

# Planning Committee Agenda

**Date:** Wednesday 13 April 2022

**Time:** 6.30 pm

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

The date and time of the site visit for Planning Committee Members will be communicated in due course.

The date and time of the briefing for Planning Committee Members will take be communicated in due course.

## Membership (Quorum 3)

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**Chair:** Councillor Nitin Parekh

**Labour Councillors:** Simon Brown (VC)  
Maxine Henson  
Rekha Shah

**Conservative Councillors:** Marilyn Ashton  
Christopher Baxter  
Anjana Patel

**Labour Reserve Members:**

1. Peymana Assad
2. Dean Gilligan
3. James Lee
4. Ajay Maru

**Conservative Reserve Members:**

1. Bharat Thakker
2. Norman Stevenson
3. Ameet Jogia

**Contact:** Mwim Chellah, Senior Democratic & Electoral Services Officer  
Tel: 07761 405966 E-mail: [mwimanji.chellah@harrow.gov.uk](mailto:mwimanji.chellah@harrow.gov.uk)

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# Useful Information

## Joining the Meeting virtually

The meeting is open to the public and can be viewed online at [www.harrow.gov.uk/virtualmeeting](http://www.harrow.gov.uk/virtualmeeting)

## Attending the Meeting in person

Directions to the Civic Centre can be found at: [www.harrow.gov.uk/contact](http://www.harrow.gov.uk/contact). It is accessible to people with special needs, with accessible toilets and lifts to the meeting rooms. If you have specific requirements, please contact the officer listed on the front page of this agenda.

You will be admitted on a first-come-first basis and directed to seats.

Please:

- (1) Take a Covid 19 test before travelling and do not attend in person if you test positive.
- (2) Wear a face covering and use the provided hand sanitiser.
- (3) Stay seated.
- (4) Access the meeting agenda online at [Browse meetings - Planning Committee – Harrow Council](#)
- (5) Put mobile devices on silent.
- (6) Follow instructions of the Security Officers.
- (7) Advise Security on your arrival if you are a registered speaker.

## Filming / recording

This meeting may be recorded or filmed, and if you choose to attend, you will be deemed to have consented to this. Any recording may be published on the Council website.

**Agenda publication date: Monday, 04 April 2022**

# 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 16 March 2022 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, 8 April 2022. 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**

Members are reminded that, in accordance with the Planning Protocol, where Councillors disagree with the advice of the Chief Planning Officer, 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 - NIL**

**12. Section 2 - Other Applications recommended for Grant**

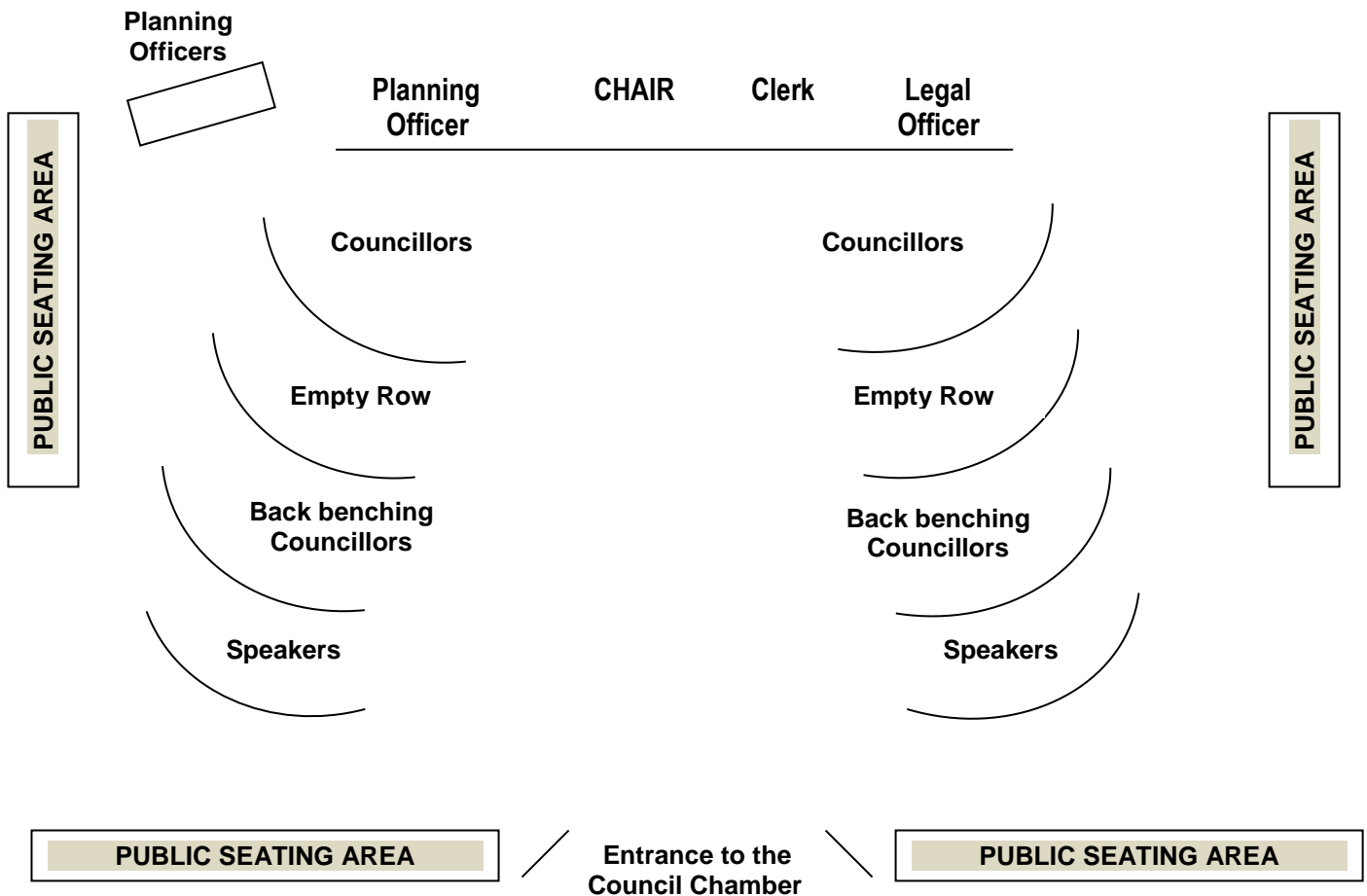
(a)	2/01, 11 Hillview Road HA5 4PB, P/4033/21	HATCH END	GRANT	(Pages 21 - 64)
(b)	2/02, 20 Corfe Avenue HA2 8SZ, P/0161/22	ROXETH	GRANT	(Pages 65 - 96)
(c)	2/03, 62 Devonshire Road HA1 4LR, P/3495/21	HEADSTONE SOUTH	GRANT	(Pages 97 - 124)
(d)	2/04, 102 West End Lane HA5 3NG, P/4887/21	PINNER SOUTH	GRANT - SUBJECT TO LEGAL AGREEMENT	(Pages 125 - 160)
(e)	2/05, 239 Cannon Lane HA5 1JB, P/0988/21	PINNER	GRANT	(Pages 161 - 184)
(f)	2/06, 51-55 High Street HA8 7DD, P/1281/21	EDGWARE	GRANT	(Pages 185 - 208)
(g)	2/07, Garage adjacent to 1 Brookside Close, HA2 9AW, P/3798/21	ROXBOURNE	GRANT	(Pages 209 - 240)

13. **Any Other Urgent Business**  
Which cannot otherwise be dealt with.

## **Agenda - Part II - NIL**

## 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

### 16 March 2022

**Present:**

**Chair:** Councillor Nitin Parekh

**Councillors:** Marilyn Ashton  
Christopher Baxter  
Simon Brown  
Ajay Maru  
Rekha Shah  
Bharat Thakker

**In attendance (Councillors):** Kairul Kareema Marikar  
Janet Mote  
For Minute 483  
For Minute 485

**Apologies received:** Maxine Henson  
Anjana Patel

**471. Attendance by Reserve Members**

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

Ordinary Member

Councillor Maxine Henson

Councillor Anjana Patel

Reserve Member

Councillor Ajay Maru

Councillor Bharat Thakker

**472. Right of Members to Speak**

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

Councillor

Planning Application/Committee Report

Kairul Kareema Marikar

26 Butler Avenue, Harrow, HA1 4EH  
(P/4933/21)

Janet Mote

Tree Protection Order (TPO) No.965, The  
Ridgeway (No.2), West Harrow –  
Confirmation of Provisional TPO.

(The Committee passed a motion to disregard committee procedure rule to allow Councillor Jane Mote to speak on the Tree Protection Order, as it was not a planning application.)

**473. Declarations of Interest**

**RESOLVED:** To note that the Declarations of Interests published in advance of the meeting on the Council's website were taken as read.

**474. Minutes**

**RESOLVED:** That the minutes of the meeting held on 16 March 2022 be taken as read and signed as a correct record.

**475. Public Questions**

**RESOLVED:** To note that no public questions were put.

**476. Petitions**

**RESOLVED:** To note that no petitions were received.

**477. Deputations**

**RESOLVED:** To note that no deputations were received.

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

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

**479. Addendum**

**RESOLVED:** To accept the Addendum, and Supplemental Addendum.

#### **480. Representations on Planning Applications**

**RESOLVED:** That in accordance with the provisions of Committee Procedure Rule 29 (Part 4B of the Constitution), representations be received in respect of item 2/03 on the list of planning applications.

(The Committee voted to suspend the Committee rules pursuant to Rule 25.1.1 of the Constitution to allow the objector to speak at short notice.)

#### **Resolved Items**

#### **481. 2/01, 190-194 Northolt Road, P/2515/21**

**PROPOSAL:** creation of two additional storeys comprising 16 x shared accommodation units with associated communal areas. Two storey rear extension at ground and lower ground level. Alterations to front and rear facades and creation of new entrances to ground and lower ground co-working space. Change of use from former bank (Use Class E (c) (i)) to Co-Working Office Space (Use Class E (c) (iii)); and cycle and bin stores at ground and lower ground level and creation of 4 disabled bays and landscaping at the rear, and other external alterations (as amended by the Addendum).

The Committee resolved to accept officer recommendations.

#### **RECOMMENDATION A**

The Planning Committee was asked to:

- 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 of the legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
  - i. Parking Permit Restrictions – the development to be “resident permit restricted” in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that 1) all marketing/advertising material makes reference to this fact; and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered disabled) will not be entitled to apply for residents parking permit or a visitor permit;

- ii. A contribution in accordance with the adopted fees and charges is required to amend the Traffic Management Order and a monitoring fee; and
- iii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 30th April 2022, or as such extended period as may be agreed by the Interim Chief Planning Officer, then it is 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 physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM1, DM43 and DM 50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

## **DECISION: GRANT**

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

Councillors Brown, Maru, Parekh and Shah voted to grant the application.

Councillors Ashton, Baxter and Thakker abstained from voting on the application.

### **482. 2/02, 198-200 Northolt Road, P/2431/21**

**PROPOSAL:** additions and alterations including an additional storey, four storey rear extension, enlargement of ground floor commercial space and change of use of upper floor levels from office (Use Class E (g) (i)) to shared living accommodation (20 units) (Sui Generis Use Class) and associated communal kitchen/living spaces; and bin, cycle storage and disabled parking space at rear (as amended by the Addendum).

The Committee resolved to accept officer recommendation.

## **RECOMMENDATION A**

The Planning Committee was asked to:

- 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 legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
- i. Parking Permit Restrictions – The development to be “resident permit restricted” in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that 1) all marketing/advertising material makes reference to this fact and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered; disabled) will not be entitled to apply for residents parking permit or a visitor permit;
  - ii. A contribution in accordance with the adopted fees and charges is required to amend the Traffic Management Order and a monitoring fee; and
  - iii. Legal Fees: Payment of Harrow Council’s reasonable costs in the preparation of the legal agreement.

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 30 April 2022, or as such extended period as may be agreed by the Interim Chief Planning Officer, then it is 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 physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies T3 and DF1 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM1, DM43 and DM 50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

## **DECISION: GRANT**

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

Councillors Brown, Maru, Parekh and Shah voted to grant the application.

Councillors Ashton, Baxter and Thakker abstained from voting on the application.

**483. 2/03, 26 Butler Avenue, P/4933/21**

**PROPOSAL:** conversion of dwelling into three flats (2 x 1 bed and 1 x 3 bed), single storey rear extension.

The Committee voted to suspend the Committee rules pursuant to Rule 25.1.1 of the Constitution to allow the objector to speak at short notice. The motion was proposed by Councillor Marilyn Ashton and seconded by Councillor Christopher Baxter. The motion was carried unanimously.

The Committee received representation from Mike Williams (objector), and David Kemp (agent for applicant), who urged the Committee to refuse and approve the application, respectively.

The Committee also heard from Councillor Kairul Kareema Marikar who urged Members to refuse the application.

Councillor Marilyn Ashton proposed refusal for the following reason:

- 1) the development represents an over-intensive use of the site, resulting in the small forecourt appearing as cluttered with the number of required bins, which could limit and potentially impede the access to the front door, which is the only means of entering this terraced property and will do harm to the character, appearance, and visual amenity of the property and the street scene, contrary to policy CS1.B Core Strategy (2012), DM1 and DM26 of Harrow Development Management Policies (2013), D1 London Plan (2021), Council's SPD Residential Design Guide (2010).

The proposal was seconded by Councillor Christopher Baxter, put to the vote and agreed.

The Committee resolved to refuse officer recommendation.

**RECOMMENDATION**

The Planning Committee was asked to:

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

**DECISION: REFUSE**

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

Councillors Ashton, Baxter, Brown, Maru, Shah and Thakker voted to refuse the application.



Councillor Parekh abstained from voting on the application.

**484. 3/01, Mallory, Priory Drive, P/5003/21**

**PROPOSAL:** variation of condition 2 (approved plans) attached to planning permission P/5568/15, dated 26 January 2016 to allow alterations to basement, single storey extensions to the kitchen and living room, first floor side extension, roof modifications.

Councillor Marilyn Ashton proposed to defer the consideration of the application pursuant to Rule 29.8 of the Constitution on the basis that the Committee “be minded to grant” the application for the following reason:

- 1) it does not do harm to the character of the area, because this is a large house on a very large plot in a road of large houses on massive plots and therefore this proposal is in keeping within the locality.

The proposal was seconded by Councillor Christopher Baxter, put to the vote and lost.

The Committee agreed to accept officer recommendation.

**RECOMMENDATION**

The Planning Committee was asked to:

- 1) agree the reasons for refusal as set out in the report; and
- 2) refuse planning permission.

**DECISION: REFUSE**

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

Councillors Brown, Maru, Parekh and Shah voted to refuse the application.

Councillors Ashton, Baxter and Thakker voted against officer’s recommendation to refuse.

**485. TREE PRESERVATION ORDER - NO. 965 THE RIDGEWAY (NO.2) WEST HARROW**

The Committee received a report, with appendices, on the Tree Protection Order (TPO) Number 965 The Ridgeway (Number 2) West Harrow.

The Committee voted to suspend the Committee procedure rules pursuant to Rule 25.1.1 of the Constitution to allow Councillor representation on the report. The motion was proposed by Councillor Marilyn Ashton and seconded by Councillor Christopher Baxter. The motion was carried unanimously.

Councillor Janet Mote addressed the Committee, and urged them to confirm the TPO.

The Council made provisional Tree Preservation Order (TPO) No. 965 on 1 November 2021. The TPO protects trees within the site known as The Brethren Meeting Hall, as indicated in Appendix A. Before confirming the order, the Council must consider any objections and representations duly made in respect of the order. An objection had been made against the TPO. Therefore, the matter was being reported to the Planning Committee. The report considered the objection received and seeks authority to confirm the order with modifications (as set out in Appendix B).

### **RECOMMENDATION**

The Planning Committee was asked to confirm TPO No.965 The Ridgeway (No.2) West Harrow with modifications as set out in Appendix B of the report.

### **REASON**

The trees are considered to be threatened by development and their loss would have a detrimental impact on the visual amenity and wider landscape. It was therefore considered expedient to serve a TPO and was considered appropriate to confirm the provisional TPO. If this TPO was not confirmed within six months of 1 November 2021, the statutory protection afforded to the aforementioned trees would lapse.

**RESOLVED:** The Committee confirmed Tree Protection Order No. 965 The Ridgeway (No.2) West Harrow, with modifications as set out in Appendix B of the Report.

**The video/audio recording of this meeting can be found at the following link:**

<https://www.harrow.gov.uk/virtualmeeting>

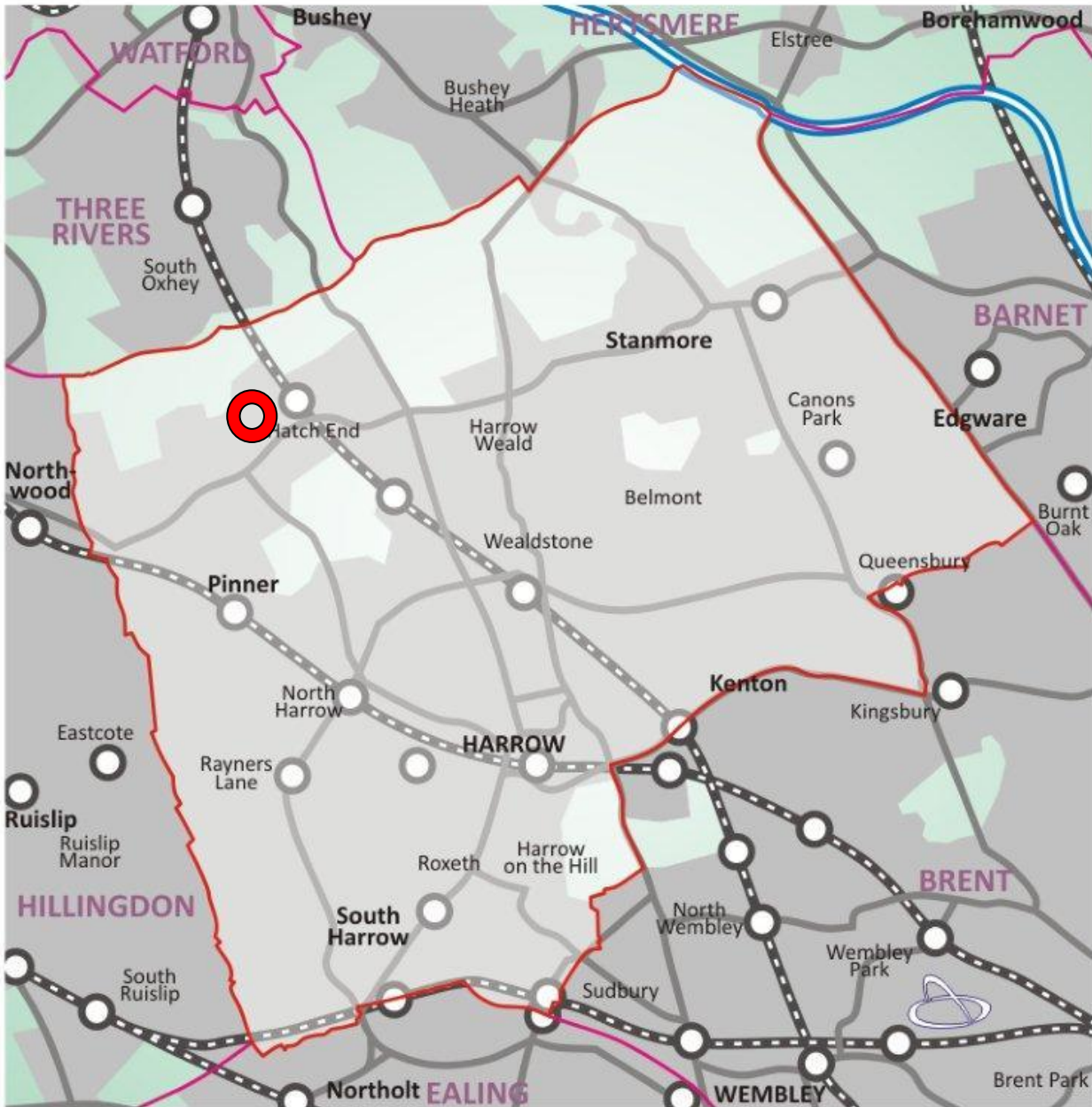
(Note: The meeting, having commenced at 6.30 pm, closed at 8.20 pm).

(Signed) Councillor Nitin Parekh  
Chair



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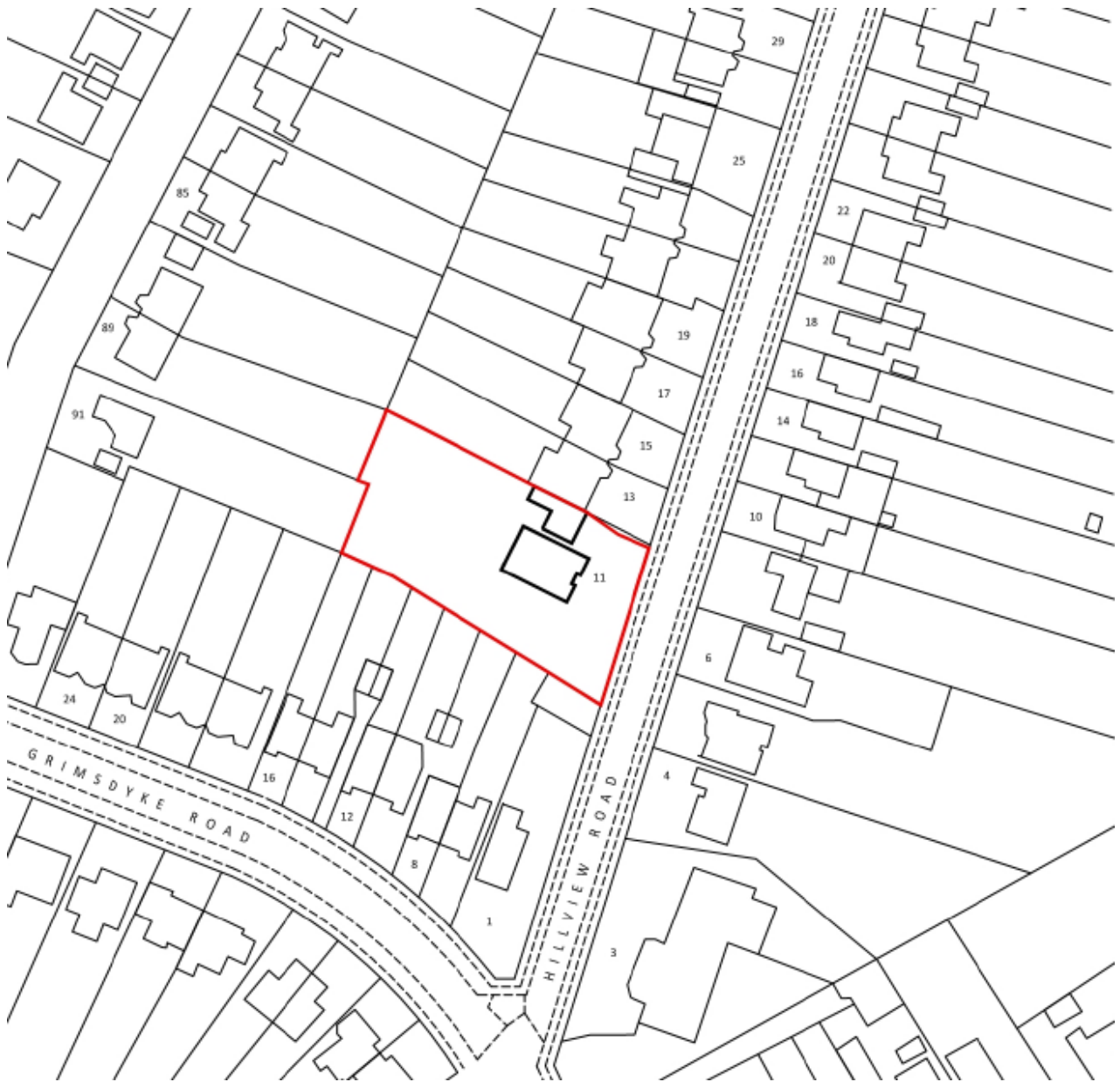
Agenda Item: 2/01



 = application site

11 Hillview Road, Harrow. HA5 4PB	P/4033/21
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# Site Plan



# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

13<sup>th</sup> April 2022

**APPLICATION NUMBER:** P/4033/21  
**VALIDATION DATE:** 04/10/2021  
**LOCATION:** 11 HILLVIEW ROAD  
**WARD:** HATCH END  
**POSTCODE:** HA5 4PB  
**APPLICANT:** MIKE HOOPER  
**AGENT:** HOOPER CURRY HAMILTON LLP  
**CASE OFFICER:** FERGUS FREENEY  
**EXTENDED EXPIRY DATE:** 18/04/2022

### **PROPOSAL**

Redevelopment including demolition of existing dwelling and detached garage to provide 4 X 2 storey (4 bed) semi-detached dwellings with habitable attic levels; proposed vehicle access; parking; separate amenity space; bin and cycle stores

The Planning Committee is asked to consider the following recommendation:

### **RECOMMENDATION A**

- 1) To 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 to issue planning permission upon full resolution of all outstanding drainage matters relating to this site.

### **RECOMMENDATION B**

That if drainage matters are not addressed to the satisfaction of the Local Planning Authority by July 13th 2022, or as such extended period as may be agreed by the Interim Chief Planning Officer, then it is 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 an adequate flood risk assessment and associated details fails to appropriately address the potential flood risk of the development, contrary to the National Planning Policy Framework (2021), policies SI12 and SI13 of The London Plan (2021), Core Strategy (2012) policy CS1, and policies DM9 and DM10 of the Harrow Development Management Polices Local Plan.

### **REASON FOR THE RECOMMENDATIONS**

The creation of new dwelling on the site is appropriate in this location and would not have an adverse impact on the amenity of future occupiers or the occupiers of adjoining properties.

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 application is worthy of support.

## **INFORMATION**

This application is reported to Planning Committee it proposes 3 additional residential units on the site, which is outside Part 1(b) of the Scheme of Delegation.

Statutory Return Type:	Minor Development
Council Interest:	None
Net additional Floorspace:	466.2sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional)(£60p/sqm):	£27,972
Local CIL requirement (Provisional) (£110p/sqm):	£51,260

## **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**

Policy D11 of the London Plan (2021) 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 a two-storey, detached property with a detached garage structure, located on the north-western side of Hillview Road. The site is anomalous in the area by having apparently amalgamated two sites historically. Similarly, the dwelling on the site is of a wider and differing built form to the prevailing traditional character of the wider area.
- 1.2 The adjoining neighbour to the north east at No.13 is a semi-detached 1930s property which has a single storey rear extension that may be an original form. To the south west the side boundary of the site adjoins the rear boundaries of properties fronting Grimsdyke Road. To the rear, the site backs onto No.91 Hillview Road (which loops to the rear).
- 1.3 The area is predominantly residential in character comprising detached, semi-detached and terraced properties of generally 1930s and similar, traditional architectural styles, bays, gables, catslide roofs and other various articulation of facades are prominent.
- 1.4 The site has a Public Transport Accessibility Level (PTAL) of 2, however, the site is within easy walking distance of Hatch End railway station, and numerous bus stops within Hatch End town centre.
- 1.5 The site is not within a conservation area and is not a listed building. It is within a critical drainage area and a culvert runs along the front boundary. Part of the front and rear corner of the site are within Surface Water Flood Zone 3a and 3b and Environment Agency Flood Zones 2 and 3.
- 1.6 At the rear boundary of the site a large Oak tree is subject to a TPO which was recently been placed on the tree.

## **2.0 PROPOSAL**

- 2.1 Planning permission is sought for demolition of the existing structures on the site and construction of 4x 4bedroom semi-detached dwellings, with vehicle access, front bin stores, rear cycle storage and subdivision of the site to provide private gardens.
- 2.3 An existing dropped kerb from the street will be enlarged and a new drop kerb provided in the south-western corner of the site.

### Revisions

- 2.4 The following revisions were requested during the determination period:
- Revisions to the vehicle access to ensure protection of street trees.
  - Design revisions to reduce the depth of front bays and addition of hipped roof above bays
  - Removal of front and side dormers

- Revisions to front façade introduce more traditional brickwork
- Reduction in size of rear outbuildings and relocation away from rear boundaries

### 3.0 RELEVANT PLANNING HISTORY

3.1 No planning history.

### 4.0 CONSULTATION

4.1 A total of 12 consultation letters were sent to neighbouring properties regarding this application. A site notice was also displayed. The overall expiry date of the first consultation was 08/11/2021.

4.2 Following design revisions a second consultation was carried out, with letters sent to neighbours. This consultation expired on 23/03/2022

4.3 A total of 13 responses have been received to date.

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

<ul style="list-style-type: none"> <li>- Design – out of keeping with character of the area and white framed windows do not fit in and houses not aligned with building line <b>Officer Comment:</b> <i>The design has been revised to contain more traditional elements. Please refer to section 6.3 below for further details</i></li> <li>- Revised design brick colour is not in-keeping with area <b>Officer Comment:</b> <i>a condition of consent will be added requiring details of all facing materials be provided prior to completion of damp proof course.</i></li> <li>- Overdevelopment – houses will look cramped <b>Officer Comment:</b> <i>The width of the site is considered capable of housing 4 semi-detached properties. Please see section 6.3 for more details on the design.</i></li> <li>- Loss of gap between existing dwelling and rear of Grimsdyke Road properties <b>Officer Comment:</b> <i>The site is anomalous in the street and a gap in this location is not representative of the rhythm and form of development in the wider area. Notwithstanding, the large rear gardens of the properties on Grimsdyke Road provide a large gap between the new building form and those properties.</i></li> <li>- Overshadowing of 10 Grimsdyke Road <b>Officer Comment:</b> <i>Properties on Grimsdyke Road are to the south of the subject site, as such there will be no substantial overshadowing given that the sun moves in a southerly arc from east to west, as such, properties on Grimdyke Road will overshadow their own rear gardens.</i></li> <li>- Privacy – loft dormers overlooking and side windows overlooking</li> </ul>
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neighbours

**Officer Comment:** Side and front dormers have been removed from the development. Side windows will be conditioned to be obscure glazed.

- Parking – insufficient off-street parking and no garage provided.

**Officer Comment:** Please see section 6.5 below for further details. The Council's highways officer has not objected to the development and it should be noted that the London Plan only sets a maximum parking level, and garages are not a requirement.

- Parking survey is not accurate.

**Officer Comment:** The Council's highways officer has reviewed the parking survey and raised no concerns.

- Traffic congestion – nearby nursery and during construction

**Officer Comment:** As above, the Council's highways officer does not consider that 4 additional houses will adversely affect the highway network or increase congestion substantially. A construction logistics plan will be required by condition to ensure there is no adverse impact on the highway during construction.

- Only two-electric vehicle charging points proposed

**Officer Comment:** The Council's highways officer has not objected to the number of charging points. Notwithstanding, charging will be possible from internal power points or future occupants will be free to install charging points should they wish.

- No boundary fence shown between No.8, No.10 and No.12 Grimsdyke.

**Officer Comment:** Details of all boundary fencing will be required by way of planning condition.

- Proximity to rear boundary of No.8 Grimsdyke boundary is not acceptable

**Officer Comment:** The development is set back from the rear boundaries of Grimsdyke Road properties. The rear garden of No.8 Grimsdyke Road is approximately 30m in depth and it is therefore the building will be an appropriate distance from the rear of that property.

- Lack of details of freestanding rear structures and they will impact outlook. What is the height of the outbuildings, full width is not acceptable.

**Officer Comment:** The rear outbuildings have been reduced in size and relocated from the rear boundary. Elevations have been provided and they will be approximately 2.5m in height.

- Outbuildings may be used as separate dwellings

**Officer Comment:** A condition of consent will be imposed to restrict the use of these structures to ancillary use to the main dwelling.

- Drainage issues – including whether the outflow of the culvert can

be upgraded

**Officer Comment:** *The Council's drainage team have confirmed the submitted drainage strategy is satisfactory. However, further details have been requested in regards to the Flood Risk Assessment Refer to section 6.6*

- Loss of trees and impact on TPO at the rear

**Officer Comment:** *The trees at the front of the site are not protected and the Council is unable to restrict their removal. The large tree at the rear of the site is covered by a TPO. The outbuildings have been moved away from the root-protection zone of that tree and therefore will have no impact.*

- Noise from construction, development itself and from air-source heat-pumps and vehicle turn-table

**Officer Comment:** *A construction logistics plan will be conditioned to ensure noise from construction is minimised. Additionally, an informative will be added to remind the applicant of the obligations of the Considerate Contractors Code of Practice and legislated hours of working. The development will be residential in nature and therefore compatible with the suburban nature of the wider area. No Air-Source Heat Pumps (ASHP) have been shown on the plans. However, it is noted that they are referred to within the Sustainability Statement. The installation of any ASHPs will be governed by permitted development regulations (Part 14 – Renewable Energy of Schedule 2 of the GPDO). An informative will be added to remind the applicant that any ASHPs which do not comply with the provisions of the GPDO will require planning permission.*

- Detrimental to house values

**Officer Comment:** *This is not a planning consideration.*

- Overlooking from builders during construction

**Officer Comment:** *This is not a planning consideration.*

- Security Issues

**Officer Comment:** *The development will be required to obtain a Secure By Design Certificate from the metropolitan police, this will be secured by condition of consent.*

#### 4.5 Statutory and Non Statutory Consultation

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

##### LBH Highways

No objection.

##### **Observations**

This proposal is located within an area with a Public Transport Accessibility Level (PTAL) of 2, meaning poor. The nearest bus stops are within a 4 minute

walk at Uxbridge Road, which are served by the local H12 and H14 services running between South Harrow and Stanmore stations and Hatch End and Harrow respectively. Hatch End London Overground station is within a 7 minute walk. There are shops and schools nearby.

The existing site is a family house and the proposal is a redevelopment to provide four 4 bedroom houses.

### **Access and parking**

The London Plan maximum car parking standards allow up to 1 space per dwelling in this PTAL 2 location. The proposal includes a single parking space for each dwelling. Census 2011 car ownership data for this location has been reviewed and indicates that 92.1% of households have access to at least one car or van. The applicant has provided a parking survey which shows that there is plenty of overnight parking capacity in this location.

The proposed level of parking is considered to be acceptable.

