertheless, in the interest of clarity, confirmation of these details would be provided by the above condition to approve the final details of the car parking layout.

- 6.5.5 In order to support the car free intention, encourage sustainable travel and minimize the impact of parking on the surrounding roads, a parking permit restriction that would prevent future residents from obtaining parking permits for the surrounding CPZ is required via a S.106 agreement and contribution.
- 6.5.6 The proposed level of cycle parking (44 tiered cycle spaces and 4 accessible Sheffield stand spaces), which includes the 28 spaces allocated to the previously granted permission ref: P/4164/15) is acceptable. The submitted information indicates that the cycle storage would be fob-controlled for security; and the facilities would include a bicycle maintenance station and washing station. However, the cycle parking is sited in an under-croft area rather than a full enclosed space. Therefore, full details of the cycle storage, including details of how the cycles will be made sheltered and secure will be required. It is noted that the Operations and Management Plan states that the number of cycle spaces is 76, however this appears to be an error.
- 6.5.7 A Waste Management Strategy was submitted with the application. Waste storage would be accommodated the rear curtilage, with collection from College Road as per the existing arrangements. In addition, the Operations and Management Plan states that the kitchens would be fitted with in-sink food waste disposal units. With regard to the number of bins, the Waste Management Strategy proposes 6 no. 1,100L waste and 6 no. 1,280L recycling bins. Harrow's Waste Management team have confirmed the number of bins provided and the proposals in the Waste Management Strategy would be acceptable; and have not raised any objection to servicing being undertaken from College Road. The bins as shown on the submitted plans are slightly smaller than the correct size however, there is sufficient space to accommodate the size of bins needed without interfering with car or cycle parking.
- 6.5.8 The application was accompanied by a Travel Plan. As noted, the site has a high PTAL rating, is located within the town centre close to shops, services and public transportation, and the proposal would be subject to a S106 restricting parking permits. The Travel Plan has been reviewed by the Council's Travel Plan officer. It has been recommended that, to keep consistency with the conditions of the previously approved application at this address (P/0587/18), a full Travel Plan should also be submitted. A revised Travel Plan has therefore been attached as a condition of the permission.

6.5.9 For the reasons set out above, subject to the recommended conditions and to a S106 agreement, it is therefore considered that the development would not result in any unreasonable impacts on highway safety and waste management and servicing, and would be in accord with the relevant development plan policies.

## **6.6 Sustainability**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.2, 5.3 and 5.7
- Draft London Plan (2019): SI 2
- Harrow Core Strategy (2012): CS.1
- Development Management Policies Local Plan (2103): DM12 and DM14

6.6.2 The application was accompanied by an Energy and Sustainability Statement, which proposes solar photovoltaic modules on the roof, energy and waste efficient fixtures and appliances, and high-performance building fabric, to achieve an overall higher sustainability on site and contribute to reduction of carbon emissions. The report concludes that, subject to the measures proposed, the proposed development would achieve 35.2% CO2 reduction, with renewable energy comprising 24.5% of that total, compared to Building Regulations 2013. A condition has been attached to ensure the implementation of these measures.

6.6.3 The proposal is thereby considered to achieve a satisfactory quality of sustainability.

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

7.1 The proposed development would contribute to the housing stock of the borough, in accordance with paragraph 3.55 of the London Plan (2016). Furthermore, the proposed development would have a satisfactory impact on the character of the area and the amenities of existing neighbouring occupiers and future occupiers of the development. It would not harm the setting of the listed and locally listed buildings.

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 92 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 hereby permitted shall be carried out in accordance with the following documents and plans:

Energy and Sustainability Statement [dated 18 December 2019] Daylight, Sunlight and Overshadowing Report [V.01, 21st November 2019]; Design & Access Statement [Ref: 2623/4.1 dated 13/12/2019]; Noise Impact Assessment [Ref: 17109.NIA.01.Rev B]; Waste Management Strategy [Ref: VN91499, dated March 2020]; Planning Statement [Ref: 19-02405, dated February 2020]; Operation and Management Plan [dated March 2020]; Transportation Assessment [Ref: VN91499, dated April 2020]; Residential Travel Plan Statement [Ref: VN91499, dated December 2019]; L(00)001 Rev P1; L(00)002 Rev P1; L(01)001 Rev P1; L(01)002 Rev P1; L(01)003 Rev P1; L(01)004 Rev P1; L(01)005 Rev P1; L(01)006 Rev P1; L(02)001 Rev P1; L(02)002 Rev P1; L(02)003 Rev P1; L(03)001 Rev P1; L(02)097 Rev P2; L(01)098 Rev P1; L(01)099 Rev P1; L(01)100 Rev P1; L(01)101 Rev P1; L(01)102 Rev P1; L(02)101 Rev P1; L(02)102 Rev P1; L(02)103 Rev P1; L(02)104 Rev P1; L(02)105 Rev P1; L(01)103 Rev P1; L(03)101 Rev P1

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

#### **3. Materials (Pre-Commencement)**

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below have been submitted, provided at the application site, and approved in writing by, the local planning authority:

- a: External materials, including the proposed external finishes;
- b: Window / door detailing for the entire building;
- c: Bin and cycle storage areas

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

alteration and upward extension of an existing building rather than new development, this is a PRE-COMMENCEMENT CONDITION.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

4. Demolition and Construction Logistics Plan (Pre-commencement)

No development shall take place, including any works of demolition, until a detailed 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;
- 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; and
- i) How traffic would be managed to minimise disruption.

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 and to ensure that the transport network impact of demolition and construction work associated with the development is managed. 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 as the proposed measures must be in place prior to commencement of works.

5. Amended Plans and Details, Car and Cycle Parking Details

Notwithstanding the details shown on the approved plans, the development herein approved shall not be occupied until details until the following has been submitted to, and approved in writing by, the local planning authority:

- i) An amended plan of the car parking areas indicating two blue badge parking bays and the Electric Vehicle Charging Points locations and their details.

- ii) Full details (including details of how the undercroft area will be enclosed or secured) of the proposed cycle storage, which shall be secure and sheltered and shall include 5% accessible provision, which shall be accessible to occupants of the development only;
- iii) Proposed external lighting, if any.

The development shall be carried out in accordance with the details as so agreed and the proposed cycle storage and privacy screens shall be in place prior to the first occupation of the development and retained thereafter in that form thereafter.

REASON: To protect ensure the sufficient provision of safe and satisfactory quality cycle storage and car parking facilities, to provide facilities for future occupiers and in the interests of highway safety and sustainable transportation.

#### 6. Sustainable Development and Renewable Energy

Notwithstanding the details shown on the approved plans, no development shall take place other than preparatory site works until details until the following has been submitted to, and approved in writing by, the local planning authority:

- i) Details of the proposed solar photovoltaic modules.

The development shall be carried out in accordance with the details as so agreed and the proposed solar panels shall be in place prior to the first occupation of the development and retained thereafter in that form thereafter.

REASON: To protect the appearance of the development and safeguard the character and appearance of the area; and to ensure satisfactory provision of the proposed infrastructure on site.

#### 7. Energy and Sustainability Statement

The development shall be undertaken in accordance with the approved Energy and Sustainability Statement [dated 18 December 2019]. 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 and Sustainability Statement [dated 18 December 2019], 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.

#### 8. Communal Facilities for Television Reception

Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to the Local Planning Authority in

writing to be agreed. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the development 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.

9. Secure by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented where practical and the development shall be retained in accordance with the approved details.

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.

10. Noise Mitigation

The proposed mitigation measures of the Noise Impact Assessment [Ref: 17109.NIA.01.Rev B] shall be implemented on site prior to the first occupation of the development, and shall be retained as such thereafter.

REASON: To protect the amenities of future occupiers.

11. Plant Machinery

The rating level of noise emitted from any plant, machinery and equipment on the site, shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation. Before any plant is used, measurements of the noise from the plant must be taken and a report / impact assessment demonstrating that the plant (as installed) meets the design requirements, shall be submitted to the Local Planning Authority in writing to be agreed be approved in writing by the Local Planning Authority.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings.

