# Planning Committee Meeting Agenda (Moved from 29 June 2022)

**Date:** **Wednesday 22 June 2022**

**Time:** **6.30 pm**

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

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

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

**Membership** (Quorum 3)

| | |
|---|---|
| **Chair:** | **Councillor Marilyn Ashton** |
| **Conservative Councillors:** | **Christopher Baxter (VC)**<br>**Salim Chowdhury**<br>**Zak Wagman** |
| **Labour Councillors:** | **Ghazanfar Ali**<br>**Peymana Assad**<br>**Nitin Parekh** |
| **Conservative Reserve Members:** | 1. Anjana Patel<br>2. Norman Stevenson<br>3. Ameet Jogia<br>4. Nicola Blackman |
| **Labour Reserve Members:** | 1. Simon Brown<br>2. Kandy Dolor<br>3. Rashmi Kalu |

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

Scan this code for the electronic agenda:

# Useful Information

## Joining the Meeting virtually

The meeting is open to the public and can be viewed online at www.harrow.gov.uk/virtualmeeting

## Attending the Meeting in person

Directions to the Civic Centre can be found at: 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 13 June 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 25 May 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, 17 June 2022. Questions should be sent to publicquestions@harrow.gov.uk**

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

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

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

8. **References from Council and other Committees/Panels**
To receive references from Council and any other Committees or Panels (if any).

9. **Addendum** (To Follow)

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

**Planning Applications Received**

Report of the Chief Planning Officer.

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

| | | | | |
|---|---|---|---|---|
| (a) | 1/01, Albro House, 59 Palmerton Road, P/0842/21 | MARLBOROUGH | GRANT | (Pages 21 - 86) |

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

| | | | | |
|---|---|---|---|---|
| (a) | 2/01, 24 Northwick Park Road, P/4075/21 | GREENHILL | GRANT | (Pages 87 - 122) |
| (b) | 2-02, 26-28 High Street, Wealdstone (P/1523/21) | MARLBOROUGH | GRANT | (Pages 123 - 168) |
| (c) | 2/03, Kilby's Industrial Estate & 1-5 Bacon Lane, P/0352/22 | EDGWARE | GRANT - SUBJECT TO VARIATION TO LEGAL AGREEMENT | (Pages 169 - 190) |
| (d) | 2/04, Kilby's Industrial Estate & 1-5 Bacon Lane, P/0451/22 | EDGWARE | GRANT - SUBJECT TO VARIATION TO LEGAL AGREEMENT | (Pages 191 - 214) |

| | | | | |
|---|---|---|---|---|
| (e) | 2/05, 21 Ash Close, P/0431/22 | STANMORE | GRANT | (Pages 215 - 236) |
| (f) | 2/06, 34 Woodlands Road, P/0177/22 | GREENHILL | GRANT | (Pages 237 - 262) |
| (g) | 2/07, Garages adjacent to 16 Charles Crescent, P/0632/22 | WEST HARROW | GRANT | (Pages 263 - 300) |

13. **Section 5 - Prior Approval Applications**

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

# Agenda - Part II - NIL

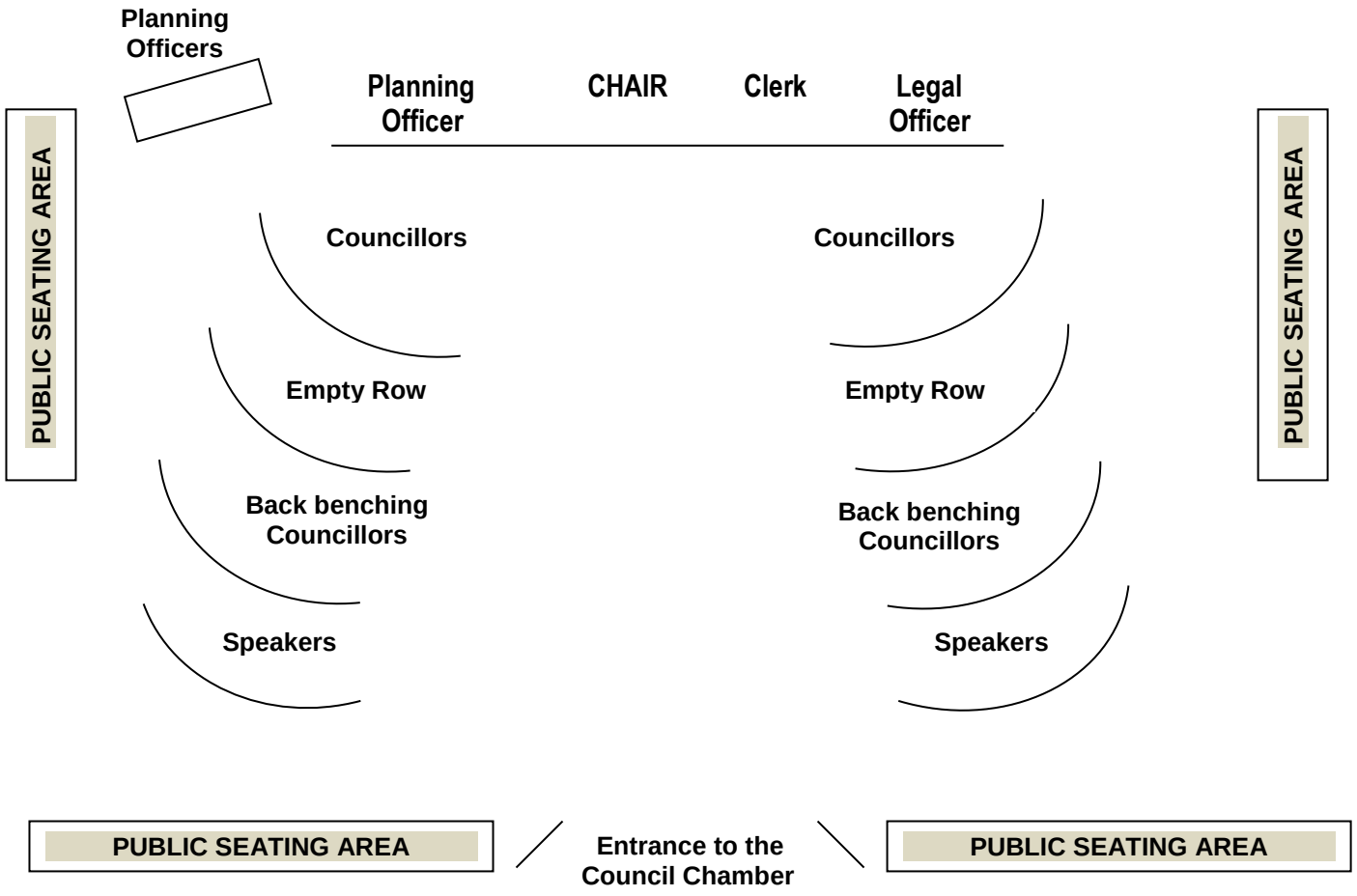
**Data Protection Act Notice**

The Council will record the meeting and will place the recording on the Council's website.

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

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

## Typical Planning Committee Layout for 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 sufficent 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

# 25 May 2022

**Present:**

| | | |
|---|---|---|
| **Chair:** | Councillor Marilyn Ashton | |
| **Councillors:** | Christopher Baxter | Rashmi Kalu |
| | Simon Brown | Zak Wagman |
| | Salim Chowdhury | |
| **Apologies received:** | Councillor Kandy Dolor | |

**1. Appointment of Vice-Chair**

**RESOLVED:** That, in accordance with Committee Procedure Rule 7.2.2, Councillor Christopher Baxter was appointed Vice-Chair of the Committee for the 2022/2023 Municipal Year.

**2. Attendance by Reserve Members**

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

| Ordinary Member | Reserve Member |
|---|---|
| Councillor Ghazanfar Ali | Councillor Rashmi Kalu |
| Councillor Peymana Assad | Councillor Kandy Dolor (Apologies) |
| Councillor Nitin Parekh | Councillor Simon Brown |

## 3. Right of Members to Speak

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

## 4. Declarations of Interest

**RESOLVED:** To note that the following declaration was made at the meeting:

Agenda Item 2/10 Bentley Priory P/0192/22

Councillor Marilyn Ashton declared a non-pecuniary interest, in that she and Councillor David Ashton, live abutting the site's boundary. However, the building in question is a long way from their property. Councillor David Ashton is a Trustee of Bentley Priory Museum, which is located on the site, but the Trust does not oversee the estate.

## 5. Minutes

**RESOLVED:** That the minutes of the meeting held on 13 April 2022 be taken as read and signed as a correct record.

## 6. Public Questions

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

## 7. Petitions

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

## 8. Deputations

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

## 9. References from Council and other Committees/Panels

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

## 10. Addendum

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

## 11. Representations on Planning Applications

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

## Resolved Items

### 12. 2/01, 7 Parkside Way, P/0579/22

**PROPOSAL:** conversion of dwelling into two flats (1 x 3 bed and 1 x 2 bed); single and two storey side extension; single storey rear extension; and parking.

The Committee resolved to accept officer recommendations.

**RECOMMENDATION**

The 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 this report.

**DECISION: GRANT**

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

Councillors Brown and Kalu voted to grant the application.

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

### 13. 2/02, Kilby's Industrial Estate & 1-5 Bacon Lane, P/0352/22

**PROPOSAL:** variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11 March 2021) to allow addition of rear dormers to 5 of the houses approved. The application was retrospective.

Councillor Marilyn Ashton proposed deferral to allow for a site visit. This was seconded by Councillor Christopher Baxter, put to the vote and agreed.

**DECISION: DEFER**

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

### 14. 2/03, Kilby's Industrial Estate & 1-5 Bacon Lane , P/0451/22

**PROPOSAL:** variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11 March 2021) to allow addition of rear dormers to 5 of the houses approved. The application is retrospective.

Councillor Marilyn Ashton proposed deferral to allow for a site visit. This was seconded by Councillor Christopher Baxter, put to the vote and agreed.

**DECISION: DEFER**

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

## 15. 2/04, 9-11 Palmerston Road, P/3140/21

**PROPOSAL**: variation of condition 2 (approved plans) attached to planning permission P/1619/16 dated 29/08/2019 to allow for:

a) removal of Block D Pavilion and additional two-storey height to other Block D Building;
b) amendments to the site entrance and road layout along Masons Avenue;
c) reduction of total car parking spaces on-site from 71 to 33
d) introduction of 9 surface car parking spaces for disabled and associated residents of the scheme
e) various Landscaping Amendments (incl. relocation of play space)
f) removal of Condition 50 (Access Ramp to Basement) following submitted details.

Councillor Christopher Baxter proposed refusal for the following reason:

1) the proposed reduction of on-site parking spaces from 71 to 33 for 187 units is unacceptable in this locality and would give rise to overspill parking in the surrounding residential roads, resulting in a loss of residential amenity to the residents thereof and to the future occupiers of the development, contrary to CS1 Harrow Core Strategy (2012), DM1, DM42 Harrow Development Management Policy (2013).

The proposal was seconded by Councillor Zak Wagman and agreed.

The Committee resolved to refuse 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 for the completion of a Deed of Variation to the Section 106 (dated 16 August 2019) Section 106 legal agreement and, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required.

**HIGHWAYS**

a. Removal and relocation of parking bays along Masons Avenue
b. Removal of reference to S278 works and replacement with S50 works as requested during construction by Harrow Highways.
c. Removal of reference to the raised table as requested during construction by LBH Highways
d. £10,000 contribution to review CPZ controls - Zone CA

**LEGAL COSTS, ADMINISTRATION AND MONITORING**

a. A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation and a further contribution (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

**RECOMMENDATION B**

That if, by 1st July 2022 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to REFUSE planning permission for the following reason: the proposed variation, in the absence of a Deed of Variation to the Section 106 (dated 16th August 2019) to provide the appropriate variation that aligns with the improvements, benefits and monitoring that directly relate to the current planning permission (P/1619/16 dated 28/08/2019), and would so fail to enable the highway work requirements as a result of the development, contrary to the National Planning Policy Framework (2021), Policy T4 of The London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012), and policies DM1, and DM42 of the Harrow Development Management Polices Local Plan (2013).

**DECISION: REFUSE**

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

## 16. 2/05, 11 Padleford Lane HA7 4WU, P/0883/22

**PROPOSAL:** single storey rear extensions; conversion of garage to habitable room; and external alterations.

The application was withdrawn from the agenda.

## 17. 2/06, 53 Suffolk Road, P/0940/22

**PROPOSAL:** single storey front extension incorporating porch; single and two storey side to rear extension; single storey rear extension; alterations and extension to roof; rear dormer; rooflights in front and both side roof slopes;

external steps at rear; extension of hard surfacing at front; external alterations (demolition of attached garage).

Councillor Christopher Baxter proposed refusal for the following reason:

1) the proposed development will appear as visually obtrusive, overbearing and out of character in a road which is predominantly characterised by detached dwelling houses and where there is a great deal of uniformity in the overall style and form of dwelling houses along the road, and so the cumulative impact of this proposal would give rise to a discordant, unwelcome and harmful interruption in the pattern of development in the locality to the detriment of the residential and visual amenities of the neighbouring properties, contrary to policy CS1 Harrow Core Strategy (2012), DM1 Harrow Development Management Policies (2013), D1 London Plan (2021).

The proposal was seconded by Councillor Zak Wagman, put to the vote and agreed.

The Committee resolved to refuse officer recommendations.

**RECOMMENDATION**

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 the conditions listed in Appendix 1 of this 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, Chowdhury and Wagman voted to refuse the application.

Councillors Brown and Kalu voted against refusing the application.

## 18. 2/07, 53 Wood End Avenue, P/0361/22

**PROPOSAL:** conversion of dwelling house into two flats (2 x 2 bed); single storey front and side to rear extension incorporating front porch; extending front boundary wall; hard and soft Landscaping; and refuse and cycle storage.

Councillor Christopher Baxter proposed refusal for the following reason:

1) the proposed development offers an inadequate standard of amenities by reason of the first floor 1 bed flat not having access to the rear garden amenity space to the detriment of the amenities of the future

occupiers and contrary to CS1 Harrow Core Strategy (2012), DM1 and DM26 Harrow Development Management Policies (2013), D1 London Plan (2021) and Harrow Council's SPD Residential Design Guide (2010).

The proposal was seconded by Councillor Salim Chowdhury, put to the vote, and agreed.

The Committee resolved to refuse officer recommendations.

**RECOMMENDATION**

The 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, Chowdhury and Wagman voted to refuse the application.

Councillors Brown and Kalu voted against refusing the application.

## 19. 2/08, 70 Uxbridge Road, P/0337/22

**PROPOSAL:** redevelopment to provide two storey building with habitable roof space comprising of eight flats (6 x 1 bed and 2 x 2 bed); landscaping; bin and cycle stores (demolition of existing dwelling and outbuilding).

Councillor Zak Wagman proposed refusal for the following reason:

1) the proposal provides no on-site disabled parking spaces to the detriment of the future occupiers and there is no credible and practical suggestion as to where, given the location of the site, an off-site disabled space could be provided near enough to the development to cope with the needs of someone with mobility issues, to the detriment of the future occupiers' amenities, who may require disabled parking facilities and contrary to policies CS1 Harrow Core Strategy (2012), T6.1 London Plan (2021), DM1 Harrow development Management Plan (2013).

The proposal was seconded by Councillor Salim Chowdhury, put to the vote and agreed.

The Committee resolved to refuse officer recommendations.

**RECOMMENDATION**

The Committee was asked to:

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

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

**DECISION: REFUSE**

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

## 20. 2/09, 87 Lankers Drive, P/0409/22

**PROPOSAL:** single storey front extension incorporating porch; single storey side to rear extension; external alterations (demolition of attached garage).

The Committee resolved to accept officer recommendations.

**RECOMMENDATION**

The Committee was asked to:

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

2) grant planning permission subject to the conditions listed in Appendix 1 of the report.

**DECISION: GRANT**

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

## 21. 2/10, Bentley Priory, P/0192/22

**PROPOSAL:** listed building consent: remove lime wash finish and replace with paint.

The Committee resolved to accept officer recommendations.

**RECOMMENDATION**

The Committee was asked to:

1) agree the reasons for approval and suggested conditions as set out in the report; and

2) grant Listed Building Consent.

**DECISION: GRANT**

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

## 22. 2/12, The Old School, P/0493/22

**PROPOSAL:** Listed Building Consent: new lighting and repairs to staircase.

The Committee resolved to accept officer recommendations.

**RECOMMENDATION**

The Committee was asked to:

1) agree the reasons for approval and suggested conditions as set out in the report; and

2) grant Listed Building Consent.

**DECISION: GRANT**

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

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

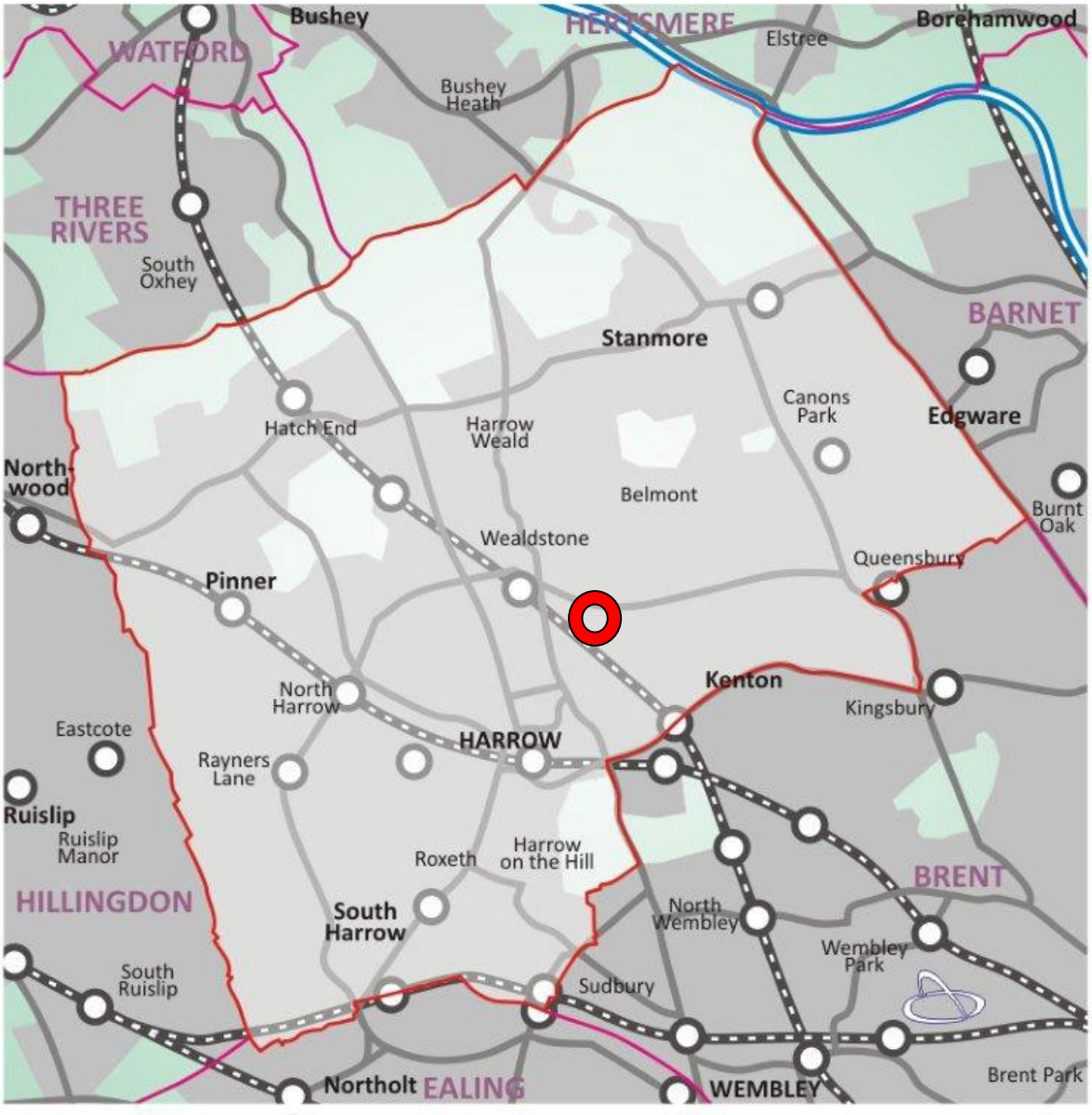
https://www.harrow.gov.uk/virtualmeeting

(Note: The meeting, having commenced at 6.30 pm, closed at 7.48 pm).

(Signed) Councillor Marilyn Ashton
Chair

**Agenda Item: 1/01**

**= application site**




| | |
|---|---|
| **Albro House, 59 Palmerston Road, Harrow, HA3 7RR** | **P/0842/21** |

-

Cycle Way
Builders Yard
24 to 46
50
52 to 68
70
74
76
90
PALMERSTON ROAD
Posts
Shelter
52.4m
41
Works
37 to 39
Works
Works
Factory
Palmerston
Centre
69
OXFORD ROAD
GEORGE BANGE WAY
47
63
75
Garage

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**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**22nd June 2022**

| | |
|---|---|
| **APPLICATION NUMBER:** | P/0842/21 |
| **VALID DATE:** | 09/04/2021 |
| **LOCATION:** | ALBRO HOUSE, 59 PALMERSTON ROAD, HARROW, HA3 7RR |
| **WARD:** | MARLBOROUGH |
| **POSTCODE:** | HA3 7RR |
| **APPLICANT:** | REGENCY PROPERTY SERVICES LIMITED |
| **AGENT:** | PPM PLANNING LIMITED |
| **CASE OFFICER:** | TOM BLACKMAN |
| **EXPIRY DATE:** | 29TH JUNE 2022 |

**PROPOSAL**

Redevelopment to provide part 8 and part 9 storey connecting buildings comprising of dry cleaners (Use Class B2), and commercial laundry (Use class E(g)) to the ground floor. industrial use (Use Class B2 to the first floor, offices (Use class E(g)(iii)) to the second floor and 32 serviced apartments (C1) on the upper floors; landscaping; bin and cycle stores (demolition of existing building).

**RECOMMENDATION A**

The Planning Committee is asked to:

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

2) Grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, and no objection from HSE regarding fire details, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The S106 agreement Heads of Terms would cover the following matters:

   TENURE AND MANAGEMENT STRATEGY
   (a) A tenure and management strategy.

   EMPLOYMENT AND TRAINING
   (a) A contribution to fund local employment and training programmes;

-

(b) The use of local suppliers and apprentices during the construction of the development
(c) A training and recruitment plan
(d) An employment management plan

DESIGN REVIEW AND DESIGN CODE

(a) The retention of the existing architect (or one of equivalent standard) until the development is completed; or the submission of a Design Code for approval by the Council that details the quality of the development.

DECENTRALISED ENERGY NETWORK

(a) Payment of carbon offset contribution prior to commencement of development calculated at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan) and using the carbon offset requirement outlined in the approved revised Energy Assessment submitted as a condition of any planning permission.
(b) Provisions safeguarding the potential for connection to any future heat network capable of serving the development.
(c) Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon).
(d) Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance.
(e) Sufficient space and safeguarded route to allow connection to any future district decentralised energy network.

LEGAL COSTS, ADMINISTRATION AND MONITORING

(a) S106 legal and administrative costs.

**RECOMMENDATION B**

That if, by 22nd September 2022 or such extended period as may be agreed in writing by the Interim Chief Planning Officer, the section 106 Planning Obligation is not completed, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D2, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy

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(2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM1, DM13, DM34, and DM50 of the Harrow Development Management Polices Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

## INFORMATION

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

| | |
|---|---|
| Statutory Return Type: | All other Largescale Major Development |
| Council Interest: | None. |
| Net Floorspace: | 1,934 sqm |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £146,220 |
| Harrow CIL requirement: | £134,715 |

## 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 equality's 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 Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. 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.

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## 1.0 SITE DESCRIPTION

1.1 The application site consists of a detached two-storey rectangular brick warehouse building located on the southern side of Palmerston Road. The subject site is currently being used as a dry cleaning works**.**

1.2 The Palmerston Centre is adjoining the site to the east, which is an industrial estate, and to the west is two recently approved schemes that are currently being constructed. The nearest development adjoining the site being the co-living scheme at 55 Palmerston Road which also adjoins to the rear, and further west, the residential development at 9 – 11 Palmerston Road (Origin Housing). Beyond the rear boundary of the site is the residential properties and rear gardens on the northern side of Masons Avenue.

1.3 The application site is located within the Harrow and Wealdstone Opportunity Area and has a PTAL rating of 5. The roads surrounding the site are included within a Controlled Parking Zone (CPZ).

1.4 The site is within Flood Zone 2 and 3, and a critical drainage area.

1.5 The site is approximately 0.06ha.

## 2.0 PROPOSAL

2.1 The proposed development is a redevelopment of the existing site comprising of dry cleaners (Use Class B2), and commercial laundry (Use Class E(g)) at ground floor. At the first floor an industrial use is provisioned (Use Class B2), and an office use (Use Class E(g)(iii) on the second floor. On the upper floors is 32 serviced apartments. This is facilitated by a part 8 and part 9 storey building, connected by a three-storey element.