### **Cycle parking**

The London Plan 2021 minimum cycle parking standards require at least two secure and accessible cycle spaces for each property. Bike stores capable of accommodating 4 cycles are proposed in the rear gardens.

The proposed cycle parking is acceptable.

### **Construction Logistics:**

A detailed construction logistics plan should be provided prior to commencement.

### **Summary;**

The principle of the provision of four houses is acceptable in Highways terms.

### **Drainage**

With regards to the above planning application, please note that the site is identified within fluvial flood zone 2 & 3 according to Environment Agency fluvial flood maps plus with surface water flood zone 3a & 3b according to our surface water flood maps.

We can confirm that the drainage strategy submitted is satisfactory however, insufficient information is provided in the flood risk assessment submitted.

- FFL hasn't been raised enough; it should be 300mm above flood depth not ground level.
- We also need to know changes in ground levels in the front (in floodplain) as Compensatory Flood Storage may be required.

<ul style="list-style-type: none"> <li>• Please request all existing and proposed levels to be marked on plan.</li> <li>• Environment Agency consent for the works, ditch culverting for a new access to site, new connections to the existing culvert are required. Please refer the applicant to the Environment Agency.</li> <li>• New access needs to be discussed with Vehicle Crossing Team. Please advise the applicant to contact them on <a href="mailto:VehicleCrossings@harrow.gov.uk">VehicleCrossings@harrow.gov.uk</a></li> </ul> <p><b>Officer Comment:</b> <i>The approval is recommended on the requirement for these matters to be adequately addressed within 3months of the date of this meeting, or to an agreed timescale.</i></p>
<p><u>Waste Management Policy Officer</u></p> <p>No comments received</p>
<p><u>Tree Officer</u></p> <p>No objection subject to a site-specific tree protection plan and method statement (in accordance with BS5837:2012), outlining protection measures for the existing retained TPO trees.</p> <p><b>Officer Comment:</b> <i>This will be secured by condition of consent.</i></p>
<p><u>Urban Design Officer</u></p> <p>No objection</p>
<p><u>Environment Agency</u></p> <p>No objection.</p> <p>The proposed dwellings are all setback from the main river and located in Flood Zone 1.</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 2021] 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 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP],

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

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

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Character of the Area and Design
- Residential Amenity
- Traffic, Parking and Servicing
- Flood Risk and Drainage
- Fire Safety
- Permitted Development Restrictions

## **6.2 Principle of Development**

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Policy CS1.A of Harrow's Core Strategy (2012)
- London Plan Policies H1, H2 and H8
- Garden Land SPD

6.2.2 Having regard to the London Plan (2021) policies H1 and H2 and the Council's policies and guidelines, it is considered that the proposal would provide an increase in housing stock within the Borough thereby complying with housing growth objectives.

6.2.3 In accordance with Policy H8 of the London Plan the loss of the existing home is acceptable as it is being replaced by new housing at a higher density.

6.2.4 There is a general presumption against 'Garden Land Development'. The development would take place on garden land as defined by the SPD by virtue of being, in part, on the 'garden of a house'.

6.2.5 Notwithstanding that the redevelopment takes place on garden land it may not be considered 'garden land development' as the SPD permits 'the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint, plus any appropriate enlargement(s)'.

6.2.6 Appropriate enlargements are defined as

- i. the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling(s); or
- ii. the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD.

- 6.2.7 In this instance, the building would be capable of having an 8m deep extension approved under the prior approval process. Additionally, a side extension of up to half the width of the house could also be carried out under Class A of the GPDO (approximately a 4.6m wide side extension). The existing dwelling has a footprint of approximately 126.8sqm.
- 6.2.8 In this instance it is considered reasonable to consider what would also be permissible in accordance with Harrow's Residential Design SPD. The SPD would use the permitted extensions as a fallback position and it is considered that an infill extension at the south western corner of the building (between a rear extension and side extension) would be acceptable, given that it would be set away from the neighbouring boundaries and the site is large enough to handle substantial enlargements without harming the character and appearance of the wider area, the host building or neighbouring properties.
- 6.2.9 Additionally, whilst outbuildings are not generally considered as contributing to the 'appropriate' enlargement of a dwelling, the on-site situation is nonetheless a material consideration. The garage is a large, visible structure which is an established part of the footprint and is visibly linked to the existing dwelling. Whilst not technically part of the footprint for Garden Land purposes, to the casual observer it appears as very much a part of the existing footprint of the original building.
- 6.2.10 It is therefore considered reasonable to include the footprint of the garage in this instance, as were planning permission sought to formally connect it to the main building, and to create habitable space within, it is likely there would be no in-principle planning objection.
- 6.2.11 As such, the following are considered to be appropriate enlargements, pursuant to the Residential Design SPD:
- 8m deep rear extension (approx. 73.35sqm)
  - 4.6m wide side extension (approx. 61.35sqm)
  - Infill extension (approx. 34.2sqm)
  - Existing garage (approx. 55sqm)
  - **Total: Existing footprint (126.8sqm) + appropriate enlargements (350.7sqm)**
- 6.2.12 The proposed footprint is approximately 326sqm, which includes the covered front porch areas as these are overhung by habitable space above.
- 6.2.13 Notwithstanding the above consideration, if the garage was excluded from the 'appropriate enlargement' calculation in full accordance with the Garden Land SPD there would a footprint allowance of 295.7sqm. The proposal would exceed this by 30.3sqm. Given the large site, and that substantial soft landscaped area and garden land would be retained, the proposed development is considered acceptable and this enlargement beyond the technical requirements is not considered to harm the character, appearance or suburban nature of the area.



## 6.3 Character of the Area and Design

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Policies (2013): DM1, DM23
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)

6.3.2 The existing site property, is a detached 1960s-1970s dwelling with associated garages. The property has limited architectural quality and is generally incongruous with the prevailing character of the street, being a flat gable fronted property.

6.3.3 The principal typologies to Hillview Road are 1930s semi-detached round bay fronted dwellings to the western side of the road and single fronted detached Arts and Crafts dwellings with gable ends to its east. There is a mix of architectural features within this including mock half-timber elements, pebble dash, tiled and shingled bays and porches. As well as this there is a diversity of roof forms including catslide roof gable end frontages, hipped roofs, and hipped to gable conversions.

6.3.4 The southern portion of Hillview Road includes a number of unique properties (of which No. 11 is one), including a detached bungalow and a two-storey nursery and preschool of notable architectural character.

6.3.5 As such, the site presents an opportunity to moderately deviate from the principal architectural typologies and provide a contemporary response to them.

6.3.6 The site strategy for two sets of semi-detached properties is well-considered and reflects the prevailing typology of both Hillview Road and other neighbouring road such as Grimsdyke Road and Colburn Avenue. The dwellings would generally align with the building line at both the front and rear with a slight staggering in siting and orientation to provide some visual interest in the overall massing. The buildings are set back a minimum of 1m from each side boundary and have a gap of a minimum 1.95m between each other. This is reflective of the range of gaps between properties along Hillview Road.

6.3.7 The Council's Urban Design Officer has reviewed the development and considers that the massing is of an appropriate scale in relation to surrounding existing dwellings. Habitable roof space features limited projections, with no front or side dormer extensions, these being restricted to the rear elevation. As such the form of the paired dwellings read as two-storey with roof space in a similar manner to that of No. 15 Hillview Road. Additionally, the ridge line is of a similar, albeit slightly lower height than that of Nos. 13 and 15 Hillview Road.

- 6.3.8 While the roof form features a certain proportion of crown roof, this would largely be visible to side elevations as opposed to front or rear, additionally, the design has been revised to include a ridge detail, which limits the visual impact of the crown roof.
- 6.3.9 The Council's urban design officer considers that the rear elevation is successful with strong alignment and gridding of glazed elements at dormer, first and ground floor levels. Large window openings to rear are supported and the proposed zinc dormers to rear align well with the general gridding of the rear elevation.
- 6.3.10 The general design of the front elevation includes bay frontages with hipped roofs and is reflective of the general design vernacular in the wider area. At the advice of the officers, the bays have been revised from a render treatment to brickwork with inset detailing, to better relate to the character of the wider area.
- 6.3.11 The use of render to the front and side elevations is relatively restrained and successful and the principal cladding material of brick paired with clay tile and zinc standing seam is considered to be high quality, subject to final material specification. The proposal for plain clay tiles to roofing is supported. Details of materials to be used will be secured by condition of consent.
- 6.3.12 The proposed bin stores will be at the front of each property within their own demise. Given that large front gardens with landscaping are proposed, and that front bin stores are a common feature on the street, there will be no adverse impact on the streetscape. Further details of the bin stores will be secured by condition to ensure a high-quality finish.
- 6.3.13 Cycle stores are provided in the rear garden within purpose-built structures with a height of approximately 2.5m. They are located in large, landscaped rear gardens and a range of outbuilding type structures can be seen in the wider area. As such, the proposed cycle stores are an acceptable feature within the setting.
- 6.3.14 Landscaping works are proposed within the front and subdivided rear gardens. This is considered acceptable subject to further details regarding the soft landscaping works, and details of the bike and bins stores, which can be secured by condition.
- 6.3.15 In conclusion, the proposal is considered to have an acceptable impact on the character and appearance of the wider area and is of an appropriate design.

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D6,
- Harrow Development Management Policies (2013): DM1, DM26
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)

- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016);

6.4.2 *Impact of Development on Neighbouring Amenity*

6.4.3 As noted above, the proposed development generally aligns with the front and rear building line running to the north east along Hillview Road, with some minor staggers in footprint and orientation to provide visual interest.

6.4.4 The proposal complies with the 45degree code in relation to No.13 Hillview Road and the south western side elevation will be set in excess of 20m from the rear elevation of any property fronting Grimsdyke Road, this is consistent with the separation distances referred to in the London Housing Design Guide, which states

*In the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18-21m between facing homes. These are still useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density.*

6.4.5 Given that the side of the proposal would be set in excess of 20m from the rear of buildings on Grimsdyke Road, and there is flexibility in the distances permitted by the London Design Guide, the setting from those neighbouring properties is considered acceptable.

6.4.6 With the exception of the side windows within the bays, there are no side facing windows proposed at ground level. The bays are set well back from the shared boundaries and clear glazing in all faces of a bay window are traditional and expected. There is not considered to be any harmful overlooking of neighbours resulting.

6.4.7 At first floor and attic level, the side facing windows are high level, side bay windows or rooflights. The plans indicate that these will be etched glass (i.e. obscure glazing) which will prevent any harmful overlooking to neighbouring properties. This will be secured by condition of consent.

6.4.8 The rear upper floor windows are orientated to the private gardens of each property. Whilst there may be some oblique overlooking to neighbouring gardens this is not considered to be substantially different to the existing situation whereby the existing house has an inset balcony at upper level and can similarly obtain oblique views to neighbouring gardens. Such views are present in the wider area, between all neighbouring properties and are not considered so harmful as to warrant refusal of the development.

6.4.9 The redevelopment of the property would not significantly vary the intensity of use of the dwelling and its coming and goings. It would remain residential in character and use.

- 6.4.10 It is noted that a vehicle turntable is proposed as part of the development (Plot B only). This does not raise any planning concerns. Notwithstanding, a condition of consent will be imposed requiring manufacturers specifications, and a noise report to ensure there will be no adverse impact will result on neighbouring properties.

*It is noted that air-source heat pumps are referred to within the Sustainability Statement. No Air-Source Heat Pumps have been shown on the plans as such they would not form a part of this approval. However, the future installation of any ASHPs will be governed by permitted development regulations (Part 14 – Renewable Energy of Schedule 2 of the GPDO). An informative will be added to remind the applicant that any ASHPs which do not comply with the provisions of the GPDO will require planning permission.*

- 6.4.11 The proposal is therefore considered acceptable in terms of neighbouring amenity impacts in accordance with the relevant policies.

*Future Occupiers – Internal Configuration and Quality of Accommodation*

- 6.4.12 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, 'housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts'. It also sets out the minimum internal space standards for new dwellings. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that "proposals will be required to comply with the London Plan minimum space standards. The National Technical Housing Standards provide additional detail.
- 6.4.13 Each dwelling is 3 storey, 4 bedroom, 8 person, property and would have a Gross Internal Area (GIA) of 176sqm. This complies with the London Plan minimum GIA of 130sqm for properties of this size. Each bedroom would exceed the 11.5sqm required for a double bedroom. A minimum of 3m storage is required by the London Plan and each property provides sufficient storage.
- 6.4.14 All of the habitable rooms are provided with windows which allow for sufficient levels of natural light and adequate outlook.
- 6.4.15 London Plan seeks 2.5m floor to ceiling heights for 75% of the Gross Internal Area (GIA), the development provides a minimum of 2.5m floor to ceiling heights on all levels.
- 6.4.16 In regard to amenity space, the existing rear garden would be subdivided to provide each house with private garden space which is a substantial size. . Notwithstanding, a condition of consent requesting details of the fencing in the subdivided garden will be imposed to ensure it is installed and maintained appropriately.
- 6.4.17 The proposal is therefore acceptable in terms of the amenity of future occupiers of the dwellings in accordance with the relevant policies.

## 6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T4, T5, T6
- Harrow Development Management Policies (2013): DM42, DM45
- Harrow's Core Strategy (2012): CS1

6.5.2 Policies DM1 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

6.5.3 The site lies within a Public Transport Accessibility Level (PTAL) of 2 (poor). The London Plan advises a maximum parking rate of 1 space per dwelling. 1 parking space is proposed for each dwelling to be accessed from a widened existing vehicle crossover and a new vehicle crossover. The parking provision complies with the London Plan requirements and is therefore acceptable.

6.5.4 Following discussions with the Council's vehicle crossing team agreement and costings have been provided to enable the widening of the existing crossover, a new crossover and the provision of new street trees to replace 1 failing tree. Given that the Council's vehicle crossing team have provided costings, they are supportive of the proposed works. As such, from a planning perspective, the proposed crossovers are acceptable and the highways officer has raised no concern regarding to loss of 1 on-street parking space to allow for the additional crossover (noting that as costings have been provided this dropped kerb could now be implemented by the Council once fees have been paid).

6.5.5 It is noted that a vehicle turntable is proposed as part of the development. This does not raise any planning concerns. Notwithstanding, a condition of consent will be imposed requiring manufacturers specifications, and a noise report to ensure there will be no adverse impact will result on neighbouring properties.

6.5.6 In respect to cycle parking, Policy T.5 and table 10.2 of The London Plan (2021) requires a minimum of 2 spaces per dwelling. The proposal shows cycle storage for each unit within structures in each rear garden, which is considered acceptable.

6.5.7 In terms of servicing, the refuse storage for the dwelling is proposed in purpose built structures in each front garden

6.5.8 The Council's Code of Practice for Waste requires that each dwelling have a minimum 2-bin system, a garden waste bin is option. In this instance store is capable of housing 4 standard sized wheelie bins. Notwithstanding, a condition of consent requiring full details of waste storage be provided prior to occupation to ensure that the layout and materials of the bin-stores are appropriate to the streetscene.

## 6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan (2021): S1 12, SI 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

6.6.2 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."

6.6.3 The application site is located within a critical drainage area as defined by the maps held by the local drainage authority.

6.6.4 Additionally, a culvert runs along the front boundary and part of the front and rear corner of the site are within Surface Water Flood Zone 3a and 3b and Environment Agency Flood Zones 2 and 3.

6.6.5 The Environment Agency has been consulted and raises no objection to the development. Paragraph 56 of the NPPF and associated footnote 56 states that development of this nature should generally undergo a sequential test to establish the suitability of the site for development.

6.6.6 However, following consultation with our Policy team it has been established that the Local Planning Authority takes the view that the sequential test 'starts' with directing development to the least flood prone area within a site itself. In this instance, the proposed development essentially avoids the area of flood risk (i.e. along the culvert) and the EA has confirmed they have no objection to the proposal. The Flood Risk Assessment (FRA) will address issues such as whether safe access can be provided, appropriate floor levels, runoff rates, no worsening of flooding elsewhere and so on.

6.6.7 Paragraph 34 of the NPPG guidance on flood risk indicates 'It is for local planning authorities, taking advice from the Environment Agency as appropriate, to consider the extent to which Sequential Test considerations have been satisfied, taking into account the particular circumstances in any given case. For infill residential it is difficult to apply the sequential test because it is not practical to identify all potential sites and then determine if those are sufficient (along with allocated sites) to meet Harrow's minimum housing target in the London Plan (and within that, the small sites target under Policy H2) and therefore sufficient alternative sites exist. Such a process is more akin to a Local Plan review and it is not reasonable to expect an applicant to undertake it nor would any exercise be sufficiently meaningful / conclusive.

6.6.8 It is also noted the site most likely falls within the geographic area covered by Policy H2 (i.e. Hatch End Station / Town Centre are nearby), so the site is deemed to be a sustainable location and the infill use of brownfield land is also sustainable and acceptable.

6.6.9 Regarding the Flood Risk Assessment, the Local Planning Authority Infrastructure Team have no objection to the submitted drainage strategy. However, they have provided comments in relation to the FRA as follows:

- FFL hasn't been raised enough; it should be 300mm above flood depth not ground level.
- We also need to know changes in ground levels in the front (in floodplain) as Compensatory Flood Storage may be required.
- Please request all existing and proposed levels to be marked on plan.

6.6.10 These are considered to be minor details which can be readily addressed and it would be unreasonable to refuse on these grounds without allowing an opportunity for the applicant to provide these details in full. The applicant is in discussions with the Infrastructure Team to provide and address these details and it is considered reasonable to recommend approval, subject to these matters being addressed within 3 months of the date of the committee meeting, or an otherwise agreed extension of time.

## **6.7 FIRE SAFETY**

6.7.1 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. A condition is recommended to ensure that a fully comprehensive fire strategy is provided prior to occupation.

## **7.0 PERMITTED DEVELOPMENT RESTRICTIONS**

7.1 It is considered that the extent of development has maximised the site potential, taking into account the Garden Land SPD and the overall scale, bulk and massing in relation to the character and appearance of the wider area.

7.2 As such, it is considered appropriate to restrict permitted development rights on each new dwelling in terms of future enlargements at the front, side and rear along with upward extensions and rear outbuildings.

7.3 Additionally, permission is only granted for single dwelling houses and it not considered appropriate for future changes of use to HMOs to be possible given the differing impact these may have in terms of parking, site intensity and character of the wider area. As such, permitted development rights for the change of use from dwellings to small scale HMOs (Use Class C4) are recommended to be removed.

7.4 These restrictions on permitted development rights will be restricted by way of conditions of consent.

## 8.0 **CONCLUSION AND REASONS FOR APPROVAL**

- 8.1 The proposed development provides acceptable and policy compliant residential dwellings for future occupiers and does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with Policy D6 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy 2012 and policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013).

### Checked

Interim Head of DM	DM 29/03/2022
Corporate Director	DP 31/03/2022



## **APPENDIX 1: Conditions and Informatives**

### **Conditions**

#### 1. Timing

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

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

#### 2. Approved Drawing and Documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents:

2102-S-GA-XP-0002 P01 (Location Plan); 2102-S-GA-XP0002-P01 B (Existing Site Plan); 2102-S-GA-XP0002-P01 B (PD Allowances); GSL21123-200 B; 2102-S-GA-XP-0002-PO1 A (Existing Plans & Elevations); 2102-S-GA-GP-0005-PO1 B (Proposed Site Plan); 2102-S-GA-GP-0005-PO1 B (Proposed Site Plan Showing Comparison with Existing); 2102-S-GA-GP-0202-PO1; 2102-S-GA-GP-0003/0101-PO1; B 2102-S-GA-GP-0201/0301-PO1 B; 2102-S-GA-GE-NSEW002-PO1; 2102-S-GA-GE-NSEW001-PO1 B; 2102-S-GA-GS-BBCC01-PO1 B; 2102-S-GA-GE-S002-PO1 B; 2102-S-GA-GP-0004-P01 B; 2102-S-GA-KP-0001/0101/0201-PO1 B; 2102-S-GA-GP-0004-P01; Flood Risk Assessment (01 Oct 2021); Planning Statement; Site Waste Management Plan; SuDS Drainage Strategy Report; Sustainability Statement

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

#### 3. 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.

4. Tree Protection Plan

The development hereby permitted shall not commence until there have been submitted to, and approved in writing by, the local planning authority, a tree protection plan and method statement (in accordance with BS5837:2012) outlining protection measures for the existing retained TPO tree(s) on the site. The tree protection measures shall be in place prior to any works commencing on site (including works of demolition) and shall be kept in place during the construction of the development. No materials or waste shall be stored within any protected areas.

REASON: To ensure that the TPO tree(s) to be retained on the site are not adversely affected by the development.

5. Disposal of Surface Water

The development of any buildings hereby permitted 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.

REASON: To ensure that adequate drainage facilities are provided

6. Levels to be Approved

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.

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.

7. Noise

The development hereby permitted shall not commence (other than works of demolition) until details, including manufacturer's specifications and a noise report prepared by a suitably qualified professional in relation the noise generated by the vehicle turntable within the front drive, and any necessary attenuation against externally generated noise and vibration have been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of residents.

8. Disposal of Sewage

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

REASON: To ensure that adequate drainage facilities are provided.

9. Materials

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

- a) All facing and roof materials for the buildings (including outbuildings);
- b) Windows/doors/glazing; and
- c) Patio and hardstand materials.

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

Reason: To ensure that the development is carried out to the highest standards of architecture and materials.

10. Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1,

DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

12. Boundary Treatment

The development hereby permitted shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected for the front and rear gardens and all boundary treatments has been submitted to, and approved in writing by, the local planning authority. The boundary treatment shall be completed before the development is occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan.

13. Cycle Storage

Prior to the first occupation of development, a minimum of 2 covered and secure cycle parking spaces per dwelling shall be made available within the approved outbuildings. The cycle parking shall be maintained and retained thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy T5 of The London Plan 2021 and policy DM 42 of the Harrow Development Management Policies.

14. Refuse Storage

Prior to occupation of the dwellings, details of the waste storage area including a minimum 3-bin system for each dwelling shall be submitted and approved by the local planning authority. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

15. Secure by Design Accreditation

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. Secure by design measures shall be implemented 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. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

16. Fire Safety

Prior to occupation a Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021). To ensure appropriate fire safety measures are approved before development is occupied.

17. Glazing

No window(s) / door(s), other than those shown on the flank elevations shall be installed in the without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

18. Obscure Glazing

The window(s) at first floor level in the flank elevations of the approved development shall:

a) be of purpose-made obscure glass,

b) be permanently fixed closed below a height of 1.7 metres above finished floor level,

and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents.

19. Permitted Development Restriction 1

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.

20. Permitted Development Restrictions 2

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development in relation to the existing and proposed dwellinghouses which would otherwise fall within Classes A, B, D, E, F and G in Part 1 of Schedule 2, and Class AA of Part 20 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 managing the amount of site coverage and size of dwelling in relation to the size of the plot and availability of amenity space, biodiversity and to safeguard the amenity of neighbouring residents.

## Informatives

### 1. Policies

The following policies are relevant to this decision:

#### **National Planning Policy Framework (2021)**

#### **The London Plan (2021):**

D3, D4, D6, T5, T6; H1, H2, H8; SI12

#### **Harrow Core Strategy (2012):**

CS1

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

DM1, DM2, DM9; DM10, DM26, DM27, DM42, DM45

#### **Supplementary Planning Documents:**

Supplementary Planning Document Residential Design Guide (2010)

Supplementary Planning Document Garden Land (2013)

Technical housing standards - nationally described space standard (2015).

Major of London Housing Supplementary Planning Guidance (2016)

### 2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015 This decision has been taken in accordance with paragraphs 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.

### 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. 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.

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. Designing Out Crime

For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following: [DOCOMailbox.NW@met.police.uk](mailto:DOCOMailbox.NW@met.police.uk)

8. INFORM67 - Fire Safety Statement. The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

Thames Water

9. The applicant can contact Thames Water developer services by email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) or by phone: 0800 009 3921 or on Thames Water website [www.developerservices.co.uk](http://www.developerservices.co.uk) for drainage connections consent.

10. 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)

### Compliance with Planning Conditions

11. **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

12. Mayoral 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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £27,972

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 planning portal 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

13. 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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £51,260

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

14. Renewable Energy Permitted Development Rights

The applicant is reminded that any renewable energy equipment, such as Air Source Heat Pumps are subject to the requirements Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Where compliance cannot be met in accordance with the GPDO planning permission will be required.

PLAN LIST

2102-S-GA-XP-0002 P01 (Location Plan); 2102-S-GA-XP0002-P01 B (Existing Site Plan); 2102-S-GA-XP0002-P01 B (PD Allowances); GSL21123-200 B; 2102-S-GA-XP-0002-PO1 A (Existing Plans & Elevations); 2102-S-GA-GP-0005-PO1 B (Proposed Site Plan); 2102-S-GA-GP-0005-PO1 B (Proposed Site Plan Showing Comparison with Existing); 2102-S-GA-GP-0202-PO1; 2102-S-GA-GP-0003/0101-PO1; B 2102-S-GA-GP-0201/0301-PO1 B; 2102-S-GA-GE-NSEW002-PO1; 2102-S-GA-GE-NSEW001-PO1 B; 2102-S-GA-GS-BBCC01-

PO1 B; 2102-S-GA-GE-S002-PO1 B; 2102-S-GA-GP-0004-P01 B; 2102-S-GA-KP-0001/0101/0201-PO1 B; 2102-S-GA-GP-0004-P01; Flood Risk Assessment (01 Oct 2021); Planning Statement; Site Waste Management Plan; SuDS Drainage Strategy Report; Sustainability Statement

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS

Front elevation



Rear Elevation



Rear boundary and garage

Front elevation shown in context of neighbouring properties to the north east



Rear of neighbouring property at No.13 Hillview Road



Culvert at front of property



Side boundary/garden adjacent to rear of properties on Grimsdyke Road





18 Oct 2021 15:47:33  
11 Hillview Road  
Greater London  
England

Rear of properties on Grimsdyke Road facing the subject site



18 Oct 2021 15:44:50  
17 Hillview Road  
Greater London  
England



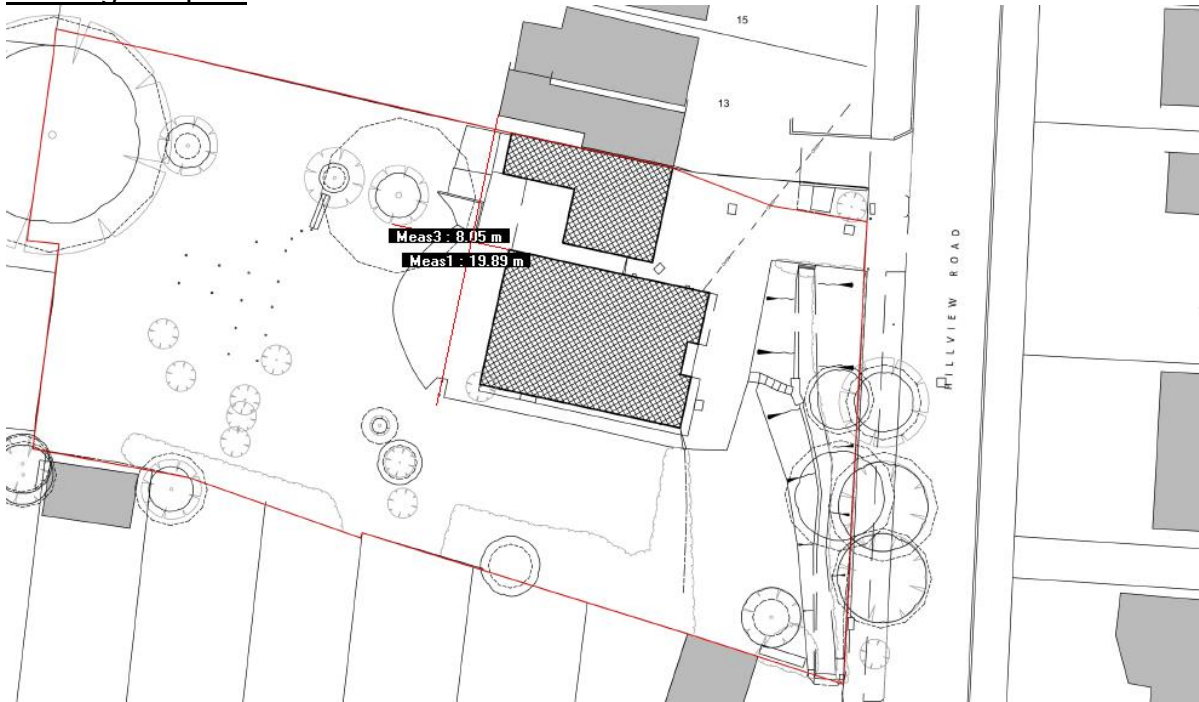
Aerial images





## APPENDIX 4: PLANS AND ELEVATIONS

### Existing site plan

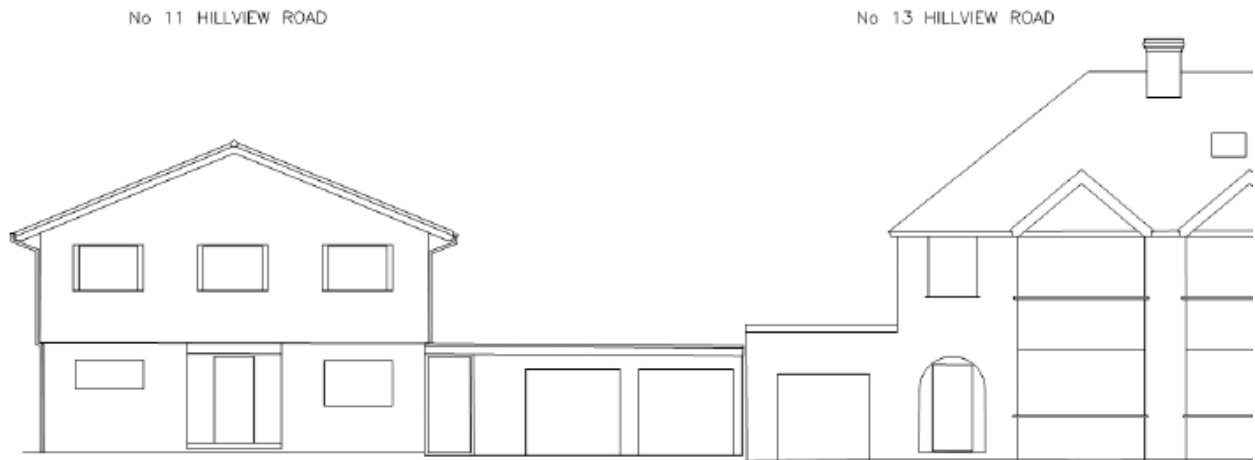


### Proposed site plan



# Existing Elevations

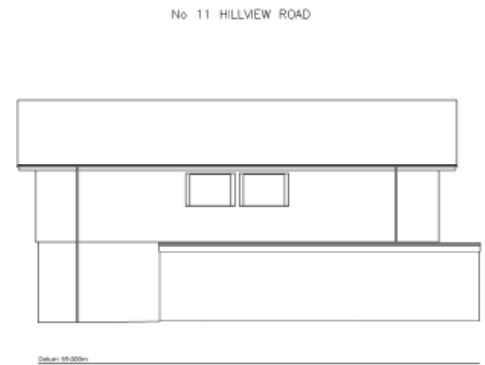
## Front -



## Rear and side elevations



REAR ELEVATION



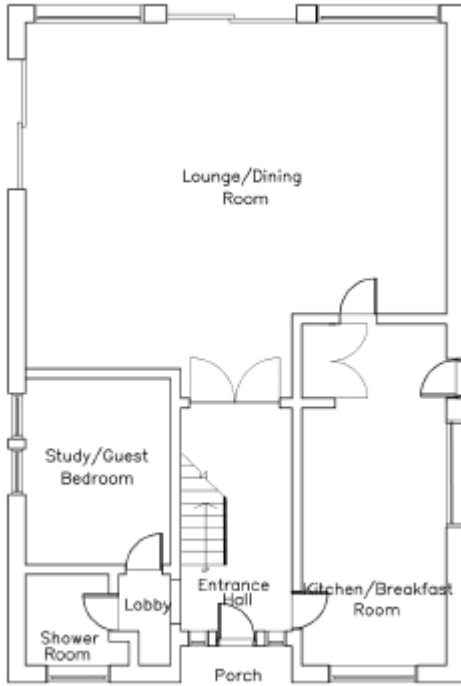
# Proposed Elevations



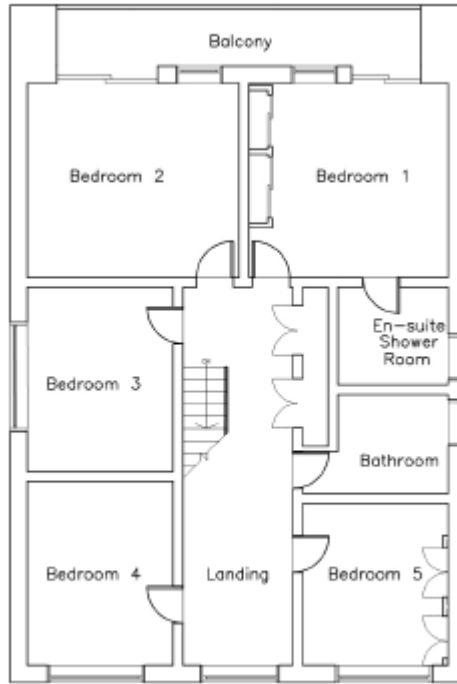
# Proposed streetscape



## Existing Floor Plans



GROUND FLOOR PLAN



FIRST FLOOR PLAN

## Proposed floor plans



FIRST FLOOR PLAN

SECOND FLOOR PLAN

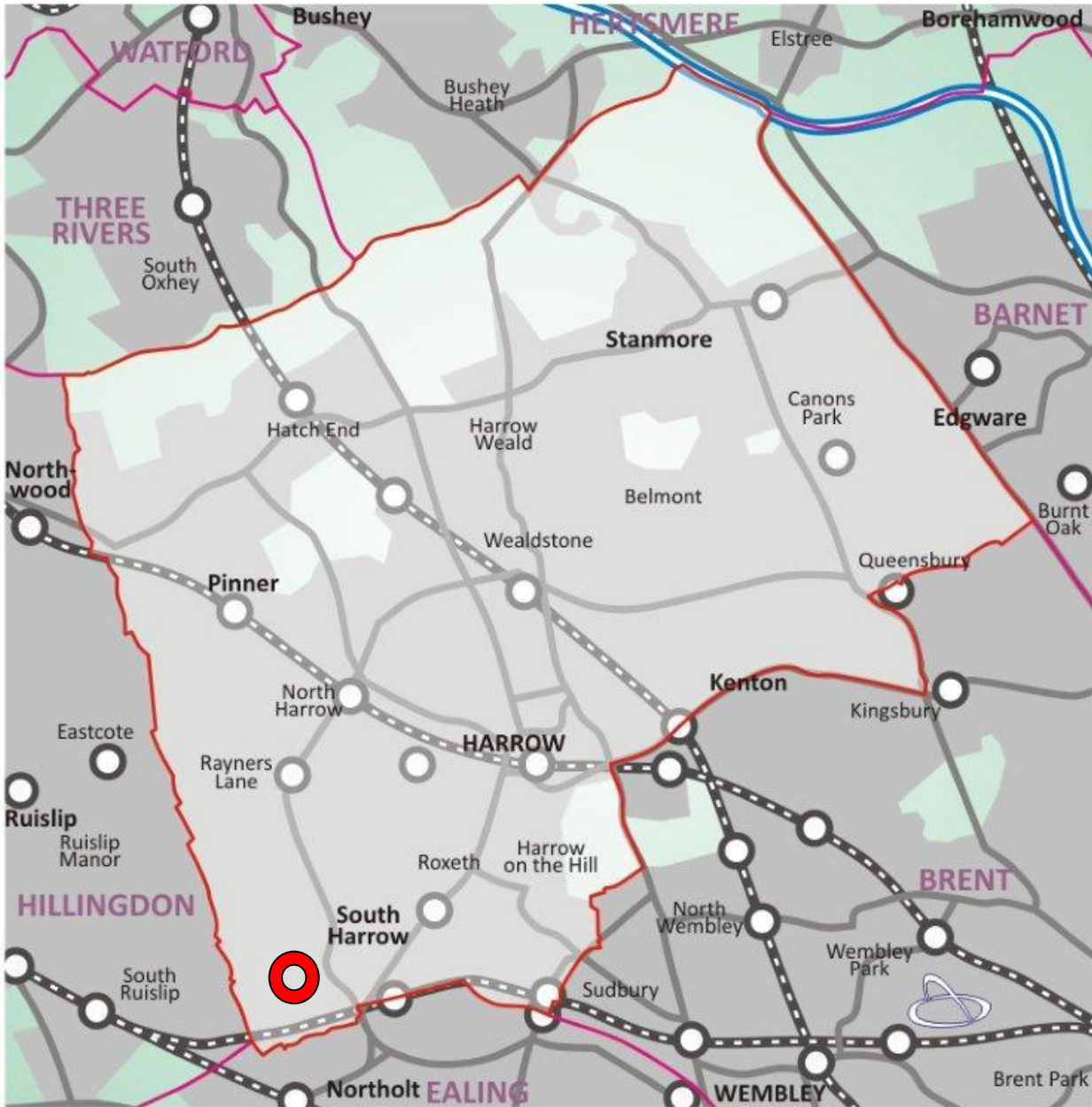
ROOF PLAN

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Agenda Item: 2/02



 = application site

<b>20 Corfe Ave, Harrow. HA2 8SZ</b>	<b>P/0161/22</b>
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# SITE PLAN



# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

13<sup>th</sup> April 2022

**APPLICATION NUMBER:** P/0161/22  
**VALIDATION DATE:** 18/01/2022  
**LOCATION:** 20CORFE AVE, HARROW  
**WARD:** ROXETH  
**POSTCODE:** HA2 8SZ  
**APPLICANT:** MR MAHENDRA HIRANI  
**AGENT:** LONDON INTERIORS  
**CASE OFFICER:** FERGUS FREENEY  
**EXTENDED EXPIRY DATE:** 18/04/2022

### **PROPOSAL**

Conversion of dwelling into three flats (1 X 2 bed and 2 X 1 bed); single storey front extension incorporating front porch; single and two storey side to rear extension; single storey rear extension; rear dormer; separate amenity space; parking; bin and cycle stores.