12. Building Appearance

Any, extraction plant, air conditioning units and any other plant or equipment that is required on the exterior of the building shall be installed in accordance with details to be submitted to the Local Planning Authority to be agreed in writing.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the highest standards of architecture and materials

13. Refuse Storage

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

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

14. Revised Travel Plan

The development hereby permitted shall not be occupied until there has been first submitted to, and approved in writing by, the local planning authority a revised full Travel Plan to include targets to promote modal shift towards active travel. Details should include:

- a) Travel plan background and policies;
- b) Site Audit;
- c) Proposed development description;
- d) Clear objectives;
- e) Management – Provide a TPC in 3 months prior first occupation and contact details submitted to the council;
- f) A baseline survey should be undertaken within 6 months of first occupation of 75% of occupation, whichever comes first;
- g) Targets should be in agreement with the council after the baseline survey;
- h) Measures – initiatives that will be introduced to achieve the targets;
- i) Funding – expression of commitment from the developer that the travel plan will be secured through its life;
- j) Monitoring and review – monitoring surveys should be undertaken at years 1, 3 and 5 and review reports submitted to the council within 1 month after the surveys; and
- k) A comprehensive action plan.

The travel plan shall be implemented as agreed unless otherwise agreed in writing by the local planning authority.

REASON: To promote sustainable modes of travel for the future occupiers of the development.

## **INFORMATIVES:**

### 1. Policies

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

**National Planning Policy Practice Guidance (2019)**

**The London Plan (2016):**

2.13, 2.15, 3.3, 3.4, 3.5, 3.8, 3.9, 5.2, 5.3, 5.7, 6.9, 6.13, 7.3, 7.4, 7.6 and 7.8

**The Draft London Plan (2019):**

GG2; GG4; SD1; SD6; D3; D5; D6; HC1; H1; SI 2; T4; T5; T6.1; T7;

**Harrow Core Strategy (2012):**

CS 1, CS.2

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

AAP1, AAP2, AAP4, AAP5, AAP6, AAP13, AAP19

**Harrow Development Management Polices Local Plan (2013):**

DM1; DM2; DM3; DM7; DM12; DM14; DM24; DM30; DM42; DM43; DM44; DM45; DM50

**Relevant Supplementary Documents:**

Mayors Supplementary Planning Guidance: Housing (2016)

Harrow Supplementary Planning Document: Residential Design Guide 2010

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (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 39-42 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 attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

#### 4. Party Wall Act:

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

#### 5. Compliance with planning conditions

**IMPORTANT:** Compliance with Planning Conditions Requiring Submission and Approval of Details before Development Commences

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

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

#### 6. London Mayor's CIL Charges

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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £28,068.

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/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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.

## 7. Harrow Council CIL Charges

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £74,889.77

This amount includes indexation which is 326/224. 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).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.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](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto: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

#### 8. 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.

#### 9. Street numbering

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

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

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link:

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

#### 10. Liability for Damage to Highway

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

11. Construction Design Management Regulations

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 01541 545500

12. Emergency Planning Information

LB Harrow recommends that the Developer refer to LB Harrow SFRA, Emergency Flood Plan and NPPF as evacuation procedures should accompany development proposals and reference should be made to EA flood warning procedures for occupants and users.

Where warnings and evacuation measures are included in the development proposals emergency planning and rescue implications will be considered in the effectiveness of managing the flood risk.

The applicant can contact the Harrow Infrastructure Team for further information.

13. Materials: The applicant is advised that the proposed zinc cladding may not be suitable, and alternate options for the frontage of the extensions should be considered prior to submitting for approval of the details of the materials.

14. The applicant is advised that, this planning permission notwithstanding, the proposed HMOs are subject to a separate licensing requirements. The applicant is advised to contact the Council's community safety team regarding required licensing: <https://www.harrow.gov.uk/licences/licences-houses-multiple-occupation-hmos?documentId=12837&categoryId=210278>

**CHECKED**

Interim Chief Planning Officer	Orla Murphy pp Beverley Kuchar
Corporate Director	Paul Walker 5.6.2020

# APPENDIX 2: SITE PLAN



Proposed Site Plan

**APPENDIX 3: Site Photographs**



Pre-existing building – front elevation



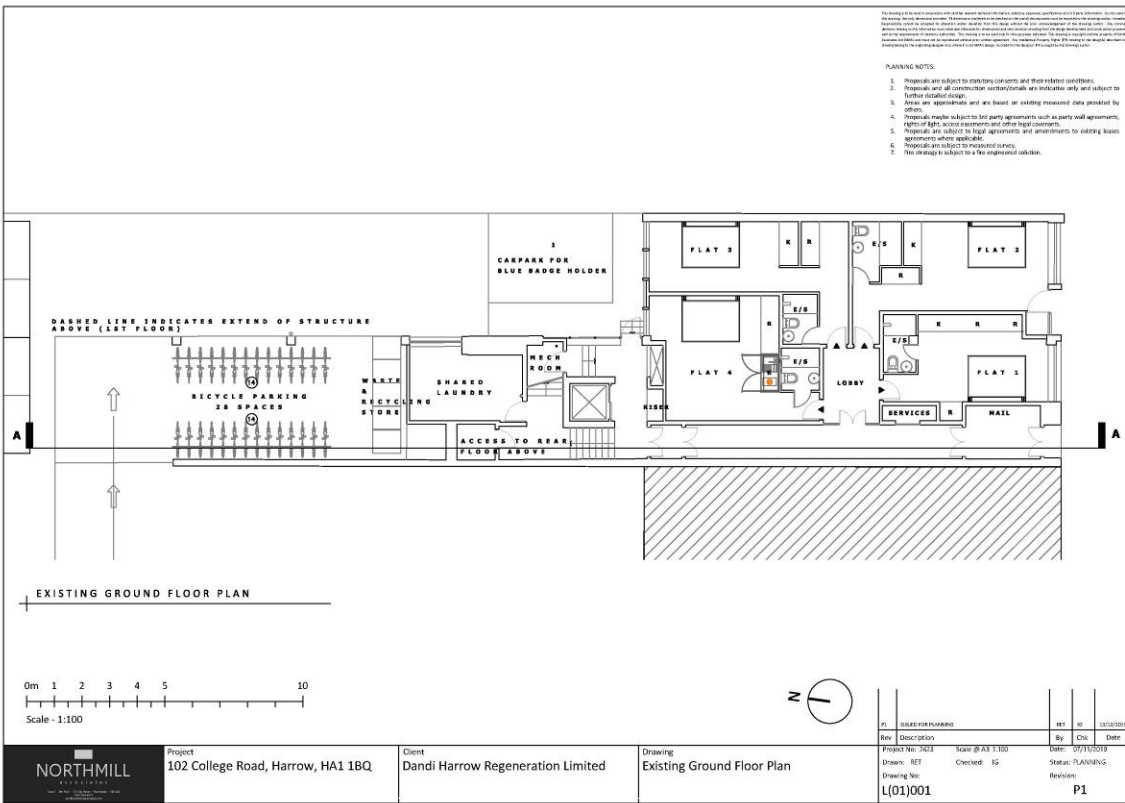
Existing front elevation and street scene context