2.2 The mix size of aparthotels proposed is 22 x studios, and 10 x 2bedroom.

2.3 The ground floor will include cycle stores and refuse stores for occupants and users. The proposed development would be car free with the exception of disabled parking spaces and a servicing space that is accessed via a shared surface from Palmerston Road.

2.4 On the roof of all three elements intensive green roofs are proposed.

## 3.0 RELEVANT PLANNING HISTORY

3.1 No recent or relevant planning history to the proposed development.

## 4.0 CONSULTATION

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4.1 A total of 299 consultation letters were sent to neighbouring properties regarding this application.

4.2 A site notice was posted on the 16th April 2021. A Harrow Times advert was published on the 15th April 2021. The overall public consultation period expired on the 7th May 2021.

4.3 2 objections have been received and are summarised below.

**Character**

- Too much density in the area as a result of the proposal.

*Officer response: Noted, please refer to section 6.3 below.*

**Impact to Residential Amenity**

- Loss of privacy due to overlooking and reduction in light from the proposed development especially in the garden area.

*Officer response: Noted, please refer to section 6.4 below.*

Statutory and Non-Statutory Consultation

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

| **Consultation Responses** |
|---|
| **LBH Principal Urban Design Officer**<br>The overall design of the proposal, and specific aspects of the scheme are generally supported subject to conditions.<br><br>*Officer response: Noted, conditions included.*<br><br>**LBH Highways Officer**<br>No objection, subject to requested conditions.<br><br>*Officer response: Noted, conditions included.*<br><br>**LBH Economic Development Officer**<br>No objection, following the additional information received regarding the retention of the dry cleaners as an occupier for the scheme, and the commercial consideration, and lettability, of the industrial uses.<br><br>**LBH Drainage Engineer** |

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No objection subject to conditions.

*Officer response: Noted, conditions included.*

**LBH Principal Landscape Architect**
No objection to the proposal, subject to relevant conditions.

*Officer response: Noted, conditions included.*

**LBH Biodiversity Officer**
Subject to appropriate conditions there appears to be no reasons why the scheme should not proceed on biodiversity grounds. Provision of the mix of green and bio-solar roof spaces and suitable wildlife shelters should provide welcome benefits for wildlife and help contribute to access to nature. A biodiversity condition is required.

*Officer response: Noted, condition included.*

**LBH Environmental Health Officer**
Contamination – no objection to the details subject to conditions.

Air Quality – no objection to the details subject to conditions.

Noise – no objection to the details subject to conditions.

*Officer response: Noted, conditions included.*

**LBH Waste Management Officer**
No comment received.

**LBH Planning Policy**
Subject to the relevant condition, s106 clauses relating to energy, and the proposal following the Agent of Change principles, the proposed development in this instance can be supported.

*Officer response: Noted, conditions included.*

**Transport for London**
No objection subject to conditions.

*Officer response: Noted, conditions included.*

**NHS Harrow**
*No comment received.*

**Designing Out Crime Officer**
No objection subject to a condition to ensure the development achieves SBD accreditation.

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*Officer response: Noted, condition included.*

**Environment Agency**
No objection to the application as submitted. The flood risk assessment uses the flood levels modelled by the neighbouring site 9-11 Palmerston Road, which have been approved by us. The model confirms that the site remains dry during all modelled flood events (using the conservative levels of 35% and 70%). An informative is requested if any permission is given.

*Officer response: Noted, informative included.*

**Ministry of Defence (RAF Northolt)**
No objection subject to a condition relating to a Bird Hazard Management Plan.

*Officer response: Noted, condition included.*

## 5.0 POLICIES

"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.'*

5.1 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

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

## 6.0 ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Design, Townscape, Character, and Appearance
- Residential Amenity
- Traffic, Parking, Access, Servicing and Sustainable Transport
- Environmental Considerations – Contamination, Noise, Air Quality

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- Development and Flood Risk
- Biodiversity
- Energy & Sustainability
- Secured by Design
- Fire
- Aviation

6.2 **Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021):
- The London Plan (2021): E4, E7
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP9
- Harrow Development Management Polices Local Plan (2013):DM34

Industrial and Business Use Area

6.2.2 The application site is located within a designated Local Strategic Industrial Site (LSIS), within the policies map.

6.2.3 Part A of Policy E4 of the London Plan (2021) requires a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, colocation and substitution (see Policy E7 Industrial intensification, co-location and substitution). The policy specifies the provision for the varied operational requirement of light and general industry (Use Classes B1c and B2).

6.2.4 Part C of Policy E4 of the London Plan (2021) states the retention, enhancement and provision of additional industrial capacity within a LSIS should be planned, monitored, and managed.

6.2.5 Following on, Policy E7 of the London Plan (2021), Part B, states that development plans and planning frameworks should be proactive and consider, in collaboration with the Mayor, whether certain logistics, industrial and related functions in selected parts of SIL or LSIS could be intensified to provide additional industrial capacity. Intensification can also be used to facilitate the consolidation of an identified SIL or LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal. This process must meet the criteria set out in Part D below. This approach should only be considered as part of a plan-led process of SIL or LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough,

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and not through ad hoc planning applications. In LSIS (but not in SIL) the scope for co-locating industrial uses with residential and other uses may be considered. This should also be part of a plan-led or master planning process.

6.2.6 Part D, of Policy E7 states that the process set out in Part B of Policy E4 must ensure that:

1. the industrial and related activities on-site and in surrounding parts of the SIL, LSIS or Non-Designated Industrial Site are not compromised in terms of their continued efficient function, access, service arrangements and days/hours of operation noting that many businesses have 7-day/24-hour access and operational requirements.
2. the intensified industrial, storage and distribution uses are completed in advance of any residential component being occupied.
3. appropriate design mitigation is provided in any residential element to ensure compliance with 1 above with particular consideration given to:
   a) safety and security
   b) the layout, orientation, access, servicing and delivery arrangements of the uses in order to minimise conflict
   c) design quality, public realm, visual impact and amenity for residents
   d) agent of change principles
   e) vibration and noise
   f) air quality, including dust, odour and emissions and potential contamination.

6.2.7 It is considered that the retained B2 use in its proposed form can still operate effectively as part of a mixed-use scheme, therefore meeting the requirements of Part B within Policy E7. The applicant has also provided evidence that a strategy is in place to retain the existing occupants during the construction period, officers fully support the retention of the B2 industrial floorspace, and the retention of the industrial dry cleaners on the site, within the designated LSIS.

Proposed Uses – Employment & Serviced Apartments

6.2.8 The proposed development includes E(g)(iii) industrial use on the second floor which is an accepted industrial use as identified in Part A of Policy E4. Therefore, the overall industrial floorspace is intensified on the site increasing from 480m$^2$ to 758m$^2$, and the proposal facilitates co-location of aparthotels which is a further intensification of the site and is compliant with Part B of Policy E7 of the London Plan (2021).

6.2.9 It was highlighted to the applicant during the pre-application process that multi-storey employment space is not attractive within Harrow, and whilst it would work for the existing use on the site any forthcoming application would need to robustly demonstrate that the layout would be futureproof. The details submitted show a flexibility in the configuration of the E(g)(iii) floorspace, this has been considered acceptable by the economic development officer.

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6.2.10 The principle of the E(g)(iii) use is therefore considered acceptable, subject to any acceptable mitigation required to ensure no disturbance between the E(g)(iii) use and the aparthotels located above.

6.2.11 Officers therefore consider the intensification of the existing industrial use on the site within the lower floors, the inclusion of a B(g)(iii) use, and the co-location of the hotel use on the upper floors is supported.

Proposed Serviced Apartments

6.2.12 The proposal would provide 32 serviced apartments (Use Class C1) on the upper floors of the scheme. Notwithstanding the considerations relating to the industrial uses, Policy DM34 of the Harrow Development Management Policies (2013) directs new hotel development to the Harrow & Wealdstone Opportunity area.

6.2.13 A clause will be required within the S106 agreement to provide a tenure and management strategy to confirm the general management of the aparthotels, and to confirm the length of stay for occupants, which would not be beyond 90 days, to ensure the units remain a hotel use, and not fall within residential use.

6.2.14 The location of aparthotels on the upper floors is therefore supported.

EA Flood Zone 2 and 3 – Sequential Test

6.2.15 Paragraph 167 of the NPPF states that, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
d) any residual risk can be safely managed; and
e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

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6.2.16 In addition, London Plan Policy SI12 requires development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.

6.2.17 The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, as confirmed by paragraph 162 of the NPPF (2021). Paragraph 163 of the NPPF states that where it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may also be applied.

6.2.18 Local Plan Policy AAP9 states that with regard to the sequential test, the area of search will be confined to the Heart of Harrow area where the proposal involves the creation of more than 50 jobs, more than 50 net new homes, or contributes significantly to the regeneration of Wealdstone. With regard to the application of the exception test, a high priority will be accorded to the delivery of physical and social regeneration within Wealdstone district centre.

6.2.19 The application site is within Flood Zone 2 and 3 therefore a sequential test must be undertaken to confirm whether any other sites have a lower risk of flooding than the application site.

6.2.20 The planning application includes a Flood Risk Sequential Test (prepared by Freeths – February 2021). The proposed development has confirmed that it would create 59 jobs, which has been corroborated by the economic development officer. Therefore, in line with Policy AAP9 the sequential test is confined to the Heart of Harrow area only as the scheme will contribute to the local economy of the Wealdstone area.

6.2.21 The following sites have been identified as potential sites to accommodate the proposed development:

| Identified Sites within the Opportunity Area | Commentary |
|---|---|
| Site 5a: Wealdstone Infills – Former Public House, High St (Rear of site) | Planning permission for this site was granted in January 2013 (P/2418/12). This has now largely been constructed and as such the site is not considered to be available. |
| Site 5b: Wealdstone Infills - Vacant land at the junction of Canning Road and George Gange Way | Planning permission for this site was granted in October 2009 (P/1770/09). This has now been constructed and as such not considered to be available. |
| Site 5c: Wealdstone Infills – Former Public House, High Street (Front Car Park | Planning permission for this site was given in August 2013 (P/0960/13). This has now been |

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| | |
|---|---|
| and to rear extending to George Gange Way) | constructed and as such the site is not considered to be available. |
| Site 6: Palmerston Road / George Gange Way | Planning permission for this site was given in August 2019 (P/1619/16). Conditions are currently being discharged, and construction is well under way. |
| Site 12: Greenhill Way Car Park North | The sequential test details states that the western as site has planning permission and has commenced. Officers are aware that the planning permission for this site has actually expired. So this part of the site is available. The hotel in the east portion of the site has been completed and is operating.<br><br>As a hotel has already been completed on the site, the AAP identifies only a C3 use for the west of the site, and does not refer to use class C1, B1c, or B2, as such the available part of the site is considered to be suitable. |
| Site 16: Havelock Place | There is no extant permission for redevelopment. However, whilst large enough for the proposed development, it is a constrained site to the rear of existing buildings and the allocation does not allow for C1 or B2 uses, as such the site is not considered to be suitable. |
| Site 18: Harrow-on-the-Hill car park west | It would appear there are extant or current planning applications for this site, so it is available and of a comparable size to accommodate for the quantum of development proposed. However, the allocation does not allow for C1 or B2 uses, as such the proposed development would be contrary to policy, therefore the site is not suitable. |
| Site 20 – Harrow-on-the-Hill car park east | As above. |

6.2.22 The results demonstrate that the identified sites have either been implemented, are subject to current planning applications, or are not available for a similar type of development in the foreseeable future. As a result, and in accordance with the advice in the NPPF, it is concluded that there are no reasonable available sites of a comparable size or capacity with lower probability of flooding where it would be appropriate to accommodate the proposed development. In this regard, officers are satisfied the sequential test is passed.

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Exception Test

6.2.23 In accordance with the NPPF, as it is not possible for development to be located in alternative allocated sites within the Opportunity Area with a lower risk of flooding; the exception test would need to be applied. Paragraph 164 of the NPPF states that for the exception test to be passed it should be demonstrated that:

a) The development would provide wider sustainability benefits to the community that outweigh the flood risk: and
b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

6.2.24 Furthermore, the Harrow and Wealdstone Area Action Plan affords a high priority to the physical and social regeneration of Wealdstone.

6.2.25 The application site is previously developed land located in a highly accessible location. As detailed more comprehensively in other sections of this report, the proposed development would deliver a wide range of planning benefits for the site and surrounding area. The regeneration of the site would enable the delivery of modern, flexible, and affordable workspace, and increase the quantum of employment within the designated industrial and business use area. Furthermore, the proposal would provide a reprovision of the existing B2 use class on the lower floors, a provision of use class E(g)(iii), and 32 serviced apartments which is supported within the intensification area the site is located in, and contributes to, the physical regeneration of Wealdstone.

6.2.26 Officers therefore consider that the proposal passes the exception test, and the scheme is considered acceptable with regard to its benefits and the flood risk.

## 6.3 Design, Layout, and Appearance

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D1, D2, D3, D4, D5, D8, D12, D13, G5, G7
- Harrow Core Strategy (2012): CS1
- Area Action Plan (2013): AAP3, AAP4, AAP6
- Harrow Development Management Polices Local Plan (2013): DM1, DM45

6.3.2 The Harrow Core Strategy defines tall buildings with the Opportunity Area as 30m and above. The proposed development is 29.92m at its maximum height and therefore is not defined as a tall building. An assessment is not required against Policy D9 (Tall Building) of the London Plan (2021).

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Site Strategy

6.3.3 The retention of the industrial use space in its entirety at ground floor level with the inclusion of a street-fronting commercial element is highly welcome and will serve to retain the industrial use of this wider allocation and activate the frontage of this part of Palmerston Road. The use of a buffer floor of E(g)(iii) use to separate the true B2 industrial use from the aparthotel units is also welcome.

6.3.4 The applicant has included a central void to reduce the massing of the development to form two blocks in order to limit overshadowing and daylight and sunlight reductions to the west. The provision of an aparthotel as opposed to residential provision is appropriate given the Opportunity Area location and the immediacy of industrial use to this site.

Massing, Scale & Built Form

6.3.5 The setback distance to The Collective development appears as generous as from the Collective to the Deller and Palmerston development, the proposal is also setback from the eastern boundary of the Palmerston Centre to allow space for maintenance of the blank flank wall.

6.3.6 A building of part 9 and part 8 storeys is appropriate for this site, subject to the rest of the built form being responsive to its surroundings. The site is well within the opportunity area and close to Wealdstone district centre, providing a strong rationale for a taller building at this location.

6.3.7 The proposed central massing void to the development allows for eastern daylight and sunlight to reach the neighbouring The Collective development. There remain concerns regarding perceived overlooking to the east-facing habitable room windows of single aspect units of The Collective from the west elevation. This is primarily driven by the proximity of The Collective's eastern elevation to the site boundary and is addressed by an opaque treatment to west elevation windows.

6.3.8 The introduction of GRC-clad columns to the ground floor front elevation provides a material relationship with the neighbouring The Collective development and provide the appearance of a continuous frontage with upper storeys of the proposed development.

Internal Layout, Aspect, Orientation

6.3.9 The provision of measures to obscure the glazing to western elevation windows is accepted. This has been proposed to limit the perceived and actual overlooking between aparthotel units and neighbouring single aspect co-living units which form part of The Collective development immediately to the west of site. It is generally acceptable for aparthotel units to have obscured glazing to their secondary aspects, as each unit maintains a large

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principal window opening and aspect to the north or south, with limited overlooking to these aspects.

6.3.10 The communal roof terrace to the central portion of the building, whilst providing necessary break-out space for aparthotel users may result in noise pollution to neighbouring residents at The Collective. A suitable treatment such as a raised parapet for the terrace's western edge as well as planting would mitigate against this, a condition will be attached to any positive recommendation to require further details on the configuration of the communal roof terrace at the western elevation.

6.3.11 The location of the goods lift and stair core to the industrial unit entrance is successful in ensuring the efficient use of the floor plate.

Architectural Form, Composition & Materiality

6.3.12 The revision of a light render to a natural stone cladding system is highly welcomed in resolving staining and weathering concerns from GRC or light render panels. The proposed natural stone cladding is a high-quality material which is proven to weather successfully and provide visual interest.

6.3.13 The proposed zinc cladding is used sparingly for the banding and expressed frame of proposed elevations and has durable weathering properties. Due to its limited use, it is not overbearing on the warmer tones of the natural stone cladding, the principal rainscreen cladding material.

6.3.14 Ground and first floor external materials consist of a soft grey brick slip, which delineates the ground floor storey and is a durable material, as well as a GRC expressed frame cladding material to closely match the ground floor treatment of the neighbouring The Collective scheme. This is particularly successful for the street-facing elevation and forms a referential continuation of The Collective's colonnade.

6.3.15 A condition will be attached to any recommendation to grant planning permission to confirm the maintenance strategy of the building.

6.3.16 Glass balustrading to the shared amenity terrace is not considered appropriate and would raise additional privacy concerns to east-facing habitable room windows of The Collective development. This should be revised to a fully opaque balustrade or raised parapet to limit overlooking. The requirement for this will be combined with the noise mitigation condition required for the terrace, confirmed above.

Agent of Change

6.3.17 Policy D13 (Agent of Change) of the London Plan (2021), confirms the agent of change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the

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proposed new noise-sensitive development. Boroughs should ensure planning decisions reflect the agent of change principle and take account of existing noise and other nuisance-generating uses in a sensitive manner when new development is proposed nearby.

6.3.18 Part B of Policy D13 states development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them. Part D of the policy confirms development proposals should manage noise and other potential nuisances by:

1. Ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area.
2. Exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations.
3. Separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, soundproofing, insulation, and other acoustic design measures.

6.3.19 The proposed development adjoins the Palmerston Centre to the east, and so the proposed scheme has to prevent inhibiting the viability, continuation, and growth of the Centre's operation. In line with the guidance, the applicant has engaged at an early stage in the planning application process with officers to understand the Council's views on the design mitigation required to ensure there is no limitation on the operation of the Palmerston Centre as a result of the proposed development.

6.3.20 The east elevation is designed with no fenestration, and the configuration of the proposal has incorporated for a one metre gap between the proposed development and the boundary of the neighbouring Palmerston Centre that allows for ease of maintenance and a notable separation. The noise report has been assessed by the environmental health officer and the operations from the Palmerston Centre has not been raised as a concern. Instead, the interaction between the uses within the development itself has been highlighted.

6.3.21 It should also be noted that the neighbouring development, The Collective, which is a co-living development has fenestration serving living accommodation facing the Palmerston Centre, the subject scheme would now screen this neighbouring development from the Centre.

6.3.22 Officers consider the orientation of the proposed development, and the specific design solutions in consideration of the Palmerston Centre would restrict any possible nuisance or disturbances within the proposed development.

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Landscaping

6.3.23 The ground floor area is to be hard surfaced with one tree proposed. The majority of the hard surface is allocated for vehicle access, servicing, disabled parking, and Sheffield cycle stands. It is noted that the hard materials are to be permeable, to match the adjacent development.

6.3.24 With reference to the floor 3 roof terrace, which is the link between the two building blocks, it is noted the proposed intensive green roof will be shaded and this would need to be taken into account when considering any planting. It is noted that the planting is to enhance the biodiversity and contribute to the urban greening and contribute to the adaption to and reduction of the effects of climate change. The proposed green roof is supported.

6.3.25 The proposal for extensive biodiverse green roofs on both blocks combining enhancement to biodiversity of the area together with PV bi-solar roof panels on one of the blocks. The proposal for irrigation to establish the green roof and use of irrigation during extended periods of drought is noted.

6.3.26 Further details would be required for the intensive green roof at the floor 3 roof, and the extensive green roofs, to explain the substrate, build up layers on the green roof, planting and irrigation, and this can be covered by a planning condition. Access to the roof for maintenance would be essential, the maintenance of both the extensive, and intensive green roof can also be covered by a planning condition.

Refuse and Servicing

6.3.27 A refuse store is proposed at ground floor level which is directly accessed from the shared surface area these services both the industrial and residential use.

6.3.28 The waste strategy and collection would be undertaken privately and based on the details provided officers have no objections to the proposal.

Summary

6.3.29 In conclusion, the proposed development, subject to the imposition of appropriate conditions, would achieve a high standard of design and layout, which would add positively to the built form, providing a high-quality development which would substantially contribute to the character and appearance of the area, subject to any conditions attached to any permission given being met.

6.4 **Impact to Residential Amenity**

6.4.1 The relevant policies are:

- The London Plan (2021): D3, D14

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- Harrow Development Management Polices Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)
- Housing SPG (2016)

Amenity of Future Occupiers and Accessibility of the Aparthotels

Unit Layout and Size

6.4.2 There are no prescriptive space standards for visitor accommodation set out in the Development Plan. It is noted from the proposed floorplans that the rooms would largely consist of a 'studio' layout with a floor area range of 21.5m$^2$- 27.6m$^2$. The two-bed units would be provided on the sixth to eighth floor with a floor area range of 45.8m$^2$ – 55m$^2$. Due to the position of the cores, and the width of the proposed development, this results in an 'L-shaped' design to the proposed units, creating a less efficient layout.

6.4.3 Officers requested that existing comparable accommodation is provided to evidence that the proposed development would be a suitable alternative short term let within the borough. The applicant has referred to the following developments,

- Kap House (Service Apartments) 31 Elm Grove Road, Harrow. Offer studios at 25m$^2$, and 1 bedroom at 37m$^2$.
- Wild Aparthotels by Staycity. Size of the apartments are 25m$^2$.
- The Collective (Co-living – Neighbouring Development) average size room of 19.5m$^2$.
- 1 Green Hill, self-contained apartment 21m$^2$.
- Travel Lodge Hotel, Green Hill Way (Hotel), approximately 16m$^2$.

Based on the comparable alternative's officers consider the room areas proposed are considered acceptable and provide an alternative option within the short term let market within the Harrow and Wealdstone area.

Outlook/Visual Amenities

6.4.4 Whilst there is no outlook from the proposed aparthotels at the side elevations to mitigate any impacts on the neighbouring properties, it is considered the fenestration at the north and south elevations (which consist of two windows for each unit) provide adequate visual amenities from the main areas of the proposed units and are considered acceptable.

Privacy

6.4.5 As the glazing on the west elevation is opaque glazed to 1.7m there is no opportunity of overlooking, or an infringement directly parallel with the proposed aparthotels from the neighbouring Collective development. There is potential from the neighbouring development to view the windows on the north

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and south elevations that serve the aparthotels that look out onto the communal roof terrace, but this is at an acute angle and is not considered to adversely impact the future occupants of the aparthotels.

6.4.6 There are no windows on the east elevation, and the spatial distances to the north and south of the site mitigate any opportunity of overlooking into the proposed aparthotels.

6.4.7 As highlighted above in paragraph 6.3.20 the proposed development is designed to mitigate any interaction between the Palmerston Centre and the proposed aparthotels as the scheme is orientated and designed with its back to the neighbouring industrial development. It has already been highlighted that a condition will be required in terms of the mitigation needed between the E(g)(iii) use and the lower aparthotels.

Accessibility

6.4.8 Part H of Policy E10 (Visitor Accommodation) London Plan (2021) to ensure sufficient choice for people who require an accessible bedroom, development proposals for serviced accommodation should provide either:

1) 10 per cent of new bedrooms to be wheelchair-accessible in accordance with Figure 52121 incorporating either Figure 30122 or 33123 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings. Code of practice; or

2) 15 per cent of new bedrooms to be accessible rooms in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings. Code of practice.

6.4.9 Three of the proposed aparthotel units would be fully accessible for wheelchair users, these being three of the 2 bed aparthotels as identified in drawing 7281/120 Rev N. A condition will be added to any positive recommendation to ensure these wheelchair units are implemented.

Summary

6.4.10 Officers therefore consider the quality of accommodation for future occupants of the proposed aparthotels is acceptable. There is no daylight and sunlight requirement for serviced apartments. Given that the outlook provided from the two windows on the north and south elevations are acceptable for each unit, officers consider the level of amenity within the units is supported.

<u>Amenity Impact on the Neighbouring Occupiers</u>

6.4.11 Part C (Privacy and Amenity Considerations) of Policy DM1 (Design and Layout

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Considerations) requires all development proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted.

Outlook/Visual Amenities

6.4.12 Given the industrial nature of the Palmerston Centre to the east, and the builders yard to the north, officers consider there is no relevant assessment needed of outlook and visual amenities from these neighbouring locations. Due to the spatial distance from the nearest residential property to the east, No.69A Palmerston Road, there is considered to be no adverse visual impact from this property.

6.4.13 The proposed development is set further north than the neighbouring Collective development, therefore its mass and scale is not as prominent in consideration of the visual impacts from the rear of the properties along the northern side of Masons Avenue than the neighbouring development previously approved. Officers consider the spatial distance from No. 57-61 Masons Avenue allows for acceptable levels of outlook and visual amenity from the rear of these neighbouring properties.