The Planning Committee is asked to consider the following recommendation:

### **RECOMMENDATION**

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

### **REASON FOR THE RECOMMENDATIONS**

The creation of flats on the site is appropriate in this location and would not have an adverse impact on the amenity of future occupiers or the occupiers of adjoining properties.

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 application is worthy of support.

### **INFORMATION**

This application is reported to Planning Committee at the request of a nominated member in the public interest.

Statutory Return Type: Minor Development  
Council Interest: None  
Net additional Floorspace: 138sqm  
GLA Community Infrastructure Levy (CIL) Contribution: £8,280

(provisional)(£60p/sqm):  
Local CIL requirement (Provisional) £15,180  
(£110p/sqm):

## **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**

Policy D11 of the London Plan (2021) 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 a two-storey, semi-detached property located on the southern side of Corfe Ave at the junction with Balmoral Road.
- 1.2 The adjoining neighbour at No.18 is extended with a two-storey side to rear extension, a front extension and at the rear with a 3m deep extension.
- 1.3 The area is predominantly residential in character comprising terraced and semi-detached dwellings of similar, traditional architectural styles.
- 1.4 The site has a Public Transport Accessibility Level (PTAL) of 2.
- 1.5 The site is not within a conservation area and is not a listed building. It is within a critical drainage area and a small part of the front garden is covered by Surface Water Flood Zone 3a.

## **2.0 PROPOSAL**

- 2.1 Planning permission is sought for the conversion of the existing 3 bedroom dwelling to 3 x flats (1 x 2 bed and 2 x 1bed) with the following extensions:
- single and two storey side to rear extension,
  - first floor rear extension
  - single storey rear extension
  - Front porch and extension
- 2.2 Refuse is to be provided in formalised bin stores at the side and rear of the property together with covered and secure cycle storage within the rear garden of each property.
- 2.3 Existing carparking in a rear garage, accessed via a dropped kerb from Balmoral Street will be retained.

### Revisions

- 2.4 The following revisions were requested during the determination period:
- Removal of off-street parking within the front garden following an objection to the proposed dropped kerb by the Council's Highways Team
  - Internal alterations to enlarge the main bedroom in Flat 1 and remove a bedroom in Flat 3 to ensure compliance with the London Plan GIA requirements

### **3.0 RELEVANT PLANNING HISTORY**

P/4443/21 - Conversion of dwelling into three flats (1 X 2 bed and 2 X 1 bed); single and two storey side to rear extension; single storey rear extension; rear dormer; separate amenity space; parking; bin and cycle stores.  
Refused 23/12/2021

*Reasons for refusal:*

- 1. The proposed excessively deep rear extension spanning the full width of the extended property and the proposed rear dormer when considered with the proposed two storey excessively wide rear addition by reason of their combined bulk, massing, and unsatisfactory design and prominent siting on a corner site would result in an unsympathetic, incongruous, bulky and contrived form of development that fails to respect the character, composition, proportion and design of the host dwelling and prevailing pattern of development in within the area. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D3 (1) and (11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A, DM1 B (a) and (b) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010)*
- 2. The proposed configuration of the rear amenity space for the future occupiers of the site, together with the poor internal arrangement for Flat 2, by reason of its awkward and poor layout would result in poor outlook for the future occupiers of Flats 1 and 2 resulting in a poor standard of living accommodation for the future occupiers The proposal is therefore contrary to the National Planning Policy Framework (2021), Policies D3.D(7) and D6 (F)(9) of The London Plan (2021), Policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).*

P/3982/20/PRIOR - Single storey rear extension: 6.00 metres deep, 3.18 metres maximum height and 3.00 metres high to the eaves.  
PNR – 11/12/2020

P/0913/21 - CERTIFICATE OF LAWFUL DEVELOPMENT (PROPOSED):  
Single storey rear extension (following established prior approval ref: P/3982/20/PRIOR)  
Granted 30/04/2021

### **4.0 CONSULTATION**

- 4.1 A total of 2 consultation letters were sent to neighbouring properties regarding this application. A site notice was also displayed. The overall expiry date of the first consultation was 04/03/2022.

- 4.2 Following design revisions a second consultation was carried out, with letters sent to neighbours. This consultation expired on 30/03/2022
- 4.3 A total of 2 responses have been received to date.
- 4.4 A summary of the responses received along with the Officer comments are set out below:

- Overdevelopment  
**Officer comment:** As noted, there is no policy to restrict conversion of houses to flats and the flats meet minimum space standards
- Green space will be lost  
**Officer comment:** Substantial green space is retained at the front, side and rear.
- Parking impact and crossover will affect highway safety  
**Officer comment:** The Transport officer does not object, 1 off-street parking space is proposed. On-street parking will be retained due to revisions to remove a vehicle crossover (which would have impacted on a street tree).
- Block natural light and overlooking  
**Officer comment:** The development complies with the SPD. The additional elements are set away from neighbours and face towards Balmoral Road. No.18 Corfe Ave is to the south-west of the subject site, as such, natural light will not be blocked (as the sun moves in a southerly arc, east to west)
- Blocked drains  
**Officer comment:** This is not a planning consideration
- Anti-social behaviour etc  
**Officer comment:** This is not a planning consideration

4.5 Statutory and Non Statutory Consultation

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

LBH Highways

No objection.

**Observations**

This property is within a PTAL 2 location meaning that access to public transport is considered to be poor, however, the nearest bus stops are within a 6 minute walk and Northolt Park rail station is within 12 minutes. There are schools and a parade of shops near the bus stops on Eastcote Lane.

There are double yellow lines immediately outside the property to prevent parking at the junction of Corfe Avenue and Balmoral Road.

### **Access and parking**

The proposal includes two off-street car parking spaces – one at the rear of the property including the existing garage and a new space at the front however, a separate application will be required to the Council's Vehicle Crossing team and this will likely require investigation of whether tree roots are present before the crossing can be approved. If the tree does present any issues, it may not be possible to provide the space to the front of the house. Car ownership is high in this location (87% of households have access to at least one car or van, Census 2011) meaning that insufficient off-street provision may lead to on-street parking however, recent images do seem to show that despite a lot of on-street parking, there are still some spaces in the vicinity.

**Officer Comment:** *As noted above, the front parking space has been removed from the scheme.*

### **Cycle parking**

The proposal requires a minimum of 2 secure and sheltered cycle parking spaces for the two bed flat and 1.5 spaces for each of the smaller flats. The proposals indicate dedicated storage for two flats and the use of the garage for the remaining flat. This is acceptable.

### **Summary**

The principal of the proposed conversion is acceptable in highways terms and unlikely to result in a severe or harmful impact for the surrounding highway network, therefore, Highways have no objection.

### **Comments following revisions to remove front parking**

We could expect the development to generate a demand for around 2-3 cars (based on 2011 census car ownership levels) although in reality, this could be more or less. Based on the most recent Street Smart images we have from May and October 2021, there does seem to be space for two additional cars on-street.

An objection would not stand up at appeal as there is no evidence to support a view that overspill parking would have a severe impact on the surrounding highway network despite there being quite a lot of on-street parking in the vicinity. The only way to confirm the demand and capacity would be for the applicant to undertake a parking survey which is excessive for such a small proposal.

Our comments can remain as they are as we do state that the vehicle crossing would be subject to separate approval in any case.

### **Drainage**



No comments received
<u>Waste Management Policy Officer</u>
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 2021] 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 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies, Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

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

## 6.0 **ASSESSMENT**

6.1 The main issues are:

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

### 6.2 **Principle of Development**

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Policy CS1.A of Harrow’s Core Strategy (2012)
- London Plan Policies H1, H2 and H8

6.2.2 Having regard to the London Plan (2021) policies H1 and H2 and the Council's policies and guidelines, it is considered that the proposal would provide an increase in smaller housing stock within the Borough thereby complying with housing growth objectives.

6.2.3 As such, the conversion of the property into flats is considered to be acceptable in principle, in accordance with the relevant policies subject to acceptable details.

### **6.3 Character of the Area**

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Policies (2013): DM1, DM23
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)

6.3.2 The proposed rear extension would match that granted under P/3982/20/PRIOR being 6m deep at the shared boundary with No.18. There would be an additional extension to the rear of the proposed side extension. This would be setback from the 6m deep element by 2m to give a staggered footprint. This is considered to address the previous reason for refusal of P/4443/21 which stated the full width nature of the proposed rear extension was excessive. The staggered built form at the rear is considered acceptable in terms of bulk and scale which viewed from the surrounding streets.

6.3.3 The single storey rear extension would have a maximum height of 3m which complies with the SPD.

6.3.4 The proposed two storey side to rear extension and rear first floor extension have been designed to comply with the SPD, being set back from the front elevation at first floor by 1m and with a subordinate pitched roof. The first floor rear extension would be set in by 0.5m from the side wall and also contains a subordinate pitched roof. The width of the first floor rear extension has been reduced from 4.8m to 3.8m and is now considered to be an appropriate scale, and addresses the previous reason for refusal which stated that the cumulative bulk, scale and massing of all the extensions was unacceptable.

6.3.5 The proposed rear dormer has been set back substantially from the valley between the main roof and projecting rear first floor roof, and is set back from the shared boundary and eaves by a minimum of 0.5m. The dormer is now considered to be visually contained and compliant with the SPD, and is an improvement upon the overly large refused dormer.

6.3.6 The proposed front porch and extension would be visually separated from the front bay window and would align with that bay window. This is compliant with the requirements of the SPD and is considered acceptable. There are numerous

examples of similarly designed and scaled front ground floor extensions in the surrounding area, including the attached neighbour at No.18, and it is therefore consistent with the prevailing character of the streetscene.

- 6.3.7 The proposed bin stores will be at the side of the property or within rear garden areas. As such, they will be masked from public view by the boundary fencing and are acceptable.
- 6.3.8 Landscaping works are proposed within the subdivided rear garden areas and an additional lawn area at the front is proposed. This is considered acceptable subject to further details regarding the soft landscaping works, and details of the bike and bins stores, which can be secured by condition.
- 6.3.9 In conclusion, the proposal is considered to have an acceptable impact on the character and appearance of the main house and the streetscape due to the appropriateness of the external changes proposed. Additionally, the previous reasons for refusal of P/4443/21 have been adequately addressed.

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D6,
- Harrow Development Management Policies (2013): DM1, DM26
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016);

6.4.2 *Impact of Development on Neighbouring Amenity*

6.4.3 As noted above, the proposed single storey rear extension matches the depth of that granted under prior approval at the shared boundary with No.18. As such, there will be no additional impact caused by the proposal in this regard. The staggered element of the rear extension is setback from the rear building line by 2m and is not adjacent any neighbouring properties (being it presents to Balmoral Road), as such, there is no amenity impact caused by this element. The rear extension would be 3m in height which complies with the SPD requirements.

6.4.4 The proposed first floor rear extension complies with the 45degree code in relation to No.18. Given that the two-storey side to rear extension is located at the corner with Corfe Ave and Balmoral Road there will be no neighbouring amenity impact.

6.4.5 The conversion of the property would not significantly vary the intensity of use of the dwelling and its coming and goings. It would remain residential in character and use.

6.4.6 The proposal is therefore considered acceptable in terms of neighbouring amenity impacts in accordance with the relevant policies.

*Future Occupiers – Internal Configuration and Quality of Accommodation*

6.4.7 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, ‘housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts’. It also sets out the minimum internal space standards for new dwellings. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that “proposals will be required to comply with the London Plan minimum space standards. The National Technical Housing Standards provide additional detail.

6.4.8 The proposed development includes the following:

Flat no.		Proposed Floor Area (m <sup>2</sup> )	Minimum Floor Area Required (m <sup>2</sup> )
Flat 1 – (2 bed, 3 person, 2-storey)	Total GIA	76.5	70
	Storage	2	Complies
Flat 2 – (1 bed 2 person, 1-storey)	Total GIA	65	50
	Storage	1.5	Complies
Flat 3 – Upper level (1 bed 2 person, 2 storey)	Total GIA	66	58
	Storage	1.5	Complies

6.4.9 The proposed dwellings would meet the above space standards in terms of GIA and all of the habitable rooms are provided with windows which allow for sufficient levels of natural light and adequate outlook.

6.4.10 With regards to vertical stacking, the layout of the proposed flats have been arranged to ensure minimal overlapping of different room types, with only the bedroom of Flat 2 and dining/living room of Flat 3 overlapping. The applicant has shown that acoustic insulation will be provided between these rooms to ensure compliance with Document E of the building regulations (Resistance to the Passage of Sound). Therefore, the vertical stacking of the proposed units is acceptable.

- 6.4.11 London Plan seeks 2.5m floor to ceiling heights for 75% of the Gross Internal Area (GIA), the Nationally Described Space Standards advise that the minimum floor to ceiling height should be 2.3m for 75% and essentially override the London Plan (given that they are national standards). The floor to ceiling height exceeds 2.3m at ground and first floors. As such, Flat 1 and Flat 2 complies with the National Standards (with all floor to ceiling heights being a minimum of 2.3m). The floor to ceiling height at the attic is approximately 2.16m. Approximately 65% of the floor area of Flat 3 would meet the National Standards. However, Flat 3 greatly exceeds the minimum GIA requirements, and a policy compliant flat would only require 43.5sqm of floor space with a 2.3m floor to ceiling height. Flat 3 provides approximately 42.6sqm of floor area with this minimum floor to ceiling height. Given that this is a conversion of an existing property, with only a bedroom being the area lower than 2.3m in floor to ceiling height, and that the flat is very generously sized when considered against the minimum standards, the minor shortfall of floor to ceiling height is considered acceptable in this instance.
- 6.4.12 In regard to amenity space, the existing garden would be subdivided to provide each flat with private garden space which is considered to be of a sufficient size to meet the needs of future occupiers. Flats 1 and 2 will have direct access to their rear gardens, whereas Flat 3 will have access to theirs via a side access path. The layout of the subdivided garden areas has been improved to address the previous reason for refusal which was considered to limit the outlook of the ground floor flats due to the positioning of the fencing. The fencing location has been designed so that large gardens, and therefore enhanced outlook, are now provided for those units. Notwithstanding, a condition of consent requesting details of the fencing in the subdivided garden will be imposed to ensure it is installed and maintained appropriately.
- 6.4.13 The proposal is therefore acceptable in terms of the amenity of future occupiers of the flats in accordance with the relevant policies.

## **6.5 Traffic, Parking and Servicing**

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T4, T5, T6
- Harrow Development Management Policies (2013): DM42, DM45
- Harrow's Core Strategy (2012): CS1

6.5.2 Policies DM1 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

6.5.3 The site lies within a Public Transport Accessibility Level (PTAL) of 2 (poor). The London Plan advises a maximum parking requirement of up to 0.75 spaces for 1-2 bed dwellings in PTAL 2 areas. 1 parking space is proposed in the existing garage at the rear. It is noted that the Council's highway's officer considers that, on balance, the proposal is acceptable and that there are likely to be sufficient

on-street spaces available. It should also be noted that the London Plan provides a maximum parking rate and the general thrust of the policy is to limit parking in all cases.

6.5.4 In respect to cycle parking, Policy T.5 and table 10.2 of The London Plan (2021) requires a minimum of 2 spaces per two bed and 1 space per one bed. The proposal shows cycle storage for each unit within their rear gardens, which is considered acceptable. Notwithstanding, a condition of consent will be imposed requiring full details of these spaces to ensure they are covered and secure.

6.5.5 In terms of servicing, the refuse storage for the flats is proposed at the side of the building or within their rear gardens. The Council's Code of Practice for Waste requires that each dwelling have a minimum 2-bin system, a garden waste bin is an option. In this instance each flat will have access to space for 3 standard sized wheelie bins. Notwithstanding, a condition of consent requiring full details of waste storage be provided prior to occupation to ensure that the layout and materials of the bin-stores are appropriate to the streetscene.

## **6.6 Development and Flood Risk**

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan (2021): S1 12, SI 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

6.6.2 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."

6.6.3 The application site is located within a critical drainage area as defined by the maps held by the local drainage authority. As such, this permission contains an informative relating to the provision of sustainable drainage systems, although it is noted that no material external alterations are proposed. A very small part of the front garden is covered by Surface Water Flood Zone 3a. The Council's drainage team have not provided any comments. Notwithstanding, given that only a very small part at the front of the site is covered by the flood zone, and the majority of the development will be to the side and rear, it is not considered reasonable or proportionate to require a full flood risk assessment in this instance. Planning officers consider that the provision of sustainable urban drainage measures will be sufficient to counter any minor impact on the flood zone.

## 6.7 **FIRE SAFETY**

- 6.7.1 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. A condition is recommended to ensure that a fully comprehensive fire strategy is provided prior to occupation.

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

- 7.1 The proposed development provides acceptable and policy compliant residential dwellings for future occupiers and does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with Policy D6 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy 2012 and policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013).

### Checked

Interim Head of DM	DM 29/03/2022
Corporate Director	DP 31/03/2022

## **APPENDIX 1: Conditions and Informatives**

### **Conditions**

1. Timing

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

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

2. Approved Drawing and Documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents:

PR20-97I; PR20-98A; PR20-98B; PR20-98C Rev03; PR20-098d Rev03; PR20-098e Rev02; PR20-098f Rev03; Design and Access Statement (January 2022)

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

3. 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 in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4. Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

5. 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(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others



of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

6. Boundary Treatment

The development hereby permitted shall not be occupied until a plan indicating the positions, design, materials and type of boundary treatment to be erected for the rear gardens has been submitted to, and approved in writing by, the local planning authority. The boundary treatment shall be completed before the development is occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

7. Cycle Storage

Prior to the first occupation of development, details of secure and sheltered cycle stores (including dimensions, elevations and external materials) to be located within the private garden of each unit with a minimum of 2 long stay cycle parking spaces for each residential dwelling shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be made available prior to occupation of the development and shall be retained thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy T5 of The London Plan (2021) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

8. Permitted Development Restriction

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. Secure by Design Accreditation

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. Secure by design measures shall be implemented 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. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

10. Refuse Storage

Prior to occupation of the dwellings, details of the waste storage area including a minimum 2-bin system for each dwelling shall be submitted and approved by the local planning authority. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

11. Fire Safety

Prior to occupation a Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021). To ensure appropriate fire safety measures are approved before development is occupied.

## Informatives

### 1. Policies

The following policies are relevant to this decision:

#### **National Planning Policy Framework (2021)**

#### **The London Plan (2021):**

D3, D4, D6, D12, T5, T6; H1, H2, H8

#### **Harrow Core Strategy (2012):**

CS1

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

DM1, DM2, DM10, DM22, DM23, DM26, DM27, DM42, DM45

#### **Supplementary Planning Documents:**

Supplementary Planning Document Residential Design Guide (2010)

Technical housing standards - nationally described space standard (2015).

Major of London Housing Supplementary Planning Guidance (2016)

### 2. Pre-application engagement

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

This decision has been taken in accordance with paragraphs 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. 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.

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. Designing Out Crime

For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following: [DOCOMailbox.NW@met.police.uk](mailto:DOCOMailbox.NW@met.police.uk)

8. **INFORM67 - Fire Safety Statement.** The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

9. Mayoral 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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £8,280

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 planning portal 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

## 10. 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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £15,180

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

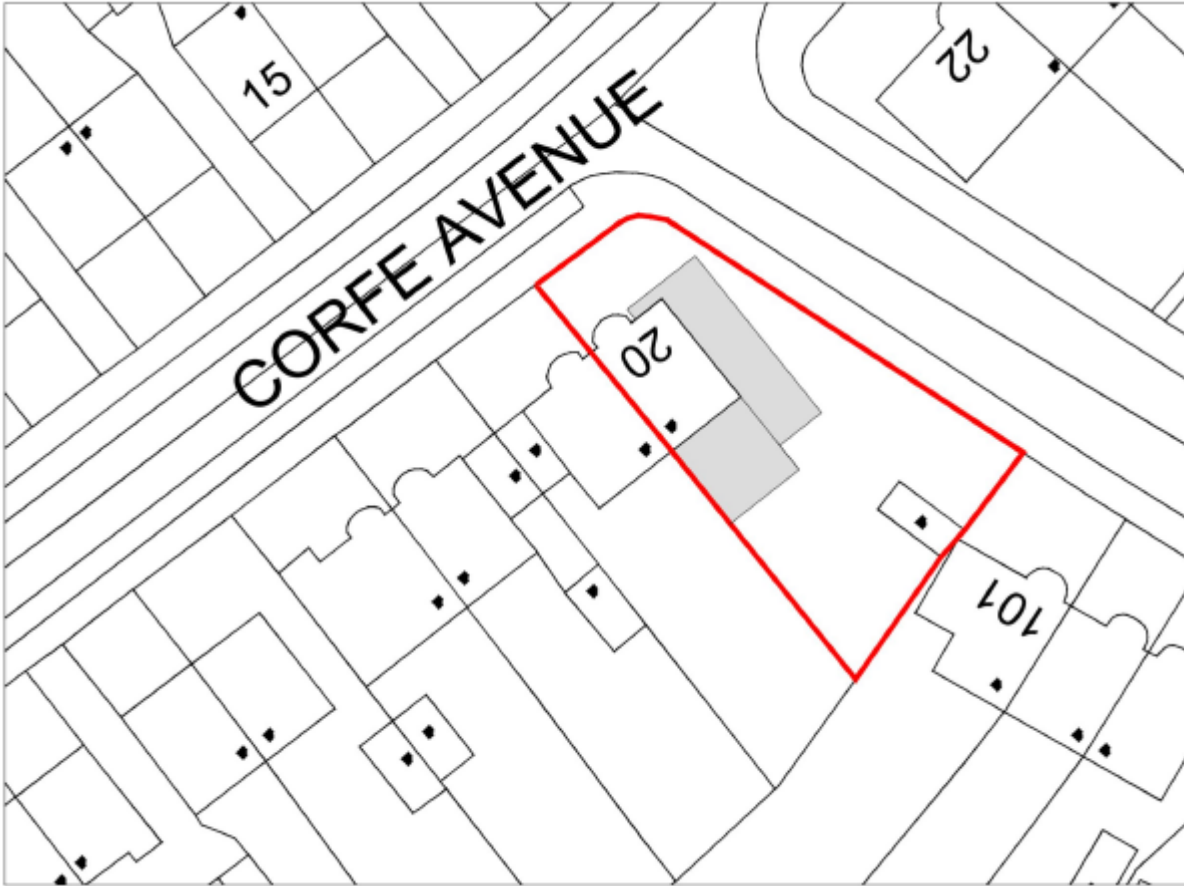
11. Remove Yellow Site Notice

A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

PLAN LIST

PR20-97I; PR20-98A; PR20-98B; PR20-98C Rev03; PR20-098d Rev03; PR20-098e Rev02; PR20-098f Rev03; Design and Access Statement (January 2022))

APPENDIX 2: SITE PLAN





APPENDIX 3: SITE PHOTOGRAPHS

Front elevation



Side Elevation



Rear boundary and garage



Rear elevation showing extension at No.18.



Semi-detached pairing showing the unextended subject site (on the left) and extended neighbour at No.18 (on the right)



# APPENDIX 4: PLANS AND ELEVATIONS

## Existing Elevations



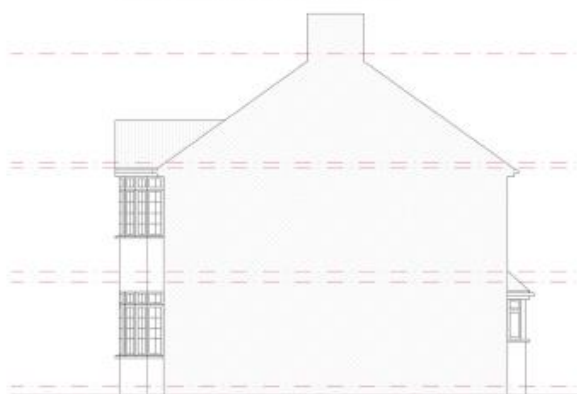
EXISTING FRONT ELEVATION



EXISTING LEFT SIDE ELEVATION



EXISTING REAR ELEVATION



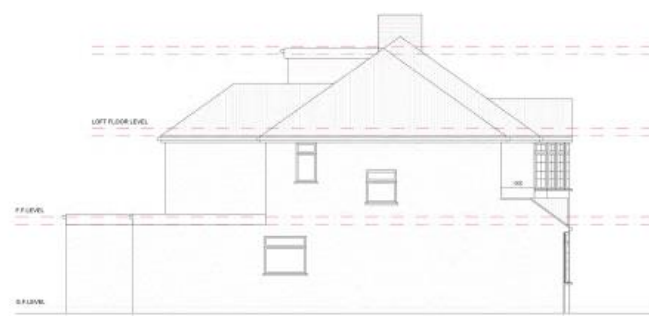
EXISTING RIGHT SIDE ELEVATION

## Proposed Elevations



PROPOSED FRONT ELEVATION

Sky lights to the front elevation. Fitted flush in line with existing roof slope

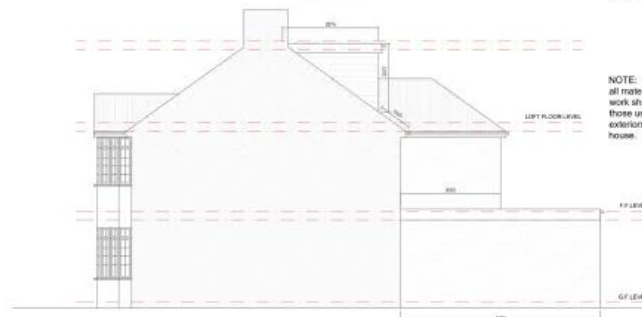


PROPOSED LEFT SIDE ELEVATION

Windows on the flank elevation of the dwelling house will be obscure glazed



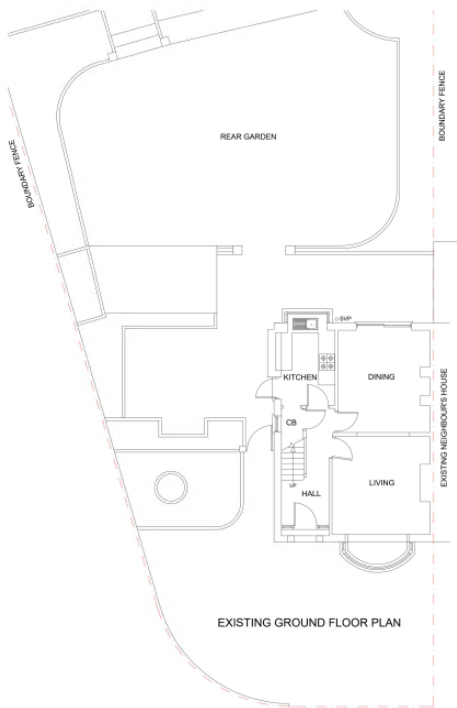
PROPOSED REAR ELEVATION



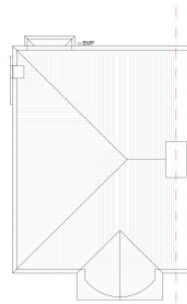
PROPOSED RIGHT SIDE ELEVATION

NOTE:  
all materials to be used in any exterior work shall be similar appearance to those used in the construction of the exteriors of the existing dwelling house.