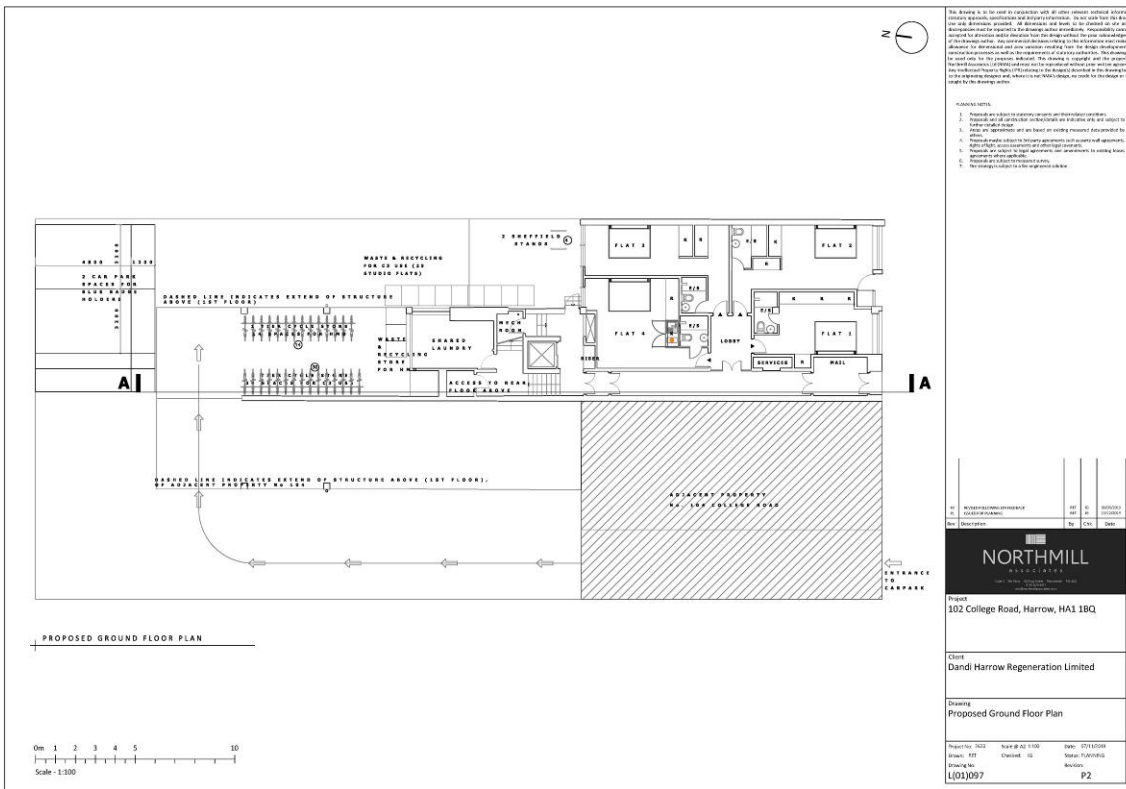


Detail showing recently built 4<sup>th</sup> floor

# APPENDIX 4: PLANS AND ELEVATIONS

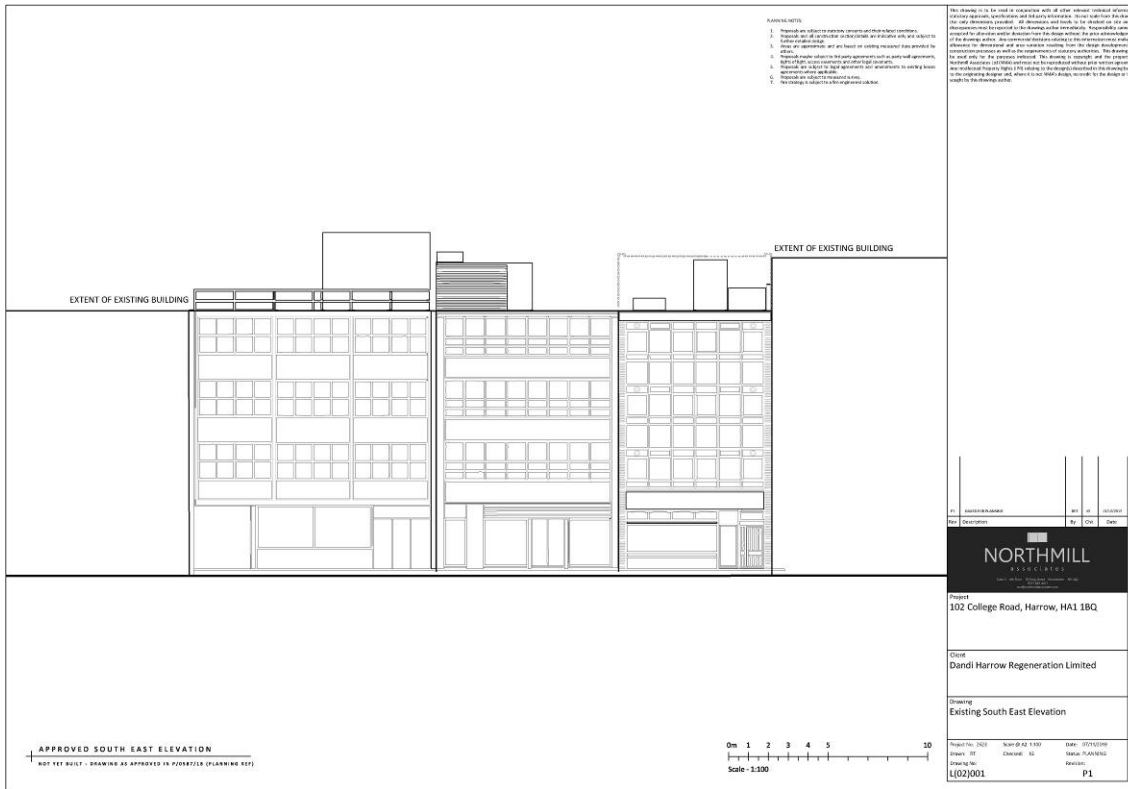


Existing ground floor plan

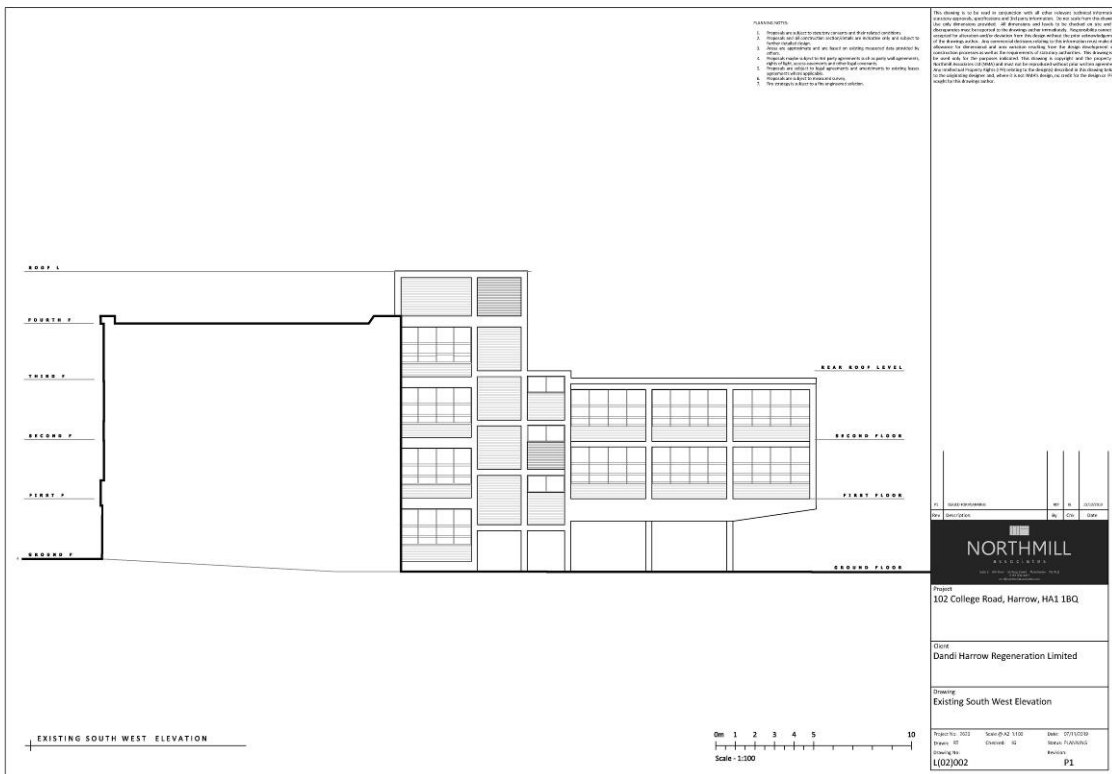




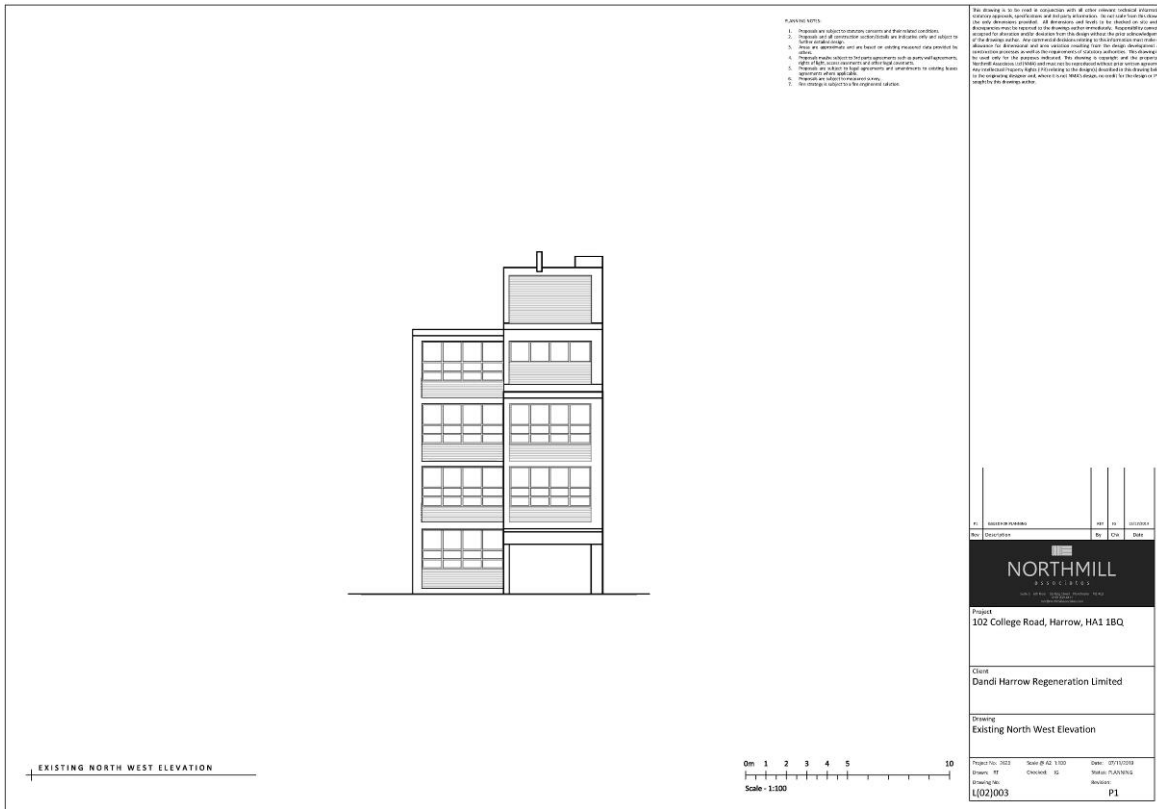
# Proposed ground floor plan



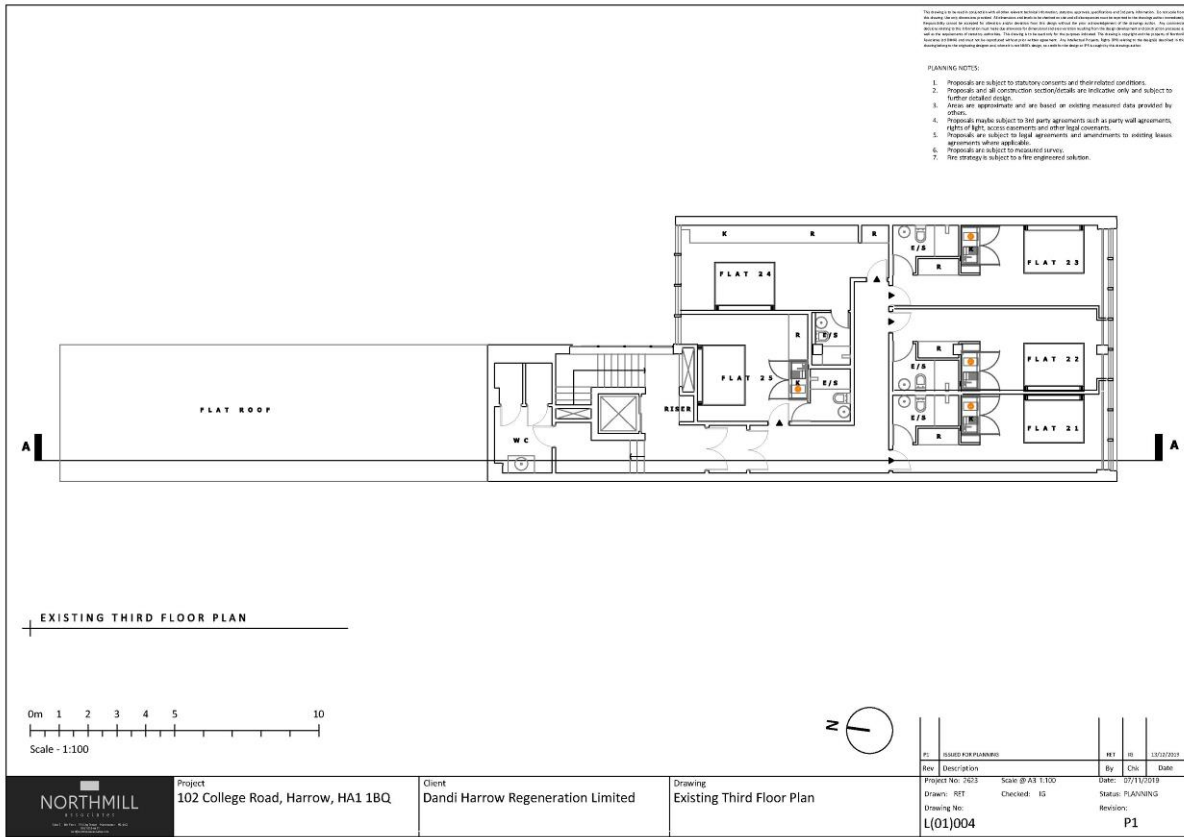
# Existing Front Elevations



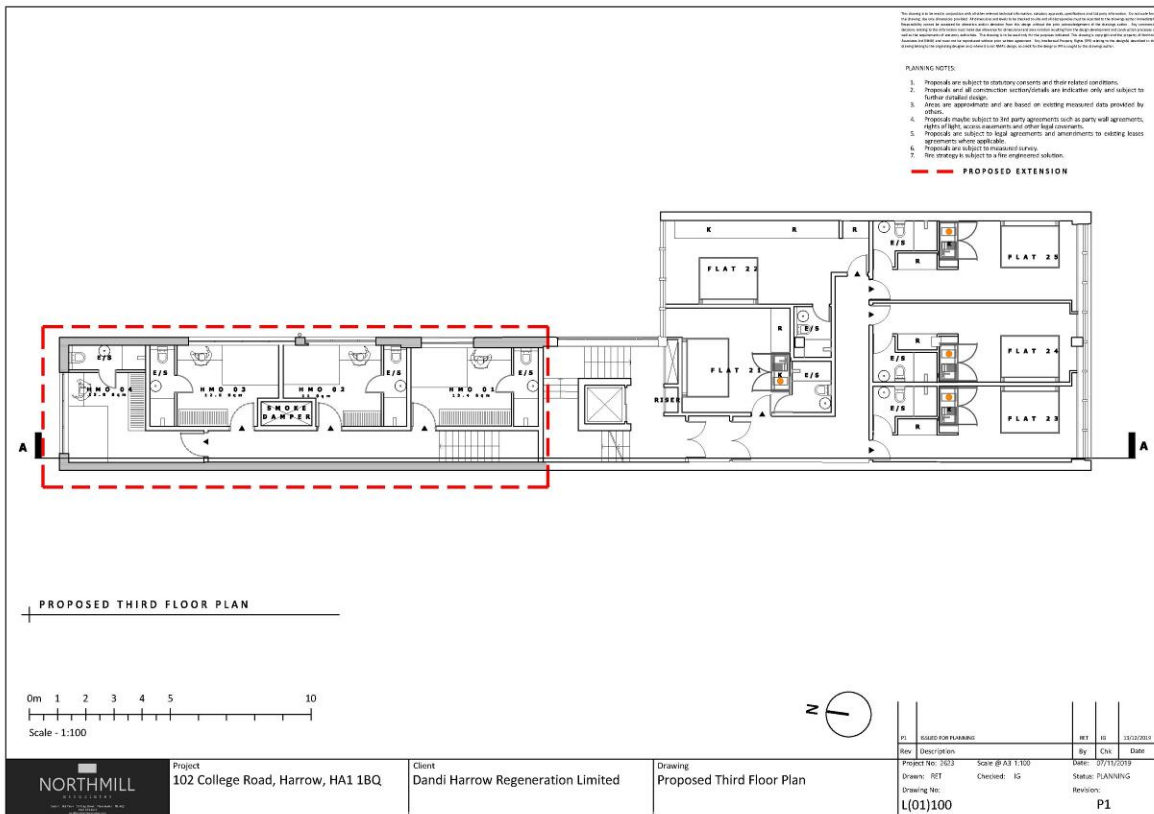
# Existing Side Elevations



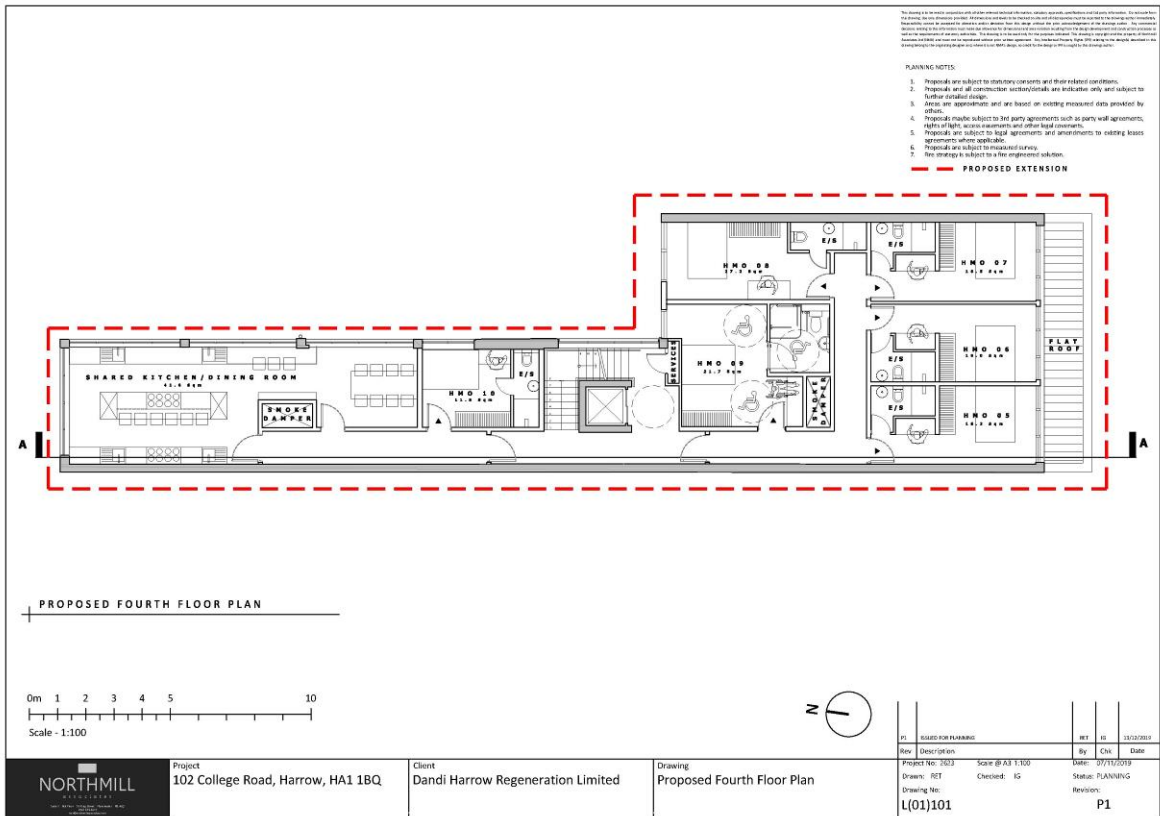
Rear Existing Elevations



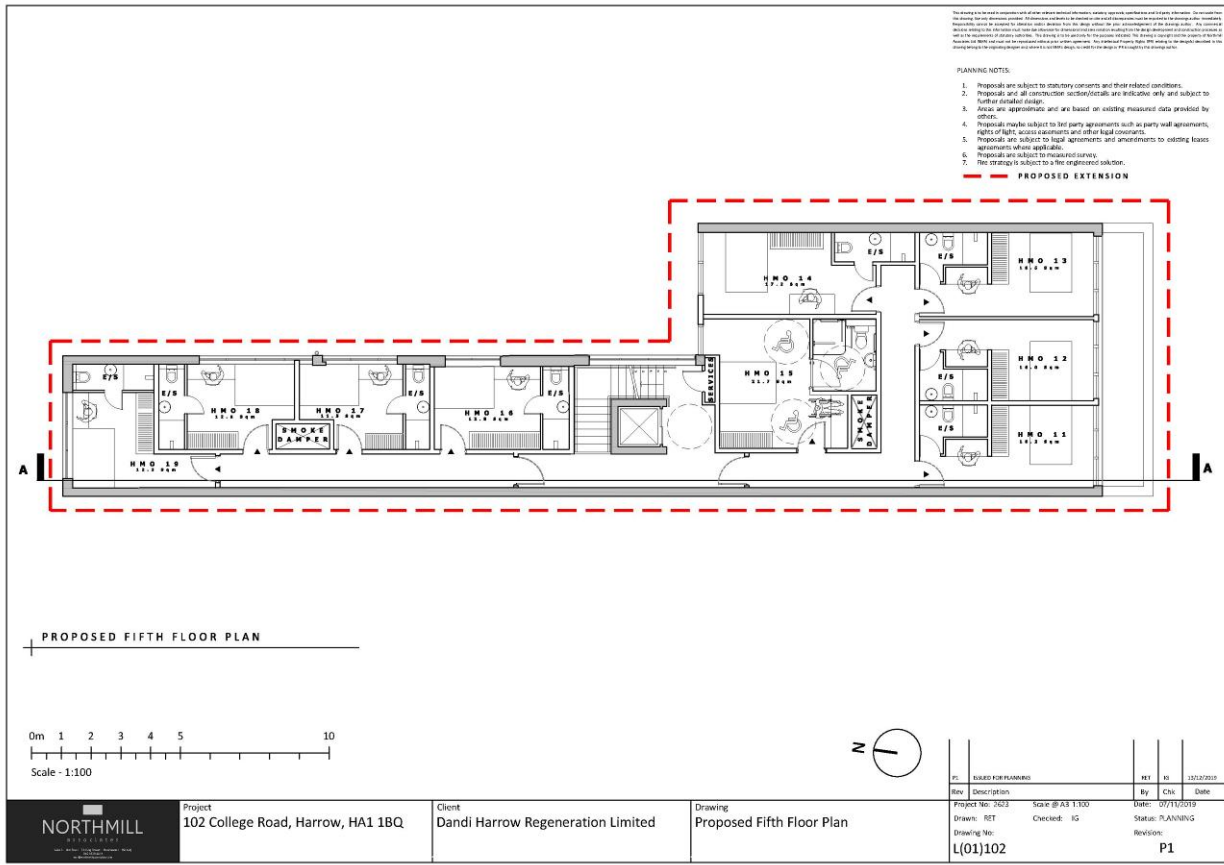
### Existing 3<sup>rd</sup> Floor Plans



### Proposed 3<sup>rd</sup> Floor Plans



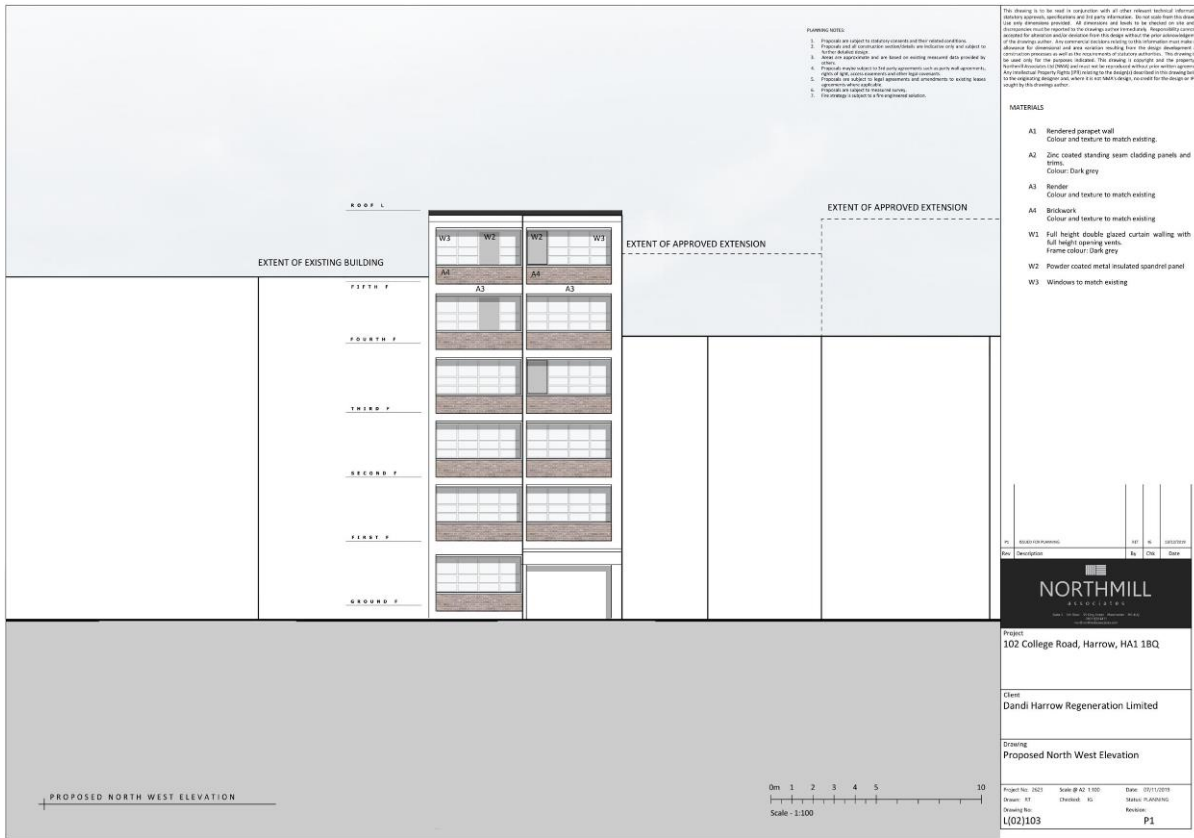
Proposed 4<sup>th</sup> Floor Plans



# Proposed 5<sup>th</sup> Floor Plans

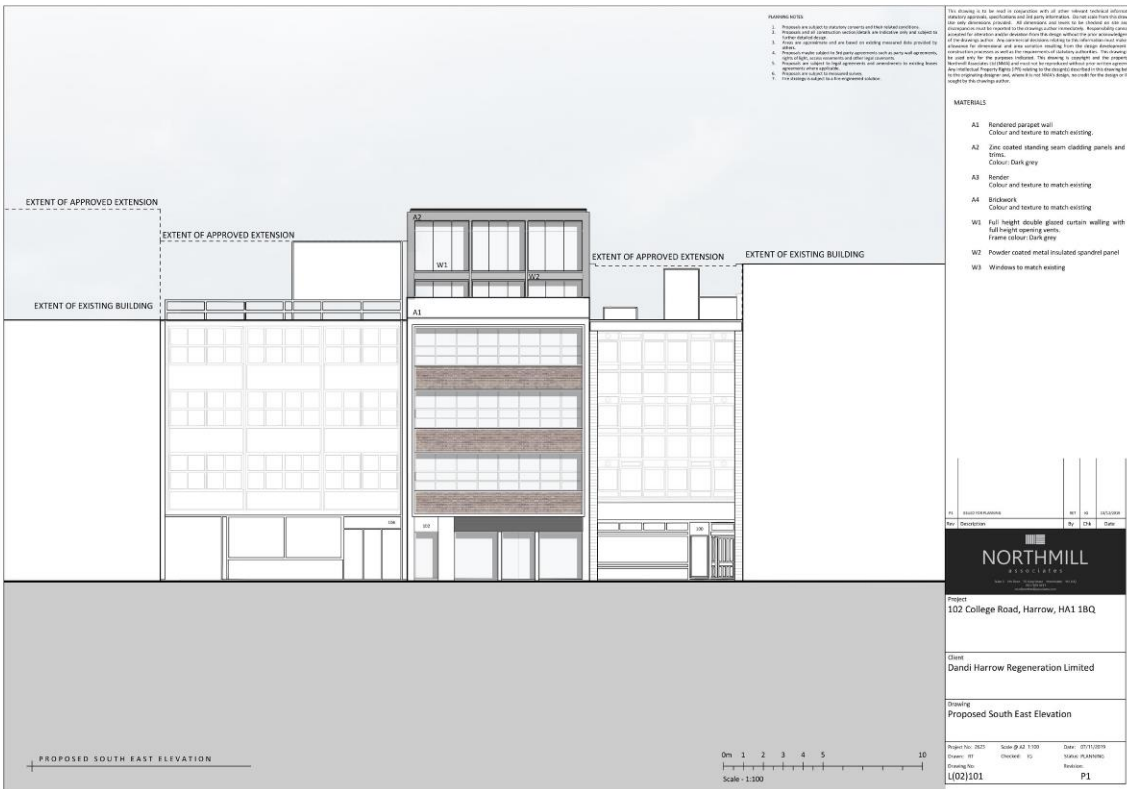


# Proposed Side Elevation



Proposed Rear Elevation

Propo

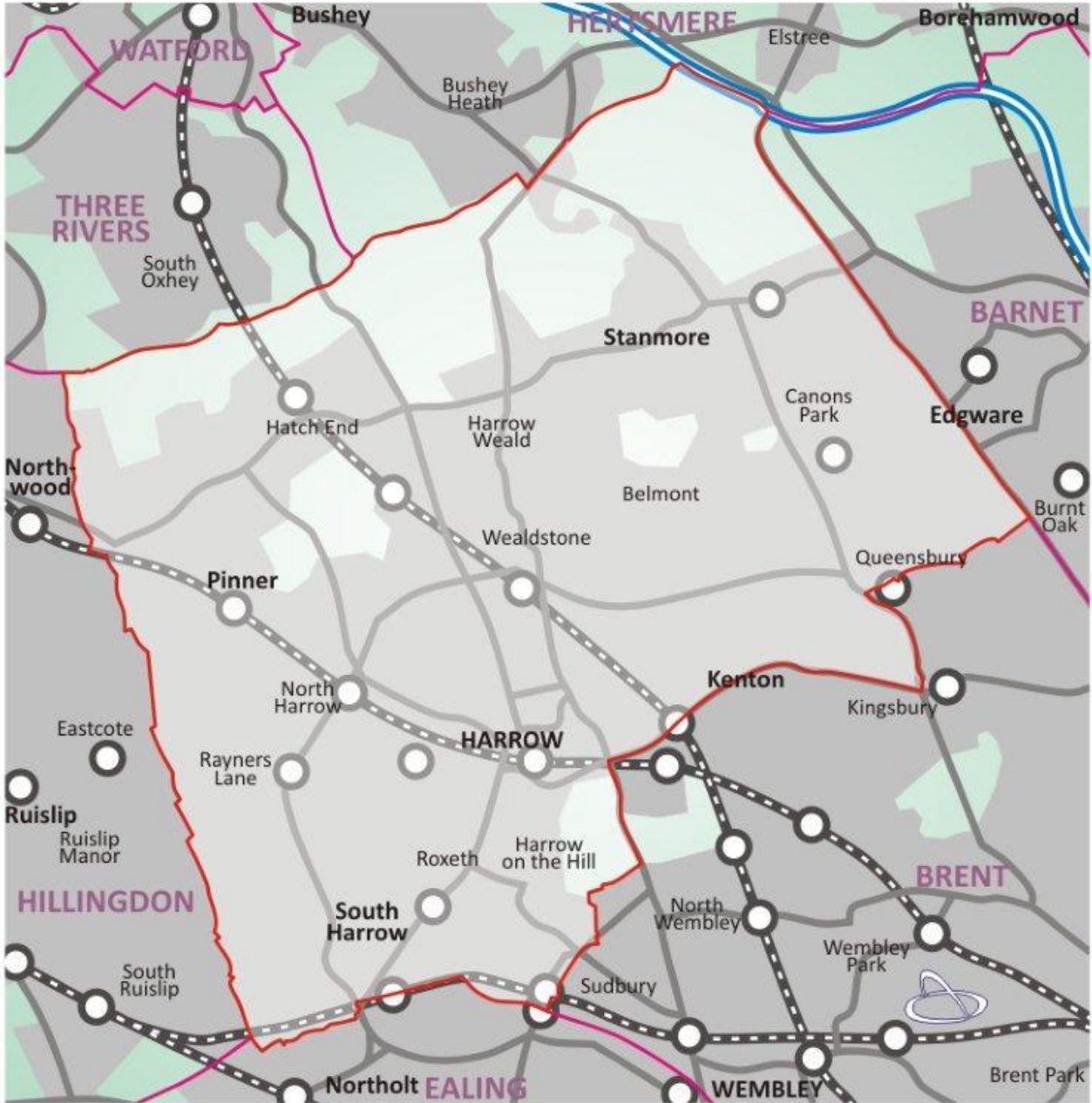


Proposed Front Elevation

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 = application site



27 Radnor Road	P/1020/20
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## 27 Radnor Road



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

17th June 2020

**APPLICATION NUMBER:** P/1020/20  
**VALID DATE:** 3<sup>rd</sup> APRIL 2020  
**LOCATION:** 27 RADNOR ROAD, HARROW  
**WARD:** MARLBOROUGH  
**POSTCODE:** HA1 1RZ  
**APPLICANT:** MR A AWAN  
**AGENT:** TECON LTD  
**CASE OFFICER:** KATIE HOGENDOORN  
**EXPIRY DATE:** 29<sup>th</sup> MAY 2020

#### PROPOSAL

First floor side extension