6.4.14 The east elevation of the neighbouring development, The Collective (No.59 Palmerston Road), is approximately 6 to 9 metres from the west elevation of the proposed development. Given the proposed scheme is part 8 and part 9 storeyss it is notable that the windows central and the lower floors within the neighbouring development would be impacted in terms of outlook and visual amenity. The majority of windows serve bedrooms to the neighbouring co-living development, which are deemed less sensitive as these rooms are not the main daytime living areas. It should be noted that the distance between the proposed scheme and the neighbouring development has already been established and accepted on the western elevation of The Collective development with the Origin Housing scheme. As also highlighted in the daylight and sunlight assessment below, officers consider the windows on the eastern elevation of the neighbouring development compromises the development of the application site, and given the neighbouring development is short-let accommodation, on balance, the visual amenity from the neighbouring development is considered appropriate based on the building heights, distances between buildings, and site circumstances.

Overlooking & Privacy

6.4.15 The east elevation facing on to the Palmerston Centre does not include any fenestration, and due to the nature of the neighbouring industrial use, the design of the building does not affect the privacy of the neighbouring property to the east. Given the lack of fenestration on the east elevation and the spatial

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distance there is also considered no overlooking on to No.69A Palmerston Road to the east. Given the spatial buffer of Palmerston Road and the industrial nature of the uses to the north, it is also considered the proposed development would not create a situation of overlooking or infringement of privacy to these uses.

6.4.16 As all windows on the west elevation facing the recently constructed co-living scheme are to be opaque (up to 1.7m), officers consider there would be no infringement on privacy from the western elevation of the proposal to this neighbouring development. There are windows on the north and south elevations of the two blocks facing into the terrace area of the proposed development which would have a view of some windows of the eastern elevation of The Collective development. Due to the angle and relationship of these windows officers consider the scenario of overlooking would be limited, and the privacy levels of the neighbouring development would be acceptable in this regard.

6.4.17 The rear boundary of No.57 – 61 Masons Avenue rear gardens is approx. 23metres from the rear elevation of the proposed development, and approx. 44metres from the rear elevation of these neighbouring properties. The rear elevation includes fenestration serving the aparthotels from 2nd to the 7th floor. The supporting text of Standard 28 of the London Housing SPG (2016) states a useful yardstick for visual privacy is 18 – 21metres. Given the rear boundary of the neighbouring property is beyond 21metres, and the neighbouring property has a rear garden of over 20metres in length to the rear elevations of these properties, officers consider the overlooking scenario from the proposed development is in line with the London-wide guidance and is considered acceptable.

Daylight, Sunlight & Overshadowing

6.4.18 The applicant has submitted a Daylight & Sunlight Assessment Report (Right of Light Consulting February 2021). The assessment confirms that the analysis was undertaken in accordance with the advice and recommendation set out in the BRE Guidelines 'Site Layout for Daylight and Sunlight: A Guide to Good Practice' (2011). There are three detailed methods for calculating daylight recommended in the BRE Guidelines: Vertical Sky Component (VSC), No Sky Line Contour (NSL) and Average Daylight Factor (ADF). The VSC and NSL are primarily used for the assessment of existing buildings, while the ADF test is generally recommended for proposed rather than existing dwellings. For sunlight, the Annual Probable Sunlight Hours (APSH) method is also provided.

6.4.19 There are no nearby gardens or amenity areas directly to the north of the proposed development, therefore no assessment has been undertaken with regards to overshadowing of gardens or open spaces.

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6.4.20 It is noted that No.52 to 68 Palmerston Road, which are located on the northern side of Palmerston Road are non-domestic buildings, along with unit 5 – 8 in the adjoining Palmerston Centre, therefore there is not a requirement of specific daylight and sunlight level requirements to these buildings. Nevertheless, it should be noted all rooms and windows to these buildings pass the tests if they were to be habitable buildings.

6.4.21 It is concluded by the Daylight and Sunlight Assessment that the nearest residential property to the east, 69a Palmerston Road, and the nearest residential properties to the south, 59 and 61 Masons Avenue, all achieve the daylight and sunlight BRE requirements. This is further corroborated by the conclusion of the independent assessment undertaken by Avison Young (February 2022). The property immediately adjacent to the west of the site, 59a Palmerston Road (The Collective Development), is the only neighbouring property that has identified breaches in consideration of the BRE requirements for daylight and sunlight.

59a Palmerston Road (The Collective)

6.4.22 The applicant's assessment identifies 80 habitable windows that do not meet the VSC daylight requirements all located on the east elevation of the neighbouring property. The majority of these breaches are moderate to major breaches, with some breaches being as low as a 0.1 ratio of its existing value. These are bedrooms located on the lowest floor of the co-living units within the central area of the eastern elevation facing the proposed development.

6.4.23 In consideration of the resultant NSL daylight distribution levels at the neighbouring property, 53 habitable rooms do not meet the BRE guidance. Whilst there are some minor breaches within this total, many of these rooms are moderate to major breaches of the required levels. Again, these are bedrooms on the lower floors centrally within the eastern elevation of the neighbouring property.

6.4.24 The applicant's sunlight assessment to windows at No.59a has concluded that 59 habitable rooms do not meet the total annual sunlight hours test and the winter sunlight hours test. As per the failures already noted for the daylight measurements this is due to the location of the windows relative to the proposed scheme. The majority of these breaches are significant, and some bedrooms achieve as low as 0.01 of its former value, receiving no sunlight throughout the year.

6.4.25 The independent daylight and sunlight assessment by Avison Young reaffirms these significant adverse impacts to the habitable rooms. It is noted the independent assessment highlights that the living/dining/kitchen rooms appear to be unaffected, and that the majority of the rooms impacted are bedrooms, which are considered with less sensitivity in accordance with the

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BRE guidance as they are generally occupied at night-time when natural daylight is not being relied upon.

6.4.26 To justify the identified harm to the sunlight and daylight levels within the neighbouring development the applicant's consultant have undertaken a mirror massing study as an alternative assessment which is recognised by the BRE as an appropriate tool where you are building close to a boundary, the results of this approach deem the daylight and sunlight levels of the neighbouring development acceptable. Avison Young within their independent assessment confirm that the BRE Guidelines note that in certain situations it may be useful to consider alternative target values in relation to daylight and sunlight. One of the alternative target criteria provided by the BRE Guidelines is a 'mirror image' approach which is used to understand the levels of daylight (VSC) and sunlight (APSH) that would be experienced by an extant neighbouring property if there were a building of the same height and extent opposite.

6.4.27 Avison Young further summarise that the mirror massing assessment is quite simplistic as it merely mirrors an existing building across a boundary line, therefore the approach can sometimes be difficult to apply. Whilst Avison Young do support the use of mirror massing to contextualise the results, they conclude the assessment should not be the primary method for benchmarking daylight and sunlight impacts. Whereas Right of Light Consulting have concluded that the results are 'acceptable' on the basis that there will be no impact if you were to apply a hypothetical mirror massing. Avison Young highlight the use of the mirror massing should be used as an alternative target and not the primary target.

6.4.28 Officers consider that the design of the 59a (Collective Scheme) with windows on the eastern elevation at lower level has compromised the development potential of the application site to provide a more efficient use of land than what currently exists on-site. Therefore, the mirror massing approach is considered to be a suitable alternative assessment, and the daylight and sunlight impacts to No.59a should be considered acceptable on this basis. This is further justified because the rooms impacted within the neighbouring development are bedrooms to short-term lets rather than typical residential units, and because this type of relationship between buildings has already been granted and established at the western elevation of 59a with the Origin Housing scheme.

6.4.29 It should also be noted that Avison Young conclude in their experience working on sites of a similar scale across London and the surrounding counties, planning consent has been achieved where greater impacts to neighbouring daylight and sunlight amenity have occurred. Whilst this is caveated that this is not to apply any less significance to the impacts that may occur to the 59a Palmerston Road development but instead, to contextualise these impacts against other consents of a similar scale, based

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on the site's relationship with neighbouring development the harm identified is not unusual for this type of development.

6.4.30 With consideration of the submitted details by the applicant, and the independent assessment undertaken, officers consider on balance the daylight and sunlight impacts to neighbouring properties is considered acceptable.

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

6.5.1 The relevant policies are:

- The London Plan (2021): T4, T5, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013):DM1, DM42
- Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)

6.5.2 This location has a public transport accessibility level (PTAL) of 5. This means that access to public transport is considered to be very good. Harrow and Wealdstone station is a short walk from the site where there is access to the Bakerloo line Underground, London Overground and national rail services; furthermore, Wealdstone Town Centre is served by various bus routes. Nearby there are shops, supermarkets and open spaces. This is a good location for car free living. It is acknowledged that the intention for the residential use is serviced apartments which are planned to be short term rental accommodation.

6.5.3 This proposal includes car parking for three disabled bays and a loading bay. As this proposal is within a PTAL 5 location, in line with Policy T6.1 it is required to be car free; therefore, the proposed level of parking is considered to be acceptable. It is expected that the development would not result in an adverse parking impact for the surrounding area due to the existing extensive on-street parking controls. At present, visitors to the site can park in the public car parks within Wealdstone town centre.

<u>Cycle Parking</u>

6.5.4 All proposals must include cycle parking provision in line with London Plan 2021 minimum requirements. The level of cycle parking is compliant with London Plan policy T5 however further detail on the type of stands proposed and the access/layout of the stores is required. A minimum of 5% must be accessible stands and ideally lockers should also be provided. This information should be secured by condition.

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Trip Generation

6.5.5 The trip generation analysis does not look at the existing site therefore it is not possible to evaluate the change in trips although it is expected that the intensification of uses on the site would result in an increase. As the proposal is for a reduction in floor space of 30sqm for the B2 use which is expected to continue and the shop remains the same, the figures provided for those elements should be fairly representative of the existing situation. This means that the E(g)(iii) use and serviced apartments are the only uses to generate new trips; this equates to around 24 additional trips generated by the site in the AM and PM peaks however, the majority of these will be undertaken by sustainable modes due to the lack of on-site car parking provision.

Access and Site Layout

6.5.6 The site layout is generally acceptable however, there isn't much detail on the final treatment on the shared access road. Ideally there should be some delineation for a pedestrian safety area. Details can be secured within the landscaping condition as this information may be reliant on what is proposed by the adjoining site.

Delivery and Servicing

6.5.7 The level of activity likely for delivery and servicing to be generated by this element of the proposal beyond the existing use is considered minimal.

6.5.8 The serviced apartments are anticipated to receive two deliveries per day including laundry, of which the on-site facilities could be used thereby reducing trips. The different uses on site should be encouraged to try to consolidate delivery and servicing trips wherever possible; the same commercial waste collection company should be used, ideally, this could be co-ordinated with the adjacent site too in order to minimise trips; where there is an overlap in supplies required by the different uses, opportunities should be identified to combine orders or deliveries. A detailed delivery and servicing plan should be secured by pre-occupation condition.

6.5.9 A detailed construction logistics plan should also be secured by pre-occupation condition.

6.5.10 It is therefore considered that the proposed development is acceptable in Highway terms and would accord with policies T4, T5, T6, T6.1 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013), on the basis that if planning permission was granted it would be subject to the abovementioned conditions. Furthermore, the Highways Officer and TFL raised no objection to the proposed development.

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6.6 **Environmental Considerations – Contamination, Noise, Air Quality**

6.6.1 The relevant policies are:

- The London Plan (2021): SI1, D14
- Harrow Core Strategy (2012): CS1.U
- Harrow Development Management Polices Local Plan (2013):DM1, DM12 DM15

Contamination

Policy DM15 (Prevention and Remediation of Contaminated Land) of the Harrow Development Management Policies (2013), specifically Part A, which proposes the redevelopment or re-use of land known or suspected to be contaminated and development or activities that pose a significant new risk of land contamination will be considered having regard to:

a. the findings of a preliminary land contamination risk assessment;
b. the compatibility of the intended use with the condition of the land; and
c. the environmental sensitivity of the site.

Part B of Policy DM15 confirms proposals that fail to demonstrate that intended use would be compatible with the condition of the land or which fail to exploit appropriate opportunities for decontamination will be resisted.

6.6.2 The submitted contaminated land survey concludes that a further range of surveys be completed prior to demolition and rebuilding, which has been reviewed and accepted by the environmental health officer. The further assessments include an assessment of volatile vapours, an assessment to confirm the risk of UXO within the site, and a pre-demolition of asbestos survey. All of these details will be conditioned if officers are to recommend the grant of planning permission.

Noise

Paragraph 109 states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

6.6.3 London Plan policy D14 seeks to reduce, manage and mitigate noise to improve health and quality of life. The policy states that residential development proposals should manage noise by a range of measures which include reflecting the Agent of Change principle as set out in Policy D13, mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses and

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improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity). The policy advocates separating new noise-sensitive development from major noise sources through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation and states that where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles.

6.6.4 A Noise Impact Assessment has been submitted as part of the planning application, and the environmental health officer has confirmed the assessment appropriately identifies internal and external noise issues and sets out the criteria for deciding between fabrication and mitigation measures to ensure that occupiers are protected from noise intrusion and transmission.

6.6.5 The environmental health officer has requested further details with regards to window and floor details to protect occupiers from internal intrusion and external noise intrusion, a ventilation specification, and a construction noise assessment. The noise impact assessment concludes that the noise levels between residential and commercial uses should be a minimum on-site sound insulation performance of 55db. All of these details and requirements can be conditioned if membersare minded to grant planning permission.

Air Quality

6.6.6 Harrow is within an 'Air Quality Management Area (AQMA) due to the exceedance of the annual and hourly mean Nitrogen Dioxide and the 24 hours mean small airborne particles.

London Plan policy SI 1 (Improving air quality) Part 1 states that:

"Development proposals should not:
a) lead to further deterioration of existing poor air quality
b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits c) create unacceptable risk of high levels of exposure to poor air quality."

Part 2 of the policy sets out requirements to ensure that development proposals meet the above objectives including the requirement for developments to be Air Quality Neutral.

6.6.7 The application is accompanied by an Air Quality Assessment and is assessed as low risk. The environmental health officer has acknowledged that site dust is recognised as an issue and a risk assessment is recommended by the consultants prior to the commencement of the development, the assessment

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should cover the considerations identified in the assessment. This can be added as a pre-commencement condition.

Lighting

6.6.8 The application does not include any details of the lighting strategy for the scheme, as such, if members grant planning permission for the scheme, a condition to confirm the security and ambient lighting of the proposal with the on and off-site impacts identified and quantified.

## 6.7 Development and Flood Risk

6.7.1 The relevant policies are:

- The London Plan (2021): SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM9, DM10

6.7.2 The application site is identified within fluvial flood zone 2 & 3 and is at high risk of flooding. This element of the assessment does not consider the sequential and exception tests, this is considered in section 6.2.

6.7.3 The Drainage Department was consulted who confirmed that the flood risk assessment and drainage strategy submitted is acceptable, however further details are required including further details on foul drainage, surface water drainage, permeable paving, the proposed green roofs, and the surface water management (SUDS). These details can be requested via conditions if officers recommendation to committee is to grant planning permission.

6.7.4 The Environment Agency has also reviewed the submitted details and raise no objection.

## 6.8 Biodiversity

6.8.1 The relevant policies are:

- The London Plan (2021): G5, G6
- Harrow Core Strategy (2012):CS1
- Harrow Development Management Polices Local Plan (2013):DM1, DM20, DM21

6.8.2 The application is accompanied by a Preliminary Ecological Report.

6.8.3 The Biodiversity Officer was consulted on the proposal and advised that the application site is of relatively low biodiversity value and is adequately far from

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sites of importance for nature conservation to conclude that the scheme would have no impact on these.

6.8.4 The scheme is supported by a preliminary ecological appraisal (PEA) which incorporates a preliminary roost assessment (PRA) for bats, and a roost emergence survey proportionate to its findings. The surveys were conducted in May and June 2020 respectively and should be deemed to be out of date. The reports themselves were not updated to reflect changes in the NPPF or the eventual adoption of the new London Plan either. Whilst it would be expected that any application would be supported by adequate assessment based on current surveys, particularly for highly mobile species. However, considering the nature of the site and its surroundings, my view is that there would be little value in requiring survey/report updates. It will, however, be appropriate to require a precautionary approach with regard to the demolition of the existing buildings. This can be addressed via condition.

6.8.5 The PEA notes the Urban Greening Factor requirements and provides worthwhile suggestions with regard to biodiversity enhancement; some of which are reflected in the proposals as submitted.

6.8.6 Despite the PEA recommendations, the proposals lack provision for shelters for bats, birds and invertebrates. These should be provided on a one (single/double shelter) per accommodation unit basis and should have been incorporated within the design from the outset. This is particularly important with regard to shelters that should be integral to the building fabric, and it will be important for the applicant to identify how these will be included within the building. Specialist ecological advise should be sought but provision should incorporate a broad mix of features at low level, in association with the 3rd floor garden area, in the walls rising from this, and towards the building apex, with particular regard to provision for bats and swifts. Provision for invertebrates will be particular important with regard to the green roof areas and their vicinity. Given the height of the building and the fact that it won't be disturbed other than during maintenance, provision of breeding shelter opportunities for peregrine falcon and kestrel could be considered. Part of the overall provision for bats should include features suitable for over winter hibernation.

6.8.7 There appear to be no 'internal' elevations showing the walls adjoining the 3rd floor green roof. It's not clear how this will be accessed for the purpose of maintenance.

6.8.8 Additional to such details identified above, there is a need for a plan relating to the installation and establishment of the identified features and for their management in the long term. Therefore, subject to appropriate conditions the biodiversity officer has raised no objection to the proposed development and the provision of green and bio-solar roof spaces and suitable wildlife shelters should provide welcome benefits for wildlife and help contribute to access to nature.

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6.9 **Energy and Sustainability**

6.9.1 The relevant policies are:

- The London Plan (2021): SI1, SI2, SI5
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM12, DM14
- Harrow and Wealdstone Area Action Plan (2013): AAP10

6.9.2 An Energy Statement has been prepared by JAW Sustainability. The development will be served by ASHP for heating and cooling for each of the different types. PV panels are also incorporated. The development will also employ an efficient building fabric, including well insulated walls and highly efficient glazing.

6.9.3 At the be lean stage, the non-residential part of the development demonstrates a 16% reduction in $CO_2$ emissions over Part L from the implementation of energy efficient systems, fabric, and passive design measures. This is in excess of the 15% requirement. The serviced apartments only achieve a 1% reduction at this stage. However, this is skewed by a high hot water demand for this type of development which cannot be reduced through passive measures. Passive measures incorporated have reduced heating demand, and the hot water is addressed later in the strategy through efficient systems.

6.9.4 At the Be Green stage the overall results are 81.89% improvement for the proposed residential use, and 27% improvement for the non-residential use over Part L. This is in excess of the minimum requirements, which also helps to make up for the shortfalls at the Be Lean stage for the apartments.

6.9.5 The development follows the energy hierarchy, heating hierarchy, and cooling hierarchy. The development will connect to the energy centre at a neighbouring site as soon as it is available, which results in significant carbon reductions. In addition, the PV system is the largest that the roof can accommodate.

6.9.6 Following the energy hierarchy, passive design measures, energy efficient equipment have shown improvement of an 82.63% within the residential element of the proposal and 43% improvement within the non-residential element over Part L.

6.9.7 The Energy Statement includes the calculations for the carbon offset contribution required to achieve zero carbon development (consistent with the London Plan) within section 3.5. At 28.7 tonnes to offset (based on current Building Regulations Part L 2013, as per London Plan) and at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan), the offset

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contribution is circa £51,683, which should be paid prior to the commencement of development, to be secured via a Section 106 Agreement. The Planning Policy Manager has reviewed the Submitted Energy Assessment and noted that whilst the overall approach is acceptable, the overall reductions relating to the residential element appear particular high compared to other schemes and that there is limited detailed calculations to support this (i.e. Part L 2013 design stage calculations). He has also noted that it is likely that since the energy strategy was prepared (February 2021) the 2021 version of Part L of the Building Regulations have been published and that the scheme may not meet the transitional timeframes for the development to be implemented under Part L 2013 (the basis of the Energy Assessment). In light of these two considerations, the Planning Policy Manager considers that a revised energy strategy should be submitted and approved prior to the commencement of development. Therefore, should permission be granted, the following requirements should apply:

- Any approval being conditioned to secure submission of a revised Energy Assessment (including full Part L calculations) based on the version of Part L of the Building Regulations that the scheme will be implemented under.
- S106 with the following heads of terms:
  -Payment of carbon offset contribution prior to commencement of development calculated at the rate of £2,850 / tonne (£95 / tonne x 30 years as per the London Plan) and using the carbon offset requirement outlined in the approved revised Energy Assessment submitted as a condition of any planning permission.
  -Provisions safeguarding the potential for connection to any future heat network capable of serving the development.
  -Submission of final 'As Built' carbon emissions calculations and payment of any additional carbon offset contribution upon completion (in order to ensure development achieves zero carbon).
  -Compliance with requirements of the Mayor's 'Be Seen' energy monitoring guidance.

6.9.8 Subject to the above obligations and condition, the proposal therefore complies with the above-mentioned policies.

6.10 **Secured by Design**

6.10.1 The relevant policies are:

- The London Plan (2021) : D5, D11, E10
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM2

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6.10.2 Following further details submitted, the Designing Out Crime officer has not raised any objections to the proposed development. A condition is appropriate if this development was considered to be acceptable in all other respects to ensure that the development would achieve Secured by Design (SBD) certification prior to occupation. On that basis, the proposal therefore complies with the above-mentioned policies.

6.11 **Fire**

6.11.1 The relevant policies are

- The London Plan (2021): D5, D12

6.11.2 Policy D5 'Inclusive Design' and Policy D12 'Fire Safety' of the London Plan (2021) seeks for all developments to meet the highest standards of fire safety and requires all major developments to include the submission of a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

6.11.3 The applicant has submitted a fire strategy report during the determination period of the application, this is subject to HSE review. This application will not be granted planning permission until this review has taken place, and no objection is received from the HSE.

6.12 **Aviation**

6.12.1 The relevant policies are

- National Planning Policy Framework (2021)
- Harrow Development Management Local Policies: DM1
- The London Plan (2021): T8

6.12.2 The Ministry of Defence (MOD) was consulted on the proposed development and confirmed that there are no aerodrome height safeguarding concerns, subject to a condition requesting a Bird Hazard Management Plan to be submitted. On this basis, the proposal therefore complies with the above-mentioned policies.

## 7.0 CONCLUSION

7.1 The statutory position is that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.

7.2 In summary the proposals are considered to be in accordance with the objectives of the London Plan (2021), Harrow Core Strategy (2012), and

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Harrow Development Management Policies (2013), and the National Planning Policy Framework (2021).

7.3 Accordingly, it is recommended that planning permission be granted for application reference P/0842/21, in line with Recommendation A of this report, and subject to the completion of a s.106 agreement, and the conditions listed in Appendix 1.

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| Interim Chief Planning Officer | 07/06/2022 |
| Corporate Director | 07/06/2022 |

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## APPENDIX 1: Conditions and Informatives

## Conditions

1. Time Limit

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. Plan List

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

Approved Plans:

7281-02 Rev E (Existing Plans), 7281-01 Rev E, 7281-02 Rev I (OS Location Plan), 7281-03 Rev E, 7281-04 Rev E, 7281/6.0 Rev I, 7281 Rev O, 7281 1.2 Rev O, 7281 1.3 Rev O, 7281 1.4 Rev O, 7281 1.5 Rev O, 7281 1.7 Rev O, 7281 1.8 Rev O, 7281 1.9 Rev O, 7281 2.0 Rev O, 7281/20 Rev O, 7281/5.0 Rev O, 7281/5.1 Rev O, 7281/5.2 Rev O, 7281/5.3 Rev O, 7281/5.4 Rev O, 7281/5.5 Rev O, 7281 1.1 Rev L, 7281/99 Rev N, 7281/110 Rev N, 7281/120 Rev N, Principal Visualisation,

Approved Documents:

Air Quality Assessment – Rev C, Daylight and Sunlight Study (Neighbouring Properties) 24/02/2021, Draft Delivery and Servicing Plan February 2021, Preliminary Ecological Assessment, Energy Strategy Report (25/02/2021), Flood Risk Assessment and Drainage Strategy Rev C (Vol 1 – 4), Statement of Community Involvement (December 2020), Transport Statement February 2021, Framework Travel Plan February 2021, Noise Impact Assessment (26/06/2020), Design and Access Statement February 2021, Phase 1 Contaminated Land Assessment Rev C, Bat Survey, Covering Letter (26/02/2021), Fire Statement Form, Fire Safety Overview & Fire Statement, Wassh Letter (05/02/2022), MacGill UK Ltd Letter (10/12/2021), David Charles Letter – Economic Development Queries (24/02/2022), Comparison Letter – Peaksons Letting (22/03/2022), Right of Light Consulting Letter (25 June 2021).