## Existing Floor Plans



EXISTING FIRST FLOOR PLAN



EXISTING ROOF PLAN

Client	MI
	B
Project	20 MF MF
Drawing	E
Title	
Drawing	
Title	

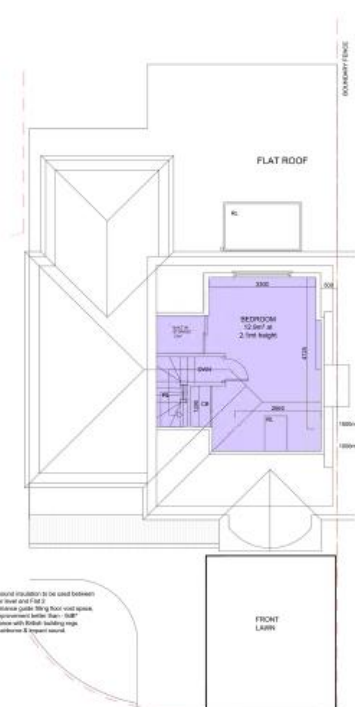
## Proposed floor plans



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

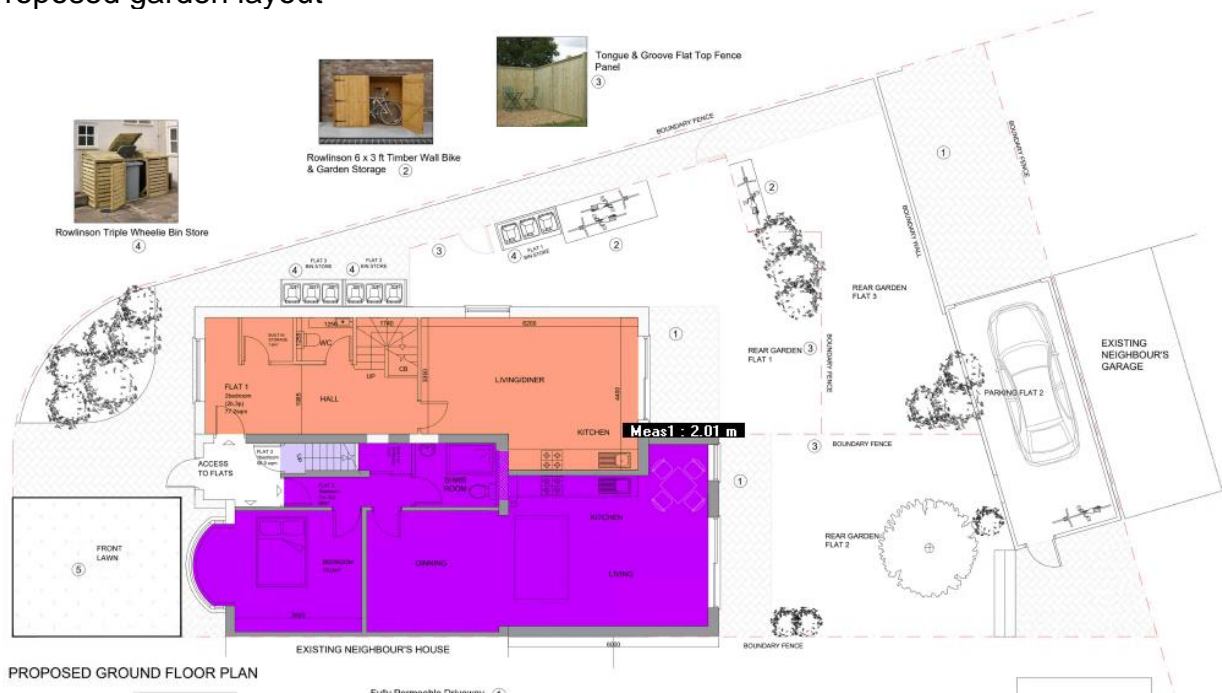


PROPOSED LOFT PLAN

FLAT NO.	BED / PERSONS NO.	GIA (sqm)
1	2B / 3P	77.2
2	1B / 2P	69.0

Client	MR MAHENDRA HIRANI
Drawing Title	PROPOSED FLOORPLANS
Drawing Title	PR20-98C
	20 CORFE AVENUE

# Proposed garden layout

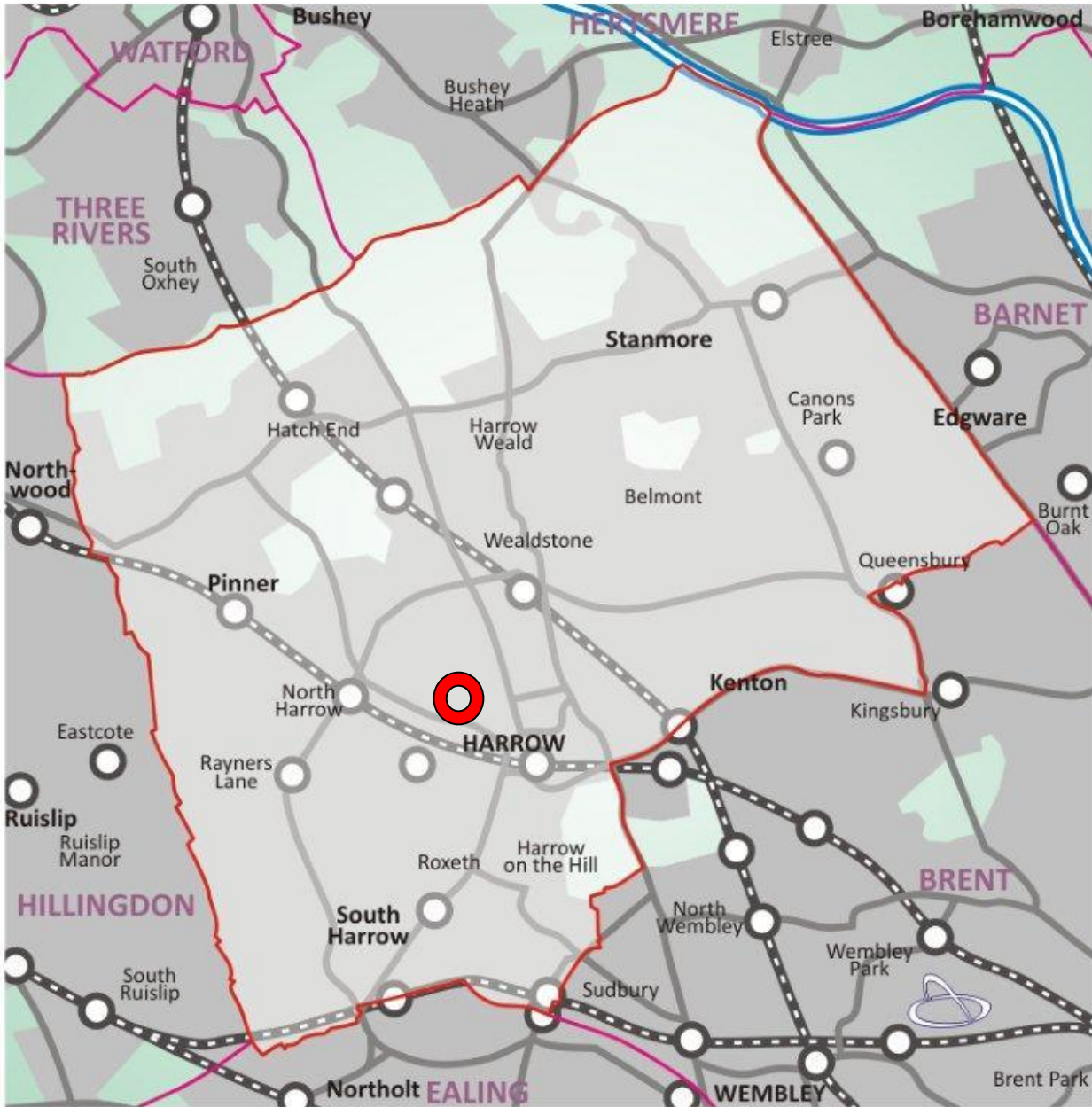


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Agenda Item: 2/03



 = application site

62 Devonshire Road, Harrow	P/3495/21
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# SITE PLAN



# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

13<sup>th</sup> April 2022

**APPLICATION NUMBER:** P/3495/21  
**VALIDATION DATE:** 07/08/2021  
**LOCATION:** 62 DEVONSHIRE ROAD, HARROW, HA1 4LR  
**WARD:** HEADSTONE SOUTH  
**POSTCODE:** HA1, 4LR  
**APPLICANT:** MRS LISE RING  
**AGENT:** LIGHTHOUSE DESIGN SOLUTIONS LTD  
**CASE OFFICER:** FERGUS FREENEY  
**EXTENDED EXPIRY DATE:** 18/04/2022

### **PROPOSAL**

Conversion of 5 X studio flats into 2 flats (1x2 bed and 1 X 1bed) flats; single storey rear extension (demolition of rear extension)

The Planning Committee is asked to consider the following recommendation:

### **RECOMMENDATION**

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

### **REASON FOR THE RECOMMENDATIONS**

The reconfiguration of the building from studio flats to self contained units creates a higher quality of accommodation and is considered to be appropriate in this location and would not have an adverse impact on the amenity of future occupiers or the occupiers of adjoining properties.

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 application is worthy of support.

### **INFORMATION**

This application is reported to Planning Committee at the request of a nominated member in the public interest.

Statutory Return Type: Minor Development  
Council Interest: None  
Net additional Floorspace: 16.7sqm  
GLA Community Infrastructure Levy £1,002

(CIL) Contribution  
(provisional)(£60p/sqm):  
Local CIL requirement (Provisional) £1,837  
(£110p/sqm):

## **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**

Policy D11 of the London Plan (2021) 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 a two-storey, with attic level, mid-terraced property located on the eastern side of Devonshire Road.
- 1.2 The site has historically been converted into 5 x studio flats. The UK VOA (Valuations Office Agency) website indicates that Council Tax has been paid on these properties since at least 2012. As such, they are the lawful use of the premises.
- 1.3 The area is predominantly residential in character comprising terraced and semi-detached dwellings of similar, traditional architectural styles.
- 1.4 The site has a Public Transport Accessibility Level (PTAL) of 2.
- 1.5 The site is not within a conservation area and is not a listed building. It is within a critical drainage area but is not subject to any other flood constraints.

## **2.0 PROPOSAL**

- 2.1 Planning permission is sought for the conversion of the existing 5 x studio flats into 2 x 2 bedroom flats and the construction of a single storey rear extension.
- 2.2 Refuse is to be provided in formalised bin stores at the front of the property together with 1 cycle store. Another cycle store is located in the rear garden.

### Revisions

- 2.3 The application has been revised during the course of the determination period, as follows:
- Removal of first floor rear terrace
  - Increase in defensible space (landscaping) in front of the ground floor bedroom window
  - Revisions to the front garden bin and bike storage
  - Introduction of front boundary wall

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 There is no planning history on the site.

## **4.0 CONSULTATION**

- 4.1 A total of 7 consultation letters were sent to neighbouring properties regarding this application. A site notice was also displayed. The overall expiry date of the first consultation was 15/11/2021.

- 4.2 Following design revisions a second consultation was carried out, with letters sent to neighbours. This consultation expired on 22/02/2022
- 4.3 A total of 2 responses have been received to date.
- 4.4 A summary of the responses received along with the Officer comments are set out below:

- No.60 requested sound proofing between the properties  
**Officer Comment:** This is not a planning matter, the number of units is reducing and the use is remaining residential within the original building envelope (with a modest rear extension). The house is a standard Victorian building and will have the same thickness of walls between neighbours as all the other buildings in the same terrace.

- Reduction of light to No.64  
**Officer Comment:** The proposed single storey rear extension extends only 74cm beyond the original rear outrigger of No.64 and complies with the SPD. There would be no unacceptable loss of light resulting.

4.5 Statutory and Non Statutory Consultation

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

LBH Highways

No objection.

**Observations**

This site has a public transport accessibility level (PTAL) of 2 (poor). There are bus stops within a 5 minute walk from the site. Harrow Bus station and Harrow on the Hill Underground station are within a 13 minute walk from the site.

There are shops, restaurants, supermarkets and leisure facilities in Harrow town centre which is within a 12 minute walk.

**Access and parking**

In line with London Plan 2021 maximum car parking standards, developments in this PTAL 2 location may have up to 0.75 spaces per dwelling.

The proposal does not include any parking which is considered acceptable as most properties in this road do not have off-street parking, furthermore, despite the low PTAL, the site is not very far from Harrow town centre and can easily be reached on foot or by cycle. Residents who choose to live in this location may do so due to the proximity to the town centre.

### **Cycle parking**

In line with London Plan 2021 minimum cycle parking standards, at least 2 secure, sheltered and accessible spaces are required for each dwelling. No information has been provided, therefore a condition requiring details should be applied should the application be granted.

### **Summary**

This proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, therefore subject to conditions, Highways have no objection.

### **Suggested conditions:**

- Prior to commencement of development, details of shelters, racks, dimensions and location of a minimum of 2 long stay cycle parking spaces for each residential dwelling shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be made available prior to occupation and shall be retained thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy T5 of The London Plan 2021 and policy DM 42 of the Harrow Development Management Policies. This is a PRE-COMMENCEMENT condition.

### Drainage

No comments received

### Waste Management Policy Officer

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 2021] 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 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies, Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

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

## **6.0 ASSESSMENT**

6.1 The main issues are:

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

## **6.2 Principle of Development**

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- Policy CS1.A of Harrow's Core Strategy (2012)
- London Plan Policies H1, H2 and H8

6.2.2 Policy H8 of the London Plan states that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace.

6.2.3 It is noted that the development would result in the net loss of three studio units, however, these existing units do not comply with the London Plan minimum space standards and are therefore considered to be substandard housing (see discussion below).

6.2.4 It should also be noted that there would be no overall loss of residential floorspace as the building envelope is being slightly enlarged by the rear extension. The overall number of occupants is also likely to be the same, or similar as existing given that it is currently set up as 5x 1-person studios.

6.2.5 Furthermore, the Council is meeting its borough housing targets and the loss of three substandard studio apartments is not considered to affect the borough's housing supply going forward. The proposal to replace the existing poor-quality units with a two self contained two bedroom flats) meets the Council's policies in other respects.

6.2.6 As such, the principle of the development is considered acceptable.



## **6.3 Character of the Area**

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Policies (2013): DM1, DM23
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)

6.3.2 The proposed extension would project approximately 0.74m beyond the neighbouring original outrigger at No.64 (to a total depth of 4.5m), and would broadly align with the adjoining neighbouring extension at No.60 which is 4m deep to the rear elevation, but contains a projecting eaves to 4.7m. The extension would have a maximum height of 3.15m.

6.3.3 This complies with the SPD which generally permits extensions to be up to 3m beyond neighbouring extensions and up to 3.5m in height at the mid-point on a mono-pitched roof.

6.3.4 The existing forecourt is predominantly paved, with the exception of some low quality shrubs and planting which does not contribute positively to the appearance of the streetscape. The proposal would reinstate a front boundary wall in a Victorian style to contribute to host building, would provide formal bin stores (3 bins per dwelling) and a bike store for the upper floor flat. Enhanced planting areas will be provided at the shared boundary with No.64 and in front of the ground floor bay window to provide defensible space.

6.3.5 The introduction of some enhanced quality landscaping, formal bin stores and reinstatement of a lost period feature in the form the front boundary wall, is considered to be an enhancement to the current situation and positively contributes to the streetscene, while providing defensible space for the ground floor flat bedroom window. Therefore, this element of the proposal is acceptable subject to further details regarding the soft landscaping works, and details of the bike and bins stores, which can be secured by condition.

6.3.6 In conclusion, the proposal is considered to have an acceptable impact on the character and appearance of the main house and the streetscape due to the appropriateness of the external changes proposed.

## **6.4 Residential Amenity**

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3, D6,
- Harrow Development Management Policies (2013): DM1, DM26
- Harrow's Core Strategy (2012): CS1

- Mayor of London Housing Supplementary Planning Guidance (2016)
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016);

#### 6.4.2 *Impact of Development on Neighbouring Amenity*

6.4.3 As noted above, the proposed single storey rear extension fully complies with the Design Guide SPD. It projects no more than 0.74m beyond the rear of No.64 and generally aligns with No.60, and is no more than 3.15m in height. As such, it is not considered to introduce any significant adverse amenity impacts to either adjoining neighbour.

6.4.4 The conversion of the property would not significantly vary the intensity of use of the dwelling and its coming and goings. It would remain residential in character and use.

6.4.5 The proposal is therefore considered acceptable in terms of neighbouring amenity impacts in accordance with the relevant policies.

#### *Future Occupiers – Internal Configuration and Quality of Accommodation*

6.4.6 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, ‘housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts’. It also sets out the minimum internal space standards for new dwellings. The use of these residential unit GIAs as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that ‘proposals will be required to comply with the London Plan minimum space standards. The National Technical Housing Standards provide additional detail.

6.4.7 The proposed development includes the following:

Flat no.		Proposed Floor Area (m <sup>2</sup> )	Minimum Floor Area Required (m <sup>2</sup> )
Flat 1 – (2 bed, 4 persons, 2 storey)	Total GIA	95.5	79
	Storage	2	2
Flat 2 – Upper level (1 bed 2 person, 2 storey)	Total GIA	60	58
	Storage	1.5	1.5

6.4.8 The proposed dwellings would meet the above space standards in terms of GIA and all of the habitable rooms are provided with windows which allow for sufficient levels of natural light and adequate outlook.

- 6.4.9 With regards to vertical stacking, the layout of the proposed flats have been arranged to ensure bedrooms would not overlap living rooms/kitchen. Therefore, the vertical stacking of the proposed units is acceptable. Enhanced sound insulation has been provided at the shared wall at first floor level between each unit. Additionally, the development will need to comply with building relations. Therefore, horizontal stacking is considered acceptable.
- 6.4.10 In regard to amenity space, the existing garden would be given to the lower ground floor unit. It is not considered viable to subdivide the flat to enable access to the rear garden without substantially altering the design and layout of the scheme in a contrived manner. Given the loss of habitable space that would result it is not considered reasonable for amenity space to be provided for the upper floor unit. This is supported in the SPD which states at paragraph 5.16 that 'the Council will seek to ensure all flats (except for the conversion of maisonettes above shops and mid-terrace properties) have access to a garden'. Given that this is a one bedroom dwelling, within a mid-terrace property and is located within walking distance of Harrow Recreation Ground it is acceptable.
- 6.4.11 London Plan seeks 2.5m floor to ceiling heights for 75% of the Gross Internal Area (GIA), the Nationally Described Space Standards advise that the minimum floor to ceiling height should be 2.3m for 75% and essentially override the London Plan (given that they are national standards). The floor to ceiling height exceeds 2.5m at ground and first floors and generally exceed 2.3m in the attic. As such, Flat 1 complies with the London Plan (with all floor to ceiling heights being a minimum of 2.5m) and Flat 2 complies with the Nationally Described Space Standards (with approximately 82% of the floor area exceeding 2.3m)
- 6.4.12 The proposal is therefore acceptable in terms of the amenity of future occupiers of the flats in accordance with the relevant policies.

## **6.5 Traffic, Parking and Servicing**

- 6.5.1 The relevant policies are:
- The National Planning Policy Framework (2021)
  - The London Plan (2021): T4, T5, T6
  - Harrow Development Management Policies (2013): DM42, DM45
  - Harrow's Core Strategy (2012): CS1
- 6.5.2 Policies DM1 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.
- 6.5.3 The site lies within a Public Transport Accessibility Level (PTAL) of 2 (poor). The London Plan advises a maximum parking requirement of up to 0.75 spaces for 1-2 bed dwellings in PTAL 2 areas. The proposal does not include any parking which is considered acceptable as most properties in this road do not have off-street parking, furthermore, despite the low PTAL, the site is not very far from Harrow town centre and can easily be reached on foot or by cycle. Residents

who choose to live in this location may do so due to the proximity to the town centre.

- 6.5.4 Additionally, given that there will be a reduction of 5 studio flats to only 2 flats, there may be a reduction in car ownership on the site, and therefore a reduced need for on-street parking.
- 6.5.5 In respect to cycle parking, Policy T.5 and table 10.2 of The London Plan (2021) requires a minimum of 2 spaces per two bed and 1 space per one bed. The proposal shows a cycle store at the front of the building to provide parking to the upper floor flat, and one at the rear for the ground floor flat.
- 6.5.6 The Council's Highway officer has been consulted and has no objections subject further details of the cycle storage units, which has been conditioned.
- 6.5.7 In terms of servicing, the refuse storage for the flats is proposed at the front, within purpose built formal bin stores. The Council's Code of Practice for Waste requires that each dwelling have a minimum 2-bin system, a garden waste bin is option. In this instance each flat will have access to space for 3 standard sized wheelie bins. Notwithstanding, a condition of consent requiring full details of waste storage be provided prior to occupation to ensure that the layout and materials of the bin-stores are appropriate to the streetscene.

## **6.6 Development and Flood Risk**

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan (2021): S1 12, SI 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

6.6.2 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."

6.6.3 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, although it is noted that no material external alterations are proposed.

## **6.7 FIRE SAFETY**

6.7.1 Part A of Policy D12 of the London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. A condition is recommended to ensure that a fully comprehensive fire strategy is provided prior to occupation.

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

- 7.1 The proposed development provides acceptable and policy compliant residential dwellings for future occupiers and does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with Policy D6 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy 2012 and policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013).

### Checked

Interim Head of DM	DM 29/03/2022
Corporate Director	DP 31/03/2022

## **APPENDIX 1: Conditions and Informatives**

### **Conditions**

#### 1. Timing

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

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

#### 2. Approved Drawing and Documents

The development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and document Schedule of application documents:

PI002; PI003 Rev 19.03/.2022; PI004; PI005 Rev 5.02.2022; PI006 Rev 5.02.2022; Design and Access Statement (August 2021)

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

#### 3. 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 in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

#### 4. Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the forecourt of the site. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

#### 5. 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(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others

of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

6. Cycle Storage

Prior to the first occupation of development, details of secure and sheltered cycle stores (including dimensions, elevations and external materials) to be located within the front and rear gardens, providing a minimum of 2 long stay cycle parking spaces for each residential dwelling shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be made available prior to occupation of the development and shall be retained thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy T5 of The London Plan (2021) and policy DM 42 of the Harrow Development Management Policies (2013).

7. Permitted Development Restriction

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.

8. Secure by Design Accreditation

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 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. the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

9. Refuse Storage

Prior to occupation of the dwellings, details of the waste storage area including a minimum 2-bin system for each dwelling shall be submitted and approved by the local planning authority. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

10. Fire Safety

Prior to occupation a Fire Safety Statement shall be submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point
- 2) is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) is constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021). To ensure appropriate fire safety measures are approved before development is occupied.



## Informatives

### 1. Policies

The following policies are relevant to this decision:

#### **National Planning Policy Framework (2021)**

#### **The London Plan (2021):**

D3, D4, D6, D12, T5, T6; H1, H2, H8

#### **Harrow Core Strategy (2012):**

CS1

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

DM1, DM2, DM10, DM22, DM23, DM26, DM27, DM42, DM45

#### **Supplementary Planning Documents:**

Supplementary Planning Document Residential Design Guide (2010)

Technical housing standards - nationally described space standard (2015).

Major of London Housing Supplementary Planning Guidance (2016)

### 2. Pre-application engagement

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

This decision has been taken in accordance with paragraphs 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. 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.

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. Designing Out Crime

For further information regarding Secure By Design, the applicant can contact the North West London Designing Out Crime Group on the following: [DOCOMailbox.NW@met.police.uk](mailto:DOCOMailbox.NW@met.police.uk)

8. **INFORM67 - Fire Safety Statement.** The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.

PLAN LIST

PI002; PI003 Rev 19.03/.2022; PI004; PI005 Rev 5.02.2022; PI006 Rev 5.02.2022; Design and Access Statement (August 2021)

9. Mayoral 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 Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £1,002

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 planning portal 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

## 10. 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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £1,837

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

11. Remove Yellow Site Notice

A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS

Front elevation



Rear Elevation



Neighbouring extension at No.60

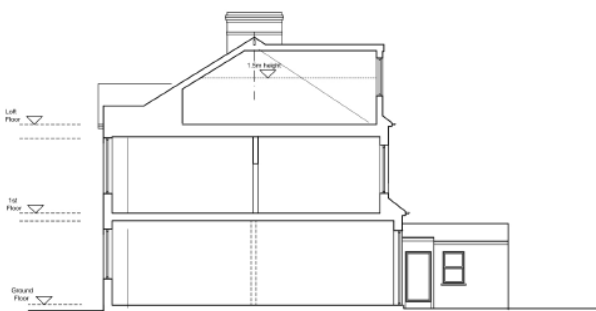


Neighbouring extension at No.64



**APPENDIX 4: PLANS AND ELEVATIONS**

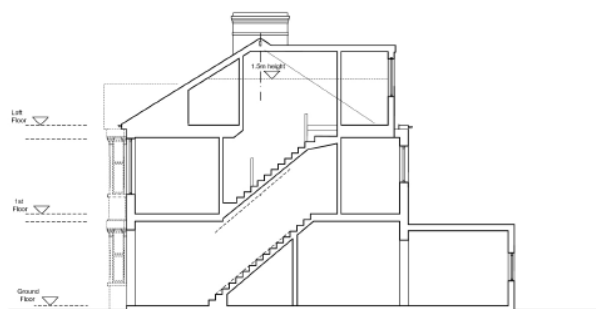
**Existing Elevations**



**Section A-A**



**Rear Elevation**



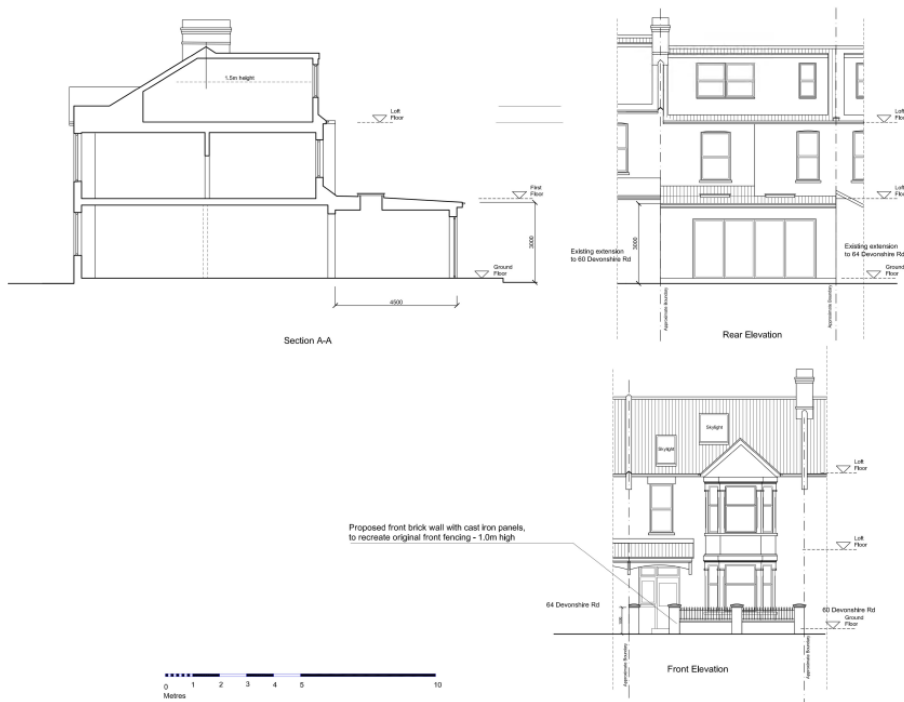
**Section B-B**



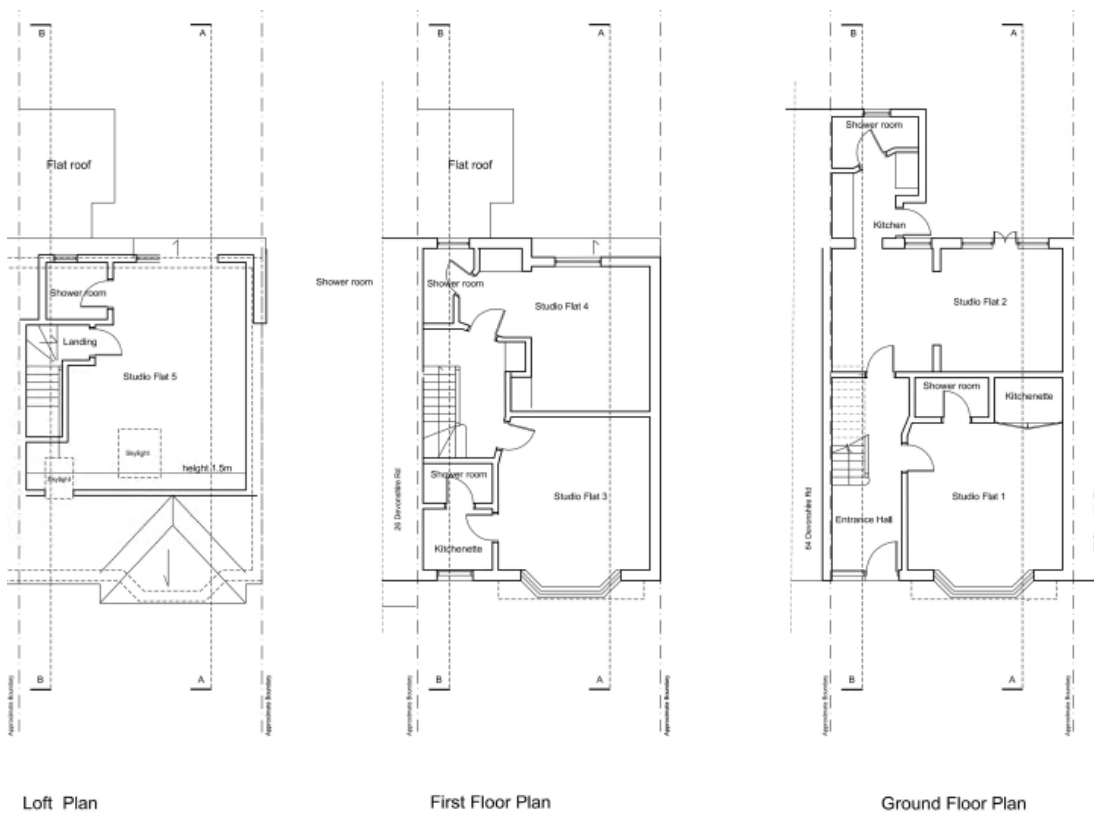
**Front Elevation**



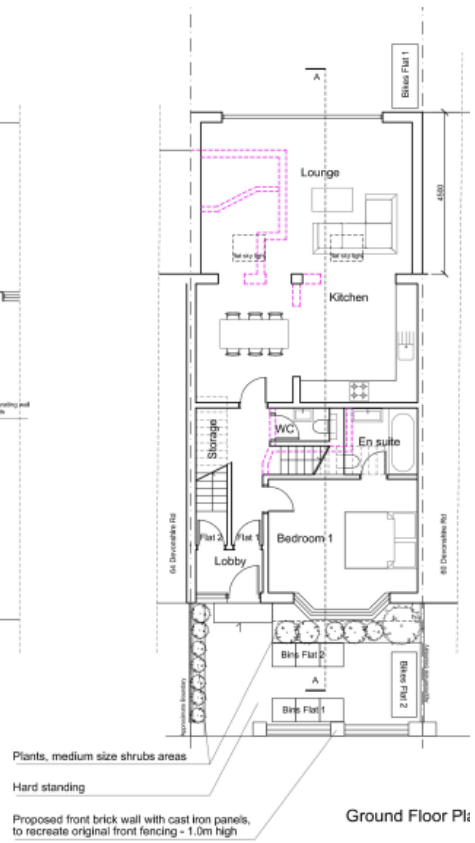
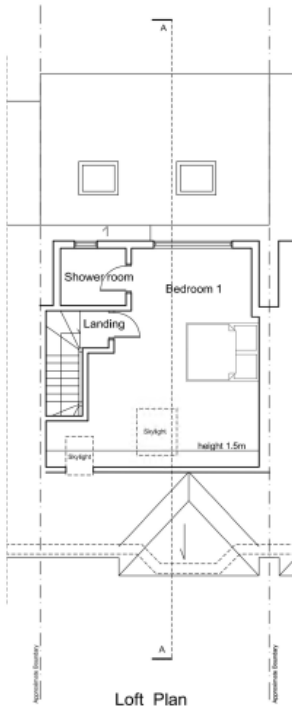
## Proposed Elevations



## Existing Floor Plans



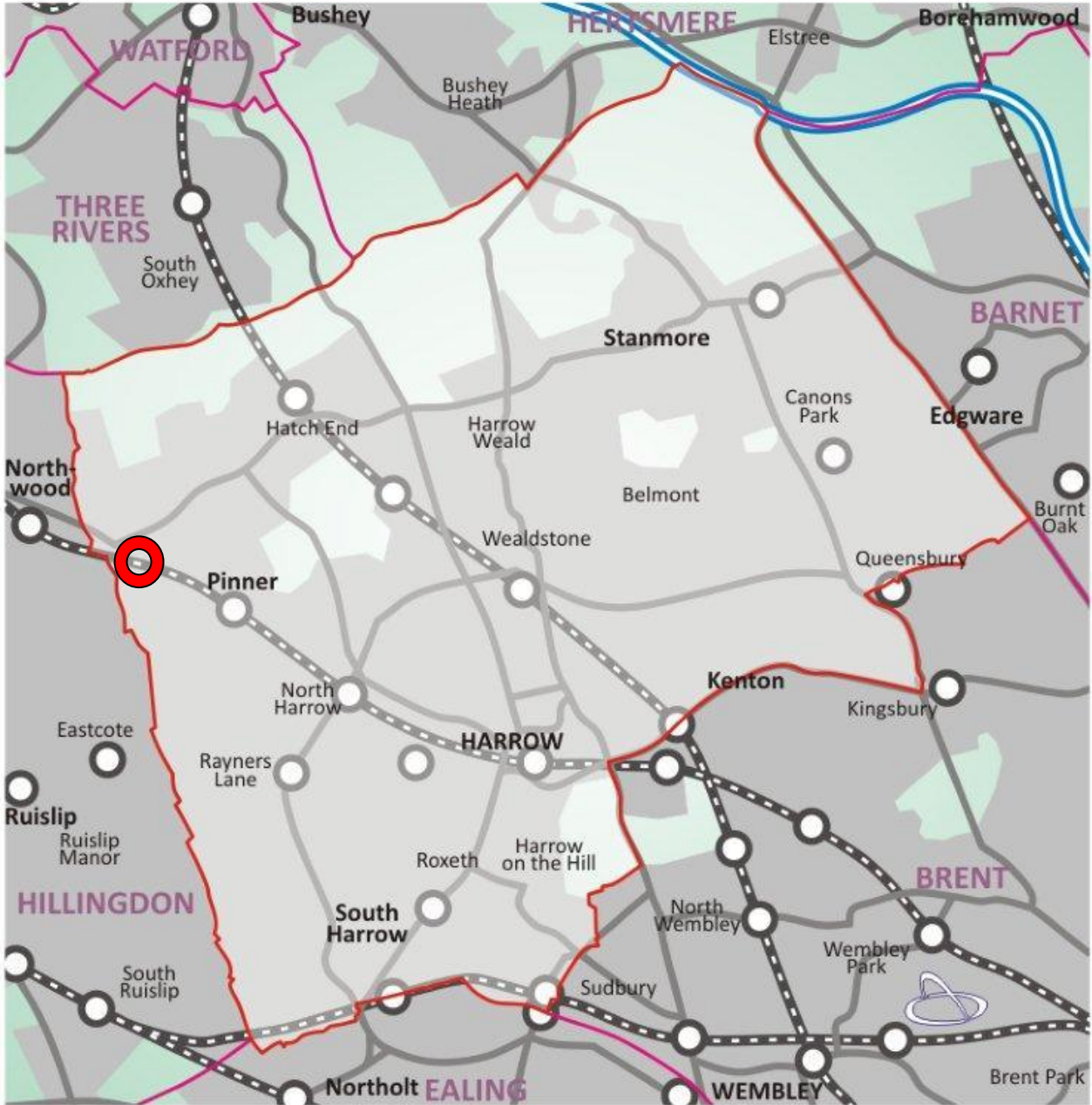
## Proposed floor plans



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 = application site



<b>102 West End Lane</b>	<b>P/4887/21</b>
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## Location Plan



## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

13<sup>th</sup> April 2022

**APPLICATION NUMBER:** P/4887/21  
**VALIDATE DATE:** 23/12/2021  
**LOCATION:** 102 WEST END LANE  
**WARD:** PINNER SOUTH  
**POSTCODE:** HA5 3NG  
**APPLICANT:** REACHPRIME LTD  
**AGENT:** SAVILLS  
**CASE OFFICER:** CATRIONA COOKE  
**EXPIRY DATE:** 08/02/2022

#### **PROPOSAL**

Redevelopment to provide two storey building with habitable roofspace comprising of six flats (2 X 1 bed, 3 X 2 bed and 1 X 3 bed); proposed vehicle access; parking; bin and cycle stores

#### **RECOMMENDATION A**

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the 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. To enable the Council to undertake public consultation with an intention to implement double yellow lines in the vicinity of the development in order to maintain appropriate visibility at the access to the site.(Financial Contribution of £3,000)
  - ii. Monitoring fee of £ £1,870
  - iii. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.