#### 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 RECOMMENDATION

The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area, and would have an acceptable impact on the residential amenities of neighbours. As such the proposal would accord with the NPPF (2019), Policies 7.4B and 7.6B of the London Plan (2016), Policies D1, D4 and D6 of the Draft London Plan Intend to Publish Version, Policy CS1.B of the Harrow Core Strategy, Policy DM1 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

## **INFORMATION**

This application is reported to Committee as in the opinion of the Interim Chief Planning Officer, the proposals are likely to be of significant public interest. The proposal therefore does not fall within any of the provisions set out at Paragraphs 1 (a) to 1 (g) of the Scheme of delegation dated 12<sup>th</sup> December 2018.

Statutory Return Type:	(E)21 Householder Development
Council Interest:	None
Net Additional Floorspace:	16 sqm
GLA Community	
Infrastructure Levy (CIL):	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**

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

### **1.0 SITE DESCRIPTION**

- 1.1 The property is a substantial two storey detached single family dwellinghouse located on the east side of Radnor Road at the junction of Radnor Avenue. The dwellinghouse occupies a large corner site plot, and the property's principal/front elevation faces north, on to Radnor Avenue.
- 1.2 The existing dwelling has a distinctive two storey corner bay window with conical roof form.
- 1.3 The site photographs indicate that the property is being extended at loft level. Certificate of lawfulness applications for the conversion of the existing loft space and rear and side dormer windows are detailed below in Section 3.0 of this report.
- 1.4 The property is not a listed building or in a conservation area or within any other land designated under Article 2(3) of the GPDO 2015.

1.5 The property is not subject to an article 4 Direction.

1.6 The site is located within a critical drainage zone

## **2.0 PROPOSAL**

2.1 The application proposes a first floor side extension located on the north eastern side of the property.

2.2 The proposed first floor side extension would have a dual pitched roof, the ridge of which would be set down 0.7 metres from the main roof ridge. The first floor side extension would have a matching eaves height to the roof of the main house.

2.3 The proposed extension would project 3 metres from the original side elevation of the dwellinghouse and would have a total depth of 6.7 metres.

2.4 The proposed side extension would be set back 0.5 metres from the front elevation of the original dwellinghouse.

2.5 The proposed extension would have a roof light measuring 0.7 metres x 0.9 metres in the proposed side elevation of the pitched roof, and 3 new windows within the proposed side elevation at first floor.