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REASON: In the interests of good planning and to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. Secure by Design

Evidence of certification of Secured 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 policy DM1 of the Development Management Policies Local Plan (2013).

4. Levels

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement in accordance with policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

5. Bird Hazard Management Plan

No development shall take place until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. In consultation with MOD, the Bird Hazard Management Plan shall include design measures to minimise any increase in the numbers of hazardous species (primarily large or flocking birds) as a result of the development proposed, in particular provisions to prevent gulls from breeding (using appropriate licensed means) on site should be provided. The development shall be carried out strictly in accordance with the details set out in the approved Bird Hazard Management Plan in perpetuity or until RAF Northolt is no longer operational.

REASON: To minimise the potential of the works approved to provide a habitat

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desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety which is exacerbated by the proximity of RAF Northolt.

6. Foul Drainage

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

REASON: To ensure that there is adequate wastewater infrastructure in place to serve the development and to ensure the separation of surface and foul water systems, in accordance with policy SI13 of The London Plan (2021) and policy DM10 of the Development Management Policies Local Plan (2013).

7. Surface Water Drainage

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

REASON: To ensure that the development incorporates sustainable drainage systems and achieves greenfield run-off rates, and to ensure the separation of surface and foul water systems, in accordance with policy SI13 of The London Plan (2021) and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

8. Surface Water Attenuation

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

For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

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9. Permeable Paving

Notwithstanding the approved details and prior to the commencement of development, full details of the permeable paving and details relating to the long-term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2018), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

10. Green Roof

Notwithstanding the approved details and prior to the commencement of development, full details of the Green Roofs (incl. build up layers on the green roof, planting and irrigation) and details relating to the long-term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2018), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

11. Car Park Design and Management Plan

Prior to the first occupation of the development hereby permitted, 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 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) Mechanism for increasing the number of spaces that have an 'active' electric vehicle charging point if monitoring demonstrates additional demand.
c) Details of the allocation and management of the disabled car parking spaces.

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d) Details of monitoring, management and enforcement procedures for parking within the site.
e) Details of future provision of disabled person's parking spaces should demand increase.

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).

12. Construction Logistic Plan

No development shall take place until a demolition and construction logistics plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail the arrangements for (but not limited to):
- the parking of vehicles of site operatives and visitors.
- loading and unloading of plant and materials;
- storage of plant and materials used in construction the development;
- the erection and maintenance of security hoardings including decorative displays and facilities for public viewing;
- wheel washing facilities; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.
- measures for the control and reduction of dust
- measures for the control and reduction of noise and vibration.

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

REASON: To ensure that the transport network impact of construction work associated with the development is managed, measures are put in place to manage and reduce noise and vibration impacts during construction and to safeguard the amenity of neighbouring occupiers. Details are required prior to commencement of development to ensure a satisfactory form of development.

13. Delivery and Servicing Plan

The residential premises hereby approved shall not be first occupied until a detailed Delivery and Servicing Plan has first been submitted to the Local Planning Authority in writing to be agreed. The delivery and service plan shall be carried out in accordance with the approved details for the lifetime of the development.

REASON: To ensure that the transport network impact of deliveries associated with non-residential uses within the development is managed in accordance with Policy T7 of the London Plan (2021) and policy DM44 of the Harrow Development Management Policies Local Plan (2013).

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14. Hard and Soft Landscaping

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until a scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, external furniture and structures, tree planting and tree pits and so on has been submitted to, and approved in writing by the Local Planning Authority which shall include:

a) 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, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme.
b) The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.
c) Green roofs, biodiverse intensive and extensive green roofs to include the planting and green roof detail, build-up layers of the material, including the substrate, growing medium, drainage, irrigation and written specification of planting, schedules of plants, noting species, plant sizes, types of vegetation (all at time of planting) proposed numbers / densities. The layout to incorporate biosolar roof with PV panels and planting combined.
d) Details of all boundary treatment.

The development shall be implemented in accordance with the scheme so agreed and shall be retained as such thereafter. The brown roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation: of habitats and valuable areas for biodiversity; a high quality, accessible, safe, and attractive public realm and to ensure a high standard of design, layout and amenity, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM21 and DM22 of the Harrow Development Management Policies Local Plan (2013).

15. Landscape Management and Maintenance Plan

The development hereby approved shall not be first occupied until a Landscape Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority, for all hard and soft landscapes areas, other than privately owned domestic balconies/terraces/gardens. The Landscape Management and Maintenance

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Plan shall include:

a) Landscape Management: long term design objectives incorporating the overall functional aesthetic objectives of the landscape scheme; management responsibilities; programme of works and monitoring procedures; and
b) Landscape Maintenance: including routine physical tasks required to satisfy appropriate standards of aftercare and enable the design and implementation objectives to be achieved, for the first year of maintenance, years 2-5 and 6 years onwards: maintenance responsibilities; a schedule of maintenance operations (calendar of tasks) set out graphically and in writing.

The Landscape Management and Maintenance Plan shall be carried out in accordance with the approved details.

REASON: To ensure the future success of the development and to enhance the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

16. Planting

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the Local Planning 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 policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

17. Appearance of the buildings

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

The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development is carried out to the highest

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standards of architecture and materials in accordance with Policy D4 of the London Plan (2021), Policy CS1B of the Harrow Core Strategy (2012) and Policies AAP4 and AAP6 of the Harrow and Wealdstone Area Action Plan 2013.

18. External Lighting

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of all public realm and other external areas (including buildings) within the site has been submitted to the Local Planning Authority. This includes all details of the lighting including sourcing/ manufacturer details, specification, elevations, light spillage and lighting levels.

The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of quality in accordance with policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with policy DM20 of the Harrow Development Management Policies Local Plan (2013).

19. Building Maintenance

The development hereby approved shall not be occupied until a strategy for maintaining the external surfaces of the buildings has first been submitted to and agreed in writing by the Local Planning Authority. The strategy shall include details of the regime for cleaning, repainting and repairing the buildings and the logistical arrangements for implementing that regime. Maintenance of the external surfaces of the buildings shall adhere to the strategy so agreed.

REASON: To ensure that maintenance of the development is carried out to preserve the highest standards of architecture and materials in accordance with Policy D4 of the London Plan (2021) and Policies AAP 4 and AAP 6 of the Harrow and Wealdstone Area Action Plan 2013.

20. Television Reception

Prior to the first occupation of the development, details of a strategy for the provision of television reception (eg. aerials, dishes and other such equipment) shall be submitted to and agreed 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

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occupation of the relevant phase and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: To ensure that any telecommunications apparatus and other plant or equipment that is required on the exterior of the buildings preserves the high quality design of the buildings and spaces in accordance with Policy 7.4 of the London Plan (2016), Policy AAP 4 of the Harrow and Wealdstone Area Action Plan (2013) and DM 49 of the Development Management Policies Local Plan (2013), and to ensure that the development achieves a high standard of amenity for future occupiers the buildings in accordance with Policy DM 1 of the Development Management Policies Local Plan (2013).

21. Opening Hours

The opening hours of the non-residential uses hereby approved shall be as follows:

- 07:00 hours to 22:00 hours on Mondays to Saturdays (inclusive)
- 10:00 hours to 18:00 hours on Sundays and Bank Holidays

REASON: In order to safeguard the amenities of neighbouring residents in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

22. Wheelchair Units

The three wheelchair aparthotel units shall be implemented as identified within the approved drawings (7281 1.7 Rev O, 7281 1.8 Rev O, 7281 1.9 Rev O, 7281/120 Rev N).

REASON: To ensure sufficient choice for people who require an accessible bedroom within short-term let accommodation provision of 'Wheelchair and Accessible and adaptable' housing in accordance with policies E10 of The London Plan (2021).

23. Blue Badge Parking Spaces

The development hereby permitted shall not be occupied until the three accessible parking spaces of a standard size have been clearly marked out on site, in accordance with the approved ground floor plan (7281 Rev O). Such spaces shall not be used for any purposes other than for the parking of motor vehicles used by residents of the development for blue badge holders/disabled persons only, and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.

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REASON: To ensure car parking provision is available for use by the occupants of the site and in accordance with policy T6 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

24. Cycle Parking

The development hereby permitted shall not be occupied until details of shelters, racks, dimensions and location of cycle parking spaces shall be submitted to and approved in writing by the local planning authority. Such cycle storage should be designed in accordance with the requirements of the London Cycle Design Standards. The development shall be completed in accordance with the approved details prior to the occupation of the residential units and shall thereafter be retained.

REASON: To ensure that cycle storage is available for use by the occupants of the site in accordance with policy T5 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

25. Roof Terrace Screening – Western Elevation

The development hereby approved shall not be occupied until details of the proposed treatment of the west elevation of the communal roof terrace at third floor have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be installed on site before the occupation of the residential units and shall be maintained thereafter.

REASON: To ensure that the development preserves the highest standards of residential amenity in accordance with Policy D3 and D14 of the London Plan (2021), and Policy DM 1 of the Development Management Policies Local Plan 2013.

26. Sound Insulation

Prior to commencement of development, further details of a sound insulation scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to occupation and carried out in accordance with the approved details for the lifetime of the development.

REASON: To ensure that the Council may be satisfied that the development is in compliance with Policy D14 of the London Plan (2021), and Policy DM1 of the Development Management Policies (2013). This is a pre-commencement condition because it necessary for the details to be approved,

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in order for them to be implemented as the construction of the development commences on site.

27. PD Restrictions

The approved ground and first floor commercial space (Use Class B2 and Use Class E(g)) shall only be used for the purposes as set out in the application and for no other purposes.

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 in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Polices Local Plan (2013).

28. PD Restrictions

The second-floor commercial unit (Use Class E(g)(iii)) shall only be used for the purposes as set out in the application and for no other purposes.

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 in accordance with policy D3 of the London Plan (2021) and policy DM1 of the Harrow Development Management Polices Local Plan (2013).

29. Air Handling & Ventilation Systems

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level until full details and specifications of any plant and equipment associated with the air handling and ventilation systems, including details for the control of noise and vibration emanating from such systems has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the air handling and ventilation system shall be implemented and maintained in full compliance with the approved details and shall be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring resident in accordance with policy D15 of The London Plan (2021) and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

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30. Contamination

No demolition or clearance work shall take place on the site until a UXO risk assessment and an assessment of the risk of volatile vapours in the made ground of the site has been undertaken in accordance with the recommendations of the approved Phase 1 Contaminated Land Assessment (Rev C), and has been submitted to and agreed in writing by the local planning authority.

REASON: To ensure that the development does not activate or spread potential contamination at the site and that the land is appropriately remediated for the approved uses. To ensure that measures are agreed and in place to identify and manage potential sources of contamination during the demolition and construction phases of the development.

31. Asbestos

No demolition or clearance work shall take place on the site until a refurbishment and demolition (R&D) asbestos survey has been submitted to and approved in writing by the Local Planning Authority. The R&D survey shall be carried out and then be acted upon by a suitably qualified person in order to deal with any asbestos found on site and shall include a detailed visual and intrusive investigation relating to the removal and disposal of asbestos-based materials. The demolition and disposal of materials from the site shall be carried out in accordance with the approved details.

REASON: In order to safeguard the environment, the surrounding area and prospective end users of the land.

32. Revised Energy Strategy

No development shall take place until a revised energy strategy has first been submitted to the Local Planning Authority in writing to be agreed. The details of the revised energy strategy will include full Part L calculations based on the version of Part L of the Building Regulations that the scheme will be implemented under.

The approved details shall be installed on site before the occupation of the development and shall be maintained thereafter.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework (2021), policies S2 of The London Plan (2021) and policies DM12, DM13 and DM14 of the Harrow Development Management Policies Local Plan (2013).

33. Biodiversity Enhancements

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

a) A plan outlining full details of greening and biodiversity enhancements (ideally incorporated with other landscaping provision) to then incorporate these at the appropriate stages to ensure their successful inclusion/establishment.
b) The works to be undertaken under the direction of an Ecological Clerk of Works to ensure that these would have no impact on breeding birds or roosting bats.
c) Photographs of the greening and other biodiversity features to be provided to the Council for approval of the measures implemented under the approved plan (a).
d) A plan for the ongoing maintenance of the features important for biodiversity (may be combined with the landscaping maintenance plan) for the next 5 years to be provide to the Council for approval in writing, and thereafter updated at 5 yearly intervals for a period of at least 30 years in order to ensure that the agreed greening and biodiversity gain will be retained as part of the approved development

REASON: For the protection and enhancement of biodiversity and provision of access to nature in accordance with local plan policies (DM20 and DM21) in support of the Harrow BAP, the London Plan Urban Greening Factor and the National Planning Policy Framework.

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**Informatives**

1. Relevant Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)
The London Plan (2021):
D1, D2, D3, D4, D5, D8, D11, D12, D13, D14, E4, E7, E10, G5, G6, G7, SI1, SI2, SI12, SI13, SI15, T4, T5, T6.1, T8
Harrow Core Strategy (2012): CS1
Harrow and Wealdstone Area Action Plan (2013):
AAP3, AAP4, AAP6, AAP9, AAP10,
Harrow Development Management Policies Local Plan (2013):
DM1, DM2, DM9, DM10, DM12, DM14, DM15, DM20, DM21, DM22, DM34, DM42, DM45,
Supplementary Planning Documents:
Supplementary Planning Document: Planning Obligations and Affordable Housing (2013)
Mayors Housing Supplementary Planning Guidance (2016)

2. Pre-application engagement

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

3. Mayoral CIL

Please be advised that approval of this application (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 £146,220

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

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download the appropriate document templates.
Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf
https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

4. Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.
Harrow's Charges are:
Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.
The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £134,715
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/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.

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5. Considerate Contractor Code of Practice

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

6. Party Wall Act

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

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

and that work falls within the scope of the Act.

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7. Compliance with Planning Conditions

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted. Beginning development in breach of a planning condition will invalidate your planning permission.

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

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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 (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.
The applicant can contact Harrow Drainage Section for further information.

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10. 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

11. Network Management

The developer is urged to make early contact with Network Management in order to agree any temporary traffic management measures required; these should then be included in the detailed CLP for submission.

12. Landscape Management and Maintenance

A Landscape Management Plan would be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of the landscape scheme and the steps (eg legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.
Landscape Maintenance refers to the routine physical tasks (e.g. strimming, pruning, weeding, plant replacement, watering, litter clearance, maintenance of furniture, any decorative landscape lighting etc.) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved. It is essential to identify who is responsible for these tasks.
A Schedule of Maintenance Operations is normally a component of a Landscape Management Plan and commonly included within a Landscape Design Specification document.

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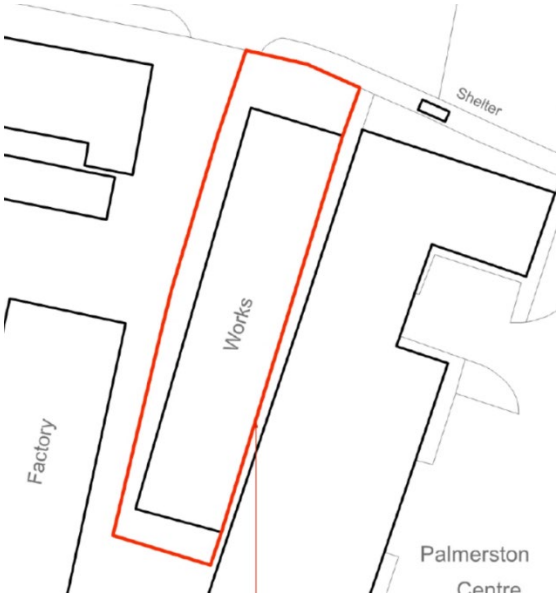
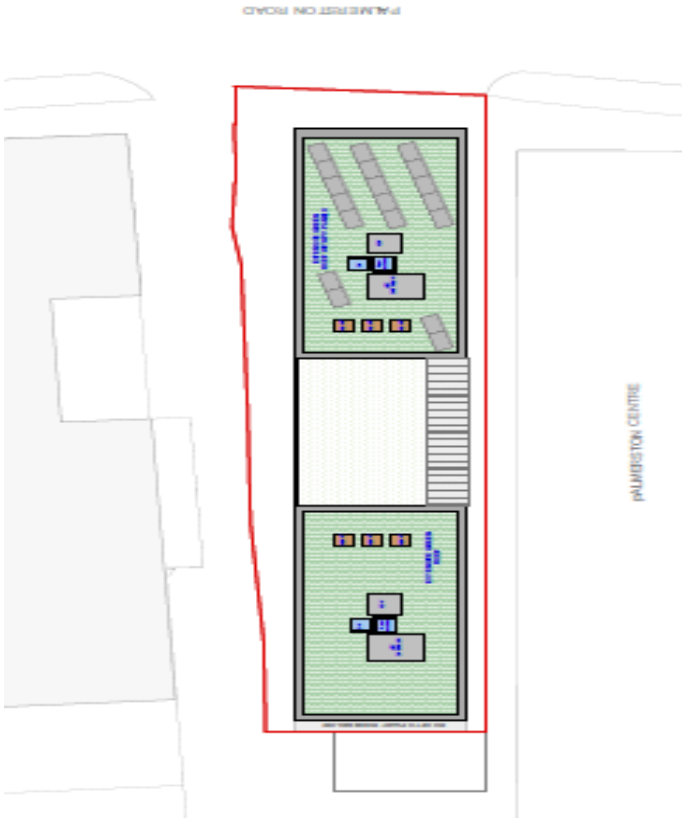
## APPENDIX 2: SITE PLAN




**Existing Site Plan**



**Proposed Site Plan**

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## APPENDIX 3: SITE PHOTOS

**View of the existing principal elevation**

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**Existing Western Boundary from Palmerston Road**

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**View of existing northern boundary / principal elevation in context of Collective Scheme / Origin Scheme / Palmerston Centre**

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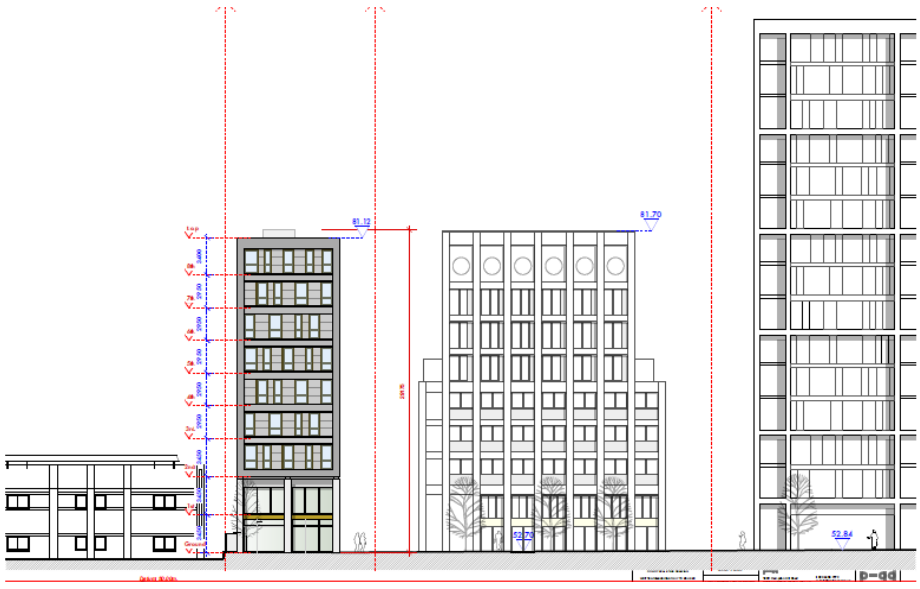
## APPENDIX 4: PLANS AND ELEVATIONS

**Existing Principal Elevation – Palmerston Road ↑**



**Proposed Principal Elevation – Palmerston Road ↑**

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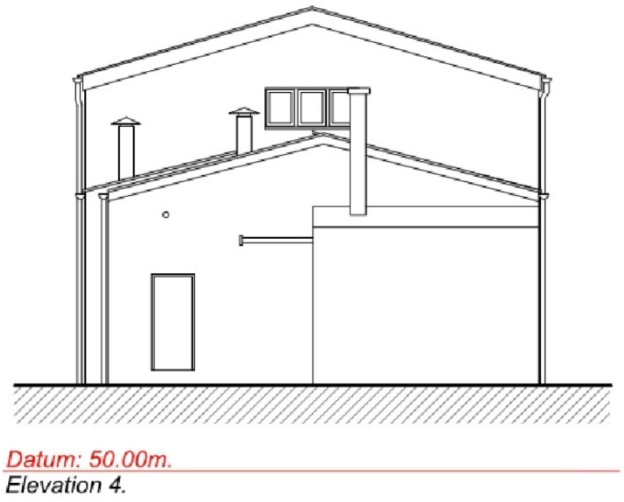
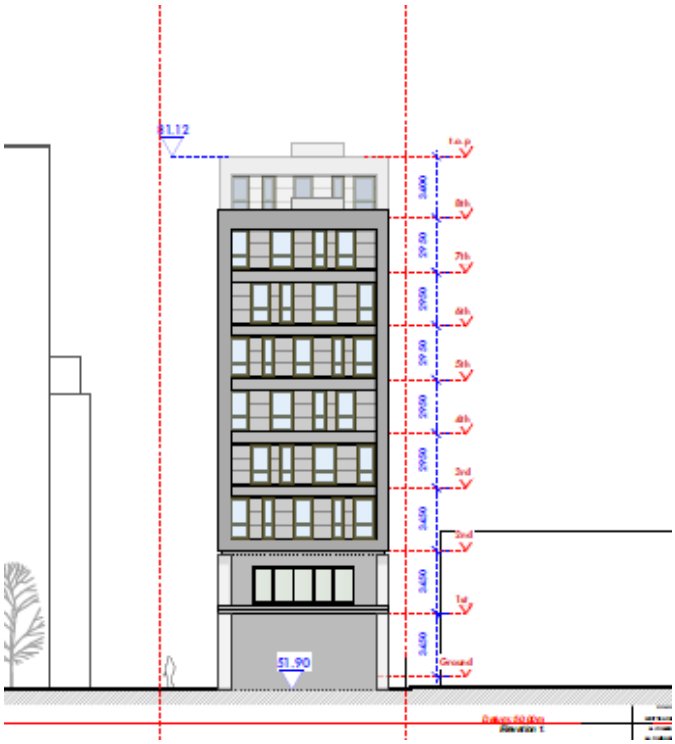



**Existing Rear Elevation ↑**




**Proposed Rear Elevation ↑**

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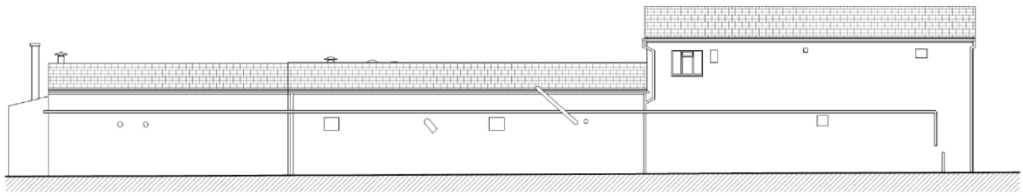

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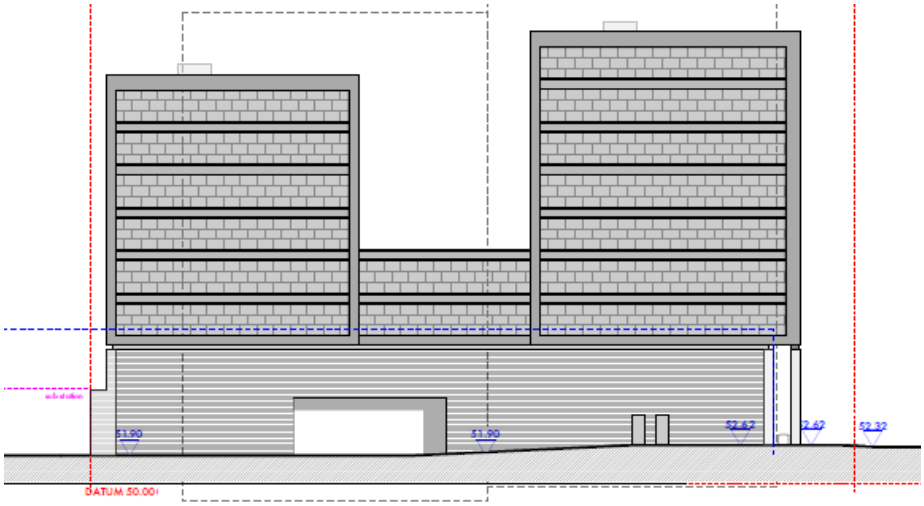