#### **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 30<sup>th</sup> June 2022, or as such extended period as may be agreed by the Interim Chief Planning Officer, then it is

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 implement double yellow lines in the vicinity of the development in order to maintain appropriate visibility at the access to the site, would result in unacceptable impact on road safety contrary Policy DM43 of the Harrow Development Management Policies Local Plan and Policy T3 of the London Plan (2021).

### **REASON FOR THE RECOMMENDATIONS**

The proposal would contribute towards housing stock within the Borough and the principle of redeveloping the site in order to provide additional residential accommodation is considered acceptable.

The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.

Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the surrounding area, or the residential amenities of the neighbouring or future occupiers and the design is considered to be sympathetic to the character of the local area.

Accordingly, weighing up the development plan policies and proposals along with other material considerations including comments received in response to notification and consultation as set out below, Officers consider and conclude that, subject to planning conditions, the proposed development is acceptable and worthy of support. In accordance with the National Planning Policy Framework, including its presumption in favour of sustainable development, and subject to conditions, Officers recommend that the application is approved.

### **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:	451sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£27,060
Local CIL requirement:	£71,535.85



## **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**

Policy D11 of the London Plan (2021) 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 application site relates to a two storey detached dwellinghouse located on an irregular shaped large plot on the easter side of West End Lane. The site is adjoined to the north by a railway line and to the south by 100A West End Lane.
- 1.3 The site has a Public Transport Accessibility Level (PTAL) of 2.

## **2.0 PROPOSAL**

- 2.1 The application seeks to demolish the existing dwellinghouse and construct a two storey building with habitable roofspace containing six flats
- 2.2 The proposed new building takes a contemporary arts and craft approach with a degree of informality and idiosyncrasy.
- 2.3 The ground floor would provide one 3 bedroom 4 person and one 2 bedroom 4 person flat, the first floor would provide two 2 bed 4 person flats and the third floor (roofspace) would provide two 1 bedroom 2 person flats. Lift access is provided to all flats. Each flat would have private amenity space and a large communal amenity space is provided.
- 2.4 The proposal development would provide five parking spaces.

## **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>
LBH/2503	Erect 2-storey ext. House _	Granted 17/08/1967
LBH/2503/2	Erection of single storey extension to rear of dwellinghouse _	Granted 15/04/1976
P/3064/21	Redevelopment to provide two storey building with habitable roofspace comprising of eight flats (2 x 1 bed 4 x 2 bed and 2 x 3 bed); proposed vehicle access; parking; bin and	Refused 27/10/2021

	cycle stores	
<p>Reason for refusal:  The proposal, by reason of the overall footprint and siting on a private residential garden, would result in an inappropriate form of development at odds with the spatial strategy for the Borough of directing new residential and other development to the Harrow and Wealdstone Opportunity Area, town centres and, in suburban areas, to strategic previously developed sites and would therefore harm its implementation and the contribution that gardens make to the character of the area contrary to the National Planning Policy Framework (2021), Policies CS1.A and CS1.B of the Harrow Core Strategy (2012), and the adopted Supplementary Planning Document Garden Land Development (2013).</p>		

#### 4.0 Consultation

4.1 A total of 21 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 13th January 2022. A total of 27 responses were received.

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

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

<ul style="list-style-type: none"> <li>- Overly dense development (garden land development)</li> </ul> <p><i>Officer comment: Refer to section 6.3 below. The development is not considered to be 'garden land' development pursuant to the Garden Land SPD</i></p> <ul style="list-style-type: none"> <li>- Overlooking</li> </ul> <p><i>Officer comment: Refer to section 6.4.2 below. The development is not considered to result in unacceptable levels of overlooking</i></p> <ul style="list-style-type: none"> <li>- increase in traffic/road safety</li> </ul> <p><i>Officer comment: Refer to section 6.5 below. The highways officer has not raised concerns in this regard.</i></p> <ul style="list-style-type: none"> <li>- Could result in future flat development</li> </ul> <p><i>Officer comment: The planning department cannot pre-empt hypothetical future development. All development is assessed on its own merits when and if an application is received.</i></p> <ul style="list-style-type: none"> <li>- Change in character of area</li> </ul> <p><i>Officer comment: Refer to section 6.2 and 6.3 below.</i></p>
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- Impact on public services due to overpopulation

*Officer comment: The development will be required to make appropriate Community Infrastructure Levy contributions which will go towards providing social, economic and environmental infrastructure to support and meet the demands arising from development.*

#### Consultee and Summary of Comments

##### **LBH Highways**

No objections subject to conditions and a legal agreement to secure a contribution to enable the Council to undertake public consultation with an intention to implement double yellow lines in the vicinity of the development in order to maintain appropriate visibility at the access to the site.

##### **LBH Drainage**

No objections subject to informatives

##### **LBH Waste Management Policy Officer**

No objections

##### **Tree Officer**

No objections subject to conditions

##### **Landscape Officer**

No objections subject to conditions

## **5.0 POLICIES**

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] 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 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

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

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Design, Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Waste and Servicing
- Flood Risk and Drainage
- Biodiversity
- Fire Safety

## **6.2 Principle of Development**

*The relevant policies are:*

- The National Planning Policy Framework (2021)
- The London Plan (2021): H1, H2, H9
- Harrow Development Management Policies (2013): DM24
- Harrow's Core Strategy (2012): CS1
- Supplementary Planning Document – Garden Land Development (2013)

### Garden Land Development

6.2.1 Within the context of planned growth across London, the proposal accords with Harrow's vision for the development of the Borough as a whole and the proposal would make a contribution to forecasted requirements for new housing in the Borough.

6.2.2 The principle of redeveloping the site in order to provide additional residential accommodation would be acceptable; subject to compliance with the Harrow Garden Land Supplementary Planning Document (SPD). The Council's Garden Land Development Supplementary Planning Document contains a presumption against garden land development. However, paragraph 2.5 of the SPD states that schemes that involve some increase in the built footprint of the site, where it does not involve substantial incursion into the garden would not be considered garden land development.

6.2.3 Officers consider the additional footprint that could be achieved by permitted development to be 125sqm (including potential for an 8m deep single storey rear extension). Furthermore, in calculating what would be acceptable under Harrow's Residential Design Guide SPD officers consider that an increase of 135sqm could be achieved. The proposed building would increase the footprint of the

existing dwelling from approximately 65sqm to 200sqm. While it is noted that this would be a significant increase in the footprint, the host property is a detached property sited within a large plot. Therefore as noted above there would be potential for an 8m deep single storey rear extension and a 4m wide single storey side extension. It is considered that the current application in reducing the footprint from 300sqm to 135sqm would address the previous reason for refusal. Accordingly, the proposal would conform to the SPD's guidance above. As such, it is considered that the footprint of the development would not result in a substantial incursion, therefore it would not be considered appropriate to refuse the application on the basis of the garden land development policy.

#### Loss of the existing dwelling

- 6.2.4 There is no policy within the Development Plan that resists the loss of existing dwellinghouses, provided that they are not designated heritage assets or affect the setting of a designated heritage asset. Therefore, the demolition of the existing dwelling is acceptable in principle.

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

*The relevant policies are:*

- National Planning Policy Framework (2021)
- The London Plan 2021: D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM22, DM23
- 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)

- 6.3.1 Policy D3.D(1) of the London Plan states that development should in terms of form and layout, enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Policy D3.D(11) goes on to states that in terms of quality and character, developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character

- 6.3.2 Policy DM1 of the DMP gives advice that "all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted".

- 6.3.3 The application site is located on a large plot. West End Lane is defined by detached properties with hipped roof forms. The appearance and character is varied along the streetscene and there is no one particular form of development.

The spaces/gaps between detached properties at first floor level are generally preserved. It is also noted that the subject site is anomalous in that it represents a larger and wider site. The proposal is considered to sensitively relate to its context.

- 6.3.4 The pattern of development in this street is characterised by detached houses sited within their plots with fairly spacious frontages. As noted above the subject site is an anomaly within the street given its plot size. Furthermore, given that the site is on a lower level than the street the scale of the development would not be overbearing when viewed from the public domain of West End Lane. The overall height and massing are considered appropriate for the site and the wider context.
- 6.3.5 The contemporary arts and crafts design approach of the proposed building is considered to be successful and would have an acceptable appearance within the locality.

#### Landscaping and Trees

- 6.3.6 The building is well setback within the site, and although a bigger mass than the existing house, allows for a generous allocation of private amenity space and retains many of the mature specimen trees. The submitted landscape details are indicative. A condition is recommended to ensure a detailed Landscape plan is approved prior to occupation.
- 6.3.7 Several C-grade trees are to be removed as part of the development, however, the majority of the mature trees are to be retained. The applicant has submitted an arboricultural report which includes a method statement and tree protection plan. The Council's Tree Officer has raised no objections to the proposal, provided that the method statement and protection measures are adhered to in full.

#### Waste and Cycle Storage

- 6.3.8 The proposed refuse would be located at the front of the building and the cycle storage would be located to the rear of the building and would not be readily visible from the street, as such, would not be detrimental to the character and appearance of the property and nearby area. A condition shall be imposed to ensure that the refuse and cycle store is secure and appropriate in its design and finish.
- 6.3.9 In summary, subject to the above detailed conditions, the development would accord with the relevant policies of the development plan in terms of character and appearance as set out above.

### **6.4 Residential Amenity**

*The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2, DM27
- London Plan Policy (2021): D6

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

#### Impacts on neighbouring properties

- 6.4.1 Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.
- 6.4.2 The application site is adjoined to the south by 100A West End Lane. The proposed development would be sited approximately 1.3m from the boundary with this neighbouring property. The proposed development would not dissect a 45 degree line drawn from the nearest first floor corners of this neighbouring property. Therefore it is considered that there would be an acceptable impact with regard to loss of light. With regard to overlooking two ground floor windows are proposed which would offer views of the flank wall of this neighbouring property which is considered acceptable. Concern has been raised by local residents regarding overlooking from the rear balconies. However, the siting of the rear balconies set 5m from the shared boundary would provide only oblique views of the neighbouring garden (100A West End Lane) which is considered acceptable.

#### Residential Quality of Proposed Development

- 6.4.3 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, ‘housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts’. It also sets out the minimum internal space standards for new dwellings. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD.
- 6.4.4 The proposed development includes the following:

	Proposed Size	Proposed GIA	Minimum GIA
Flat 1.1	3 bed 4 persons	74sqm	74sqm
Flat 1.2	2 bed 4 persons	75sqm	70sqm
Flat 2.1	2 bed 4 persons	70sqm	70sqm
Flat 2.2	2 bed 4 persons	72sqm	70sqm
Flat 3.1	1 bed 2 persons	50sqm	50sqm
Flat 3.2	1 bed 2 persons	52sqm	50sqm

- 6.4.5 The proposed dwellings would all meet the minimum floor space requirements. In terms of layout, all of the habitable rooms are provided with windows which allow for sufficient levels of natural light and adequate outlook. The floor to ceiling height for the flats would measure 2.8 metres which would exceed the London Plan requirement for 2.5 metres.



- 6.4.6 In regard to stacking, while it is noted that there are some stacking issues between the flats given that the proposal is for a new build, it would need to comply with Building Regulations requirements for sound insulation measures to ensure there would be no unacceptable noise transmission. Therefore, the proposed layout of is considered acceptable in this instance.

#### Amenity Space

- 6.4.7 Each flat is provided with private amenity space, with the upper floors flats with rear facing balconies. In order to protect the amenities of the two ground floor dwellings, each of these units would be provided with secure and enclosed private amenity areas. A condition has been recommended for details of boundary fencing/railing to be submitted for assessment in order to safeguard the amenities of the ground floor units.
- 6.4.8 A landscape masterplan to include planting, hard landscaping, boundary treatment, levels, landscape management and maintenance plan would be required to ensure the amenity value of the communal, private and front areas which shall be secured by condition.
- 6.4.9 Accessible Homes
- 6.4.10 Policy DM2 of the DMP seeks to ensure that all new housing is built to 'Lifetime Homes' standards.
- 6.4.11 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document Accessible Homes 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.
- 6.4.12 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. Accordingly, a condition of approval is required to ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all. Level access would be provided to the units and a condition is recommended to ensure that the development complies with Part M of Building Regulations.
- 6.4.13 Overall, it is considered that the proposed development is likely to provide an acceptable level of amenity for future occupiers, subject to conditions

## Secure by Design

- 6.4.14 The Designing Out Crime Officer has raised some concerns regarding the boundary treatment and the proposed cycle and refuse storage area. Therefore, in order to ensure the development is of a satisfactory level of safety and security, a condition to achieve Secure by Design accreditation has been attached.

## **6.5 Traffic, Parking and Servicing**

*The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM42. DM43
- London Plan (2021): T4, T5, T6

- 6.5.1 The site is located within an area with a Public Transport Accessibility Level (PTAL) of 2, which is considered to have poor access to public transport.
- 6.5.2 The existing vehicle access is shared with the access for No. 100A West End Lane. The proposal includes extending this to the maximum width permitted by the Harrow Vehicle Crossing policy which would allow for better access to the new development.
- 6.5.3 In line with London Plan maximum parking standards, this development would be permitted no more than 4.75 parking spaces. The proposal includes 5 spaces, therefore the proposed level of car parking is sufficient to accommodate the likely needs of the development.
- 6.5.4 Whilst the proposed level of car parking is acceptable, it is also acknowledged that visitors to the site may park on-street and also deliveries may take place on-street. To ensure good visibility is maintained, it would be appropriate to extend the double yellow lines that currently end part way along the bridge across the vehicle crossings. The applicant has agreed to enter into a legal agreement to make a financial contribution to provide additional yellow lines.
- 6.5.5 The London Plan 2021 requires 1.5 cycle spaces per one bedroom, 2 person flat and 2 spaces for each of the remaining flats which amounts to a minimum provision of 11 long stay spaces. A further two short stay stands are also required for visitors. The proposal includes 11 long stay spaces located in a purpose built store which is considered to be acceptable.
- 6.5.6 Overall it is considered that the proposed development would not raise any highway impact or safety concerns.

## **Waste and Servicing**

- 6.5.7 Waste storage would be provided at the front of the site the size of the store is considered suitable for the proposed development.

## **6.6 Flood Risk and Drainage**

*The relevant policies are:*

- The National Planning Policy Framework (2021)
- The London Plan (2021): SI 13
- Harrow's Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

- 6.6.1 The site is identified as a critical drainage area of Harrow. As the proposed development would not lead to an increase in impermeable surface area, no issues would arise in this respect. The Council's Drainage Officers have not objected to the application but have suggested conditions to deal with on-site drainage and water attenuation.

- 6.6.2 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

## **6.7 Biodiversity**

- 6.7.1 *The relevant policies are:*

- National Planning Policy Framework (2021)
- The London Plan (2021): G6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM20, DM21, DM22

- 6.7.2 The site represents a site where biodiversity could be enhanced and further details are required with regards to planting, bird/bat boxes to ensure the biodiversity gain will be delivered in accordance with the above policies. Officers are satisfied that this can be addressed through an appropriately worded condition.

## **6.8 Fire Safety**

- 6.8.1 *The relevant policies are:*

- National Planning Policy Framework (2021)
- The London Plan (2021): D12 (Part A)

- 6.8.2 Part A of Policy D12 of The London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply.

- 6.8.3 The applicant has not submitted a detailed fire strategy. Therefore, a condition has been attached to ensure the development meets this requirement prior to completion of damp proof course.

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

- 7.1 The proposal would contribute to the variety of housing stock in the borough. The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.
- 7.2 Given the location of the application site, Officers are satisfied that the proposal would maintain an appropriate quality of residential amenity for the adjoining occupiers. The biodiversity enhancements on the site would be secured via condition and provide sustainable urban drainage measures, improve access routes and provide high-quality hard and soft landscaping. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.
- 7.3 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

## APPENDIX 1: CONDITIONS AND INFORMATIVES

### Conditions

#### 1. Timing

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

REASON: To comply with the provisions of Section 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: Arboricultural Impact Assessment; Design and Access Statement; Floodrisk Assessment; Planning Statement; Transport Statement; GHA-XX-XX-DR-A-0310 Rev P01; GHA-XX-XX-DR-A-0210 Rev P01;

GHA-XX-XX-DR-A-0211 Rev P01; GHA-XX-XX-DR-A-0212 Rev P01; GHA-XX-XX-DR-A-0201 Rev P01; GHA-XX-XX-DR-A-0202 Rev P01; GHA-XX-XX-DR-A-0220 Rev P01; GHA-XX-XX-DR-A-0010 Rev P01; GHA-XX-XX-DR-A-0302 Rev P01; GHA-XX-XX-DR-A-2013 Rev P01; GHA-XX-XX-DR-A-2011 Rev P01; GHA-XX-XX-DR-A-2001 Rev P01; GHA-XX-XX-DR-A-2002 Rev P01; GHA-XX-XX-DR-A-2030 Rev P02; GHA-XX-XX-DR-A-2004 Rev P01; GHA-XX-XX-DR-A-2020 Rev P01; GHA-XX-XX-DR-A-0011 Rev P01; GHA-XX-XX-DR-A-0302 Rev P01; GHA-XX-XX-DR-A-0001 Rev P01; GHA-XX-XX-DR-A-0012 Rev P02; GHA-XX-XX-DR-A-2003 Rev P02; GHA-XX-XX-DR-A-2010 Rev P02; SK0041 P01

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

#### 3. Car Parking Design and Management Plan

The development hereby permitted shall not be occupied until a Car Parking Design and Management Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The plan shall set out the following:

- a. Details of general spaces that are to be 'active' electric vehicle charging point spaces and are to be 'passive' electric vehicle charging point spaces. The plan should outline the provision of one active Electric Vehicle Charging Point for at least 20% of spaces from the outset with the remaining 80% passive and the mechanism for converting passive provision to active should demand increase.
- b. Details of Disabled persons parking spaces in accordance with the levels set out in Table 10.6 of the London Plan 2021. The plan should outline

- the mechanism for converting standard spaces to disabled parking should demand increase.
- c. Mechanism for increasing the number of general spaces that have an 'active' electric vehicle charging point if monitoring demonstrates additional demand.
- d. Details of the allocation and management of the general and accessible car parking spaces.
- e. Details of how the car parking spaces could be removed in the future should they become surplus to requirements and potentially be re-provided as cycle storage or landscaping.
- f. Details of monitoring, management and enforcement procedures for parking within the site.

REASON: To ensure that the car parking is managed in a satisfactory manner and that the development contributes to more sustainable travel in accordance with Local Plan DM42 and Policy T6 and Policy T6.5 of the London Plan (2021).

#### 4. Construction Logistics Plan

No development shall take place, including any works of demolition, until a Detailed Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority in accordance with the format and guidance provided by Transport for London – [www.tfl.gov.uk](http://www.tfl.gov.uk). The Detailed Construction Logistics Plan shall provide for:

- 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;
- i) A scheme for recycling/disposing of waste resulting from demolition and construction works; and
- j) details showing the frontage/ the boundary of the site enclosed by site hoarding to a minimum height of 2 metres.

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

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network in accordance with Local Plan Policies DM1 and DM43 and Policy D14 of the London Plan (2021) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy T7 of the London Plan

(2021), this condition is a PRE-COMMENCEMENT condition.

5. Levels

No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, in accordance with policies DM1 of the Councils Development Management Policies Local Plan 2013. This is a PRE-COMMENCEMENT CONDITION to ensure adequate levels before the development commences on site.

6. Disposal of Surface Water/Surface Water Attenuation

The development hereby permitted shall not commence (other than works of demolition) until works for the disposal of surface water and 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 ensure that adequate drainage facilities are provided and to reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

7. Disposal of Sewage

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

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

8. Fire Safety

The development herein approved shall not commence (other than works of demolition) until a Fire Safety Statement has been submitted to and approved in

writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) Identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point;
- 2) Is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures;
- 3) Is constructed in an appropriate way to minimise the risk of fire spread;
- 4) Provide suitable and convenient means of escape, and associated evacuation strategy for all building users;
- 5) Develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in; and
- 6) Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021).

#### 9. Cycle Storage

Notwithstanding the details hereby approved, prior to the first occupation of development, details and dimensions (including external finish) of the secure cycle parking storage shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be made available prior to occupation and shall be retained thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy T5 of The London Plan 2021 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

#### 10. Refuse Storage 1

The development hereby permitted shall not be occupied until details of the refuse store including bin capacity have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of sustainable waste management of the site, in accordance with policy DM45 of the Councils Development Management



11. Refuse Storage 2

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

REASON: to safeguard the appearance of the locality.

12. Materials

Notwithstanding the details shown on the approved drawings, 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 shall be made available to view on site, and agreed in writing by, the local planning authority:

1. facing materials for the building, including brickwork and spandrel detail; windows/ doors;
2. boundary fencing including all pedestrian/ access gates;

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

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

13. 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 adjacent to the car park and screening around carparking area with hedge planting. Screening of the bin stores 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 in accordance with policy D3 The London Plan (2021), policy CS.1B of the Harrow Core Strategy (2012) and policy DM22 of The Development

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

15. Landscaping Management Plan

Notwithstanding the details requested above in condition 11, a Landscape Management Plan and Landscape Maintenance plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the communal hard and soft landscape areas shall be submitted and approved by the local planning authority prior to the first occupation of the development. The long term Landscape Management Plan for the whole of the proposed development will ensure the future success of the development, including the long term aims and objectives for all the external areas.

The landscape management plan shall be maintained throughout the lifetime of the development.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity in accordance with policy D3 of The London Plan (2021), policy CS.1B of the Harrow Core Strategy (2012) and policy DM22 of The Development Management Policies Local Plan 2013.

16. Biodiversity Enhancement

The development hereby permitted shall not commence above damp proof course level until full details of biodiversity enhancements for the site have been submitted to, and agreed in writing by, the local planning authority. The enhancements shall include;

- the type and location of bat and bird boxes to be built into the structure
- full details of measures to be taken to provide shelter and foraging for

invertebrate species at ground level, in the external building walls, and within the green walls and green roof areas.

The approved enhancements shall be implemented prior to the first occupation of the development and retained thereafter.

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

17. Satellite Dishes

Prior to the first occupation of the development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces.

18. Permeable Paving

Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding. In accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

19. Secure by Design

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D11 of the London Plan (2021) and Section 17 of the Crime & Disorder Act 1998.

20. Accessible Units

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

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with Policy D7 of The London Plan 2021, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

21. Site Hoardings

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

REASON: In the interests of amenity and highway safety, in accordance with policies DM1 and DM45 of the Development Management Policies Local Plan 2013.

## **INFORMATIVES:**

### 1. Policies

The following policies and guidance are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan 2021:

D1, D3, D4, D5, D6, D7, D8, D11, D12, G6, H1, H9, H10, S1 12, T5, T6.1, SI 13

Harrow Core Strategy 2012

CS1

Development Management Policies Local Plan 2013

DM1, DM2, DM10, DM20, DM21, DM22, DM27, DM42, DM43, DM44, DM45

Relevant Supplementary Documents:

Supplementary Planning Document: Sustainable Building Design (2010)

Supplementary Planning Document: Garden Land Development (2013)

The London Plan Housing Supplementary Planning Guidance (2016)

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

### 2. Considerate Contractor Code of Practice

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

### 3. Party Wall Act:

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

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

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

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

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

7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

#### 4. Compliance with planning conditions

**IMPORTANT: Compliance with Planning Conditions Requiring Submission and Approval of Details before Development Commences**

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

#### 5. London Mayor's CIL Charges

Please be advised that approval of this application (either by Harrow Council, or subsequently by 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 £27,060

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 £71,535.85

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](https://ecab.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)

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](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming)

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 (2021) 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 SI 13 of the London Plan (2021) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

10. Fire Safety Statement

The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it

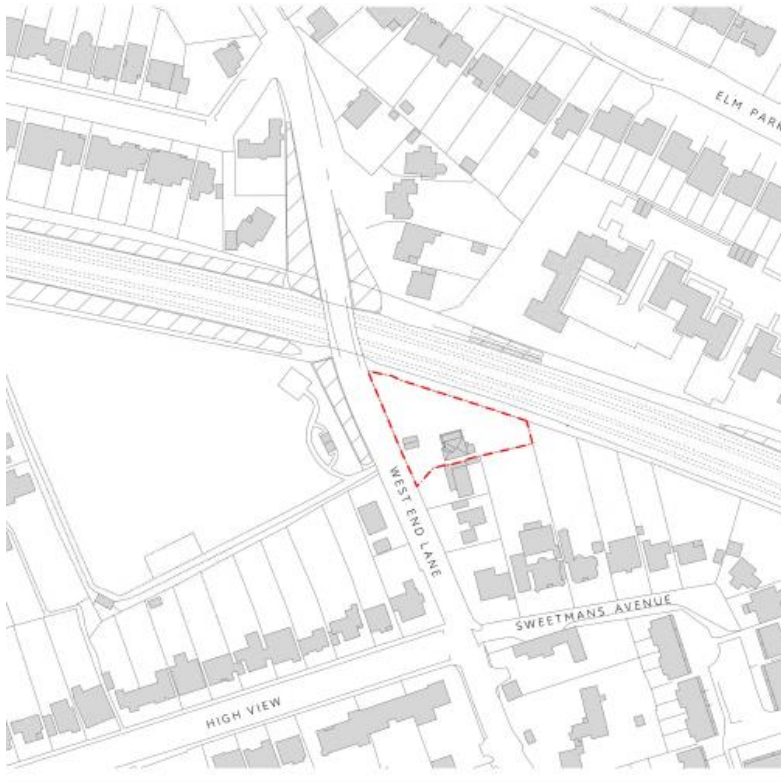


convey or imply any approval under those regulations.

Checked

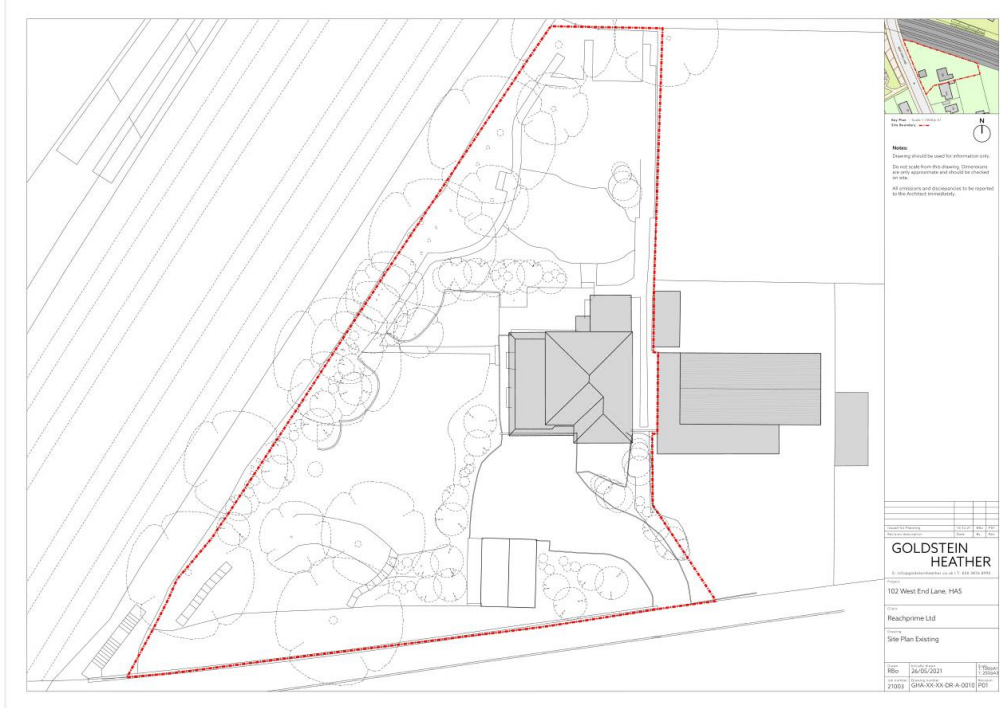
Interim Head of DM	DM 30/03/2022
Corporate Director	DP 31/03/2022

**APPENDIX 2: SITE PLAN**



## APPENDIX 2: PLANS

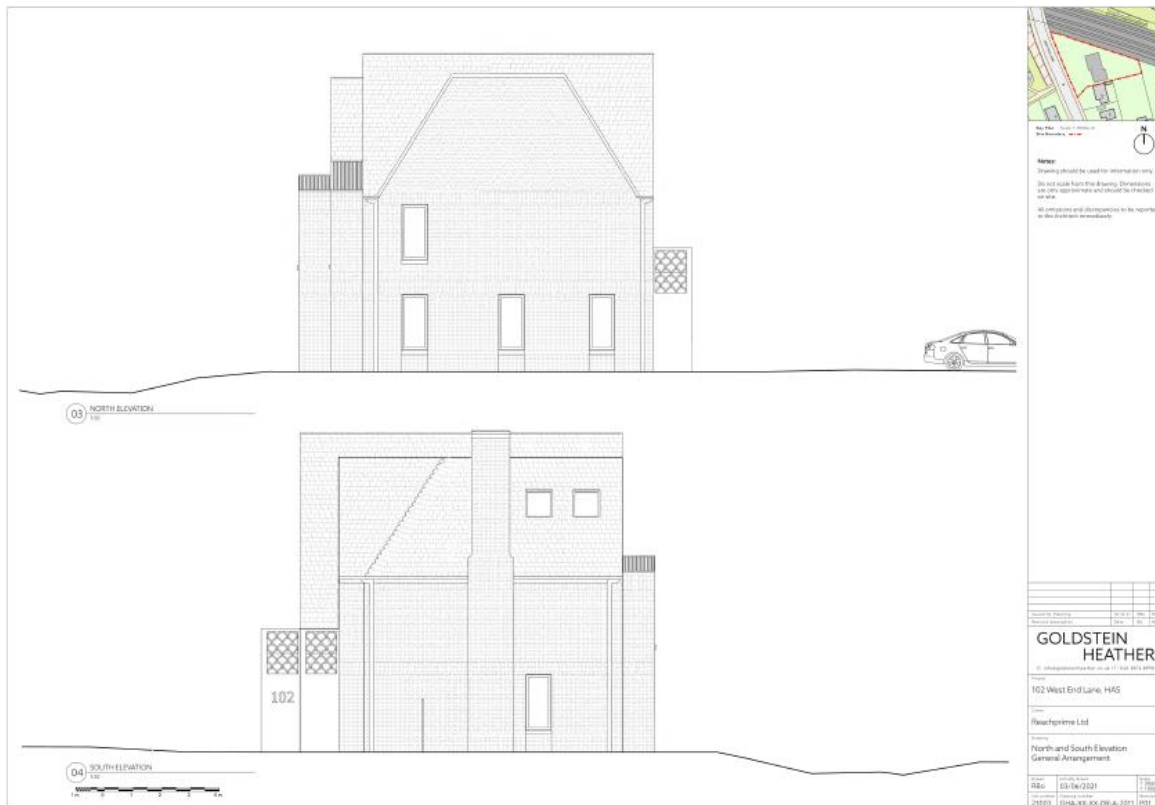
### Existing Site plan



### Proposed Site Plan



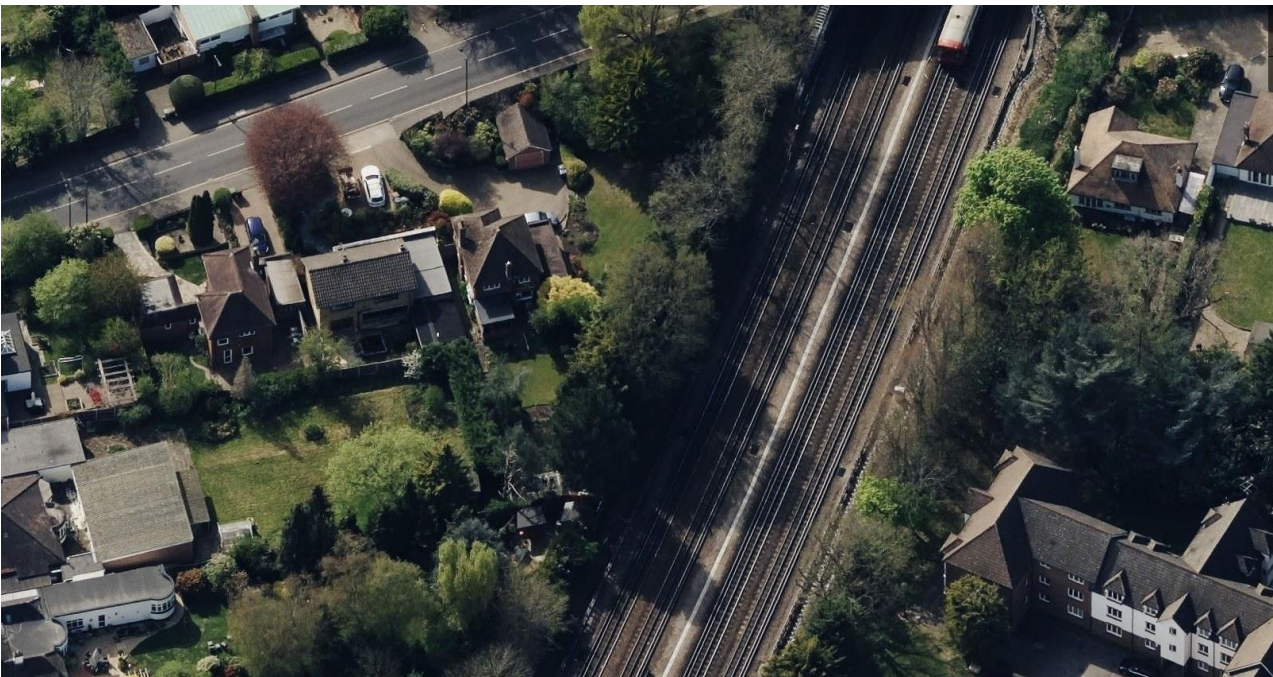
# Proposed Elevations







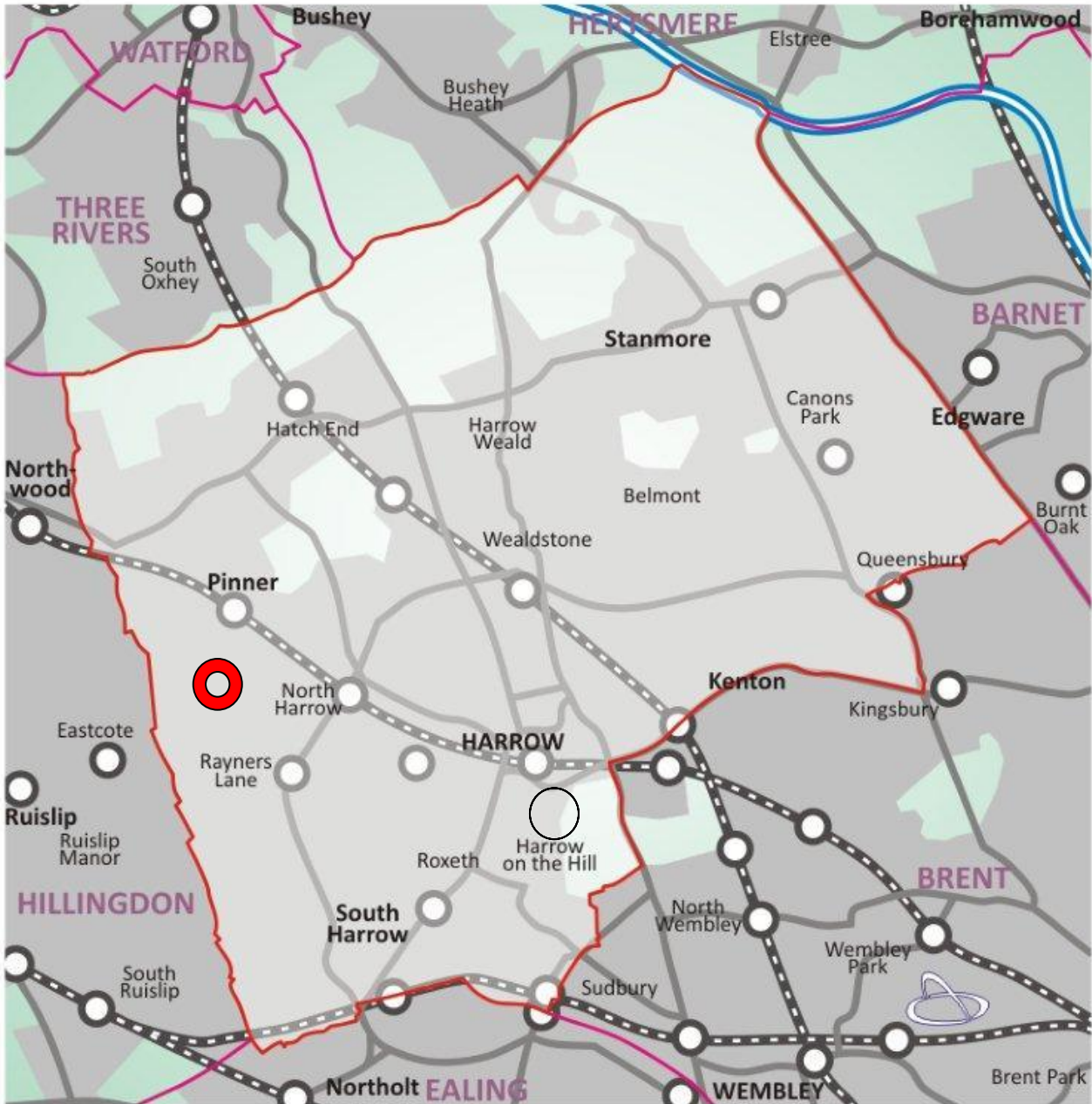
**APPENDIX 3: SITE PHOTOS**



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 = application site



<b>239 Cannon Lane, Pinner, HA5 1JB</b>	<b>P/0988/21</b>
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# Location Plan