2.6 A single first floor side window on the existing first floor side elevation of the existing dwellinghouse would be replaced with a smaller window to match the size and design of those within the proposed side elevation.

2.7 There would be a new window within the proposed front elevation and no new windows within the proposed rear elevation of the side extension.

2.8 The proposed extension would be finished in materials to match with the existing house.

## **3.0 RELEVANT PLANNING HISTORY**

3.1 A summary of planning history is set out below:

<b>Ref no.</b>	<b>Description</b>	<b>Status &amp; date of decision</b>
P/0163/20	Replacement of outbuilding flat roof with a pitched roof	REFUSED 13 <sup>th</sup> March 2020
Reason for Refusal: The proposal, by reason of its prominent siting forward of the neighbouring building line at No 1 Radnor Avenue, its roof form and its		

<p>excessive height, would create an obtrusive and bulky addition to the existing street scene and an awkward relationship with No 1 Radnor Avenue, and would be detrimental to the character and appearance of the area. The proposal is therefore contrary to the high quality design aspirations of the National Planning Policy Framework (2019), Policies 7.4 B and 7.6 B of The London Plan (2016), Policy CS1B of The Harrow Core Strategy (2012), Policy DM1 of Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).</p>		
P/5578/18	Certificate of lawful development (proposed): Single storey outbuilding in rear garden (Demolition of detached garage)	GRANTED 22 <sup>nd</sup> February 2019