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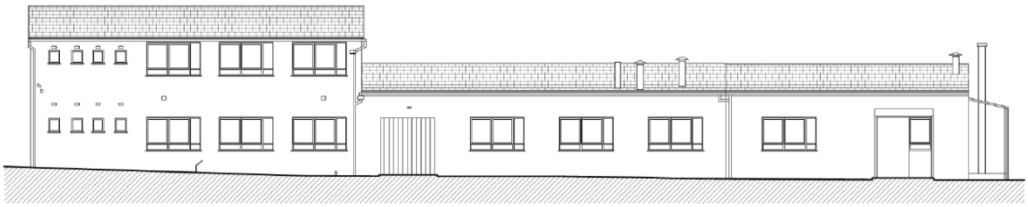

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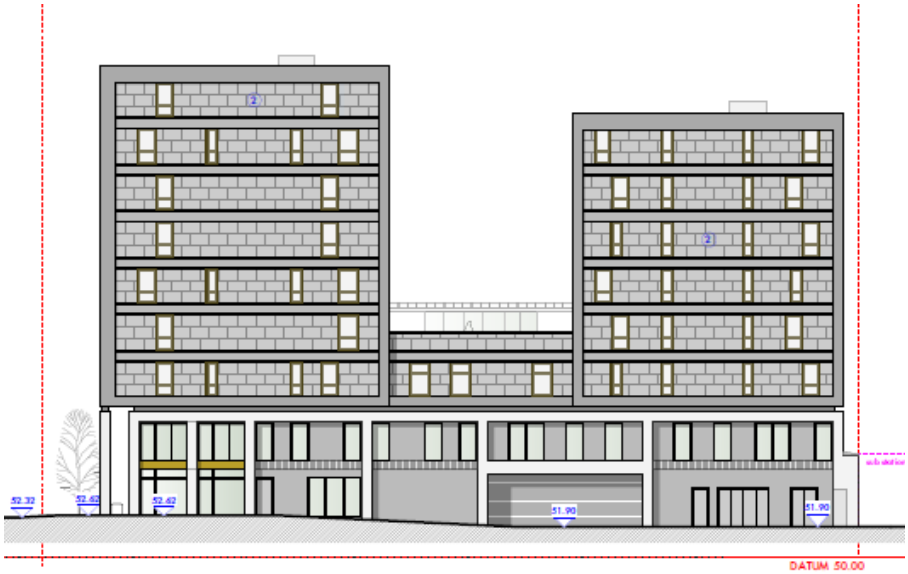
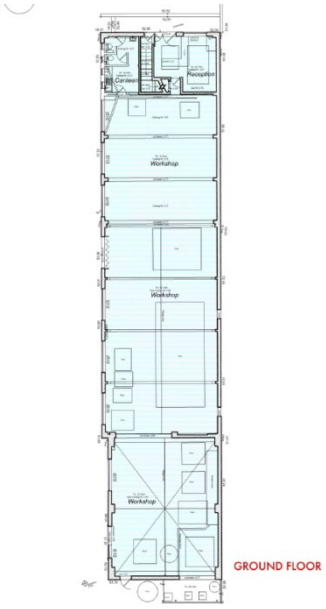
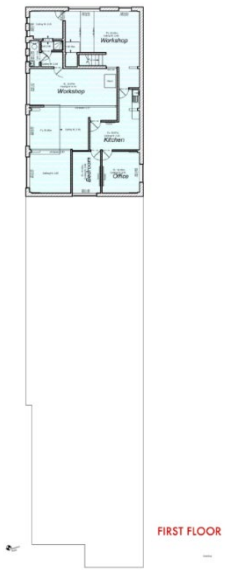



**Proposed West (Side) Elevation ↑**

## Existing Floor Plans




**Existing Ground Floor Plan ↑**

**Existing First Floor Plan ↑**

## Proposed Floor Plans

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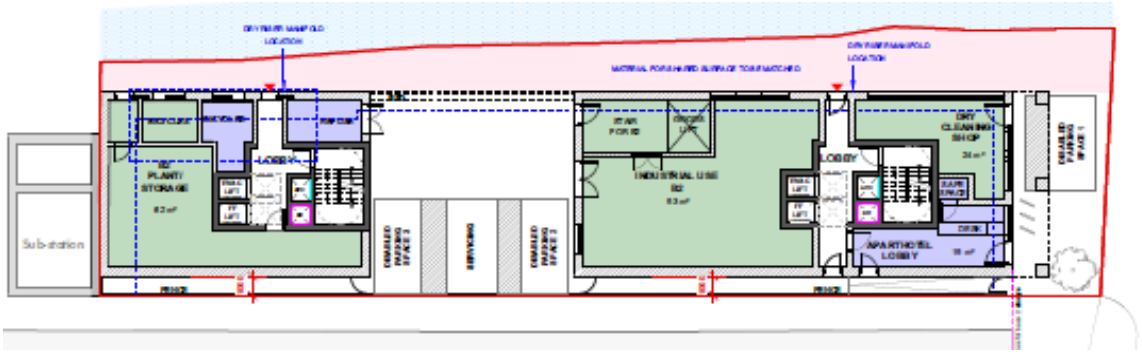
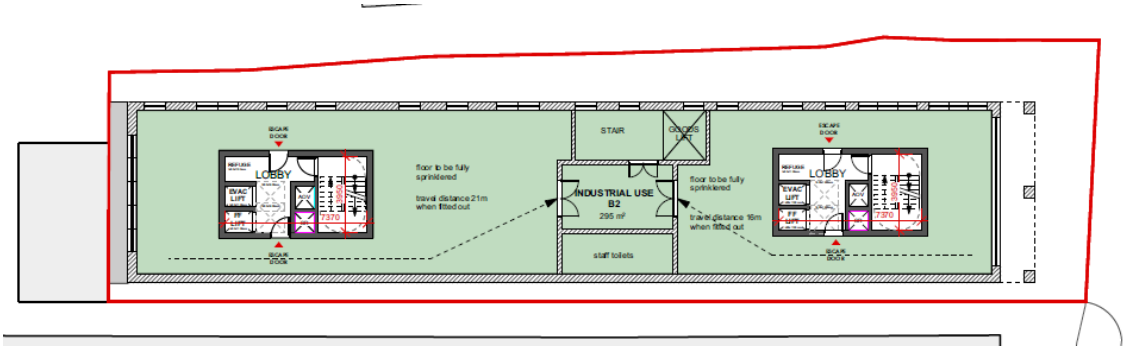



**Proposed Ground Floor Plan ↑**

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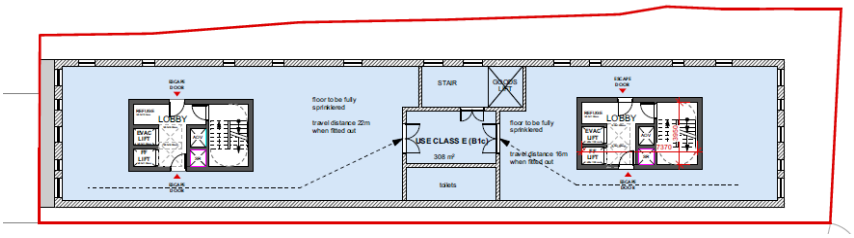
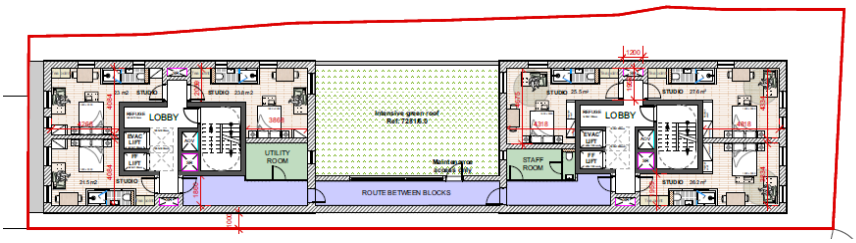
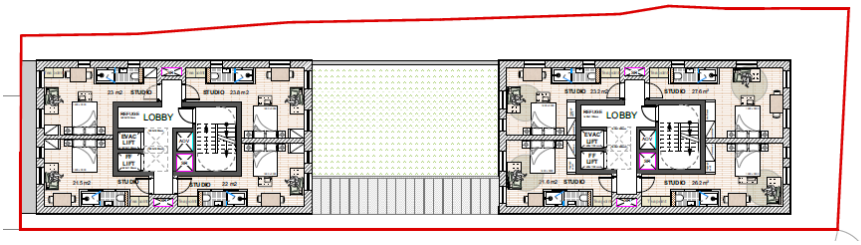



**Proposed Second Floor Plan ↑**




**Proposed Third Floor Plan ↑**

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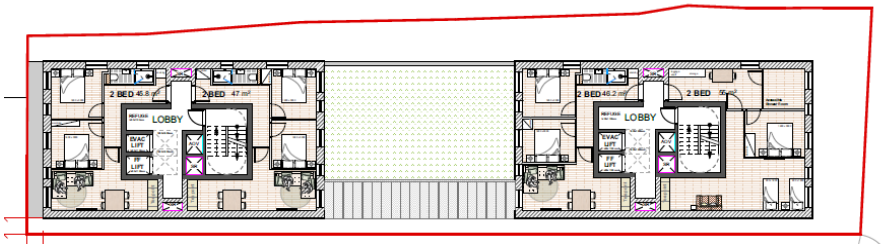
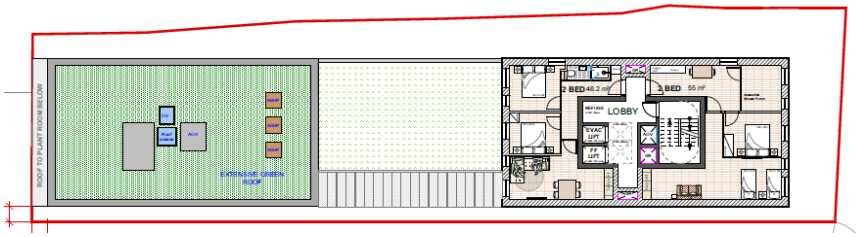
**Proposed Fourth & Fifth Floor Plan ↑**




**Proposed Sixth Floor Plan ↑**

**Proposed Seventh Floor Plan ↑**




**Proposed Eight Floor Plan ↑**

## Visualisation

Principal Elevation

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APAR HOTEL

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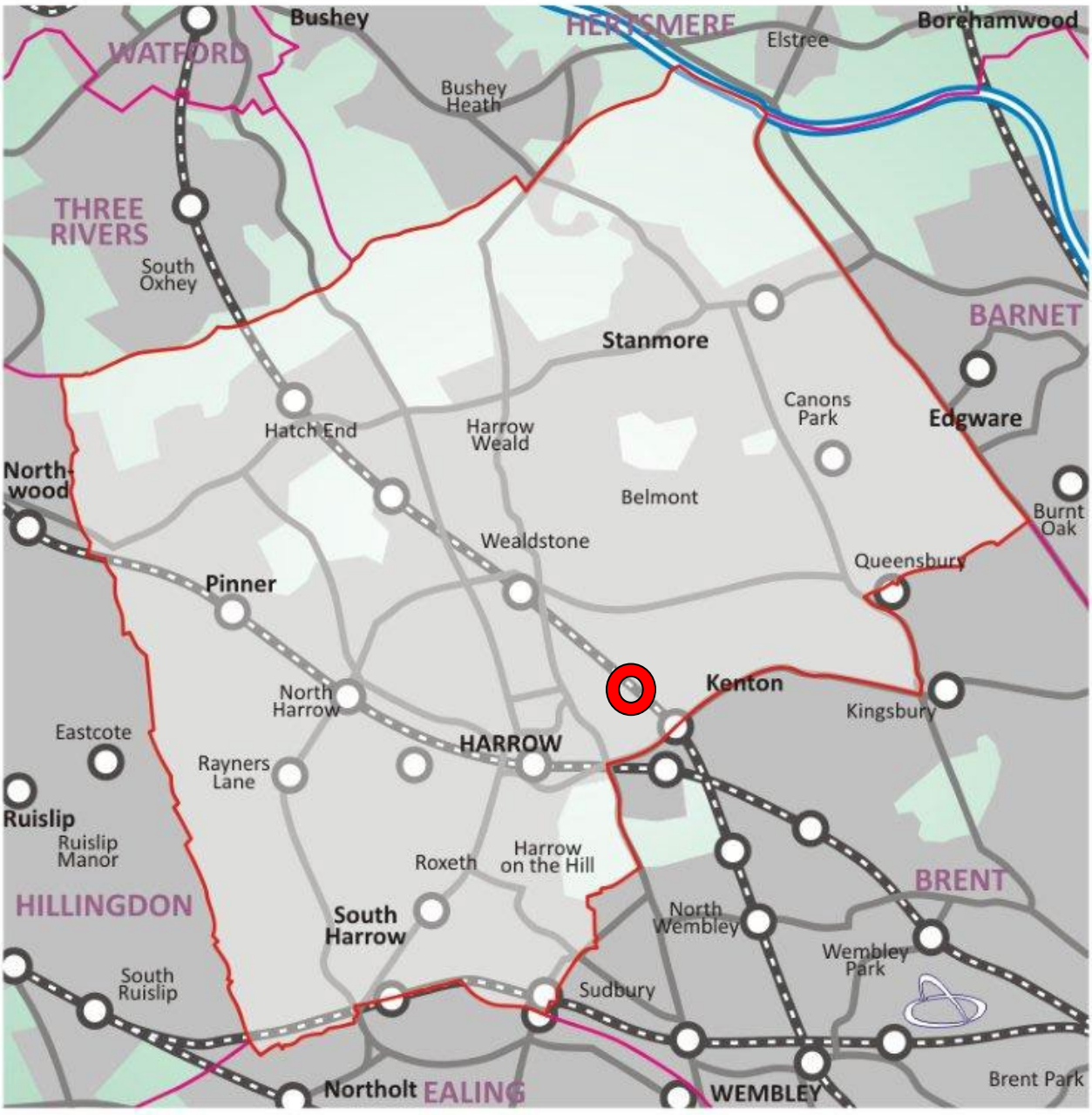
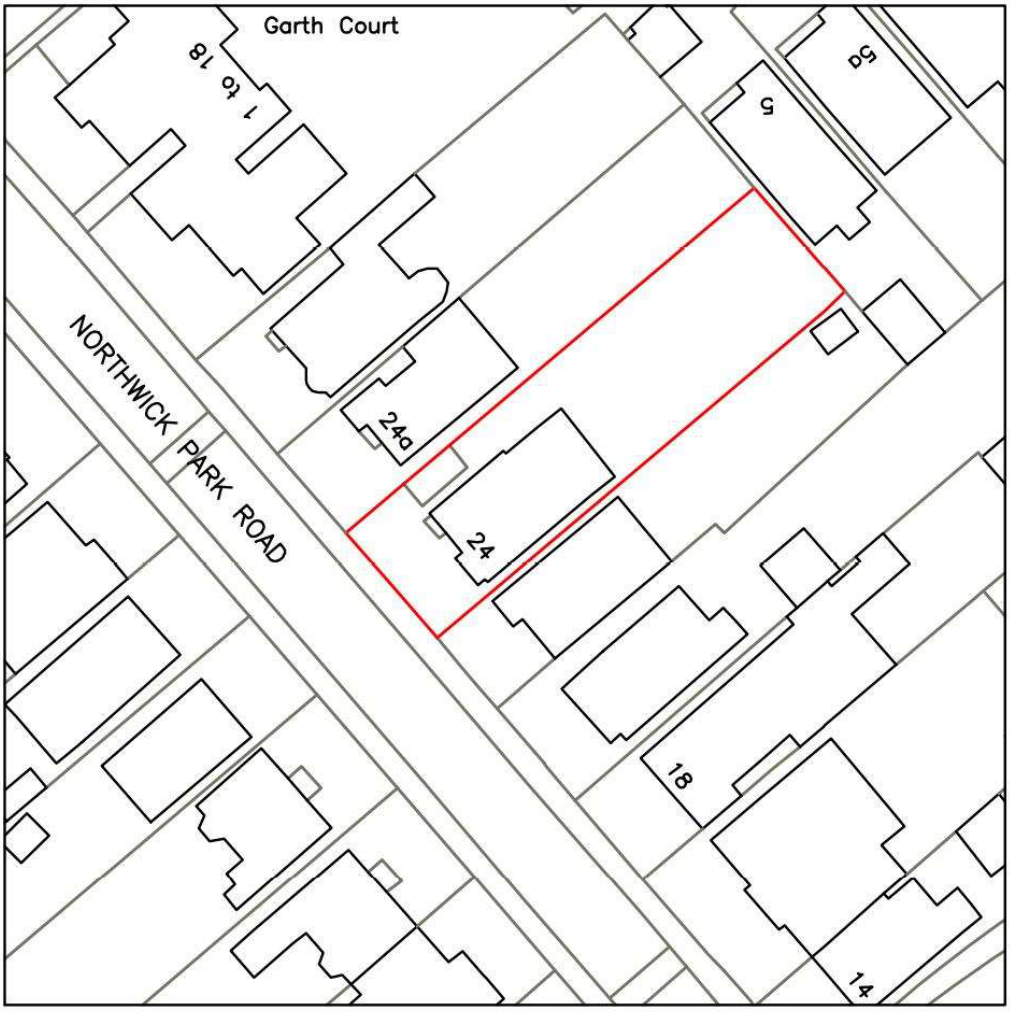
**Agenda Item: 2/01**

**= application site**




| | |
|---|---|
| **24 Northwick Park Road, Harrow, HA1 2NU** | **P/4075/21** |




# SITE LOCATION PLAN

1:1250

**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**22nd June 2022**

| | |
|---|---|
| **APPLICATION NUMBER:** | P/4075/21 |
| **VALID DATE:** | 19/10/2021 |
| **LOCATION:** | 24 NORTHWICK PARK ROAD |
| **WARD:** | GREENHILL |
| **POSTCODE:** | HA1 2NU |
| **APPLICANT:** | SIVA SHANTHINI |
| **AGENT:** | KDA DESIGNS LTD |
| **CASE OFFICER:** | KATIE PARKINS |
| **EXPIRY DATE:** | 29TH JUNE 2022 |

**PROPOSAL**

Conversion of dwelling into five flats (1 X studio, 3 X 1 bed and 1 X 2 bed); single and two storey side and rear extensions; single storey rear extension; rear dormer; external alterations (amended plans received).

**RECOMMENDATION A**

The Planning Committee is asked to:

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

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

**REASON FOR THE RECOMMENDATION**

The proposal would contribute towards housing stock within the Borough and the principle of redeveloping the site to provide additional residential accommodation is considered acceptable and the proposal would create an acceptable standard of residential accommodation for future occupiers.

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 at the request of a nominated member in the public interest.

| | |
|---|---|
| Statutory Return Type: | Minor Development |
| Council Interest: | None |
| Net Floorspace: | 97sqm |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £5,820 |
| Local CIL requirement: | £10,670 |

## 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 Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. 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.

## SITE DESCRIPTION

1.1 The application site comprises a 9-bed detached dwellinghouse located on Northwick Park Road in Greenhill. It has been previously extended by a single and two storey rear extension.

1.2 The application site is not within a flood zone but is within a critical drainage area. There are no other site constraints.

## PROPOSAL

2.1 The applicant seeks planning permission to convert the dwelling into five flats (1 X studio, 3 X 1 bed and 1 X 2 bed); single and two storey side and rear extensions; single storey rear extension; rear dormer; external alterations.

2.2 The existing garden would be subdivided to provide private gardens for the ground floor flats and a communal garden for the upper flats.

2.3 The proposed site plan indicates the provision of two parking spaces in the front forecourt and cycle storage within the private and communal gardens.

## RELEVANT PLANNING HISTORY

3.1 P/1647/19/PRIOR – Single Storey Rear Extension: 8 metres deep, 3 metres maximum height, 2.6 metres high to the eaves. Refused: 17/05/2019.

## CONSULTATION

Neighbour Notification

4.1 A total of 11 consultation letters were sent to neighbouring properties regarding this application. In addition, a site notice was posted. 17 objections were received.

4.2 Following the receipt of amended plans, neigbouring properties were re-consulted. A further 5 objections were received. The overall public consultation period expired on the 26th April 2022.

4.3 The objections are summarised below.

**Principle of Development**

- Paragraph 6.6 of the Local Plan states there is a shortage of larger homes (2, 3 and 4 bedrooms). The proposal is contrary to the Local Plan.
- Proposal does not comply with planning policy.

- Concerned that Harrow Council will consider that the proposal is a community facility.

*Officer response: Paragraph 6.6 of the DMP (policy DM24) relates to affordable housing. The applicant has not proposed affordable housing and therefore paragraph 6.6 is not relevant. Therefore, this would not substantiate a reason for the refusal of this application.*
*The proposal complies with the relevant planning policies and is therefore recommended for grant, subject to conditions. The applicant has not proposed a community facility. The applicant has proposed a residential use which falls within Use Class C3.*

**Character**

- Bulky and overdevelopment that is not in keeping. Proposed development would reduce the gap between 24 and 24A due to the proposed side extension. Area is characterised by good sized plots with large spaces in-between. It would result in a terracing effect. Front elevation is unattractive, out of scale and out of keeping. Poorly designed.
- The dormer and new roof would be bulky, obtrusive and impact the character of the building.
- Out of character with the road which is mostly family homes. Road is a mix of flats and houses, more flats would be out of character. Too many flats on the road. Would set a precedent for further conversions.
- Inadequate arrangement for waste storage. Refuse bins and cycle stores in the rear garden would look cluttered.

*Officer response: Noted, please refer to section 6.3 below.*

**Impact to Residential Amenity**

- The proposed two storey side extension will reduce light and cause overshadowing to No.24A – to a bathroom, study and dining room. Will reduce the gap between 24 and 24A resulting in an invasion of privacy. Doesn't comply with Harrow policy. First floor window on the rear elevation of the two storey side Some flats have windows overlooking other properties. extension and the dormer in the main roof will compromise privacy.
- Moving bins from the rear garden to the front for collection will be noisy.
- Noise and disturbance from comings and goings of future occupiers and associated activities late at night.
- The proposed garden areas will bring loss of privacy, noise and disturbance. 3 flats sharing a communal a garden is not realistic. Existing boundary fence is dilapidated.

*Officer response: Noted. Moving bins on collection day is a common occurrence and would not result in a detrimental impact to the amenities of neighbouring properties due to noise. This would not substantiate a reason*

*for refusal. Please refer to section 6.5 below. Noted, please refer to section 6.4 below.*

**Standard of Residential Accommodation**

- Five flats is over-development. 10 people could reside in the building which is overcrowding, compared to other houses in the vicinity. Proposal does not comply with the London Plan minimum standards. Homes should be dual aspect. Configuration of flats is not fit for purpose re circulation, storage space, room size and shape. Designed to create as many flats as possible which is overcrowded. Lack of internal privacy, daylight, outlook and noise issues. Noise and disturbance from residents entering and leaving the new door in the side elevation.
- Seven flats would be overcrowding.
- Proposed extension would protrude further into the garden. Most of the garden would be taken up by the proposed extension and cycle stores leaving a small area of greenery for residents. Unsightly, bulky, over development of the garden. Gardens would not be maintained.

*Officer response: Noted, please refer to section 6.5 below.*

**Highways**

- Inadequate parking facilities. Will cause congestion. Will lead to parking on yellow lines and blocking neighbours driveways.
- No electrical car charging points provided.
- Cycle stores in the garden can only be for the planning application, not reality.

*Officer response: Noted. As per The London Plan (2021) electrical charging points are not required. five flats are proposed. Please refer to section 6.6 below.*

**Others**

- The garage which is to be demolished is on the boundary. Demolition would be catastrophic and invasive, inconvenience, noise, dust, health hazard. Excavation works would be a risk to our property.
- This property had blocked sewers with the smell coming into our property due to shared drainage system. Will this be an ongoing problem due to overcrowding. No information provided with regards to drainage.
- Present building and garden has not been maintained.
- Environmentally friendly forms of energy use have not been proposed.

*Officer response: Structural issues are not a material planning consideration but is a civil issue. We would advise the objector to seek advice from a Party Wall Surveyor. Drainage is addressed through the Building Regulations. Lack of maintenance is not a material planning consideration. Given the size and scale of the development sustainable energy sources are not required*

*as per planning policy. Therefore the above would not substantiate a reason for refusal.*

Statutory and Non Statutory Consultation

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

| **Consultation Responses** |
|---|
| **LBH Highways Officer**<br><br>The proposal includes retention of two existing off-street parking spaces. The London Plan 2021 maximum car parking standards would allow up to 0.5 spaces per dwelling (this location is considered to have good public transport access, therefore, the higher level of 0.75 should not be applied); this equates to 3-4 spaces. As these are small flats and the property has good access to public transport and amenities, car parking is not considered essential but retention may help to reduce the likelihood of parking pressure.<br><br>The proposal is required to provide cycle parking for a minimum of 8 secured, sheltered and accessible cycle parking spaces plus a further 2 short stay visitor cycle parking spaces close to the entrance/exit in line with Policy T5, London Plan 2021. Details must be provided prior to commencement in order to establish the location and appropriate provision.<br><br>*Officer response: Noted.*<br><br>**LBH Drainage Engineer**<br><br>*Officer response: Noted, conditions included.*<br><br>**LBH Principal Landscape Architect**<br><br>*Officer response: Noted, conditions included.*<br><br>**Designing Out Crime Officer**<br>No objection.<br><br>*Officer response: Noted, conditions included.* |

## POLICIES

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

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

5.2 In this instance, the Development Plan comprises The London Plan 2021 [LP], The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

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

## ASSESSMENT

6.1 The main issues are;

- Principle of Development
- Character and Appearance of the Area
- Impact to Residential Amenity
- Standard of Residential Accommodation
- Traffic and Parking
- Development and Flood Risk
- Secured by Design
- Fire Safety

6.2 **Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): H1, H2, H8
- Harrow Core Strategy (2012): CS1.A

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.