**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**13<sup>th</sup> April 2022**

**APPLICATION NUMBER:** P/0988/21  
**VALID DATE:** 17/03/2021  
**LOCATION:** 239 CANNON LANE  
**WARD:** PINNER  
**POSTCODE:** HA5 1JB  
**APPLICANT:** MR UDAYASHANKAR  
**AGENT:** SURVEY DESIGN (HARROW) LTD  
**CASE OFFICER:** AKSHAY SISODIA  
**EXPIRY DATE:** 12/05/2021  
**EXTENSION OF TIME:** N/A

**PROPOSAL**

Single storey side extension; single and two storey rear extension; front porch; re-location of main entrance to front; external alterations (demolition of rear extension) (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**

This retrospective development does not detract from the character and appearance of the host building, street scene and area in a wider context, nor does it unduly impact upon the residential amenity of neighbouring occupants. The development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The applicant has provided a Fire Safety Plan to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1 and DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

## **INFORMATION**

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

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	Approximately 75 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 CRIME & DISORDER ACT**

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 application site relates to a two storey semi-detached dwelling located towards the south western side of Cannon Lane.
- 1.2 The host dwelling has been extended by way of a part single part two storey side to rear extension consisting of a flat roofed ground floor side element, a first floor side to rear element featuring a hipped roof form, and a ground floor rear element featuring a part flat part mono-pitched roof form. The dwellinghouse incorporates a crown roof to the centre of the main roof. The dwellinghouse's external finishes and proposed fenestration have been altered. Please refer to the Proposal Section (2.0) below for greater explanation on applied extensions and external alterations.
- 1.3 The adjoining dwellinghouse at No. 237 Cannon Lane has been extended by way of a hipped roofed first floor side extension, and also features a crown roof to the centre of the main roof. This neighbour benefits from a flat roofed ground floor rear extension and a ground floor side to rear outbuilding, in addition to an original dual pitched ground floor rear projection
- 1.4 The adjacent dwellinghouse at No. 241 Cannon Lane benefits from a flat roofed first floor side to rear extension which extends along the full depth of the main dwellinghouse and this property's original ground floor rear projection. It should be noted that 2.no flank bedroom windows are incorporated to the side of this extension. No. 241 Cannon Lane also benefits from a single storey side to rear garage, which directly flanks the boundary of the application site.
- 1.5 The host dwelling is not listed, is not within a Conservation Area, and is not located within a Critical Drainage Area and/or Flood Zone.

## **2.0 PROPOSAL**

- 2.1 The applicant seeks retrospective planning permission for a part single part two storey side to rear extension and external alterations to the dwellinghouse: The extension can be broken down into the following distinct elements:
- 2.2 A ground floor side extension that extends up to the flank boundary line with No. 241 at a width of approximately 2.35 metres. This element has a depth of approximately 8.8 metres (not including depth of ground floor rear element). This element features a flat roof form with front, side and rear parapet walls. The height from the base of the extension to the top of the parapet walls is approximately 3.47 metres. This element accommodates 4.no roof lights.
- 2.3 A ground floor rear extension that extends across the full width of the main dwellinghouse and the ground floor side element described above (approximately 8.75 metres in width). This element features a staggered depth with a minimum depth of approximately 4 metre beyond the main rear façade of the dwellinghouse, and a maximum depth of approximately 6 metres beyond the rear façade of the main dwellinghouse. The part with the greater depth is situated adjacent to the

boundary of No. 237. This element features a part flat part mono-pitched roof form, with both roof forms accommodating 1.no roof light. The flat roofed element has a height of approximately 3.47 metres and the mono-pitched element has an eaves height of approximately 3.5 metres, and a maximum height of approximately 3.47 metres.

- 2.4 A first floor rear extension, that extends partly beyond the side of the dwellinghouse's pre-existing flank wall. This element has a total width of approximately 4.5 metre and a total depth of approximately 3.2 metres. This element features a hipped roof form with an eaves height of approximately 5.2 metres, and a ridge height of approximately 6.3 metres.
- 2.5 The external alterations to the main dwellinghouse involve:
- 2.6 The insertion of a canopy to the front elevation of the building.
- 2.7 Alterations to fenestration with the repositioning of the dwellinghouse's side access door to the front elevation of the building and insertion of replacement to black UPVC framed windows in place of pre-existing windows.
- 2.8 The application of a white rendered finish with stonework to the front at ground floor level in place of the dwellinghouse's pre-existing pebble dash finish, and the installation of grey roof tiles.

### 3.0 **RELEVANT PLANNING HISTORY**

<b>P/1547/06</b>	FIRST FLOOR SIDE EXTENSION	<b>Granted: 04/09/2006.</b>
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<b>P/3158/17</b>	Two Storey Side And Rear Extension & Part Single Storey Rear Extension	<b>Withdrawn: 18/09/2017.</b>
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<b>P/4633/17</b>	Single and two storey side to rear extension; single storey rear extension; external alterations	<b>Granted: 03/01/2018</b>
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<b>P/3040/18</b>	Alterations to roof to form end gable; rear dormer; two rooflights in front roofslope	<b>Refused: 05/09/2018.</b>
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The proposed alterations to the roof to form a gable end, increasing the roof ridge height and construction of a rear dormer would result in bulky, obtrusive and incongruous additions to the original dwellinghouse which would fail to respect the character and proportions of the dwellinghouse and the visual amenities of the locality and streetscape. The proposal is therefore considered not acceptable in terms of policies 7.4 B and 7.6 B of The London Plan (2016), core policy CS1 (B) of the Harrow Core Strategy (2012), policies DM 1 and DM 27 of the Harrow Development Management Policies Local Plan (2013) and the Council's Supplementary Planning Document - Residential Design Guide (2010).

<b>P/3828/19</b>	Single Storey Rear Extension: 6 metres deep, 3.7 metres maximum height, 2.6 metres high to the eaves	<b>Withdrawn: 20/09/2019</b>
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<b>P/3861/19</b>	Single storey front, side and rear extension incorporating front porch	<b>Refused: 01/11/2019.</b>
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The proposed extensions by reason of the wide front gable design, conflicting and contrived roof forms, the front extension in close proximity to the existing bay window and relocation of the front door would not sympathetically relate to or harmonise with the style, scale or proportions of the original dwelling house and the character of the area. The proposal is therefore contrary to policy 7.4B of The London Plan (2016), policy CS1. B of the Harrow Core Strategy (2012), policy DM1 of the Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

<b>P/5302/19</b>	CERTIFICATE OF LAWFUL DEVELOPMENT (PROPOSED): Single storey side extension	<b>Granted: 17/02/2020</b>
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<b>P/0158/20/PRIOR</b>	Single Storey Rear Extension: 6 metres deep, 3.7 metres maximum height, 2.6 metres high to the eaves	<b>Prior Approval Not Required: 24/02/2020</b>
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<b>ENF/0056/21/P</b>	Unauthorised works (side extension)	<b>Under Investigation</b>
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### 3.1 Site History Context

3.2 As per the planning history outlined above, the applicant has permission for numerous extensions to the property, however the extensions and alterations implemented on site are not fully reflective of approved schemes, as such, the applicant has submitted this planning application to regularise the extensions and alterations implemented on site.

## 4.0 CONSULTATION

4.1 A total of 3.no consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 15<sup>th</sup> April 2021.

4.2 1.no objection has received from occupants of No. 241 Cannon Lane. Matters raised within this objection can be summarised as follows:

- The side extension has not been built in accordance with planning permission with the extension being built up to a height of 3.5 metres.
- Concerns over loss of light and outlook resulting from the side extension given that their main entrance is to the side of the property, and they feature 2.no bedroom window that face the extension.
- They did not object to a previously proposed side extension as it featured a pitched roof with an eaves height of 2.64 metres.
- No. 239 Cannon Lane features a clear glazed bedroom window facing towards their property, even though this was conditioned to be obscure glazed, this should be addressed.
- Concern over the side extension appearing out of character with other development within the area.
- Concern of the applicant failing to follow planning procedure, with them constructing the side extension without planning permission.
- Concern over the length of time taken for the Council to deal with the application and the lack of communication from Council staff.
- Concern over the design of the side extension leading to rainwater runoff onto their property.

#### 4.3 Statutory and non-statutory consultation

4.4 No internal or external consultees were consulted on the application.

### **5.0 POLICIES**

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] which 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 2021 [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]. The relevant policies are referenced within the report below and a summary within Informative 1.



## 6.0 **ASSESSMENT**

6.1 The main issues are:

- Character and Appearance of the Area
- Residential Amenity
- Drainage and Flood Risk
- Fire Safety

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

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)

#### 6.2.2 Ground Floor Side Extension

6.2.3 Officers consider the ground floor side element of the extension to be a congruous, proportionate and sympathetic addition to the host building street scene and area in a wider context. Whilst there are no similar examples of ground floor side extensions along this part of Cannon Lane, it should be recognised that there is not complete uniformity along this part of the road, with dwellinghouses being extended by many different variations of extensions. It should be recognised that the ground floor side element would have roughly the same overall footprint as the ground floor side extension approved under application P/5302/19. Whilst officers acknowledge that the overall height and massing of the ground floor side element is greater than the side extension approved under application P/5302/19, it still remains subordinate to the main dwellinghouse, and the increase in height and overall massing is not considered to be significant enough to unduly impact upon the overall visual amenity afforded along the street scene. The roof lights associated with the ground floor side element have a low scale external visibility due to the side element's front and side parapet walls, the roof lights form low scale additions to the host building and street scene.

#### 6.2.4 Ground Floor Rear Extension

6.2.5 The ground floor rear element of the extension is considered to be an acceptable addition on character and design grounds. The footprint of the ground floor rear element would be similar to the combined footprint of the rear extensions proposed under application P/4633/17 and P/0157/20/PRIOR. Whilst officers recognise that the applicant is not lawfully able to implement the extension approved under application P/0157/20/PRIOR alongside the extension approved under application P/4633/17, the overall depth and footprint of the ground floor rear element is still considered to remain proportionate to the main dwellinghouse. The design of the ground floor rear element is extensively different to the extensions proposed under

applications P/4633/17 and P/0157/20/PRIOR, with it incorporating a part flat part mono-pitched roof form as opposed to the fully pitched roof forms proposed under applications P/4633/17 and P/0157/20/PRIOR, irrespective the design of the ground floor rear element is not considered to detract from the character and appearance of the host dwelling. The ground floor rear extension has a low scale visibility along the street scene, it is not considered to detract from the overall visual amenity afforded along the road.

#### 6.2.6 First Floor Rear Extension

6.2.7 The first floor rear element of the extension is smaller in its footprint and massing than the first floor side to rear extension granted under application P/4633/17. Taking into account the previous approval and the fact that the Council's Planning Policy has not changed significantly since this approval, the first floor rear element of the extension is considered to be acceptable on character and design grounds.

#### 6.2.8 Front Canopy

6.2.9 Whilst officers note that there are no similar examples of front canopies along this part of Cannon Lane, on the basis that the new front canopy is limited in its massing and protrusion beyond the front façade of the dwellinghouse, it is considered to be a low scale and congruous addition to the host building and street scene.

#### 6.2.10 Fenestration Changes

6.2.11 The applied fenestration changes are considered to be acceptable on character and design grounds. The principle of repositioning the main access door from the side to the front has already been established under application P/5302/19 as such officers raise no objection to this. The design and appearance of the new front access door does not appear unduly at odds with other front doors within the area. The new replacement windows are similar in style and design to the dwellinghouse's pre-existing UPVC framed windows, whilst the colour of the windows have been changed to black, this is considered acceptable given the range of window frame colours applied along the street scene.

#### 6.2.12 External Finishes

6.2.13 The bulk of the main dwellinghouse and extensions have been finished in white render. Given the fact that there are various examples of white rendered properties along the street scene, this external finish is not considered to appear unduly at odds with the established pattern of development within the area. Whilst officers recognise that the stonework finishes applied to the front elevation at ground floor level and the deeper part of the ground floor rear element do not directly correspond with external finishes applied within the area, on the basis that these external finishes are only applied to small surface areas of the dwellinghouse, it is considered on balance to be acceptable. The roof of the dwellinghouse has been finished in grey roof tiles, whilst this would not directly match the pre-existing roof tiles and roof tiles applied to immediately surrounding properties, the alteration in the colouring is not considered to have a profound adverse impact on the character and appearance of the host dwelling, street scene and wider area. It is not uncommon for dwellinghouses within the borough to incorporate contemporary grey

roof tiles, many of which are able to achieve this under permitted development. In this particular instance given that the site is not listed and is not located within a designated conservation area, the visual impact of the new roof tiles is considered on balance to be acceptable.

6.2.14 In summary, the overall design of the proposed development is considered to be acceptable. The development remains sympathetic to the main dwelling and does not detract from the overall character and appearance of the host building, street scene and surrounding area.

### **6.3 Residential Amenity**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2020): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1

Relevant Supplementary Documents

- Residential Design Guide (2010)

#### Impact on No. 237 Cannon Lane

6.3.2 The ground floor side element of the extension is not considered to unduly impact upon the residential amenity of occupants at No. 237 Cannon Lane. This element is obscured from view by the body of the main dwelling as such the impact would be limited.

6.3.3 Whilst the mono-pitched part of the ground floor rear element substantially exceeds the flat roof of No. 237 Cannon Lane's adjacent extension, it sits parallel to No. 237 Cannon Lane's extension, and slopes down to an eaves that would not be significantly greater than No. 237 Cannon Lane's adjacent parapet wall. The flat roofed element to the rear of the mono-pitched element has a height of approximately 3.47 metres. The ground floor rear element of the extension projects approximately 3 metres beyond the rear of No. 237 Cannon Lane's adjacent ground floor rear extension. Given that fact that the flat roofed part of the extension does not protrude excessively beyond the rear of No. 237 Cannon Lane and is fairly comparable in terms of its height, it is not considered to unduly impact upon light and outlook afforded to this neighbouring property. The roof light associated with the mono-pitched part of the ground floor rear element is not positioned and orientated in such a way that it would introduce harmful views of this neighbouring property.

6.3.4 The first floor rear element of the extension is smaller in its footprint and massing than the first floor side to rear extension granted under application P/4633/17. Taking into account the previous approval and the fact that the Council's Planning Policy has not changed significantly since this approval, the first floor rear element of the extension is considered acceptable on residential amenity grounds.

- 6.3.5 On the basis, that it located towards the front of the dwellinghouse and forms a fundamentally forms an open structure, the new front canopy is not considered to unduly impact upon the residential amenity of occupants at No. 237 Cannon Lane.
- 6.3.6 The new and replacement fenestration associated with the development do not introduce harmful overlooking of No. 237 Cannon Lane.
- 6.3.7 The changes to the external finishes of the dwellinghouse represent purely cosmetic alterations, and do not unduly impact upon the residential amenity of any neighbouring occupants.

#### Impact on No. 241 Cannon Lane

- 6.3.8 The ground floor side element of the extension abuts the boundary with No. 241 Cannon Lane and sits parallel to this neighbouring property's main flank wall. Whilst officers acknowledge this this neighbouring property features a ground floor window and their main entrance door to the side elevation, this fenestration does not appear to be clear glazed and does not appear to serve a habitable room, as such the main dwelling would not be subject to an undue loss of light and outlook. Whilst officers acknowledge that the ground floor side element exceeds the recommended 3 metre height for ground floor side extensions at a shared boundary (Paragraph 6.41 of the Council's Residential Design Guide SPD), a fairly sizable gap is still retained between the flank wall of the extension and main flank wall of No. 241 Cannon Lane sufficiently limiting the visual dominance of the extension and preventing the creation of an unacceptable sense of enclosure. No. 241 Cannon Lane features first floor flank bedroom windows that overlook the roof extension. Given the fact that the ground floor side element is set well below the flank bedroom windows of No. 241 Cannon Lane and a fairly sizable gap is retained between the flank wall of the extension and main flank wall of No. 241 Cannon Lane, these windows are not considered to be subject to an unacceptable loss of light and outlook. The rooflights associated with this element are not positioned and orientated in such a way that they result in harmful overlooking of No. 241 Cannon Lane.
- 6.3.9 The ground floor rear element of the extension projects roughly in line with the ground floor rear extension granted under application P/4633/17 on the side where it borders No. 241 Cannon Lane (approximately 4 metres), projecting only slightly beyond the rear of this neighbouring property. Whilst officers recognise that it incorporates a slightly greater height at the boundary than the ground floor rear extension granted under application P/4633/17, given its limited rearward projection beyond the rear of No. 241 Cannon Lane and fairly sizeable separation gap from the flank wall of No. 241 Cannon Lane, it is not considered to unduly restrict light and outlook afforded to this neighbouring property. The deeper part of the ground floor rear element would sit well away from the boundary of 241 Cannon Lane, and as such, in spite of its depth, it has an acceptable impact upon the residential amenity of this neighbouring property. It should be added that the deeper part of the extension sits partly parallel to No. 241 Cannon Lane's side and rear garage building.

- 6.3.10 The first floor rear element of the extension is smaller in its footprint and massing than the first floor side to rear extension granted under application P/4633/17. Taking into account the previous approval and the fact that the Council's Planning Policy has not changed significantly since this approval, the first floor rear element of the extension is considered acceptable on residential amenity grounds.
- 6.3.11 On the basis that it located towards the front of the dwellinghouse and forms a fundamentally forms an open structure, the new front canopy is not considered to unduly impact upon the residential amenity of occupants at No. 241 Cannon Lane.
- 6.3.12 The new and replacement fenestration associated with the development do not introduce harmful overlooking of No. 241 Cannon Lane.
- 6.3.13 The changes to the external finishes of the dwellinghouse represent purely cosmetic alterations, and do not unduly impact upon the residential amenity of any neighbouring occupants.

#### Impacts on properties to the rear

- 6.3.14 The applicant property is sufficiently set back from the properties to the rear and would not unduly affect neighbour amenity.

## **6.4 Drainage**

- 6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2020): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.W
- Harrow Development Management Policies (2013): DM10

- 6.4.2 Whilst the development has resulted in an increase in the development footprint on site, given that the application site is not located within a Critical Drainage Area and/or Floodzone, the development is not considered to be susceptible to harmful flood risk, and is not considered to unduly exacerbate flood risk elsewhere. A neighbouring occupant at No. 241 Cannon Lane has raised concern over rainwater spillage resulting from the design of the ground floor side element. Whilst there could potentially be some instances of rainwater spillage at times of heavy downpour, officers consider this unlikely to be too significant given the limited scale of this domestic development. Issues of property damage resulting from rainwater runoff form a civil matter.

## 6.5 Fire Safety

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- London Plan Policy: D12

6.5.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. The applicant has provided a fire safety plan confirming that the development will not adversely affect the appropriate fire safety measures of the site.

## 6.6 Consultation Responses

6.6.1 The side extension has not been built in accordance with planning permission with the extension being built up to a height of 3.5 metres.

Officer Comment: This is acknowledged, officers have made an assessment of the proposal based on the proportions of the development as constructed on site. A revised drawing has been provided by the applicant.

6.6.2 Concerns over loss of light and outlook resulting from the side extension given that their main entrance is to the side of the property, and they feature 2.no bedroom window that face the extension.

Officer Comment: This is addressed within the Residential Amenity Section (6.3) above.

6.6.3 They did not object to a previously proposed side extension as it featured a pitched roof with an eaves height of 2.64 metres.

Officer Comment: This is a new development, which is to be assessed on its own merits.

6.6.4 No. 239 Cannon Lane features a clear glazed bedroom window facing towards their property, even though this was conditioned to be obscure glazed, this should be addressed.

Officer Comment: This is a pre-existing window which does not fall within the scope of this application. The Council's Planning Enforcement team can decide separately if it is expedient to enforce against this breach. Given that this window appears to have been in situ for well over 4 years, it may no longer be possible to proceed with any enforcement action.

6.6.5 Concern over the side extension appearing out of character with other development within the area.

Officer Comment: This is addressed within the Character and Appearance of the Area Section (6.2) above.

- 6.6.6 Concern of the applicant failing to follow planning procedure, with them constructing the side extension without planning permission.

Officer Comment: The planning system allows for applicants to submit retrospective applications for development that has already been constructed on site. Works are carried out at the applicant's own risk and may be subject to enforcement action if unacceptable.

- 6.6.7 Concern over the length of time taken for the Council to deal with the application and the lack of communication from Council staff.

Officer Comment: Officers sincerely apologise for the length time taken to process the application and the lack of communication with this particular neighbour. The previous case officer has left the Council and the application has been reassigned with a strong emphasis being placed on processing the application. The Area Team Manager has been in close communication with this neighbouring occupant providing updates and responses to their concerns.

- 6.6.8 Concern over the design of the side extension leading to rainwater runoff onto their property.

Officer Comment: This is addressed within the Drainage Section (6.4) above.

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

- 7.1 The development does not detract from the character and appearance of the host building, street scene and area in a wider context, nor does it unduly impact upon the residential amenity of neighbouring occupants. The development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The applicant has provided a Fire Safety Plan to confirm that the development will not adversely affect the appropriate fire safety measures of the site. As such, the development accords with the NPPF (2021), Policies D3, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies 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. Approved Plans and Documents

The development hereby permitted shall be carried out and completed in accordance with the following approved plans and documents and shall thereafter be retained in that form unless otherwise agreed in writing by the local planning authority:

Design & Access Statement, Decision Notice for Application P/1547/06/DFU, Decision Notice for Application P/4633/17, Location Plan (Untitled), MKM/17/CAN239/PL04 Page 01/03 (Drawing for P/4633/17), 239/CAN/10 Rev No B (Drawing for P/5302/19), 235/CAN/011 (Drawing for P/0158/20/PRIOR), 239/CAN/050 Rev No B, Fire Safety Plan.

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

#### 2. Glazing 2

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) shall be installed in the flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

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

### **INFORMATIVES:**

#### 1. Policies

The following policies are relevant to this decision:

**The National Planning Policy Framework (2021)**

**London Plan 2021:** D3, D11, D12, SI 12, SI 13

**The Harrow Core Strategy 2012:** CS1.B, CS1.W

**Harrow Development Management Policies Local Plan 2013:**

DM1, DM10

**Supplementary Planning Documents:** Residential Design Guide SPD (2010).

### **CHECKED**

Head of Development Management	DM 29/03/2022
Corporate Director	DP 31/03/2022



**APPENDIX 2: LOCATION PLAN**



### **APPENDIX 3: SITE PHOTOGRAPHS**

#### **Pre-Existing Site Photos:**



#### **Existing Site Photos:**





**APPENDIX 4: PLANS AND ELEVATIONS**



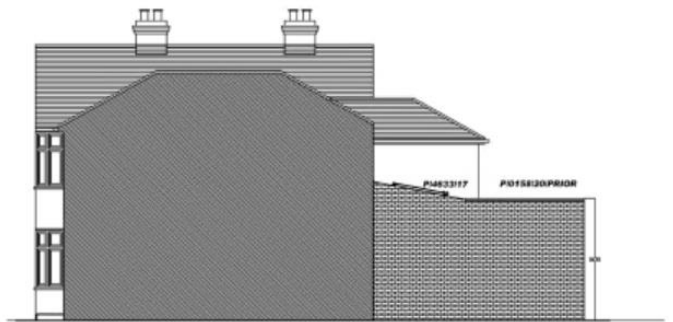
**FRONT ELEVATION PRE EXISTING**



**SIDE ELEVATION PRE EXISTING**



**FRONT ELEVATION AS EXISTING**



**SIDE ELEVATION AS EXISTING**



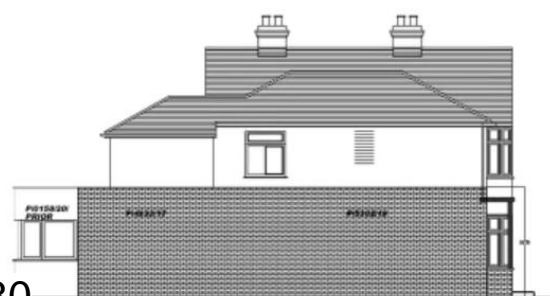
**REAR ELEVATION PRE EXISTING**



**SIDE ELEVATION PRE EXISTING**

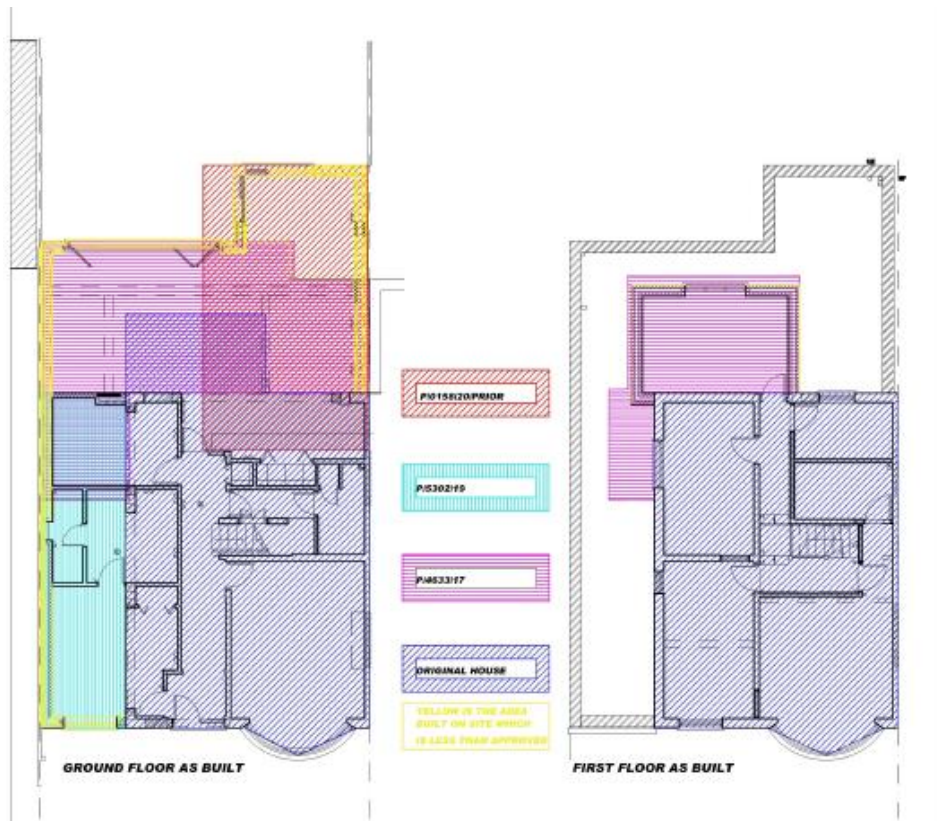


**REAR ELEVATION AS EXISTING**



**SIDE ELEVATION AS EXISTING**

Pla  
We

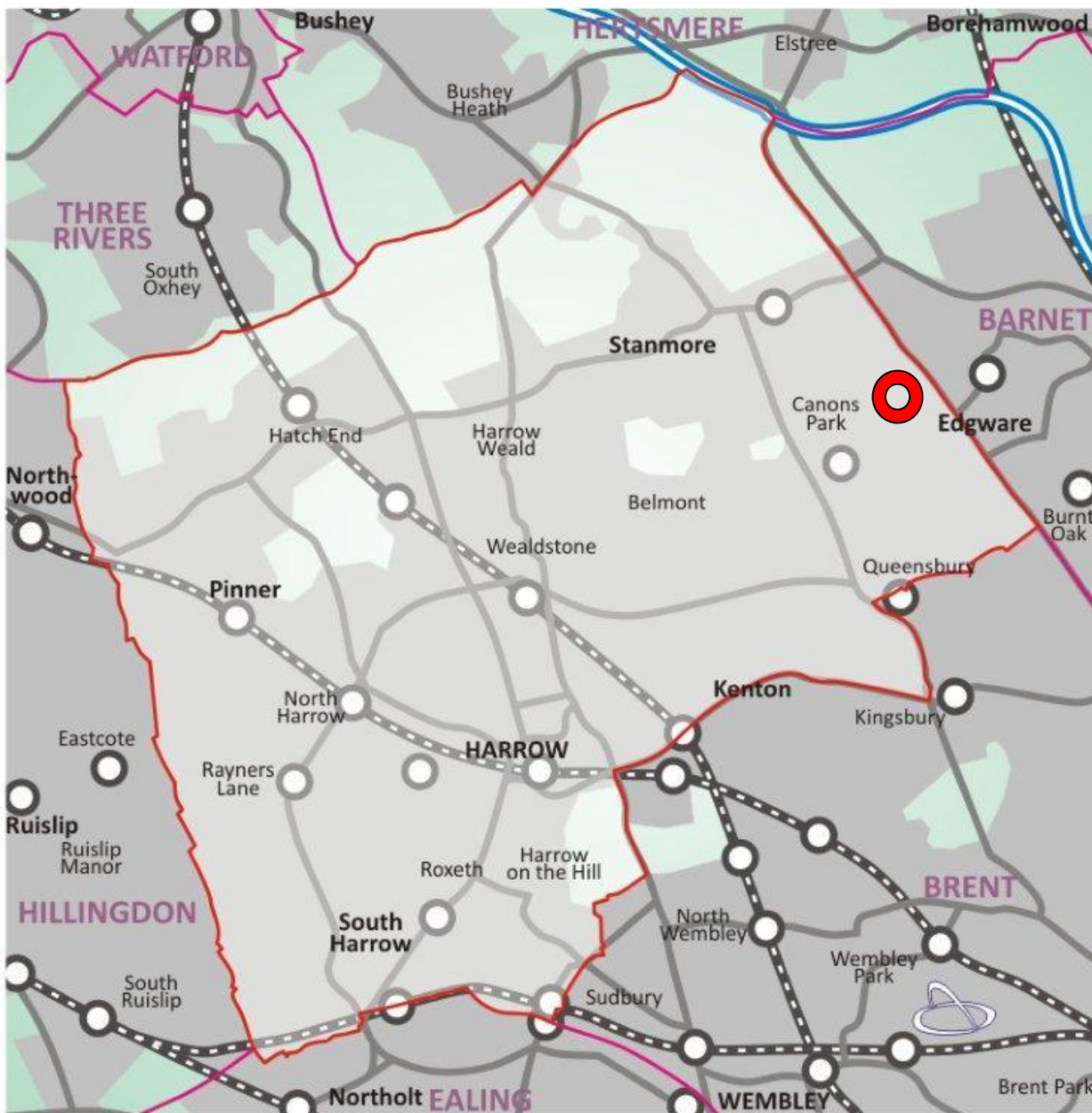




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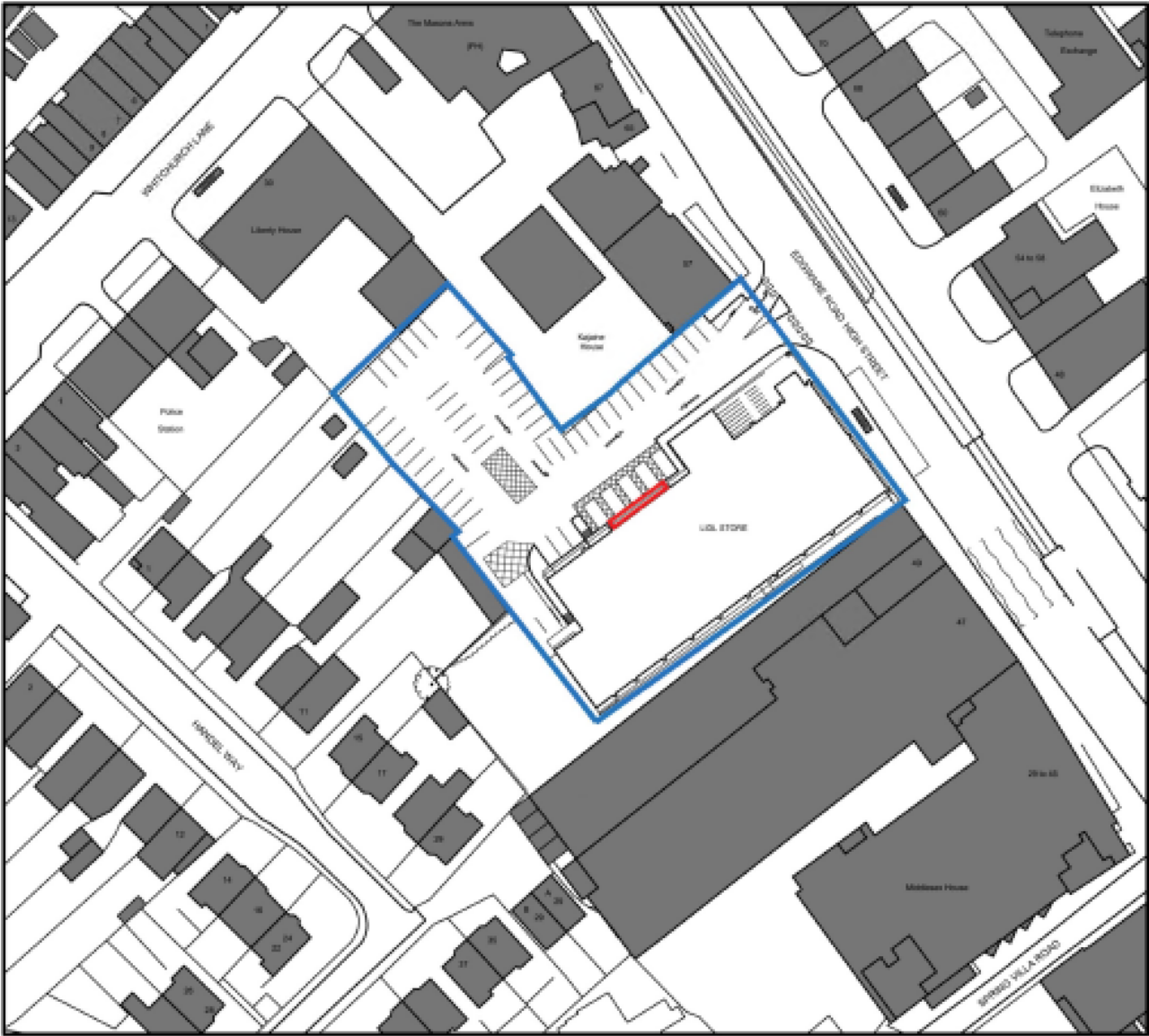
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 = application site

51-55 High Street, Edgware, HA8 7DD	P/1281/21
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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

13<sup>th</sup> April 2022

**APPLICATION NUMBER:** P/1281/21  
**VALIDATION DATE:** 26/07/2021  
**LOCATION:** 51-55 HIGH STREET  
**WARD:** EDGWARE  
**POSTCODE:** HA8 7DD  
**APPLICANT:** C/O AGENT  
**AGENT:** WALSINGHAM PLANNING  
**CASE OFFICER:** KATIE HOGENDOORN  
**EXTENDED EXPIRY DATE:** 18/04/2022

### **PROPOSAL**

Installation Of Wall Mounted Dry Cooler Unit To Side Elevation (Amended Description)  
(Removal Of Existing Dry Cooler Unit)

The Planning Committee is asked to:

### **RECOMMENDATION A**

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to

### **REASON FOR THE RECOMMENDATIONS**

The proposal by reason of its siting, scale and design would result in an acceptable impact on the visual amenities of the property and surrounding area and would have an acceptable impact on the residential amenities of neighbours. As such the proposal would accord with the NPPF (2021), Policies D1, D4 and D6 of the London Plan (2021), Policy CS1.B of the Harrow Core Strategy (2012), Policies DM1 and DM7 of the Harrow Development Management Policies Plan (2013), and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

### **INFORMATION**

This application is reported to Planning Committee as during the consultation, the Council has received a petition and therefore the Chief Planning Officer has decided that the application must be heard by Members of the Planning Committee. It is noted that revised plans have been received within this application and that a re consultation with neighbours has been undertaken and no objections or further petitions have been received as a result of these revisions and re consultation.