P/3921/18	Certificate of lawful development (proposed): New build single storey detached outbuilding to contain garage and therapy room / games room (demolition of detached garage)	REFUSED 30 <sup>th</sup> October 2018
<p>Reason for Refusal: The proposed outbuilding by reason of the absence of any justification for the proposed scale and use as a therapy room and games room, on the balance of probabilities would not be for purposes incidental to the enjoyment of the dwellinghouse as such. The proposal is therefore not within the tolerances set out in Schedule 2 Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p>		
P/3828/18	Certificate of lawful development (proposed): Single storey side extension (demolition of conservatory)	GRANTED 24 <sup>th</sup> October 2018
P/3500/18	Certificate of lawful development (proposed): Side dormer to create habitable roofspace; rooflight in front roofslope	GRANTED 28 <sup>th</sup> September 2018
P/1645/18	Certificate of lawful development (proposed): Rear dormer; installation of rooflight to each front and side roof slopes	GRANTED 19 <sup>th</sup> June 2018

### 3.2 Pre-application Discussion

- 3.2.1 Pre application advice was given reference P/4855/19/PREAPP on a first floor side extension. The proposal was concluded to be acceptable subject to the addition of a window within the first floor front elevation to ensure the proposed would have an acceptable impact in terms of its appearance on the Radnor Avenue frontage and street scene.