Summary

6.2.3 The proposed development constitutes an effective use of land and would provide an increase in the housing stock within the borough. The proposal therefore complies with the abovementioned policies.

6.3 **Character and Appearance of the Area**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM22, DM23, DM26, DM45
- Supplementary Planning Document: Residential Design Guide (2010)
- Technical Housing Standard (2015) Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008).

Single and Two Storey Side and Rear Extensions

6.3.2 The property was previously extended by a single and two storey rear extension, which would be demolished to facilitate the proposed development. There is no planning history for the existing structures however from reviewing the historical records the existing single and first floor extensions are immune from enforcement action as they have been in-situ for more than four years.

6.3.3 The proposed single storey side extension would be 1m deep and would have a mono-pitched roof with an eaves and maximum height of approximately 2m and 3.3m, respectively.

6.3.4 Paragraph 6.47 of the adopted SPD requires a first floor side extension to be set-back from the front wall by at least 1m. At first floor level which would have a profile to match the original hipped roof. The proposed two-storey side extension would be set-in from the NW boundary of the site by approximately 2m and given the set back at first floor level it would not lead to a terracing effect. The fenestration would be of a similar size and appearance to existing and it is considered that it would relate well to the existing dwellinghouse. The proposed single and two storey side extension would therefore have an acceptable impact to the character and appearance of the original dwellinghouse and the surrounding area.

6.3.5 The proposed two storey rear extension would project 4m beyond the original rear building line and would extend the full width of the original dwellinghouse. It would introduce a crown roof approximately 6.3m deep. Whilst is it noted that a crown roof would be introduced, the site does not occupy a prominent position within the streetscene and given its proximity to the flank walls of the neighbouring dwellings, the proposed extensions and crown roof would not be unduly prominent within the streetscene. The proposed single storey rear

extension would project a further 2.5m beyond the rear of the proposed two-storey rear extension. It would have a height of 2.5m with a flat roof, in accordance with paragraph 6.63 of the adopted SPD. It is noted that the proposed single storey rear extension would be no deeper than the existing single storey rear extension. It is noted that the host dwelling is a detached dwellinghouse with a large rear garden. It is considered that the proposed single and two storey rear extensions are considered to be proportionate additions which would have an acceptable impact on the character and appearance of the original dwellinghouse and its surroundings. Furthermore, sufficient garden space would remain.

Rear Dormer

6.3.6 The top and the base of the proposed rear dormer would be set-in from the hipped ends by approximately 0.78m and 2.75m, respectively. It would be set-down from the ridge by approximately 0.9m and set-back from the eaves by 1m. The proposed dormer would therefore be sufficiently visually contained, in accordance with paragraph 6.68 of the adopted SPD.

Landscaping & Trees

6.3.7 The existing front forecourt is hard landscaped. As discussed further below defensible planting would be required in front of the ground floor window to ensure a suitable level of privacy for the ground floor flats. In addition to this, it is considered there is further scope to provide additional soft landscaping to the front forecourt in accordance with policy DM23.B of the DMP to ensure there is an improvement to the character and appearance of the host dwelling and its surroundings.

Refuse Storage

6.3.8 The existing garden would be sub-divided to provide a private garden for flats 1 and 2 at ground floor level. A communal garden for flats 3, 4 and 5 would be provided to the rear. As per the proposed site plan, three refuse bins would be provided within each private garden and a further six bins would be provided within the communal garden. Bins would be taken to the front forecourt area on waste collection day. The gardens are of sufficient size to accommodate the required bins. Details of the refuse bin stores have not been submitted, however a condition has been included to ensure details of the stores are submitted to and approved by the LPA and installed prior to commencement.

Summary

6.3.9 The proposed development, subject to the imposition of appropriate conditions as noted above would add positively to the built form, providing a high quality development which would substantially contribute to the character and appearance of the area. Sufficient refuse storage would be provided within the curtilage of the site and the proposed development would meet the high quality design and landscape aspirations of above mentioned planning policies.

6.4 **Impact to Residential Amenity**

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Development Management Polices Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)

24A Northwick Park Road

6.4.2 No.24A is located to the NW of the application site and has been previously extended by a single storey rear extension.

6.4.3 The proposed single and two storey side extension would be set-in from the side boundary shared with No.24A by 2m. The flank wall of the two storey side extension would have a window at ground floor level to serve a kitchen/living room along with a door providing direct access into the private garden. The top of the window and door would be 2m from ground level. A boundary fence would enclose this area, details of this fence would be secured via condition however this would typically be a 1.8m high close boarded fence, along with a boundary fence along the NW boundary shared with No.24A. Therefore, this window and door would not result in a detrimental loss of privacy to No.24A as they would be predominantly screened due to the boundary fences. There are no windows proposed at first floor level.

6.4.4 The proposed first floor rear extension would be of the same width as the original dwellinghouse and it would be of the same depth (4m) as the existing first floor rear extension. The proposed first floor extension would not encroach a 45 degree splay taken from the first floor rear corner of No.24A, in accordance with paragraph 6.41 of the adopted SPD. The proposed single storey rear extension would project an additional 2.5m beyond the rear of the proposed first floor rear extension and it would project approximately 2m beyond the rear of No.24A. It would be approximately 2.7m high with a flat roof in accordance with paragraph 6.63 of the adopted SPD. The flank wall of the proposed single and first floor rear extension would be set-in from the side boundary shared with No.24A by 4.2m.

6.4.5 The proposed rear dormer is a typical roof extension. It would be sited centrally within the roof and would not result in a detrimental impact to the privacy of No.24A, beyond that what already exists in this suburban location. The proposed first floor windows would not result in any additional loss of privacy, than the existing first floor windows.

6.4.6 The proposed extension due to its design, size, scale, siting and its relationship with No.24A would not result in a detrimental impact to the visual and residential amenities of No.24A due to a loss of privacy, outlook or light.

No.22 Northwick Park Road

6.4.7 No.22 is located to the SE of the application site.

6.4.8 The proposed single and two storey side extension would be sited on the NW flank wall of the host dwelling and therefore would not result in a detrimental impact to the visual and residential amenities of No.22.

6.4.9 The proposed first floor and single storey rear extension would be set in from the side boundary shared with No.22 by approximately 1m. The proposed first floor extension would not encroach a 45 degree splay taken from the first floor rear corner of No.22, in accordance with paragraph 6.41 of the adopted SPD. Furthermore, it would be no deeper than the existing first floor, flat-roofed extension and therefore would not have any additional impact than the existing site circumstances.

6.4.10 The proposed single storey rear extension would project approximately 2.6m beyond the rear wall of No.22 and would be set-in from the shared boundary by approximately 1m. Furthermore, it would be no deeper than the existing first floor, flat-roofed extension and therefore would not have any additional impact than the existing site circumstances. It would be approximately 2.7m high with a flat roof in accordance with paragraph 6.63 of the adopted SPD. As noted above, it would be approximately 2.7m high with a flat roof in accordance with paragraph 6.63 of the adopted SPD. The proposed single storey rear extension therefore complies with paragraph 6.60 of the adopted SPD.

6.4.11 At ground floor level the SE flank wall of the existing dwellinghouse has four windows which serve habitable rooms. The proposed development includes a ground floor window to serve a bathroom and a window and door to serve a kitchen for Flat 1. At first floor level windows are proposed to serve a bathroom and a kitchen for Flat 3. A condition is recommended to ensure these windows have obscured glazing. This would therefore result in an improvement than the existing site circumstances. Furthermore, an additional condition is considered appropriate to ensure there are no further windows/doors inserted without the prior permission of the Local Planning Authority.

6.4.12 The proposed rear dormer is a typical roof extension. It would be sited centrally within the roof and would not result in a detrimental impact to the privacy of No.24A, beyond that what already exists in this suburban location. The proposed first floor windows would not result in any additional loss of privacy, than the existing first floor windows.

6.4.13 The proposed extension due to its design, size, scale, siting and its relationship with No.22 Northwick Park Road and would not result in a detrimental impact to the visual and residential amenities of No.24A due to a loss of privacy, outlook or light.

Properties Located to the Rear of the Site

6.4.14 The proposed windows on the rear elevation would not overlook any additional areas than existing windows. The proposed extensions, given their form design, size, scale and siting would not result in a detrimental impact to the visual and residential amenities of properties located to the rear, given the separation distance.

Noise and Disturbance

6.4.15 The host property is large detached property with a substantial rear garden. It is not considered that the proposed conversion to five flats (1 X studio, 3 X 1 bed and 1 X 2 bed) would be detrimental to noise, disturbance and comings and goings.

Summary

6.4.16 The proposed development, due to its design, size, scale and relationship with neighbouring properties, would not result in an unacceptable impact to the visual or residential amenities of neighbouring properties. The proposed development therefore complies with the above mentioned policies and guidance.

6.5 **Standard of Residential Accommodation**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D6, D14
- Harrow Development Management Polices Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)
- Mayors Housing Supplementary Planning Guidance (2016)

Internal Layout

| | ***Proposed Size*** | ***Aspect*** | ***Proposed GIA*** | ***Proposed Storage*** | ***Minimum GIA*** | ***Minimum Storage*** |
|---|---|---|---|---|---|---|
| Flat 1 | 1 bed/2 person | Dual | 70sqm | 0sqm | 50sqm | 1.5sqm |
| Flat 2 | 2 bed/4 person | Dual | 75sqm | 0.85sqm | 70sqm | 2sqm |
| Flat 3 | 1 bed/2 person | Dual | 58sqm | 0sqm | 50sqm | 1.5sqm |
| Flat 4 | 1 bed/2 person | Dual | 65sqm | 1.2sqm | 50sqm | 1.5sqm |
| Flat 5 | Studio | Dual | 56sqm | 0sqm | 39sqm | 1sqm |

6.5.2 As per the above table, each proposed flat would have sufficient GIA to comply with the minimum standards provided in policy D6 of The London Plan (20210. Whilst it is noted that sufficient storage space has not been provided in accordance with policy D6, it is noted that each flat has a GIA which would substantially exceed the minimum requirements. Therefore, there is sufficient storage space for a future occupier to provide storage space if required. Therefore, this would not substantiate a reason for refusal. All flats would be provided with sufficient openings to provide an acceptable standard of daylight/sunlight and outlook. Furthermore, internally it has been configured to ensure an acceptable standard of internal privacy for future occupiers.

6.5.3 Internally, the flats have been arranged to minimise conflicts in vertical stacking. However, it is noted that there is a conflict between the proposed studio flat in roof level and the first floor levels. However, the applicant has submitted details of sound insulation to mitigate noise and disturbance vertically. This is acceptable. Therefore, this would not substantiate a reason for refusal.

Outdoor Amenity Space

6.5.4 As noted above, the proposed ground floor flats would be provided with private gardens, and the flats at first floor and roof levels would have access to a communal garden. The proposed private and communal gardens are of a substantial size in accordance with policy D6 of The London Plan and would provide a practical space in terms of shape and utility. The proposed outdoor amenity space is therefore acceptable.

Summary

6.5.5 The proposed development would provide an acceptable standard of residential accommodation for future residents, in accordance with the above mentioned policies and guidance.

6.6 **Traffic and Parking**

6.6.1 The relevant policies are:

- National Planning Policy Framework (2021)
  - The London Plan (2021): T4, T5, T6
  - Harrow Core Strategy (2012): CS1
  - Harrow Development Management Polices Local Plan (2013):DM1, DM42

6.6.2 The site has a PTAL rating of 4 and is within close proximity to the town centre and the associated amenities and public transportation network. In addition, the site is within a Controlled Parking Zone.

6.6.3 The site is located close to Harrow Town Centre and has a public transport accessibility level (PTAL) of 4, meaning good. It is a 7 minute walk to the main shopping area where there are various bus routes, shops, restaurants, supermarkets, schools and leisure facilities. Harrow Bus station and Harrow on the Hill Underground station are also nearby.

Car Parking

6.6.4 Based on the maximum parking standards provided at policy T6.1 of The London Plan (2021), the proposal would require a maximum of 2.75 parking spaces. The proposal would provide two parking spaces within the curtilage of the site. The Highways Officer has confirmed that given that sites PTAL rating and that smaller units are proposed, two parking spaces are considered to be sufficient, they would not support the provision of 3 parking spaces as it would then exceed the maximum parking standards. Therefore, the provision of two parking spaces is considered to be acceptable.

Cycle Parking

6.6.5 As per policy T5 of The London Plan (2021) the proposal would require a minimum of 8 secured, sheltered and accessible cycle parking spaces and 2 visitor spaces close to the front door. The proposed site plan indicates that cycle storage would be provided within the rear private/communal gardens, which is considered to be acceptable. A condition is considered to be appropriate to ensure details of the cycle storage and details of the two visitor spaces are submitted to and approved by the LPA and installed prior to first occupation. Subject to this condition, the proposal is acceptable in relation to cycle storage.

Summary

6.6.6 The proposed development would provide sufficient car and cycle parking in accordance with the above mentioned policies and guidance.

## 6.7 Development and Flood Risk

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM9

6.7.2 The development would result in additional hardsurfacing on the site. As the site is located within a Critical Drainage Area, sustainable urban drainage [SuDs] is encouraged. An informative is attached to this effect.

Summary

6.7.3 The proposed development would have an acceptable impact in terms of drainage. The proposed development therefore complies with the above mentioned policies and guidance.

6.8 **Secured by Design**

6.8.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021) : D5, D11, E10
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM2

6.8.2 The SBD Officer was consulted on this application and raised no objections to the proposal, subject to a condition which would require the applicant to submit evidence of SBD certification to the LPA prior to first occupation.

Summary

6.8.3 The proposed development plan objectives in terms of safety and security subject to the abovementioned conditions. On that basis, the proposal therefore complies with the above mentioned policies.

6.9 **Fire Safety**

6.9.1 The relevant policies are:

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

6.9.2 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. A condition is recommended to ensure that a fully comprehensive fire strategy is submitted and approved by the Local Planning Authority prior to the commencement of the development.

Summary

6.9.3 The proposed development plan objectives in terms of fire safety subject to the abovementioned condition. On that basis, the proposal therefore complies with the above mentioned policies.

## 7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The statutory position is that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policies have been set out within the report above.

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

| | |
|---|---|
| Interim Head of Development Management | 07/06/2022 |
| Corporate Director | 07/06/2022 |

## APPENDIX 1: Conditions and Informatives

## Conditions

1. Time Limit

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. Plan List
The development hereby permitted shall be carried out in accordance with the following documents and plans:
REASON: For the avoidance of doubt and in the interests of proper planning.

3. Materials

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
REASON: To safeguard the appearance of the locality.

4. Fire Statement

The development hereby approved shall not progress beyond damp proof course level until a Fire Statement produced by a third party suitably qualified assessor has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be carried out in accordance with the strategy so agreed and shall be retained as such thereafter unless otherwise agreed by the local planning authority or Fire Authority.
REASON: To ensure that the development proposals achieve the highest standard of fire safety in accordance with policy D12 of The London Plan (2021).

5. Soft and Hard Landscaping

Notwithstanding the approved details, the development hereby permitted shall not be occupied until there has been a scheme of hard and soft landscape works for the site submitted to, and approved by the Local Planning Authority. Soft landscape works shall include: planting plans (at a scale not less than 1:100), schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities. Hard landscape works shall include; details of boundary treatments (materials, height, location) to demarcate access to, and the boundaries between, the subdivided rear gardens and details of hard surfacing materials to be used in the landscaping of the site.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM1,

DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

6. Landscape Management and Maintenance Plan

The development hereby approved shall not be first occupied until a Landscape Management and Maintenance Plan has been submitted to and approved in writing by the Local Planning Authority, for all hard and soft landscapes areas, other than privately owned domestic balconies/terraces/gardens. The Landscape Management and Maintenance Plan shall include:

a) Landscape Management: long term design objectives incorporating the overall functional aesthetic objectives of the landscape scheme; management responsibilities; programme of works and monitoring procedures; and
b) Landscape Maintenance: including routine physical tasks required to satisfy appropriate standards of aftercare and enable the design and implementation objectives to be achieved, for the first year of maintenance, years 2-5 and 6 years onwards: maintenance responsibilities; a schedule of maintenance operations (calendar of tasks)set out graphically and in writing.

The Landscape Management and Maintenance Plan shall be carried out in accordance with the approved details.
REASON: To ensure the future success of the development and to enhance the appearance of the development, in accordance with policies D3, G5 and G7 of The London Plan (2021) and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

7. Secured by Design

Evidence of certification of Secured 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 policy DM1 of the Development Management Policies Local Plan (2013).

8. Parking Spaces

Prior to the first occupation of the residential units hereby permitted three parking spaces of a standard size (2.4m x 4.8m) shall be clearly marked out on site and made available, in accordance with the approved ground floor plan (02105 Rev:P02). Such spaces shall not be used for any purposes other than for the parking of motor vehicles used by residents of the development and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure car parking provision is available for use by the occupants

of the site and in accordance with policy T6 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

9. Cycle Storage

The development hereby permitted shall not be occupied until details of shelters, racks, dimensions and location of a minimum of 8 long stay and 2 short stay cycle parking spaces are submitted to and approved in writing by the Local Planning Authority. Such cycle storage should be designed in accordance with the requirements of the London Cycle Design Standards. The development shall be completed in accordance with the approved details prior to the first occupation of the residential units and shall thereafter be retained.
REASON: To ensure that cycle storage is available for use by the occupants of the site in accordance with policy T5 of The London Plan (2021) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

10. Refuse Stores

Notwithstanding the approved details, the development hereby permitted shall not be first occupied until details of the refuse stores have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to first occupation and shall be retained thereafter. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing plans.
REASON: To ensure satisfactory refuse stores are provided, which are accessible to refuse collectors, in accordance with policies DM1 and DM45 of the Harrow Development Management Policies Local Plan (2013).

11. Glazing
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s), other than those shown on the approved plans shall be installed in the side elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.
REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

12. Obscured Glazing
The window(s) in the side elevation(s) of the proposed development shall: (a) be of purpose-made obscure glass, (b) be permanently fixed closed below a height of 1.7m above finished floor level,and shall thereafter be retained in that form.

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

13. No Balcony

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.
REASON: To safeguard the amenity of neighbouring residents in accordance with policy DM1 of the Harrow Development Management Polices Local Plan (2013).

14. PD Restrictions

The flats hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.
REASON: : To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies (2013), Policy CS1(B) of the Harrow Core Strategy (2012), and the Core Planning Principles of the National Planning Policy Framework (2021)

15. Planting

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s), or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the Local Planning 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 policies D3, G5 and G7 of The London Plan (2021) and policies DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

**Informatives**

1. Relevant Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2021)
The London Plan (2021): GG1, GG2, GG3, GG4, D1, D3, D4, D5, D6, D7, D8, D11, D12, D14, H1, H9, H10, SI 12, T5, T6.1
Harrow Core Strategy (2012): CS1
Harrow Development Management Policies Local Plan (2013): DM1, DM2, DM10, DM22, DM23, DM26, DM27, DM42, DM44, DM45
Supplementary Planning Documents:
Supplementary Planning Document: Residential Design Guide (2010)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008).
Mayors Housing Supplementary Planning Guidance (2016)

2. Pre-application engagement

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

3. Mayoral CIL

Please be advised that approval of this application (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 £5,820

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planningportal website where you can download the appropriate document templates.
Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0 .
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf
https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:

https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

4. Harrow CIL

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.
Harrow's Charges are:
Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.
The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £10,670
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/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.

5. Considerate Contractor Code of Practice

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

6. Party Wall Act

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

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

and that work falls within the scope of the Act.

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7. Compliance with Planning Conditions

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted. Beginning development in breach of a planning condition will invalidate your planning permission.

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

8. Liability for Damage to Highway

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

9. Street Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council

carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.
All new developments, subdivision of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.
You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.
http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

10. 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 (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a

sustainable drainage scheme based on these principles.
The applicant can contact Harrow Drainage Section for further information.

11. Designing Out Crime

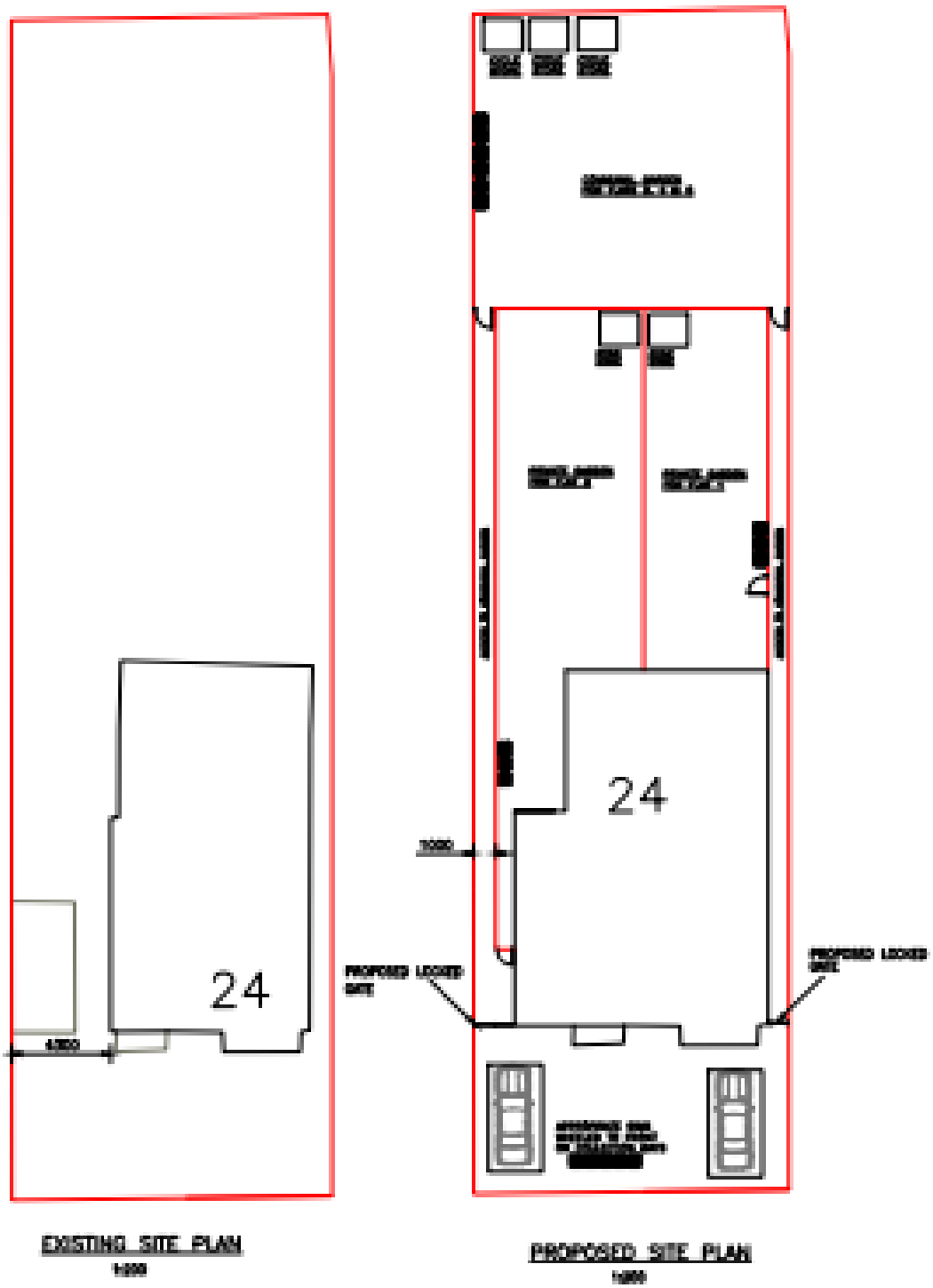
There is a condition attached to this permission which requires evidence of certification of Secured by Design Accreditation to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or use. This is a national police initiative that is supported by the Home Office Crime Reduction & Community Safety Unit and the Planning Section of the ODPM. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is therefore recommended that you contact the Borough Crime Prevention Design Advisor by email DOCOMailbox.NW@met.police.uk to obtain further information on what would be required to achieve the Secured by Design Accreditation for the development.