Statutory Return Type:	Minor Development
Council Interest:	None
Net additional Floorspace:	N/A
GLA Community Infrastructure Levy (CIL) Contribution (provisional) (£60p/sqm):	£N/A
Local CIL requirement (£110p/sqm):	£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**

Policy D11 of The London Plan (2021) 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 located on the north west side of High Street in Edgware and is occupied by Lidl Supermarket.
- 1.2 The site contains a single storey flat roofed building with an existing dry cooler unit located on the south west elevation facing Handel Way.
- 1.3 The site to the south-west comprises residential properties of Handel Way and the area to the north west and south east hosts a mix of uses including, retail and offices.
- 1.4 The opposite side of the site on the eastern side of the High Street is within the London Borough of Barnet.
- 1.5 Edgware High Street is a London Distributor Road.
- 1.6 The site is outside of Flood Zones and is not within a critical drainage area.
- 1.7 The site is situated within an Archaeological Priority Area.

## **2.0 PROPOSAL**

- 2.1 The application seeks planning permission for the replacement of the existing cooler unit on the rear elevation, with a new dry cooler unit which would be located on the north west side wall of the building, 1.4 metres above ground level.
- 2.2 The proposed dry cooler unit would be 5.5 metres in width, and 0.6 metres in height, and would project 0.45 metres from the face of the existing side wall where it would be mounted on brackets.

## **3 RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status and date of decision
P/4145/21	Variation of condition 1 (delivery hours) attached to planning permission East/919/00/VAR dated 18/10/2000 to allow change of delivery hours to: Monday-Friday 07:00 - 23:00, Saturday 07:00 - 23:00, Sunday 08:00 - 18:00, bank holidays 07:00 - 23:00	Pending Decision
P/2941/16	DISPLAY OF ONE INTERNALLY-	Grant: 18/08/2016

	ILLUMINATED FREE STANDING TOTEM SIGN	
P/2304/12	<p>DISPLAY OF 2 x EXTERNALLY ILLUMINATED HOARDING SIGNS</p> <p><i>Reason for Refusal:</i>  <i>The proposed externally illuminated hoarding signs by reason of their, siting, external illumination and excessive size would result in unduly obtrusive additions which would be detrimental to the character and appearance of the area and would be detrimental to the visual amenities of residential occupiers of surrounding neighbouring properties, contrary to the National Planning Policy Framework (2012), and policy D25 of the Harrow Unitary Development Plan (2004).</i></p>	Refused: 14/11/2012
P/2757/08	SINGLE STOREY FRONT AND SIDE EXTENSIONS TO FOODSTORE; ALTERATIONS TO CAR PARK LAYOUT AND DELIVERY BAY	Granted: 10/10/2008
P/3010/05/DFU	SINGLE STOREY FRONT AND SIDE EXTENSION TO FOODSTORE; ALTERATIONS TO CAR PARK LAYOUT AND DELIVERY BAY (REVISED)	Granted: 09/02/2006
P/770/05/DFU	SINGLE STOREY FRONT & SIDE EXTENSION TO FOODSTORE; ALTERATIONS TO CAR PARK LAYOUT & DELIVERY BAY	Granted 24/05/2005
EAST/919/00/VAR	VARIATION OF CONDITION 21 AND 22 OF PLANNING PERMISSSION EAST/920/99/FUL TO ALLOW (i) DELIVERIES FROM 10.00 HRS ON SUNDAYS AND (ii) OPENING FROM 8.00 HRS ON SATURDAYS	Granted: 13/09/2001
EAST/438/01/VAR	VARIATION OF CONDITION 4. OF EAST/920/99/FUL TO RETAIN TIMBER BOUNDARY FENCING	Granted: 06/07/2001
EAST/920/99/FUL	REDEVELOPMENT TO PROVIDE SINGLE STOREY FOOD STORE WITH PARKING AND ACCESS	Granted: 17/08/2000
LBH/39737	ILLUMINATED FASCIA SIGNS AND FREE STANDING POLE	Granted: 22/11/1989

LBH/37307	ILLUMINATED DOUBLE-LEGGED GANTRY SIGN  <i>Reason for refusal not available.</i>	Refused: 08/02/1989
LBH/36974	REPLACEMENT ILLUMINATED POST SIGN	Granted: 04/01/1989
LBH/101/16	ALTERATIONS AND EXTENSION OF MEZZANINE FLOOR TO PROVIDE MESS-ROOM AND OFFICE ACCOMMODATION	Granted: 01/03/1974
LBH/101/15	TWO ILLUMINATED WALL SIGNS NOS. 51/55)	Granted: 23/08/1973
LBH/101/14	ILLUMINATED POLE WALL AND FASCIA SIGNS (NO.55)	Granted: 30/04/1973
LBH/101/13	CONTINUED USE OF COMPRESSOR HOUSE EXTENSION	Granted: 05/05/1972
LBH/101/12	CONTINUED USE OF COMPRESSOR HOUSE EXTENSION	Granted: 27/04/1970
LBH/101/11	CONTINUED USE OF CAR STORAGE BUILDING	Granted: 10/03/1970
LBH/101/10	FORMATION OF OPENING IN EXTERNAL WALL AND ALTERATIONS TO VEHICULAR ACCESSES	Granted: 04/09/1968
LBH/101/8	CONTINUED USE OF COMPRESSOR HOUSE EXTENSION	Granted: 05/04/1968
LBH/101/7	EXT. PROVIDE COMPRESSOR HOUSE	Granted: 20/09/1967
LBH/101/6	CONTINUED USE CAR STORAGE BUILDING	Granted: 09/06/1967
LBH/101/5	ERECT MULTI-STOREY CAR PARK	Granted: 21/04/1966
LBH/101/4	ILLUMINATED FLATS SIGN	Granted: 23/03/1966
LBH/101/3	ERECT CAR STORAGE BUILDING	Granted: 10/03/1966
LBH/101/2	ALTERATIONS PROVIDE INT VEH ACC. RECEPT MANAG	Granted: 16/09/1965
LBH/101/1	ALTERATIONS EXIST ILLUMINATED POLE SIGN	Granted: 20/05/1965
LBH/101	ALTERATIONS EXIST ILLUMINATED POLE SIGN	Granted: 20/05/1965
HAR/788/Q	EXT FORM SERVICING ROOM	Granted: 10/11/1959
HAR/788/P	ILLUMINATED FASCIA SIGN	Granted: 10/08/1959
HAR/788/O	ERECT EXTERNAL PAINT STORE	Granted:

		14/01/1959
HAR/788/N	ERECT MOTOR SHOWROOMS OFFICES OVER	Granted: 01/01/1959
HAR/788/M	TEMPORARY CAR PARK DISPLAY AREA	Granted: 29/08/1958
HAR/788/L	ILLUMINATED SIGN	Granted: 15/04/1958
HAR/788/I	ILLUMINATED POLE SIGN	Granted: 15/10/1957
HAR/788/H	TEMPORARY FILLING STATION	Granted: 20/12/1956
HAR/788/F	ERECT PETROL FILLING STATION ETC.	Granted: 15/12/1955
HAR/788/E	ERECT PETROL FILLING STATION SHOWROOM AND GARAGE	Granted: 22/09/1955
HAR/788/D	ERECT 5 SHOPS AND OFFICES	Granted: 23/03/1956

#### **4 CONSULTATION**

- 4.1 A total of 14 consultation letters were sent to neighbouring properties regarding the original application to install the air cooler units on the rear elevation of the subject building. The overall public consultation period expired on 11<sup>th</sup> May 2021.
- 4.2 A petition with 15 signatories was received objecting against the proposed development, and one single objection letter was also received.
- 4.3 Following comments from the Councils Environmental Health Officer, and a petition of objection received from members of the public during the consultation period, plans were revised and the cooler units repositioned from the south west elevation of the building to the north west elevation.
- 4.4 A re-consultation with a total of 14 consultation letters were sent to neighbouring properties regarding the revised plans submitted. The overall public consultation period for these letters expired on 23<sup>rd</sup> February 2022.
- 4.5 No public responses were received.
- 4.6 Statutory and Non-Statutory Consultation
- 4.7 The following consultations have been undertaken, together with the responses received and officer comments:

##### LBH Environmental Health Officer

Following review of the noise report, although it mentions that the noise level of the unit will be 34dB, 1dB below background, we would recommend for the units to be at least 10dB below background level so any new units will need to be 25dB at the boundary of the nearest noise sensitive premises.



Therefore if the committee are minded to approve, the following condition should suffice:

The rating level of the noise emitted from the site shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the boundary of the nearest noise sensitive premises. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

**Planning Officer Comment:** *The plans have since been revised and the noise assessment updated as requested by the Council amending the decibel levels. The Councils Environmental Health Officer has been consulted on the revised plans and noise assessment and provided the following comments.*

It is my understanding that they have moved the new plant location significantly away from the nearest residential occupiers and rerun the figures, as a result I believe they have screened the receivers better and by choosing quieter equipment they have achieved what we were looking for.

I am happy for the comment to be discharged with a note that states (as in point 4 of the revised report) any changes to the schedule, location or layout of the plant likely to affect the predicted levels at the receiver points around the site will need reassessing.

**Planning Officer Comment:** *The Environmental Health Officer no longer objects to the proposed development subject to condition. Furthermore, the wording of the proposed condition controlling the decibel levels of the proposed plant equipment has been reviewed and confirmed to be acceptable by the Councils Environmental Health Officer.*

London Borough of Barnet

No response received.

## 5 **POLICIES**

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] 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 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

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

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Character, Appearance and Design
- Neighbouring Residential Amenity – Amenity of Neighbours and Noise Transmission

### **6.2 Character, Appearance and Design**

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Policies (2013): DM1
- Harrow's Core Strategy (2012): CS1

#### *Mass, Siting and Design*

6.2.2 The replacement dry cooler unit would be partly visible from the streetscene of the High Street as it would be partly screened by the L shape of the subject building. The unit would be visible from the rear of properties No 1 - 11 of Handel Way. The cooler unit would be wider than the existing unit being replaced, at 5.5 metres. The unit would be mounted 1.4 metres above ground level and would project 0.45 metres from the side wall of the existing building.

6.2.3 Whilst the unit would be visible from properties in Handel Way, given the nature of the existing use of the site as a supermarket, and due to the scale and positioning of the unit on the side wall of the existing building, it is considered that the proposal would not have any significant harmful impact on the character of the building or the surrounding area, and would therefore respect local context in line with the aims of Policy D3 (1) and D3.D (11) of the London Plan 2021.

#### *Summary*

6.3.3 In summary, the proposal is considered to be of an appropriate mass and design for its context. The development would accord with the relevant policies of the development plan as set out above.

### **6.4 Residential Amenity – Amenity of Neighbours and Noise Transmission**

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan: D3, D6, D14
- Harrow Development Management Policies (2013): DM1
- Harrow's Core Strategy (2012): CS1

6.4.2 The application site is considered sufficiently set back from the properties to the rear and would not unduly affect neighbour amenity in terms of outlook. The proposed unit would maintain separation distances ranging approximately between 48m to 53m from the rear elevations of the nearest dwellings at nos. 11 to 29 Handel Way.

6.4.3 The revised noise report submitted by the applicant outlines that the unit would emit noise at a level of 25 dB at the nearest noise sensitive location. The proposed dry cooler unit drawings and noise impact assessment submitted with this application have been reviewed by the Harrow Environmental Health Officer. The Officer raises no objections subject to a condition relating to the noise transference in terms of decibel levels, and a condition requiring any changes to the schedule, location or layout of the plant, which would be likely to affect noise sensitive premises, would be subject to further planning permission. The latter of these recommended conditions is not considered necessary in this instance, as the noise transference condition controls the decibel levels emitted from the plant, and any changes to the approved documents would require a new permission if it were to alter any of the approved documents included in this permission.

#### *Summary*

6.4.4 In summary, the proposal would have an acceptable impact on neighbouring amenity in terms of noise transference, and is therefore in accordance with the National Planning Policy Framework (2021), Policy D3, D6 and D14 of the London Plan (2021), 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).

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

7.1 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, it is considered that the current proposal has overcome the objections previously raised by the Council's Environmental Health Officers and the petition received from members of the public, and is therefore now recommended for approval.

7.2 The proposal would result in an acceptable impact on the visual amenities of the property and surrounding area and would have an acceptable impact on the residential amenities of neighbours. As such the proposal would accord with the NPPF (2021), Policies D3, D6, and D14 of the London Plan (2021), Policy CS1.B of the Harrow Core Strategy (2012), and Policy DM1 of the Harrow Development Management Policies Plan (2013).

## **APPENDIX 1: Conditions and Informatives**

### **Conditions**

1. Time Limit 3 years - Full Permission

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

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

2. Approved Drawing and Documents

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out, retained and completed in accordance with the following approved drawings and documents:

4895-0100 Rev P01; 4895-0104 Rev P02; 4895-0103 Rev P02; 4895-0401 Rev P03; 4895-0400 Rev P02; Noise Impact Assessment Ref 8899/JC Version Rev D.

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

3. Noise

The level of noise emitted from any the proposed air conditioning units shall be lower than the existing background level by at least 10dB. Noise levels shall be determined at the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with the latest British Standard 4142. 'Method for rating industrial noise affecting mixed residential and industrial area.'

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighbouring residents.

## Informatives

### 1. Policies

The following policies and guidance are relevant to this decision:

#### **National Planning Policy Framework (2021)**

#### **The London Plan (2021):**

D3, D6, D14

#### **Harrow Core Strategy (2012):**

CS1

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

DM1

### 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. 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.

7. 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.

8. Thames Water

The applicant can contact Thames Water developer services by email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) or by phone: 0800 009 3921 or on Thames Water website [www.developerservices.co.uk](http://www.developerservices.co.uk) for drainage connections consent.

**CHECKED**

Head of Development Management	DM 29/03/2022
Corporate Director	DP 31/03/2022

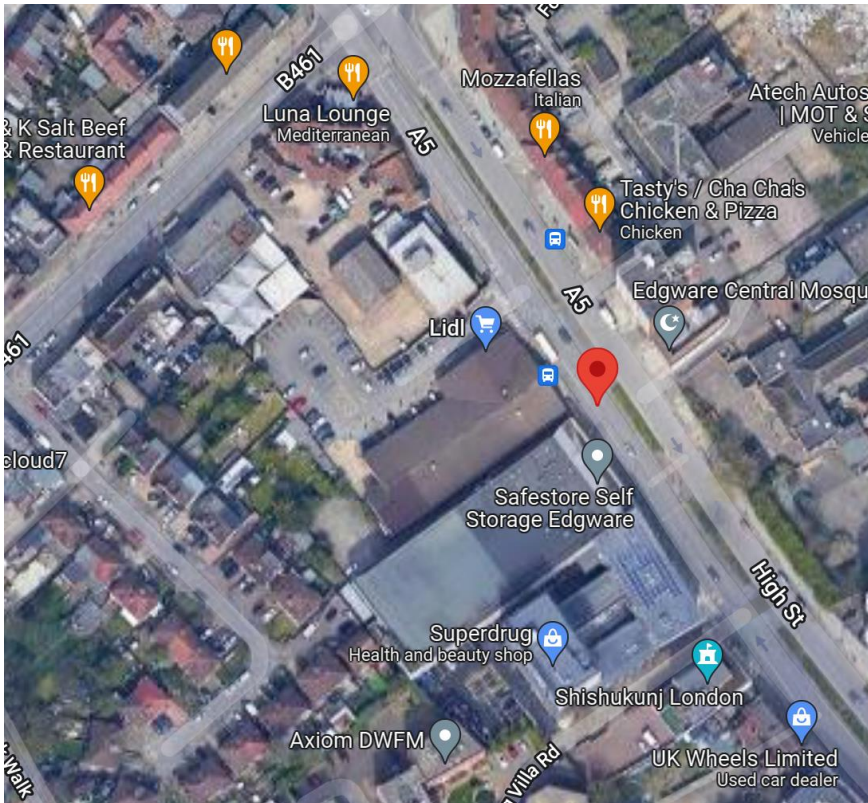
APPENDIX 2: SITE PLAN





## APPENDIX 3: AERIAL IMAGE AND SITE PHOTOGRAPHS

Aerial image:



Front

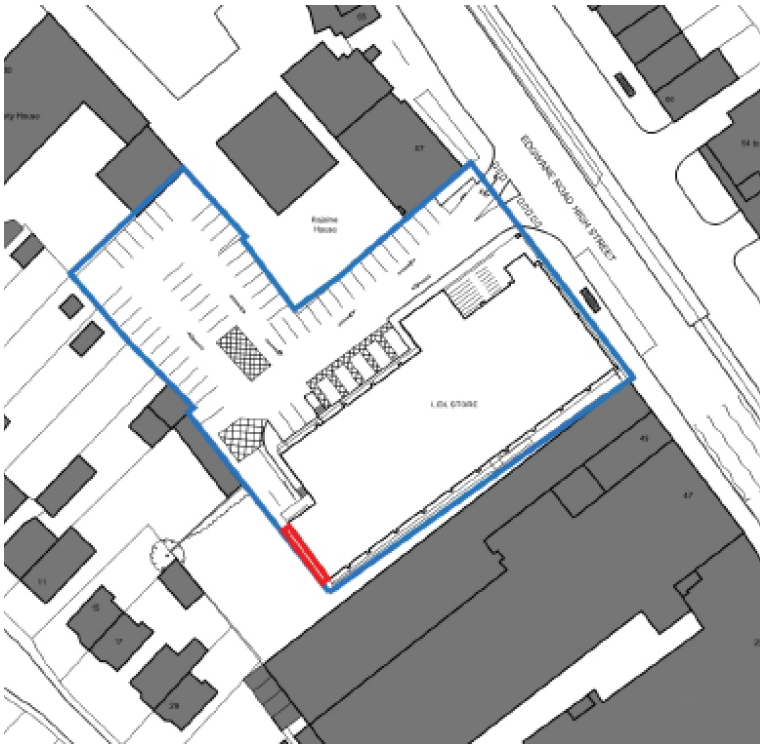


Side



APPENDIX 4: PLANS AND ELEVATIONS

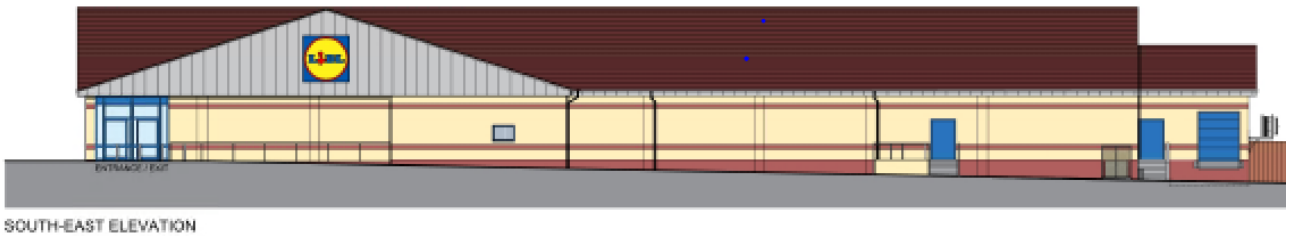
Original proposed site plan



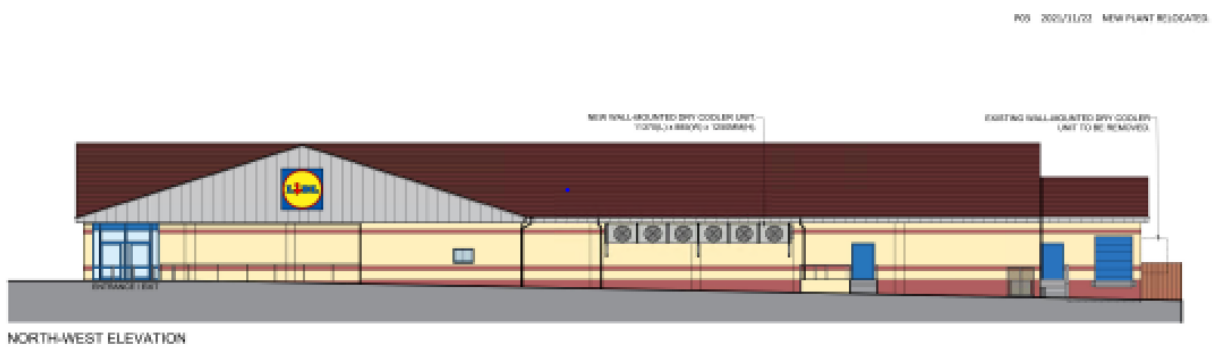
Amended proposed site plan



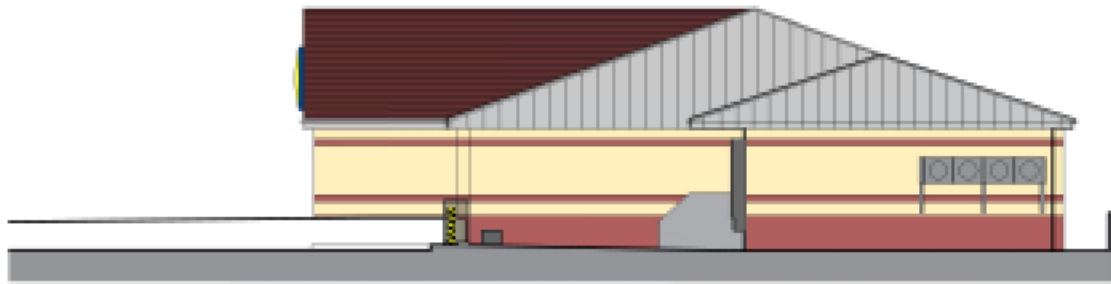
## Existing Side Elevation



## Proposed Side Elevation

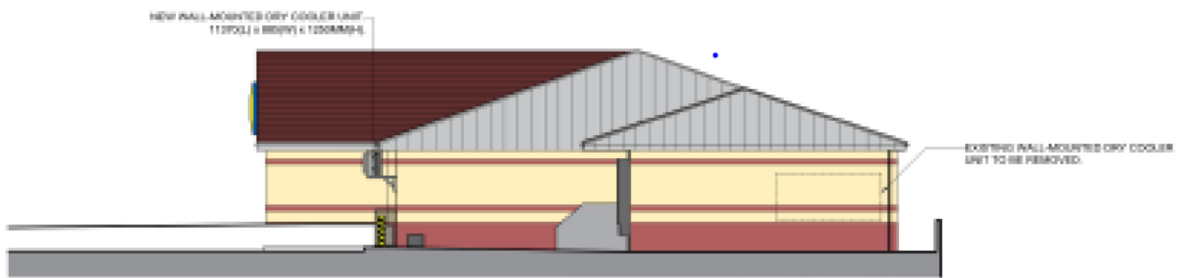


## Existing Rear Elevation



NORTH-EAST ELEVATION

### Proposed Rear Elevation



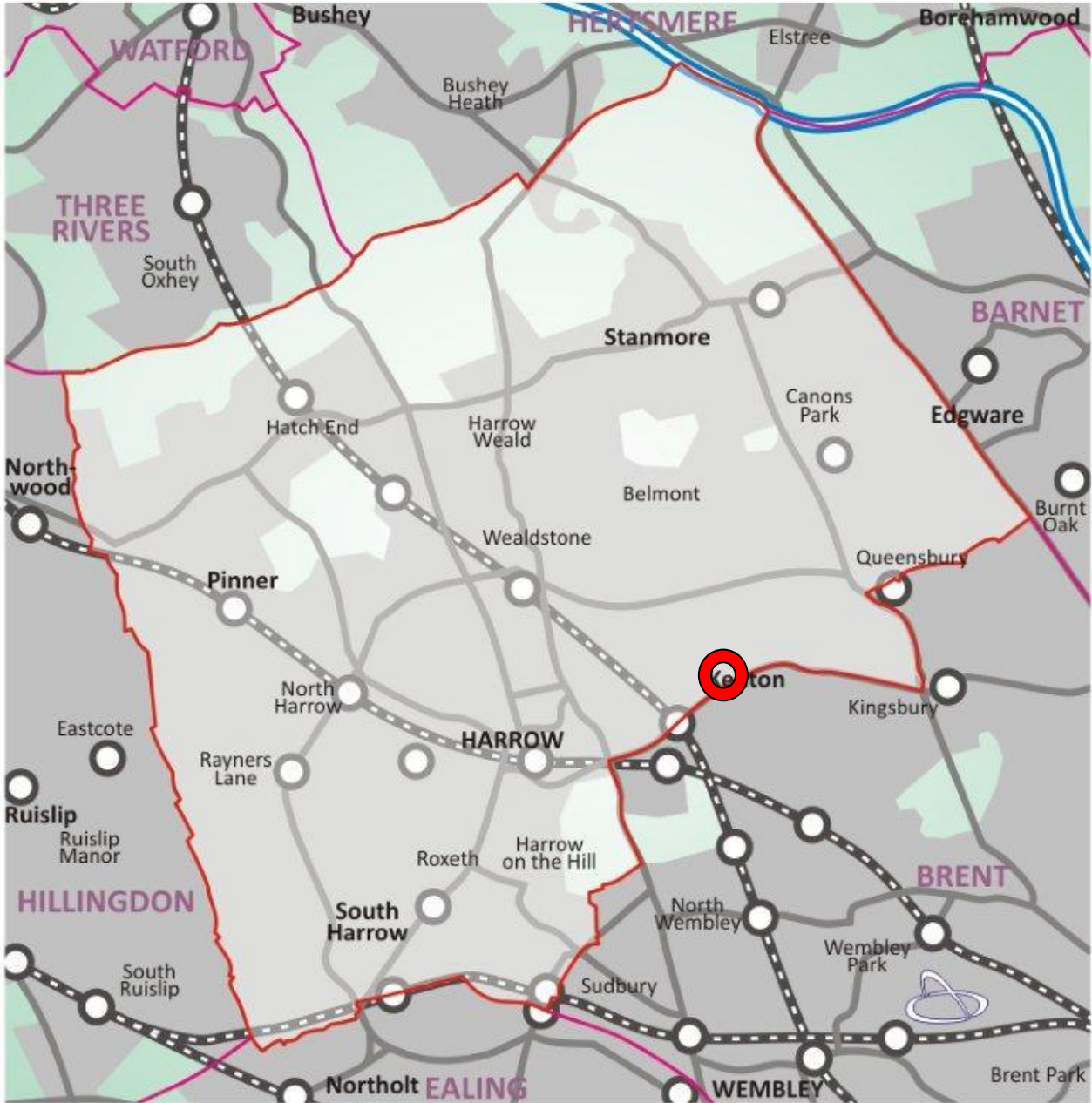
SOUTH-WEST ELEVATION

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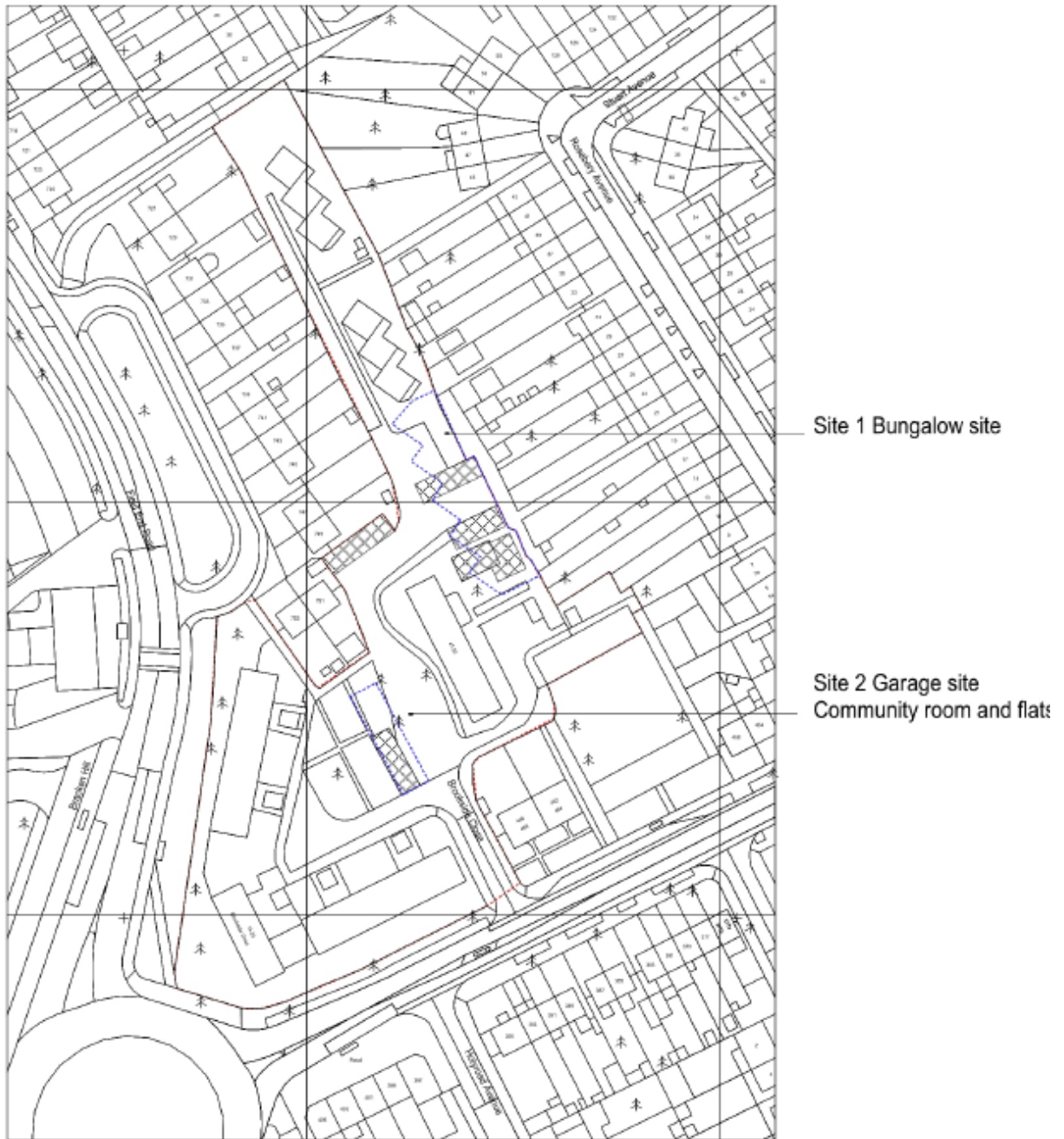


 = application site



Garage adj 1 Brookside Close	P/3798/21
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# Location Plan



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

13<sup>th</sup> April 2022

**APPLICATION NUMBER:** P/3798/21  
**VALIDATE DATE:** 19/10/2021  
**LOCATION:** GARAGES ADJACENT 1, BROOKSIDE CLOSE,  
**WARD:** ROXBOURNE  
**POSTCODE:** HA2 9AW  
**APPLICANT:** LONDON BOROUGH OF HARROW  
**AGENT:** LEVITT BERNSTEIN  
**CASE OFFICER:** CATRIONA COOKE  
**EXPIRY DATE:** 03/12/2021

### **PROPOSAL**

Redevelopment to provide three storey building comprising of four flats (4 x 2 bed) to first and second floors and communal area to ground floor; creation five x two storey (2 bed) dwellings; landscaping; parking; bin and cycle stores

### **RECOMMENDATION**

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to Conditions.