3.2.2 Whilst the proposed first floor side extension was the same depth (6.7 metres) as the current proposal, the front wall is now set back from the principal elevation and there is a new window within the proposed front elevation at first floor.

#### **4.0 CONSULTATION**

4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 18<sup>th</sup> May 2020.

4.2 Nine objections were received from the public consultation.

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

##### **Character and appearance:**

- The First floor side extension would be out of character with other development and would be obtrusive.
- The first floor side extension would be highly visible on this corner.

*Officer response: Given the varied character of the locality and the appropriate scale and design of the proposal it is considered that the proposal would not detract from the character and appearance of the house and the area.*

##### **Amenity:**

- The proposed would be overbearing and would impact upon privacy of neighbours.

*Officer response: The proposal is considered to have an acceptable impact with regard to outlook and privacy of neighbours. In addition, the Cabro roof light which appeared on the originally submitted elevation plans has been removed within this proposal to ensure an acceptable impact on residential amenity for neighbours. Furthermore, a condition ensuring that no new windows are installed within the side and rear elevations other than those shown on the approved plans, is included within this recommendation.*

#### 4.4 Statutory and non-statutory consultation

4.5 No consultations were undertaken as this application is for householder planning permission. Notwithstanding this, a section is included below on drainage as the site is located in a critical drainage area and as such relevant informatives are necessary and recommended.

### 5.0 **POLICIES**

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2019] sets out the Government’s planning policies for England and how these should be applied, 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 (2019), 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 originally published in draft form in December 2017 and subject to Examination in Public (EiP) with the Panel’s report published in October 2019. The Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an ‘Intend to Publish’ version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, with relevant polices referenced within the report below and a summary within Informative 1.



## **6.0 ASSESSMENT**

6.1 The main issues are:

- Character and Appearance
- Residential Amenity Flood Risk and Drainage
- 

### **6.2 Character and Appearance**

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2016): 7.4B and 7.6B
- The Draft London Plan Intend to Publish Version (2019): D1, D4
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM 1

6.2.2 The existing Radnor Road street scene is characterised by a mix of semi-detached and detached dwellinghouses with those in the immediate locality predominantly comprising hipped roof forms. The dwellinghouse opposite at No 46 Radnor Road has been previously extended with a first floor side extension. This existing dwelling also has a distinctive two storey corner bay window with a conical roof form alike to the application site.

6.2.3 It is noted that due to the orientation of the property where its front elevation faces north on to Radnor Avenue, the proposed extension is assessed as a side rather than a rear extension. The width of the first floor side extension (3m) would ensure a subordinate appearance. The Harrow Residential Design Guide SPD states that two storey side extensions should be set back 1 metre from the front elevation of the main house. However, the set back of 0.5 metres in this location is considered to be acceptable, owing to the siting of the property and its existing staggered front elevation with conical bay window.

6.2.4 It is noted that the existing loft space has been converted and two dormer windows have been constructed to the side and rear roof slopes. The proposed first floor side extension would have a roof design which would reflect that of the original main roof form which would be retained on this north-east side elevation. As such the set down and back from the roof ridge and front elevation respectively, would result in a subordinate appearance when viewed from the street scene.

6.2.5 Further, the proposed window at first floor on the front elevation would ensure that the proposed side extension would have an acceptable visual appearance on the street scene. In addition, windows on the first floor side elevation would have an acceptable visual appearance as these would respect the size, design and position of the existing windows.

6.2.6 During the course of this application, the previously proposed 'Cabro' roof light to the proposed side roof slope has been removed and replaced with a smaller roof

light to match with the roof lights within the existing roof. As such the external finish of the proposal would ensure a satisfactory appearance.

6.2.7 In conclusion, the proposal is therefore considered to have an acceptable impact on the character and appearance of the main house and the street scene and would meet with the design aspirations of the NPPF (2019), Policies 7.4B and 7.6B of the London Plan (2016), and Policies D1 and D4 of the Draft London Plan Intend to Publish Version (2019).

### **6.3 Residential Amenity**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 7.6B
- The Draft London Plan (Intend to Publish Version) (2019): D6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

6.3.2 The proposed first floor side extension would not breach the 45 degree line drawn from the edge of the nearest neighbouring side wall at no 25 Radnor Road. As such it is not considered that the proposal would adversely impact upon outlook to their nearest rear first floor window.

6.3.3 It is noted that objections have been received with regard to the loss of privacy of neighbours. The proposed side facing windows would be an acceptable distance from side facing rear windows within the existing side elevation of No 1 Radnor Avenue, and there would be no new windows within the proposed rear elevation facing the neighbour adjacent at No 25 Radnor Road. In addition, the window within the front elevation would be in the same position as windows within the existing front elevation and would therefore not be detrimental to the privacy enjoyed by occupants opposite the host site on the other side of Radnor Avenue.

6.3.4 During the course of this application, the previously proposed 'Cabro' roof light within the proposed side roof slope has been removed and replaced with a smaller roof light to match those of the existing roof. As such it is considered that the proposed roof light on this side would not give rise to any objections in terms of loss of privacy to neighbours.

6.3.5 In conclusion, the proposal would not give rise to any adverse impact in terms of loss of outlook or loss of privacy to neighbours.

### **6.4 Development and Flood Risk**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan (2016): 5.13
- The Draft London Plan (Intend to Publish Version) (2019): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

- 6.4.2 Policy DM9 B of the Development Management Policies Local Plan (2013) states, “proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.”
- 6.4.3 The application site is located within a critical drainage area as defined by the maps held by the local drainage authority. The site is not located within a flood zone. As such this permission contains an informative relating to the provision of sustainable drainage systems.

## **7.0 CONCLUSIONS AND REASONS FOR APPROVAL**

- 7.1 The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area, and would have an acceptable impact on the residential amenities of neighbours. As such the proposal would accord with the NPPF (2019), Policies 7.4B and 7.6B of the London Plan (2016), Policies D1, D4 and D6 of the Draft London Plan Intend to Publish Version, Policy CS1.B of the Harrow Core Strategy, Policy DM1 and DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

## **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, completed and retained in accordance with the following approved plans and document Schedule of application documents

Design and Access Statement: 10070 P 01 Rev A; 10070 P 02; 10070 P 03 Rev B; 10070 P 04 Rev B.

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

#### 3. Windows

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 and rear 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.

#### 4. Materials

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

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

## **INFORMATIVES:**

### 1. Policies

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

**The National Planning Policy Framework 2019**

**The London Plan 2016**

7.4B, 7.6B

**Draft London Plan Intend to Publish Version 2019**

D1, D4, D6

**The Harrow Core Strategy 2012**

CS1.B

**Harrow Development Management Policies Local Plan 2013**

DM1, DM10

**Relevant Supplementary Planning Document**

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. 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:

4. Per-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 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

5. 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.

6. Surface and foul water connections

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

7. Damage to Highway

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

**CHECKED**

Interim Chief Planning Officer	Orla murphy pp Beverley kuchar
Corporate Director	Paul Walker 5.6 2020

**APPENDIX 2: SITE PLAN**





**APPENDIX 3: SITE PHOTOGRAPHS**





Existing front elevation – Radnor Road



Existing side elevation – Radnor Avenue side

Existing side/front elevation Radnor Road, Radnor Avenue corner



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