12. Landscape Management and Maintenance

A Landscape Management Plan would be expected to set out, graphically and / or in writing, the overall functional and aesthetic objectives of the landscape scheme and the steps (eg legal arrangements including ownership and management responsibilities, planned maintenance tasks, any phased works, management programme of works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.
Landscape Maintenance refers to the routine physical tasks (e.g. strimming, pruning, weeding, plant replacement, watering, litter clearance, maintenance of furniture, any decorative landscape lighting etc.) required to satisfy appropriate standards of aftercare and to enable the design and implementation objectives in respect of planting to be satisfactorily achieved. It is essential to identify who is responsible for these tasks.
A Schedule of Maintenance Operations is normally a component of a Landscape Management Plan and commonly included within a Landscape Design Specification document.

## APPENDIX 2: SITE PLAN

### Existing and Proposed Site Plan



## APPENDIX 3: SITE PHOTOS

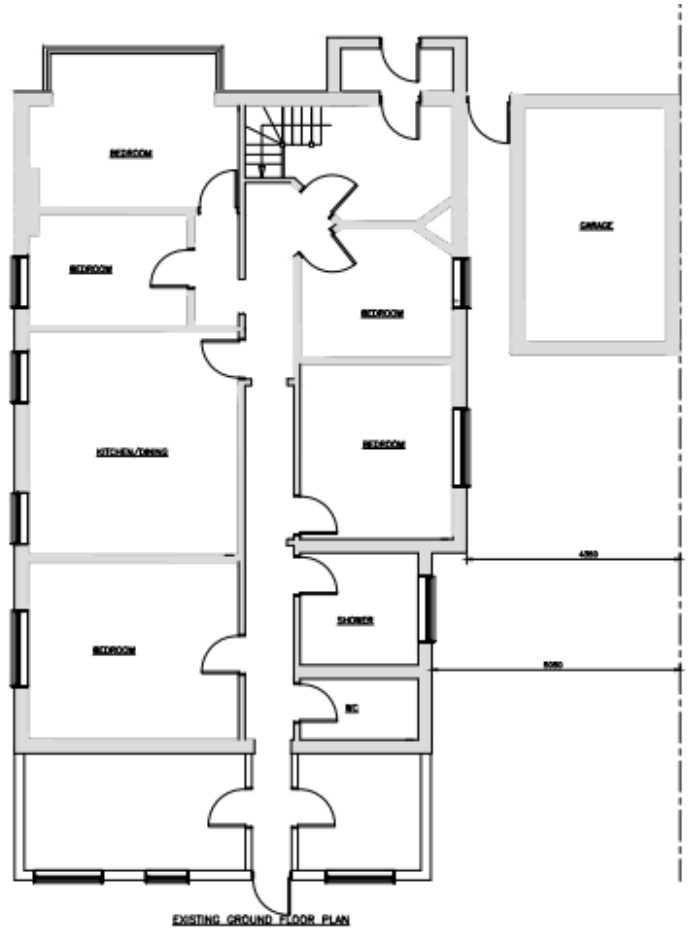
Front elevation of host dwelling (centre):

Rear Elevation of Host Dwelling:

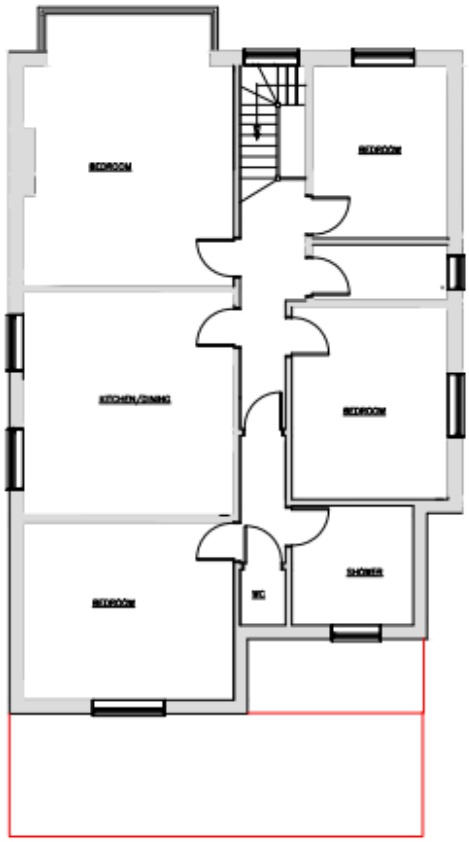
Rear elevation of N0.22 (left) and host dwelling (right)

## APPENDIX 4: PLANS AND ELEVATIONS

## Existing Floor Plans and Elevations




EXISTING GROUND FLOOR PLAN

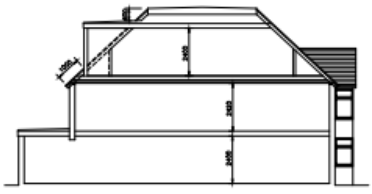



EXISTING FIRST FLOOR PLAN

EXISTING FRONT ELEVATION

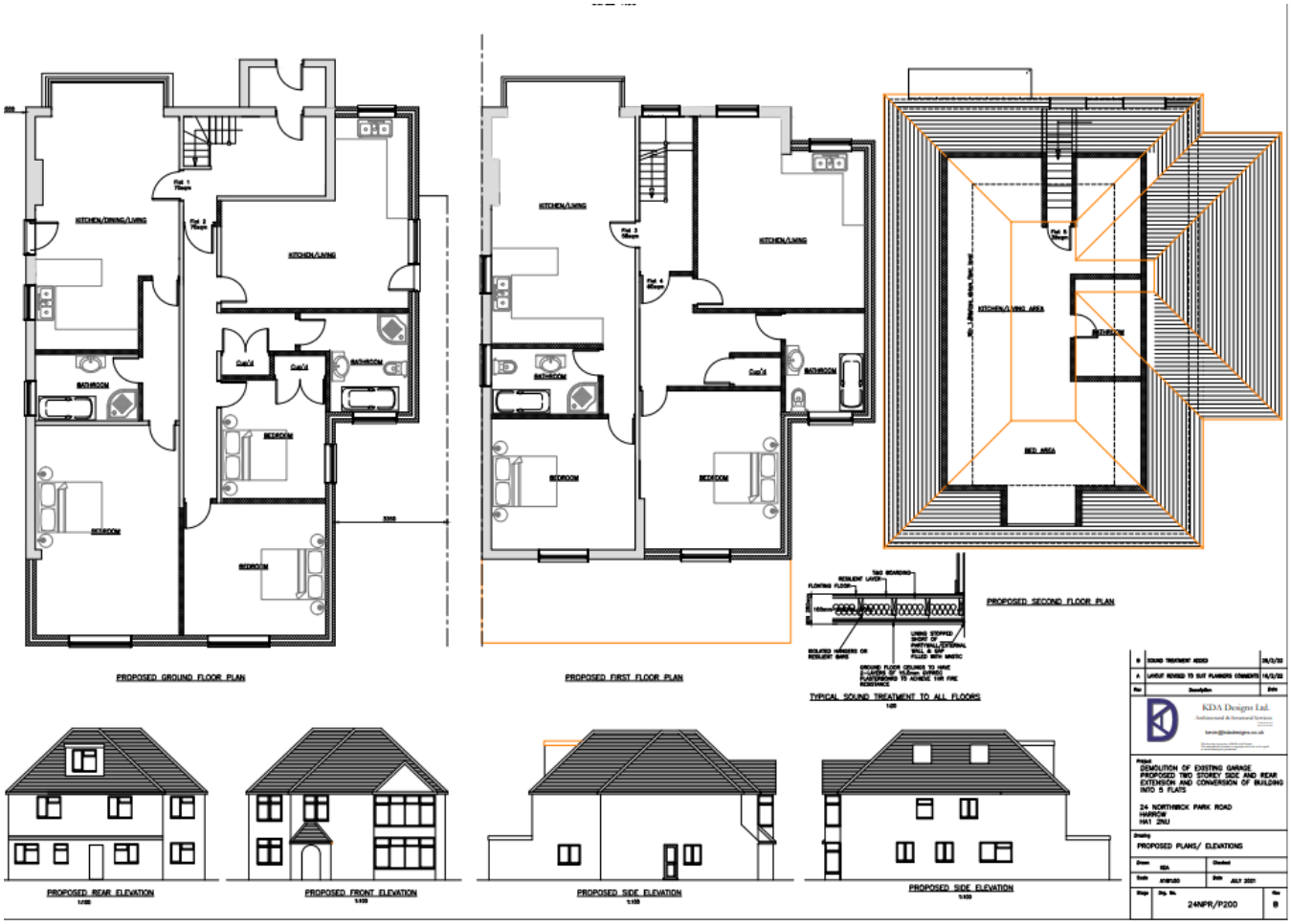
EXISTING REAR ELEVATION

EXISTING SIDE ELEVATION



PROPOSED CROSS SECTION

## Proposed Elevations and Floor Plans



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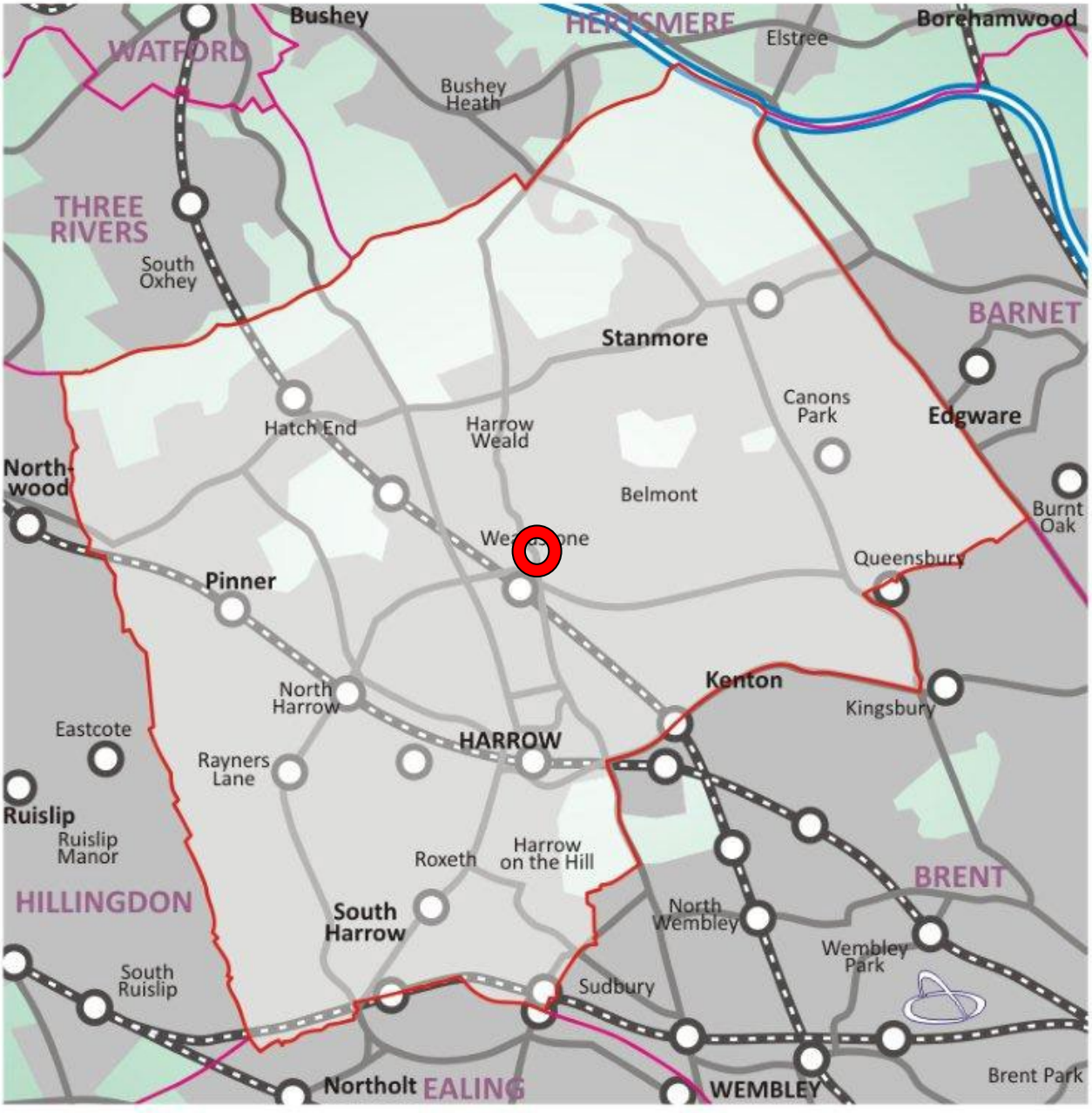
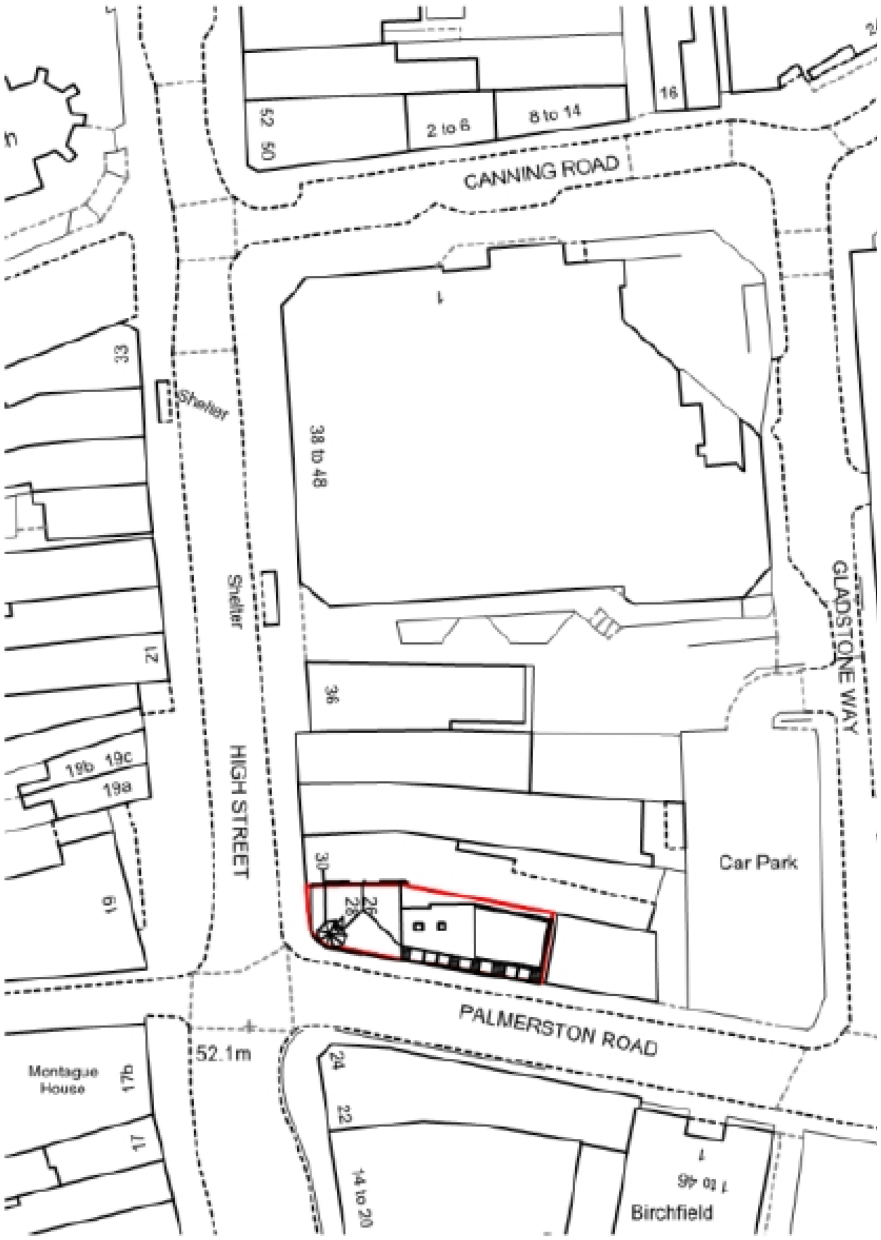
**Agenda Item : 2/02**

**= application site**




| **26-28 High Street, Wealdstone, HA3 7AB** | **P/1523/21** |
|---|---|

## Location Plan



**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**22nd June 2022**

| | |
|---|---|
| **APPLICATION NUMBER:** | P/1523/21 |
| **VALIDATE DATE:** | 27/04/2021 |
| **LOCATION:** | 26-28 HIGH STREET, WEALDSTONE, |
| **WARD:** | MARLBOROUGH |
| **POSTCODE:** | HA3 7AB |
| **APPLICANT:** | LONDON BOROUGH OF HARROW |
| **AGENT:** | LEVITT BERNSTEIN |
| **CASE OFFICER:** | KATIE HOGENDOORN |
| **EXPIRY DATE:** | 22/06/2021 |

## PROPOSAL

Creation Of Third And Fourth Floors Comprising Of Five Additional Flats (5 X 1 Bed); Second Floor Side Extension; 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 extending the property 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: | 336.42 sqm |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £29,106.34 |
| Local CIL requirement: | £55,014.76 |

## 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 Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. 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 part-two, part-three storey building on a corner plot fronting Wealdstone High St to the west and Palmerston Road to the south.

1.2 The building features commercial premises (A1 – retail) at ground floor level and flats above.

1.3 The building projects eastwards off the main element at a reduced width, where it steps down two storeys in height with a flat roof.

1.4 To the east, the site is detached from an adjacent single storey restaurant and take-away premises.

1.5 Along Palmerston Road, the majority of the second floor is contained within the roof slope, with dormer windows. The remaining area to the east features a flat roof.

1.6 The application site is within the Wealdstone Opportunity Area.

1.7 The site is within Environment Agency Flood Zones 2 and 3, and there is a piped watercourse located to the front of the property.

## 2.0 PROPOSAL

2.1 The application proposes an increase in the buildings ridge height from 12.73 metres to between 12.8 and 17.6 metres, an overall maximum increase of 4.87 metres, with a third-floor and a fourth floor mansard roof form extension.

2.2 The application includes a second floor side extension which would bring the proposed second floor side wall in line with the existing ground and first floor side wall on the Palmerstone Road elevation.

2.3 The existing turret design on the west elevation would be replicated at 4th floor, and there would be a mansard roof which would have a single flat roofed dormer on the west front elevation, with a new window to the third floor to match existing.

2.4 The proposed third floor extension would span the entire depth of the existing building, and span across its width, with a set away of between 0.2 and 2.8 metres on the northern flank wall which faces the boundary with No 30 High Street, where there would be an inset wall.

2.5 The existing second floor mansard roof form and dormers on the southern elevation would be replaced with a vertical flank wall and 7 new windows, and the extension at third floor would reflect this flank wall with 6 new windows, and a mansard roof form to the rearmost section of this elevation would have

a flat roofed dormer window. Brickwork on these flank walls would be finished in materials to match the existing.

2.6 The proposed fourth floor extension on the southern elevation would have a mansard style roof form with 4 x 4 flat roofed dormers. There would also be a terraced enclosed on three sides with a 1.2 metre high clear glazed balustrade to the first unit located to the west of the proposed turret roof form on the corner of the building.

2.7 On the northern elevation, the proposed extensions at third and fourth floor would comprise a flank wall with one new high level window at fourth floor.

2.8 Existing rooms on the ground floor would be used for refuse storage, and cycle storage. The refuse storage would accommodate 2 x 1100L bins, 4 x 360L bins, and the cycle store would accommodate space for 14 resident cycles, including 2 x visitor cycle spaces.

**Revisions to this Application**

2.9 The design has been revised to reflect the existing turret design to the corner front and side elevations.

2.10 The number of resident cycle parking spaces has been increased from 13 to 14, with 2 visitor spaces included in this number, and the layout of this space has been amended to allow convenience of use for occupiers and visitors using the refuse and cycle stores.

2.11 A revised floor and elevational plan was requested and received to ensure that the gross internal floor areas and floor to ceiling heights all met the minimum standards.

2.12 A revised existing elevation plan has been received to show the flat roof over the existing refuse area at ground floor, adjacent to the boundary with No 30 High Street.

## 3.0 RELEVANT PLANNING HISTORY

| Ref no. | Description | Status and date of decision |
|---|---|---|
| P/3114/06 | Change of use of retail shop to tyre shop with tyre fitting services (sui generis) | REFUSED AND 22/12/2006 APPEAL DISMISSED 19/09/207 |
| P/3027/09 | Two/three storey rear extension including dormer windows on side | REFUSED 24/02/2010 |

| | | |
|---|---|---|
| | elevation; new commercial unit for retail, business or medical use on ground floor (use classes a1-a5, b1 or d1); change of use of first floor office use, and use of upper floors as six flats; bin store; cycle parking; external alterations; retention of ground floor front shop unit (a1) | |
| P/3027/09/4157 | Two/three storey rear extension including dormer windows on side elevation; new commercial unit for retail, business or medical use on ground floor (use classes a1-a5, b1 or d1); change of use of first floor office use, and use of upper floors informal hearing. | REFUSED AND ALLOWED ON APPEAL 21/10/2010 |
| P/3500/10 | Change of use of ground floor from shop (use class a1) to mixed use restaurant / hot food take away (sui generis); new shop front; extract duct to side | GRANTED 11/04/2011 |
| P/1183/12 | Change of use from retail to hot food takeaway (class a1 to class a5) and extract duct at side; new shopfront | GRANTED 16/08/2012 |
| P/2925/12 | Details pursuant to condition 2 (external materials), relating to planning permission p/3027/09 granted on appeal (app/m5450/a/10/2127357) dated 03/12/2010 for 'two/three storey rear extension including dormer windows on side elevation; new commercial unit for retail, business or medical use on ground floor (use classes a1-a5, b1 or d1); change of use of first floor office use, and use of upper floors as six flats; bin store; cycle parking; external alterations; retention of ground floor front shop unit (a1) | APPROVE DETAILS 14/01/2013 |
| P/2967/12 | Details pursuant to conditions 4 (crime prevention), 5 (refuse storage/disposal) and 6 (balcony details) allowed on appeal ref: app/m5450/a/10/2127357 dated 3/02/2011 related to planning permission p/3027/09 for two/three storey rear extension including dormer windows on side elevation; new commercial unit for retail, business or | APPROVE DETAILS 04/01/2013 |

| | | |
|---|---|---|
| | medical use on ground floor (use classes a1-a5, b1 or d1); change of use of first floor office use, and use of upper floors as six flats; bin store; cycle parking; external alterations; retention of ground floor front shop unit (a1) | |
| P/2878/15 | Conversion of Offices (Class A2) to 1 Self-Contained Flat (Class C3) and no alterations to FRONT/REAR/SIDE elevation (prior approval of transport & highways impacts of the development, and of contamination risks and flooding risks on the site) | REFUSED 04/08/2015 |
| P/4035/15 | Conversion of part of ground floor (Class A1) to 2 Self-Contained Flat (Class C3) (prior approval of transport & highways impacts of the development, of contamination risks and flooding risks on the site, external appearance, and the desirability of the change of use) | REFUSED 16/10/2015 |
| P/2023/19 | Details pursuant to condition 3 (materials); condition 6 (travel plan); condition 10 (communal facilities for television reception) and condition 11 (air conditioning units) of planning permission p/5102/17 dated 25/04/2018 for three and four storey side | Refused 02/07/2019 |
| P/0633/16 | Extension of roof at rear above first floor level with three dormers in south side elevation to provide a self-contained flat | GRANTED 24/04/2016 |
| P/3572/16 | Details pursuant to condition 3 (construction method statement) attached to planning permission p/0633/16 dated 25/4/16 for extension of roof at rear above first floor level with three dormers in south side elevation to provide a self-contained flat | APPROVE DETAILS 10/10/2016 |
| P/3840/16 | Details pursuant to Condition 3 (Construction Method Statement) of planning permission P/0633/16 dated 25.4.2016 for extension of roof at rear above first floor level with three dormers in south side elevation to provide a self-contained flat | APPROVE DETAILS 27/09/2016 |

| | | |
|---|---|---|
| P/1560/17 | Creation of third floor comprising of three x one bed flats | REFUSED 20/06/2017 |
| P/0485/20 | Creation of third floor comprising 3 x 1 bed flats | REFUSED 27/03/2020 |
| P/1735/21 | Creation Of Third Floor Comprising 3 X 1 Bed Flats | GRANTED 22/09/2020 |

**4.0** Consultation

4.1 A total of 9 consultation letters were sent to neighbouring properties regarding this application and no responses were recieved. The public consultation period expired on 21st May 2021.

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

| Consultee and Summary of Comments |
|---|
| **LBH Highways**<br><br>Comment received 11/06/2021:<br><br>The proposed cycle store layout is congested and unusable. This must be revised as cycle storage for this car free development is essential to enable future residents to travel sustainably. The new flats require at least 8 cycle stands; this will be in addition to the provision for the existing units (6 spaces) which was previously approved as P/3027/09. Visitor cycle parking should be provided externally if there is any space available within the development land. If not, a separate internal facility would be acceptable, but non-residents should not have access to the residential store.<br>This proposal would require a parking permit restriction to be applied to the new flats; the existing residential flats are already subject to the same. This is to encourage sustainable travel by future residents and to minimise the impact of parking on the surrounding highway network. This requires a legal agreement.<br>A construction logistics plan is required due to the location of the development site. This is a pre-commencement requirement and should be secured by condition. It is essential that the TfL guidance and format are followed.<br><br>*Officer Note: Following the above comments, the applicant was advised to amend the proposed ground floor plan to better suit the convenience of occupiers in terms of the layout of the cycle and bin storage. Following correspondence between the case officer and the planning agent, a more functional layout plan was received and the following comments were received from the highway officer on the 21/02/2022.* |

I can confirm that the revised option separates the visitor cycle parking from the long stay residential spaces which is considered to be acceptable. Highways have no further comments.