### **REASON FOR THE RECOMMENDATIONS**

The proposal would contribute towards housing stock within the Borough and the principle of redeveloping the site in order to provide additional residential accommodation is considered acceptable.

The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.

Furthermore, it is considered that the proposal would not have an unduly harmful impact on the character of the surrounding area, or the residential amenities of the neighbouring or future occupiers and the design is considered to be sympathetic to the character of the local area.

Accordingly, weighing up the development plan policies and proposals along with other material considerations including comments received in response to notification and consultation as set out below, Officers consider and conclude that, subject to planning conditions, the proposed development is acceptable and worthy of support.

In accordance with the National Planning Policy Framework, including its presumption in favour of sustainable development, and subject to conditions, Officers recommend that the application is approved.

## **INFORMATION**

This application is reported to Planning Committee as it is a London Borough of Harrow Application and 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:	872sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£22,200
Local CIL requirement:	£138,313.21

## **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**

Policy D11 of the London Plan (2021) 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 an existing single storey community centre and garage blocks within the Brookside Close estate off Eastcote Road to the east of Field End Road.
- 1.2 The site is identified within fluvial flood zone 2 according to Environment Agency fluvial flood maps plus within surface water flood zone 3a & 3b.
- 1.3 The site has a Public Transport Accessibility Level (PTAL) of 2.

## **2.0 PROPOSAL**

- 2.1 Demolition of existing community room and garages and construction of five 2 bedroom terraced bungalows.
- 2.2 Demolition of an existing disused block of garages and construction of a three storey building with community use on the ground floor and four 2 bedroom flats on the upper floors.

## **3.0 RELEVANT PLANNING HISTORY**

There is no relevant planning history for this site.

## **4.0 Consultation**

- 4.1 A total of 153 consultation letters were sent to neighbouring properties regarding this application. The public consultation period expired on 9<sup>th</sup> November 2021. A re-consultation was sent following amended plans which expired on 16<sup>th</sup> March 2022. A total of 46 responses were received including a petition of 34 signatures.
- 4.2 A summary of the responses received along with the Officer comments are set out below:
- 4.3 A summary of the consultation responses received along with the Officer comments are set out in the table below: -

- *Lack of parking*

*Officer comment: Refer to section 6.5 below. The highways officer has not raised concerns in this regard.*

- *increase in traffic/road safety*

*Officer comment: Refer to section 6.5 below. The highways officer has not raised concerns in this regard.*

- *Loss of open space*

*Officer comment: . Refer to section 6.3.5 below.*

- Loss of Trees

*Officer comment: Refer to section 6.3.6 below.*

- Overlooking

*Officer comment: Refer to section 6.4.2 below. The development is not considered to result in unacceptable levels of overlooking*

- Overshadowing

*Officer comment: Refer to section 6.4.2 below. The development is not considered to result in unacceptable levels of overshadowing*

- The build would increase segregation with increase in blind spots

*Officer comment: Refer to section 6.4.14 below. The secure by design officer has raised no objections.*

#### Consultee and Summary of Comments

##### **LBH Highways**

No objection subject to conditions

##### **LBH Drainage Awaited**

##### **Tree Officer**

No objection subject to conditions

##### **Landscape Officer**

No objection subject to conditions

## **5.0 POLICIES**

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

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

- 5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] 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 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].
- 5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1.

## **6.0 ASSESSMENT**

6.1 The main issues are;

- Principle of the Development
- Design, Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking
- Waste and Servicing
- Flood Risk and Drainage
- Fire Safety

## **6.2 Principle of Development**

*The relevant policies are:*

- The National Planning Policy Framework (2021)
- The London Plan (2021): H1, H2, H9; S1
- Harrow Development Management Policies (2013): DM24, DM46
- Harrow's Core Strategy (2012): CS1

6.2.1 The scheme would result in an uplift in the amount of housing units within the London Borough of Harrow. The community floorspace lost from the demolition of the existing community building will be reprovided within the flatted development in its entirety. The principle of the proposed development on the application site is considered acceptable, subject to detailed consideration of the likely impact on the character and appearance of the area, neighbouring amenity, highway safety, sustainability and other matters addressed in the sections below.

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

*The relevant policies are:*

- National Planning Policy Framework (2021)
- The London Plan 2021: D3
- Harrow Core Strategy 2012: CS1

- Harrow Development Management Policies Local Plan (2013): DM1, DM22, DM23
- 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)

- 6.3.1 Policy D3.D(1) of the London Plan states that development should in terms of form and layout, enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Policy D3.D(11) goes on to state that in terms of quality and character, developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character
- 6.3.2 Policy DM1 of the DMP gives advice that "all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted".
- 6.3.3 The staggered bungalow row is considered acceptable in terms of its height and built form, with a reduced level of first floor/ habitable roof space allowing for a reduced second storey and pitched roof form, limiting the impact of bungalow massing. The bungalows will be taller than the existing bungalows located to the north of the site as a result of the need to raise the development above the potential flood level and due to the additional accommodation at first floor level. However, when considered against the wider context the proposal would be read to be a transition from the existing single storey dwellings to two/ three storey buildings to the south and therefore provide a synergy between the existing building heights. In terms of the external appearance the proposed bungalows will be constructed in brick and composite board cladding with pre-patinated zinc roof. The bricks are proposed to be in similar tones to the existing bungalows, whilst the composite cladding and zinc roof would add a modern appearance to the development. The use of modern materials to this group of bungalows is considered appropriate and would successfully distinguish what is old and new forms of developments along Brookside Close. Notwithstanding this, the final choice of materials would be controlled by condition to ensure a high quality finish.
- 6.3.4 The massing of the apartment block and replacement community use at three storeys with a flat roof is acceptable and of a similar scale to surrounding blocks, which are two or three storeys with the addition of pitched roofs. The loss of a pitched roof in favour of a flat roof supported in reducing the overall height and built form of the block. The raised parapet to conceal plant and PV panels from street level is considered acceptable. In terms of the external appearance, the proposed building would be constructed in two different tones of brick in order to distinguish the community centre at ground floor and the two upper residential floors. The building will be articulated by the recessed brick panels and a glazed



central projecting stair core. As stated above, the external materials would be conditioned to ensure a high quality external finish.

- 6.3.5 The bungalows and apartment building would both benefit from solar panels. In order to ensure that these would have an acceptable appearance a condition is recommended that cross sections be submitted for approval prior to commencement.

#### Landscaping and Trees

- 6.3.6 The submitted landscape details are indicative, Officers consider that a condition be attached to ensure that a landscape masterplan be submitted prior to occupation to ensure an improvement to the landscaping for the existing and future residents.
- 6.3.7 The proposals would necessitate the loss of x 4 trees, including one mature, decent quality Oak (T14). Whilst this is regrettable the tree's location in relation to the proposed footprint, design and layout, means it is not possible to retain this tree. Mitigation can be provided in the form of replacement planting, using good quality, extra heavy-standard new trees. Details of tree species, sizes, locations, can be included within the wider hard and soft landscape proposals. A condition is recommended to ensure a landscape masterplan is submitted prior to commencement of work.
- 6.3.8 In summary, subject to conditions the proposal would have an acceptable impact on the character of the area in accordance with the relevant policies.

### **6.4 Residential Amenity**

*The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM2, DM27
- London Plan Policy (2021): D3, D6
- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

#### Impacts on neighbouring properties

- 6.4.1 Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.
- 6.4.2 The proposed bungalows would be sited in excess of 30m from the rear elevations of properties on Roseberry Avenue. In addition, there is an existing intervening service road that separates the subject site and the rear boundaries of the dwellings along Roseberry Avenue. It is considered that given their modest height and siting, the proposed bungalows would have an acceptable impact on the

amenities of these neighbouring properties. Furthermore, the first floor windows in the rear elevation serve bathrooms and would be obscure glazed which would address concerns of overlooking of these neighbouring properties. With regard to the existing bungalows to the north, the proposed bungalows follow the same staggered building line as the existing. While it is noted that the first bungalow would be sited forward of the adjoining existing bungalow given that there would be a 3m gap it is considered that there would be an acceptable impact with regard to overshadowing and loss of light.

- 6.4.3 The proposed three storey building comprising the community floor space and flats above would be sited centrally within the site. The flats are approximately 16m from the existing block of flats to the east and south, and approximately 19m from the existing flats to the west. With regard to the block to the south, the windows facing the development are not protected. Therefore it is considered that the proposal would have an acceptable impact on these adjoining neighbours. The building to the east is approximately 16.5m away, with an intervening road. The elevation of that building facing the application site appears to have habitable rooms facing. The units to the southern end of that building would be most impacted. However, their outlook is already compromised by the poorly maintained garages. On balance it is considered that the amenities of these properties would be protected. The flats to the west are sited approximately 19m from the proposal and therefore there would be an acceptable impact on the amenities of this with regard to overlooking and loss of light and outlook.

#### Residential Quality of Proposed Development

- 6.4.4 Policy D6 of the London Plan specifies that boroughs should ensure that, amongst other things, 'housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts'. It also sets out the minimum internal space standards for new dwellings. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD.
- 6.4.5 The proposed development includes the following:

	Proposed Size	Proposed GIA	Minimum GIA
5 bungalows	2 bed 4 persons	82.5sqm	79sqm
4 flats	2 bed 4 persons	70sqm	79sqm

- 6.4.6 The proposed dwellings would all meet the minimum floor space requirements. In terms of layout, all of the habitable rooms are provided with windows which allow for sufficient levels of natural light and adequate outlook. The floor to ceiling height for the flats would measure 2.6 metres which would exceed the London Plan requirement for 2.5 metres.

### Amenity Space

- 6.4.7 The proposed five bungalows would benefit from private gardens which exceed the 6sqm required by the London Plan. With regard to the flats these would each have a private terrace 5sqm. Therefore officers consider that the proposed amenity space is acceptable.

### Accessible Homes

- 6.4.8 Policy DM2 of the DMP seeks to ensure that all new housing is built to 'Lifetime Homes' standards.
- 6.4.9 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. Supplementary Planning Document Accessible Homes 2010 (SPD) outlines the necessary criteria for a 'Lifetime Home'.
- 6.4.10 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. The proposed bungalows are raised to allow for flood mitigation. Therefore there is no level access to the front or rear gardens. However, should access be required for future residents the front veranda has space to provide wheelchair lifts and the rear veranda could be adapted to provide a level threshold.
- 6.4.11 The proposed community centre would have a level access and therefore is considered acceptable. The flats above would not be accessible. However, on balance given that the proposed bungalows could be adapted for future residents the proposals are considered acceptable. Notwithstanding this, the proposal would be subject to a condition requiring that 10 percent of the development is constructed to Building Regulations Part M4 (3) standards, with the remaining 90 percent built to Part M4(2) standards.

### Secure by Design

- 6.4.12 The proposed Community use would be sited below four flats, no details of the hours of operation or how the space will be managed have been provided at this time. A condition is recommended to restrict the hours of operation to 9am – 6pm Monday to Friday to ensure that there would be an acceptable impact on the residents of the flats above.
- 6.4.13 The Designing Out Crime Officer has raised no concerns. In order to ensure the development is of a satisfactory level of safety and security, a condition to achieve Secure by Design accreditation has been attached.

## 6.5 Traffic, Parking and Servicing

*The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM42
- London Plan (2021): T4, T5, T6

- 6.5.1 The site is located within an area with a Public Transport Accessibility Level (PTAL) of 2, which is considered to have poor access to public transport.
- 6.5.2 In line with the London Plan 2021 maximum car parking standards, developments in this PTAL 2 location may have up to 0.75 spaces per dwelling. The proposal would provide 6 new parking spaces which would comply with the maximum level permitted by the standards.
- 6.5.3 Proposals that include car parking are required to provide electric vehicle charge points. As this is predominantly a Council managed housing estate, it would be more appropriate to contribute towards funding charge points within the adopted highway that can be managed as part of the Council's current programme. These charge points can either be installed within existing street lighting columns or standalone pillars but would be accessible to the entire community of Brookside Close.
- 6.5.4 Overall it is considered that the proposed development would not raise any highway impact or safety concerns.

### Waste, Cycle Storage and Servicing

- 6.5.5 Each bungalow has an enclosed bin store in the front, the size of the store is considered suitable for the proposed development. The proposed community centre and flats proposes an internal bin store at ground floor which is considered to be acceptable.
- 6.5.6 In line with London Plan 2021 minimum cycle parking standards, at least 2 secure, sheltered and accessible spaces are required for each dwelling. A further two short stay visitor cycle parking spaces are also required. For the community room, Policy T5 A requires that a minimum of two long stay and two short stay spaces are provided. A condition is recommended to ensure that details of stores and proposed stands will be required prior to commencement.

## 6.6 Flood Risk and Drainage

*The relevant policies are:*

- The National Planning Policy Framework (2021)
- The London Plan (2021): SI 13
- Harrow's Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM9, DM10

- 6.6.1 With regards to the above planning application, please note that the site is identified within fluvial flood zone 2 according to Environment Agency fluvial flood maps plus within surface water flood zone 3a & 3b according to our surface water flood maps. The site is at a highest risk of flooding. The submitted details have been reviewed by the Drainage Authority who have raised no objection subject to conditions.
- 6.6.2 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

## **6.7 Fire Safety**

6.7.1 *The relevant policies are:*

- National Planning Policy Framework (2021)
- The London Plan (2021): D12 (Part A)

6.7.2 Part A of Policy D12 of The London Plan (2021), requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply.

6.7.3 The applicant has not submitted a detailed fire strategy. Therefore, a condition has been attached to ensure the development meets this requirement prior to completion of damp proof course.

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

7.1 The proposal would contribute to the variety of housing stock in the borough. The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.

7.2 Given the location of the application site, Officers are satisfied that the proposal would maintain an appropriate quality of residential amenity for the adjoining occupiers. The proposal provides sustainable urban drainage measures, improve access routes and provide high-quality hard and soft landscaping. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.

7.3 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant.

## APPENDIX 1: CONDITIONS AND INFORMATIVES

### Conditions

#### 1. Timing

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

REASON: To comply with the provisions of Section 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: BCE PL 001; BCE PL 002 Rev A; BCE PL 003; BCE PL 004; BCE PL 005; BCE PL 006 Rev C; BCE PL 007 Rev B; BCE PL008 Rev A; BCE PL 009 Rev A; BCE PLPA 010 rev C; BCE PL 010.1; BCE PL 012; BCE PLPA 011 Rev B; BCE PLPA 012 Rev B; BCE PL 013 Rev B; BCE PL 014 Rev A; BCE PL 015; BCE PLPA 016 Rev A; BCE PLPA 017 Rev A; BCE PLPA 018 Rev A; 12988-WIE-BC-XX-DR-C-001 Rev P05; Landscape Strategy; Flood Risk Assessment; Arboricultural report

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

#### 3. Construction Logistics Plan

No development shall take place, including any works of demolition, until a Detailed Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority in accordance with the format and guidance provided by Transport for London – [www.tfl.gov.uk](http://www.tfl.gov.uk). The Detailed Construction Logistics Plan shall provide for:

- 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;
- i) A scheme for recycling/disposing of waste resulting from demolition and construction works; and
- j) Details showing the frontage/ the boundary of the site enclosed by site hoarding to a minimum height of 2 metres.

The development shall be carried out in accordance with the approved Detailed

Construction Logistics Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network in accordance with Local Plan Policies DM1 and DM43 and Policy D14 of the London Plan (2021) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy T7 of the London Plan (2021), this condition is a PRE-COMMENCEMENT condition.

#### 4. Cycle Storage

The development hereby approved shall not be occupied until details of:

- Location of the cycle stores for 2 cycles within the rear garden, elevation and external finish details for the proposed bungalows
- Capacity of the cycle store providing a minimum of 2 long stay cycle parking spaces for each residential dwelling and two short stay visitor cycle parking for the proposed flats
- 2 long stay and 2 short stay cycle parking spaces for the community room shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be made available prior to occupation and shall be retained thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy T5 of The London Plan 2021 and policy DM 42 of the Harrow Development Management Policies.

#### 5. Levels

No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, in accordance with policies DM1 of the Councils Development Management Policies Local Plan 2013. This is a PRE-COMMENCEMENT CONDITION to ensure adequate levels before the development commences on site.

## 6. Fire Safety

The development herein approved shall not commence until a Fire Safety Statement has been submitted to and approved in writing by the Local Planning Authority, this statement shall include details of how the development will function in terms of the following:

- 1) Identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point;
- 2) Is designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures;
- 3) Is constructed in an appropriate way to minimise the risk of fire spread;
- 4) Provide suitable and convenient means of escape, and associated evacuation strategy for all building users;
- 5) Develop a robust management strategy for evacuation which is to be periodically updated and published (details of how often this management strategy is to be reviewed and published to be included), and which all building users can have confidence in; and
- 6) Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

The development shall be operated in accordance with the approved details in perpetuity.

REASON: To ensure that the fire safety of the proposed building is managed in a satisfactory manner and that the development contributes to fire safety in line with Policy D12A of the London Plan (2021).

The development hereby permitted shall not commence until there have been submitted to, and approved in writing by, the local planning authority, a tree protection plan and method statement (in accordance with BS5837:2012) outlining protection measures for the existing retained tree(s) on the site. The tree protection measures shall be in place prior to any works commencing on site (including works of demolition) and shall be kept in place during the construction of the development. No materials or waste shall be stored within any protected areas.

REASON: To ensure that the trees to be retained on the site are not adversely affected by the development.

## 7. Disposal of Surface Water/Surface Water Attenuation

The development hereby permitted shall not commence (other than works of demolition) until works for the disposal of surface water and 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 ensure that adequate drainage facilities are provided and to reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

8. Disposal of Sewage

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

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

9. The development hereby permitted shall not be commenced (other than works of demolition) until Emergency Planning Information have been submitted to and approved in writing by the Local Planning Authority. To ensure evacuation arrangements are adequate and safe access/egress from the site during a flood event is provided. The applicant should refer to LB Harrow SFRA, Emergency Flood Plan, NPPF as evacuation procedures should accompany development proposals and reference should be made to EA flood warning procedures for occupants and users. Details of safe access/egress arrangements and a plan indicating a safe route for the occupants and users away from the source of flooding should be submitted.

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.

10. Materials

Notwithstanding the details shown on the approved drawings, prior to commencement of the development beyond damp proof course level samples of the materials to be used in the construction of the external surfaces noted below shall be made available to view on site, and agreed in writing by, the local planning authority:

1. facing materials for the building, including brickwork, roofing material and spandrel detail;  
windows/ doors;
2. boundary fencing/ walls including all pedestrian/ access gates;

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

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

11. Solar Panels

Notwithstanding the details shown on the approved drawings, prior to commencement of the development beyond damp proof course detail of the proposed solar panels including the specification and cross section of their relation to the roof shall be submitted to and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials.

12. Landscaping

The development hereby approved shall not be occupied until a scheme for the hard and soft landscaping details for the ground level areas and details of the green roof to the proposed flats 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. Replacement trees to include one large canopy species tree to mitigate for the loss of the Oak. 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 in accordance with policy D3 The London Plan (2021), policy CS.1B of the Harrow Core Strategy (2012) and policy DM22 of The Development Management Policies Local Plan 2013.

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

14. Satellite Dishes

Prior to the first occupation of the community room and flat development, details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces.

15. Permeable Paving

Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding. In accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

16. Secure by Design

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D11 of the London Plan (2021) and Section 17 of the Crime & Disorder Act 1998.

17. Accessible Units

The development hereby permitted shall be constructed to the specifications of: "Part M, M4(2), Category 2: Accessible and Adaptable Dwellings" and 10% of the dwellings are to be constructed to the specification of "Part M4(3) wheelchair user dwellings" of the Building Regulations 2013 and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with Policy D7 of The London Plan 2021, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

18. Site Hoardings

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

Reason: In the interests of amenity and highway safety, in accordance with policies DM1 and DM45 of the Development Management Policies Local Plan 2013.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development in relation to the proposed bungalows which would otherwise fall within Classes A, B and E of Part 1 of Schedule 2 of that Order and Class L of Schedule 2, Part 3 Shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by managing the amount of site coverage and size of dwellings in relation to the size of the plot and availability of amenity space, and to safeguard the amenity of neighbouring occupants and maintain mixed, balanced, sustainable and inclusive communities in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies (2013), Policy CS1(B) of the Harrow Core Strategy (2012), Policy D3 of the London Plan 2021 and the Core Planning Principles of the National Planning Policy Framework 2021.

20. The community space hereby permitted shall not be used outside the following times: -

a: 09:00 hours to 18:00 hours, Monday to Sunday inclusive,

REASON: To safeguard the amenity of neighbouring residents.

## **INFORMATIVES:**

### 1. Policies

The following policies and guidance are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan 2021:

D3, D5, D6, D7, D8, D11, D12, G6, H1, H9, H10, S1 12, T5, T6.1, SI 13

Harrow Core Strategy 2012

CS1

Development Management Policies Local Plan 2013

DM1, DM2, DM9, DM10, DM20, DM21, DM22, DM27, DM42, DM44, DM45

Relevant Supplementary Documents:

Supplementary Planning Document: Sustainable Building Design (2010)

Supplementary Planning Document: Garden Land Development (2013)

The London Plan Housing Supplementary Planning Guidance (2016)

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

### 2. Considerate Contractor Code of Practice

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

### 3. Party Wall Act:

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405  
E-mail: communities@twoten.com

#### 4. Compliance with planning conditions

**IMPORTANT:** Compliance with Planning Conditions Requiring Submission and Approval of Details before Development Commences

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

#### 5. London Mayor's CIL Charges

Please be advised that approval of this application (either by Harrow Council, or subsequently by 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 £27,060

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

## 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 £71,535.85

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 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 (2021) 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 SI 13 of the London Plan (2021) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

10. Fire Safety Statement

The submission/approval of the Fire Safety Statement does not replace the need for building regulation approval in relation to fire safety, nor does it convey or imply any approval under those regulations.



Checked

Interim Head of DM	DM 04/04/2022
Corporate Director	DP 31/03/2022

**APPENDIX 2: SITE PLAN**



Site 1 Bungalow site

Site 2 Garage site  
Community room and flats

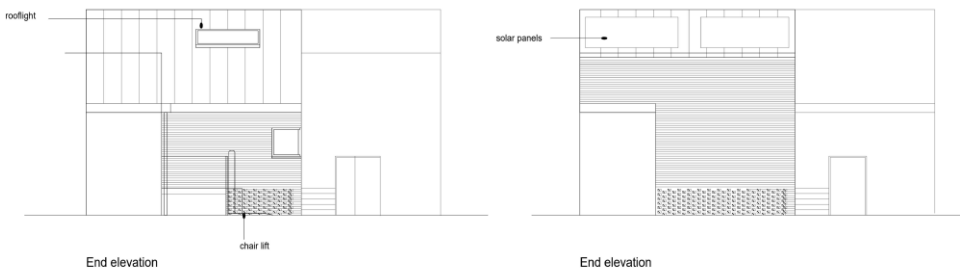
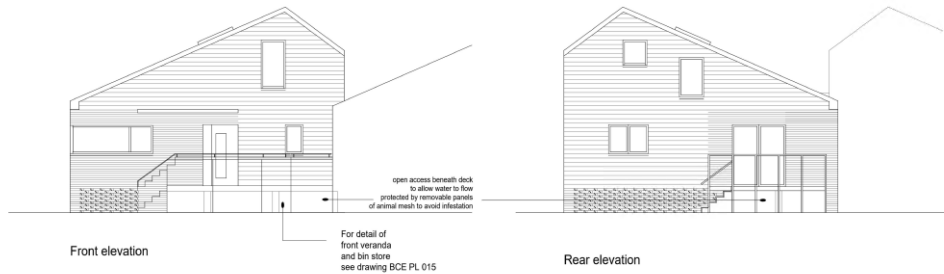
(c) UKMap Copyright. The GeoInformation Group 2016 Licence No. LANDMLON100003121118

APPENDIX 2: PLANS

Proposed Site Plan



# Proposed elevations and floorplans (bungalows)

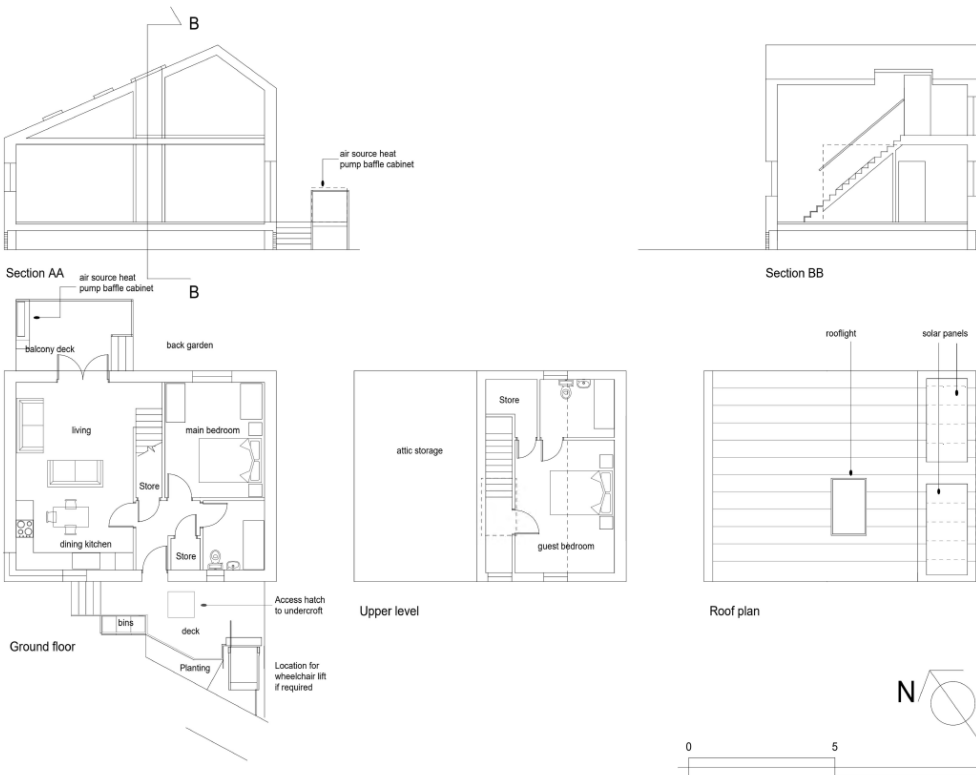


NOTES:  
 ● all dimensions to be checked on site  
 ● do not scale from drawings

B	15.02.2022	initial design
A	16.01.2022	final resource sheet
A	16.09.2021	Final design
Rev	Date	Details

Levitt Bernstein Associates Ltd  
 Three Studios  
 2-4 Thame Way  
 London, N7 7PA  
 Tel: 0207 275 7676  
 e-mail: office@levittbernstain.co.uk www.levittbernstain.co.uk  
 Project  
 Brookside Close Estate

Drawing		Site 1 Bungalows		Elevations	
Rev	Date	Rev	Date	Rev	Date
2021.08.11		1.100/BA3		Alt	
2021.08.11		BCE PL 007		B	



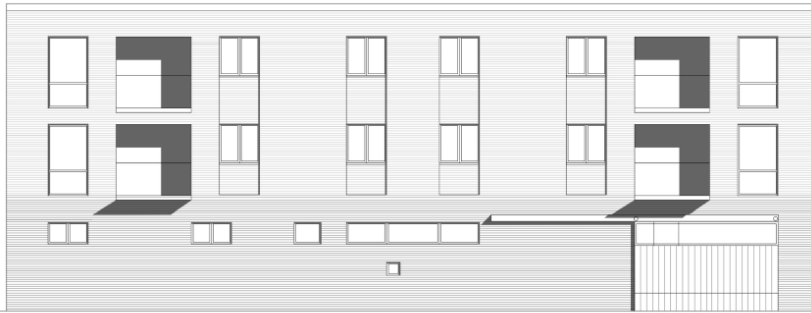
NOTES:  
 ● all dimensions to be checked on site  
 ● do not scale from drawings

C	20.02.21	initial design
B	22.01.21	Final resource sheet & solar panels
A	27.09.20	final presentation
A	23.09.21	Final design
Rev	Date	Details

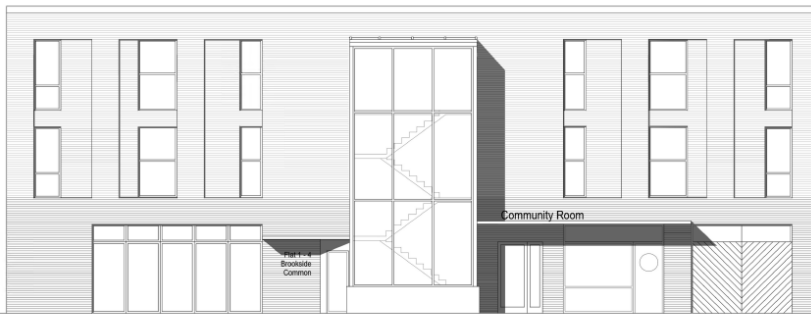
Levitt Bernstein Associates Ltd  
 Three Studios  
 2-4 Thame Way  
 London, N7 7PA  
 Tel: 0207 275 7676  
 e-mail: office@levittbernstain.co.uk www.levittbernstain.co.uk  
 Project  
 Brookside Close Estate

Drawing		Site 1 Bungalow Plan and Section		AA/BB	
Rev	Date	Rev	Date	Rev	Date
2021.08.11		1.100/BA3		Alt	
2021.08.11		BCE PL 008		C	

# Proposed Elevations and floor plans (community centre and flats)



Rear elevation to green



Front elevation to street

NOTES

- all dimensions to be checked on site
- do not scale from drawings

B	20210115	drawings updated for planning
A	20210120	updates - car cam received without modification
F	20210120	Pre-tender
Issue	Date	Details

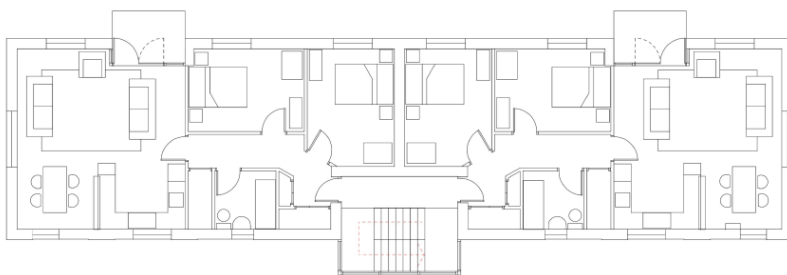
Levit Bernstein Associates Ltd

1 Kingland Passage  
London, E8 2 8B  
Tel: 0207 275 7076

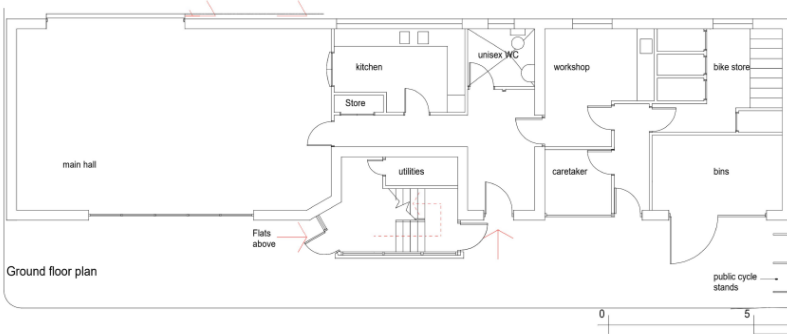
e-mail: office@levitberstein.co.uk www.levitberstein.co.uk

Project  
Brookside Close Estate  
Community Room Site 2

Drawing	Elevations	Scale	Author
Date	2018.02.22	1:100(A3)	AMc
Project No.	3256	Drawing No.	B
		Client Ref.	BCE PLPA 011



First floor plan



Ground floor plan

NOTES

- all dimensions to be checked on site
- do not scale from drawings

C	20210211	add fire alarm system to kitchen
B	20210207	add fire alarm system to main hall & bike store
A	20210120	Pre-tender
F	20210120	Pre-tender
Issue	Date	Details

Levit Bernstein Associates Ltd

1 Kingland Passage  
London, E8 2 8B  
Tel: 0207 275 7076

e-mail: office@levitberstein.co.uk www.levitberstein.co.uk

Project  
Brookside Close Estate  
Community Room Site 2

Drawing	Floor plans	Scale	Author
Date	2018.02.22	1:100(A3)	AMc
Project No.	3256	Drawing No.	C
		Client Ref.	BCE PLPA 010

## APPENDIX 3: SITE PHOTOS





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