**LBH 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 flood maps plus within surface water flood zone 3a & 3b according to our surface water flood maps. There is a piped watercourse located in close proximity to the site. The site is at the highest risk level of flooding.
We can confirm that insufficient information is provided in the Flood Risk Assessment submitted by the applicant. Please request the applicant to revise the FRA in line with our below comments.

- Safe/dry access/egress to and from the development should be submitted
- Emergency evacuation route/plan should be submitted.
- Please request the applicant to confirm if any work proposed within 5m from the piped watercourse on ground floor.
- Please request the applicant to confirm what is the expected depth of fluvial flooding. Please note that 300mm minimum should be addressed if no data is available from the Environment Agency.
- Drainage Details are required. A plan indicating all surface and foul water connections and their outfall details should be submitted.
  Combined drainage is not acceptable. Surface water should be discharged to surface water sewer and foul water should be discharged to foul sewer.

Should any further clarification be required, please advise the applicant to contact infrastructure@harrow.gov.uk

*Officer Note: The applicant was advised of the above and additional detail was sent in and reviewed. The Councils drainage officer has confirmed that they are satisfied with the additional information, and that they have no objections and no further comments to the proposal.*

## 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; SD1
- Harrow Development Management Policies (2013): DM24, DM46
- Harrow's Core Strategy (2012): CS1

6.2.1 The spatial strategy directs residential and other development to the Harrow and Wealdstone Opportunity Area, town centres and, in suburban areas, to strategic previously developed sites.

6.2.2 The site lies within the Wealdstone Opportunity Area which forms part of the Intensification Area as designated within The London Plan (2021). The entire Heart of Harrow Opportunity Area is designated as a Housing Zone. Housing Zones are designed to work flexibly depending on the local circumstances. However, all new developments would need to be built to high quality standards and in compliance with all relevant policies contained within the development plan, including conformity to the London Housing Design Guide. The Heart of Harrow Housing zone incorporates Harrow and Wealdstone town centres and reflects the spatial strategy to regenerate these centres.

6.2.3 Having regard to The London Plan 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 the housing growth objectives and policies of the NPPF, The London Plan, the Harrow Core Strategy, and relevant policies of the 2013 Development Management Policies Local Plan (DMP).

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

*The relevant policies are:*

- National Planning Policy Framework (2021)
- The London Plan 2021: D3, D4
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Polices Local Plan (2013): DM1
- 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 subject building is on a corner site, with its own distinct Metro-land character. The existing building and the other buildings within the terrace are three storeys in height, with residential accommodation on first and second floor levels.

6.3.4 The proposed third and fourth floors would project eastwards with a set-in from the rear wall where the fourth floor would form a mansard, and an additional set-in on the third floor where this would also form a subordinate mansard roof form. There would be a set-in from the side shared boundary with No 30 High Street, and the proposed second floor side extension would fill in the gap beside the existing second floor recessed mansard roof form on the original southern elevation, to bring this flush with the existing ground and first floors.

The appearance of the third and fourth floor extensions would reflect the scale and height of the recently granted permission reference P/4474/18 for development at the site opposite (No 22-24 High Street), and the scale and height would not be significant over and above the height of the adjacent No 30 High Street, the attached terraced building to the north of the subject building. Furthermore, the proposed third and fourth floors would replicate the existing turret design which is considered to create an important terminus on the corner plot and at the end of this row of terraces.

6.3.5 Brick would be used for the external walls, and artificial black slates would be used for the mansard roof to match existing. There would be a glazed balustrade on the fourth floor at the rear of the building and another on the southern elevation facing Palmerstone Road at fourth floor. Windows in the front and side southern elevation would have brickwork heads above to match the external walls of the existing first and second floors and the size and design of the mansard roof windows would match those of the existing second floor southern elevation.

Refuse Storage

6.3.6 Policy DM 1 of the Development Management Policies (DMP) gives advice that bin and refuse storage must be provided "in such a way to minimise its visual impact, while providing a secure and convenient facility for occupiers and collection". Policy DM 45 of the DMP requires proposals to make satisfactory on-site provision for waste provision. This policy also outlines that bin and refuse storage must be provided in such a way to minimise its visual impact and avoid nuisance to occupiers, while providing a secure and convenient facility for occupiers and collection". There is an existing area for refuse storage on the ground floor, this would need to accommodate the waste and recycling materials from the proposed flats as well as the existing flats at first and second floor level.

6.3.7 The proposed floor plans indicate that sufficient space would be available within the revised layout on the ground floor for the storage of refuse and recycling for existing and proposed residential units and for the existing ground floor uses.

Fire Safety

6.3.8 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 Fire Safety Statement has not been submitted with this application. As such, a pre commencement condition is attached to this permission which would require the submission of this document in a further application before commencement.

6.3.9 In summary, subject to conditions, the proposal would have an acceptable impact on the character and appearance 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 neighbours which would be most impacted by the development would be those immediately to the north at 30 and 32 High Street Wealdstone, some of whom have habitable rooms facing eastwards. The additional third and fourth floors would increase the scale of the subject building. However, these storeys would be sufficiently set back so as not to cause any undue loss of outlook to the rear windows of the occupiers of the adjacent No 30 and No 32 High Street.

6.4.3 There would be no new windows within the northern elevation of the proposed third floor extension, and the existing 4 windows within the second floor of the existing elevation on this side would be retained, with 1 window being removed and bricked up . Ass such there would be no adverse impact in terms of overlooking to neighbouring occupiers to the north of the application site. There would be one new window within the fourth floor, however owing to its siting and high level, it is considered that this window would not result in a loss of privacy for occupiers to the north of the application site.

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:

| Flat no. | Room | Proposed Floor Area (m²) | Minimum Floor Area Required (m²) |
|---|---|---|---|
| *Amendments to existing units at second floor* | | | |
| Second Floor Existing Unit 5 | Double | 12.91 | 11.5 |
| | Storage | Not annotated | 1.5 |
| | Total GIA | 61.67 | 50 |
| | | | |
| Second Floor Existing Unit 6 | Double | 16.22 | 11.5 |
| | Storage | Not annotated | 1.5 |
| | Total GIA | 51.26 | 50 |
| Second Floor Existing Unit 7 | Double | 13.55 | 11.5 |
| | Double | 16.05 | 11.5 |
| | Storage | Not annotated | 2.0 |
| | Total GIA | 71.6 | 79 |
| Proposed Units | | | |
| Third Floor Proposed Unit 1 | Double | 11.8 | 11.5 |
| | Storage | 2.2 | 1.5 |
| | Total GIA | 58.1 | 50 |
| | | | |
| Third Floor Proposed Unit 2 | Double | 17 | 11.5 |
| | Storage | 1.5 | 1.5 |
| | Total GIA | 58.2 | 50 |
| | | | |
| Third Floor Proposed Unit 3 | Double | 16.3 | 11.5 |
| | Storage | 1.5 | 1.5 |
| | Total GIA | 61.1 | 50 |
| | | | |
| Fourth Floor Proposed Unit 4 | Double | 12.2 | 11.5 |
| | Storage | 1.5 | 1.5 |
| | Total GIA | 58.6 | 50 |
| | | | |
| Fourth Floor Proposed Unit 5 | Double | 19.1 | 11.5 |
| | Storage | 1.5 | 1.5 |
| | Total GIA | 56.7 | 50 |

6.4.6 The proposed dwellings would all meet the minimum floor space requirements in terms of gross internal floor area, in terms of storage and in terms of minimum bedroom sizes. It is noted that Flat 7 in the existing second floor of the building provides a shortfall of gross internal floor area and that the plans do not annotate any space for storage within this flat. As this flat and its layout and size was accepted by the Planning Inspector in their decision to allow the appeal reference APP/M5450/A/10/2127357, and because this application does not propose to alter the existing arrangement of this flat, these shortfalls are found to be acceptable on this occasion. The appeal decision mentioned here is included as an appendices to this report.

Amenity Space

6.4.7 The applicant does not propose to provide any outdoor amenity space, with the exception of a 7 sqm balcony on the upper floor serving Flat No 4. Having regard to the town centre location and the presence of the existing flats which do not have access to any amenity space, this arrangement is considered to be acceptable in this instance.

6.4.8 There is sufficient natural light into the bedrooms and living areas and the outlook and privacy to these would be acceptable in accordance with policy DM1 and the adopted Residential Design Guide SPD.

6.4.9 The stacking arrangements are such that there is some overlapping of kitchen and living spaces over bedrooms. The applicant has been made aware of this and that additional noise transference measures would be required for submission to building control. Building regulations would cover any works to ensure noise transference is kept to a minimum.

Secure by Design

6.4.10 The proposed residential units would be sited above existing residential units and would use the existing common stairway accessed off Palmerstone Road which is separate from the commercial access. The proposed cycle and bin storage rooms would be integrally accessed from Palmerstone Road and the existing common stairway and would each have separate key fob entry systems.

6.4.11 The Designing Out Crime Officer has been consulted on the proposals, and their response will be provided by way of an update addendum to this committee report.

Accessible Homes

6.4.12 Policy DM2 of the DMP seeks to ensure that all new housing is built to ‘Lifetime Homes’ standards.

6.4.13 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'.

6.4.14 The Technical Housing Standards (March 2015) altered the interpretation of the relevant London Plan (2021) policies and associated Housing SPG standards, placing the previous Lifetime Homes Standards under the control of Building Control regime (specifically Part M of the Building Regulations).

6.4.15 It is acknowledged that the flats are at upper floor levels and so would not be suitable for wheelchair users. A condition to ensure that the proposed dwellings will meet regulation M4 (2) as far as possible is included within this permission.

## 6.5 Traffic, Parking and Servicing

*The relevant policies are:*

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

6.5.1 The site is considered to be in a highly sustainable town centre location, and as such would appeal to those potential future occupiers who would not be reliant on personal cars for transport. As such, a car free development in this location is considered to be acceptable. Due to the operation of the nearby controlled parking zone, a restriction by condition is applicable to this permission to ensure residents would not be able to obtain parking permits for this controlled parking zone.

6.5.2 Policy AAP19 (J) of the Harrow and Wealdstone Area Action Plan and Policy DM 44 of the DMP resist proposals that would be detrimental to the free flow and safety of highway users. It is not considered that the additional units and the additional waste storage capacity that these would generate would create an increase in refuse vehicle movements to a degree which would be unacceptable

6.5.3 In traffic generation terms, it is considered that the proposed increase in the number of residential units on the site is negligible in relation to the existing situation. The London Plan (2021) states that one cycle space should be provided per 1 bedroom flat. A secure area for cycle storage is shown on the submitted plans, and this has been revised during the course of this application to ensure that it accommodates the maximum level requirement of 14 resident spaces and 2 additional visitor cycle spaces.

6.5.4 The Council's highway officer was consulted on the proposal and have raised no objections, subject to a construction method statement being first submitted and approved, to ensure construction activities such as deliveries do not cause a detrimental impact upon the highway network, the provision of cycle spaces for both the existing and the proposed units prior to occupation, and the restriction of parking permits condition. As such the relevant conditions have been attached to this recommendation.

## 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 The site is located within a Critical Drainage Area, and Flood Zone 2 and 3 within the Council's Strategic Flood Risk Assessment. Policy DM9 of the Harrow Development Management Policies Local Plan (2013) requires proposals should make appropriate provision for flood risk mitigation and not increase the risk or consequences of flooding.

6.6.2 The Council's drainage officer requested additional documents in order to overcome an objection as the originally submitted Flood Risk was insufficient and did not include sufficient flood maps or emergency planning information. The applicant submitted additional detail with a revised Flood Risk Assessment and an Emergency Planning document, and the Council's drainage team were re consulted. The Council's drainage team have confirmed that the submitted detail is now satisfactory and as such, the relevant documents have been added to the plan list to ensure that the proposed works are completed in accordance with these details

## 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. 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:

648-P01; 648-P02 Rev A; 648-P05 Rev C; 648-P06 Rev C; 648-P07; 648-P10; Design and Access Statement Rev 3; 201 Issue P1; 202 Issue P1; Daylight and Sunlight Assessment Issue 1; Flood Risk Assessment V1.01.

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

3. Fire Safety

Prior to the commencement of the development hereby approved, 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).

4. Materials

The development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces of the proposed extension have been submitted to, and approved in writing by, the local planning authority:
The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the character and appearance of the locality and to comply with Policies D3. D 1) and D3.D 11) of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012), and Policy DM1 of the Development Management Policies Plan (2013).

5. Parking Permit Restriction

Before the proposed residential units hereby approved are occupied, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of persons with disability, no resident of the development shall obtain a resident's parking permit within the Controlled Parking Zone.

REASON: To ensure that the scheme would have an acceptable impact in terms of parking for nearby occupiers, and to comply with Policies T5 and T6 of the London Plan (2021), and Policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

6. 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. 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 hording 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 Policy T4 and T7 of the London Plan (2021) and Development Management Plan Policies DM1 and DM43 (2013), and to ensure that the transport network impact of demolition and construction work associated with the development is effectively managed. This condition is a PRE-COMMENCEMENT condition.

7. Restrict Use Class

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

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling in relation to the size of the plot, the openness of the site and availability of amenity space; and to safeguard the amenity of neighbouring residents, in accordance with policies DM1 and DM16 of the Councils Development Management Policies Local Plan (2013).

8. 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 and to comply with Policy D3 of the London Plan (2021).

9. Cycle Storage

The development hereby approved shall not be occupied until the cycle storage as annotated on drawing No 648-P05 Rev C has been installed and implemented.

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.

**INFORMATIVES:**

1. Policies

The following policies are relevant to this decision:

**National Planning Policy Framework (2021)**

**The London Plan (2021)**
D3 Optimising Site Capacity
D4 Delivering Good Design
D6 Housing Quality and Standards

**Harrow Core Strategy (2012)**
Core Policy CS 1 Overarching Policy Objectives

**Harrow Development Management Polices Local Plan (2013)**
Policy DM 1 Achieving a High Standard of Development
Policy DM 2 Achieving Lifetime Neighbourhoods
Policy DM 10 On Site Water Management and Surface Water Attenuation
Policy DM 12 Sustainable Design and Layout
Policy DM 24 Housing Mix
Policy DM 26 Residential Conversions
Policy DM 27 Amenity Space
Policy DM 42 Parking Standards
Policy DM 45 Waste Management

**Relevant Supplementary Documents**
Technical Housing Standards Nationally Described Space Standards (2015)
Mayor Of London, Housing Supplementary Planning Guidance (2016)
Supplementary Planning Document - Residential Design Guide (2010)

2. Considerate Contractor Code of Practice

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

3. 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 £29,106.34.

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planningportal website where you can download the appropriate document templates.
Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf
https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties.

6. Harrow 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 £55,014.76.
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/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk

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

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

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.

11. Grant without pre application

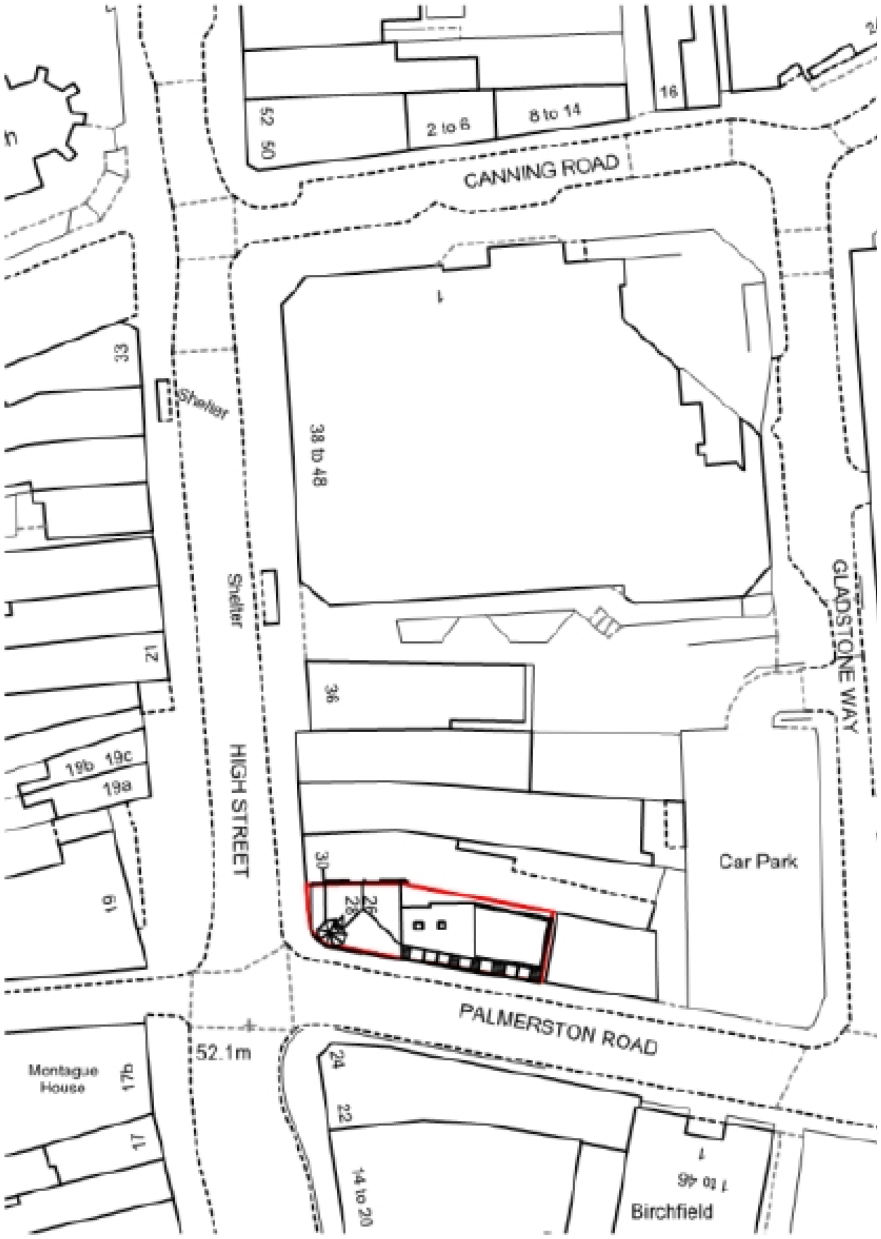
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015
This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

Checked

| | |
|---|---|
| Interim Head of DM | 07/06/2022 |
| Corporate Director | 07/06/2022 |

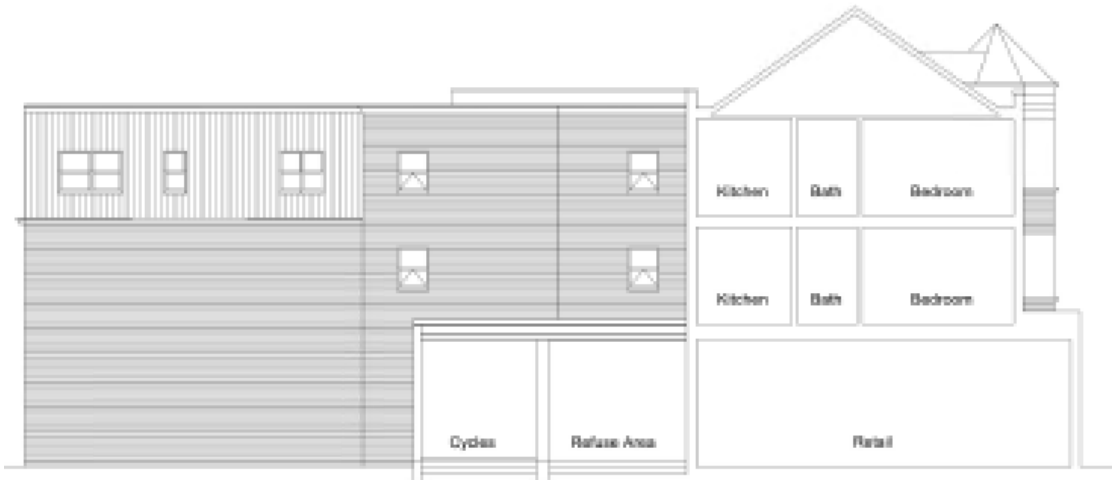
## APPENDIX 1: EXISTING PLANS

Existing Site Plan

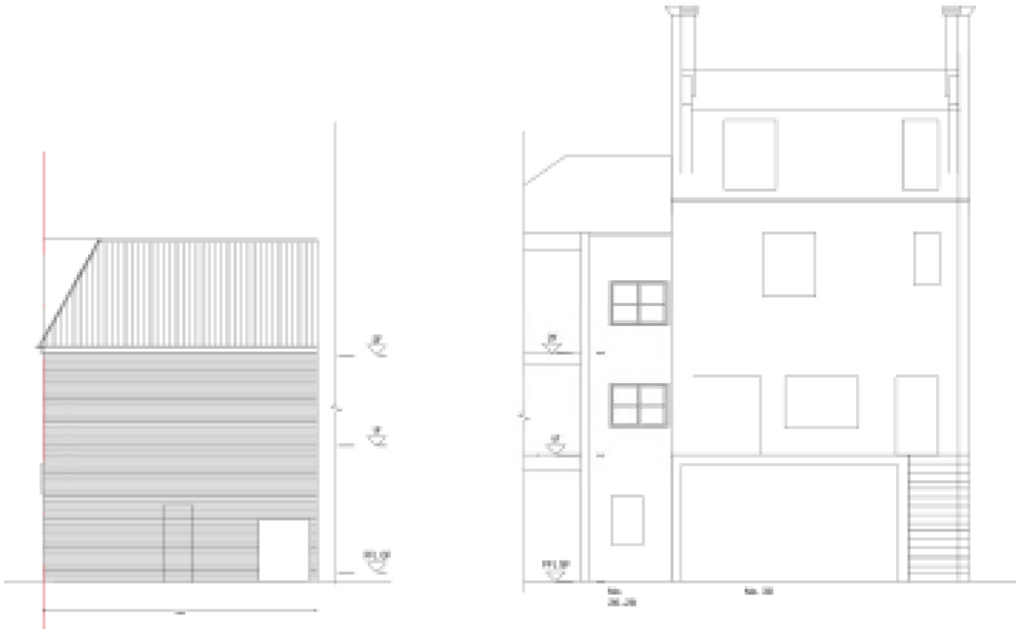


Existing front and Palmerstone Road/South side elevation

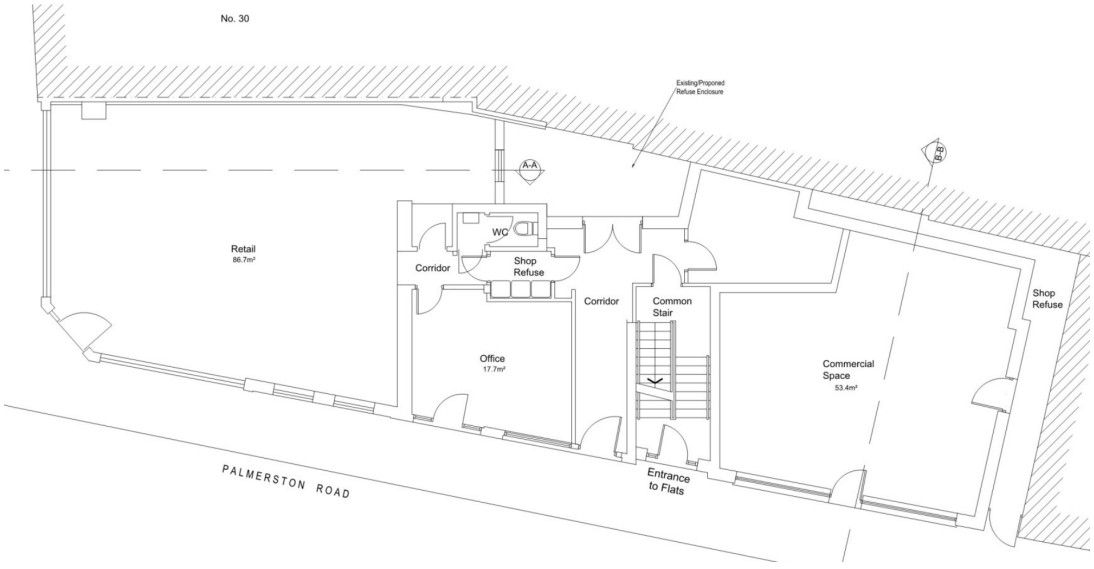
Existing north side elevation



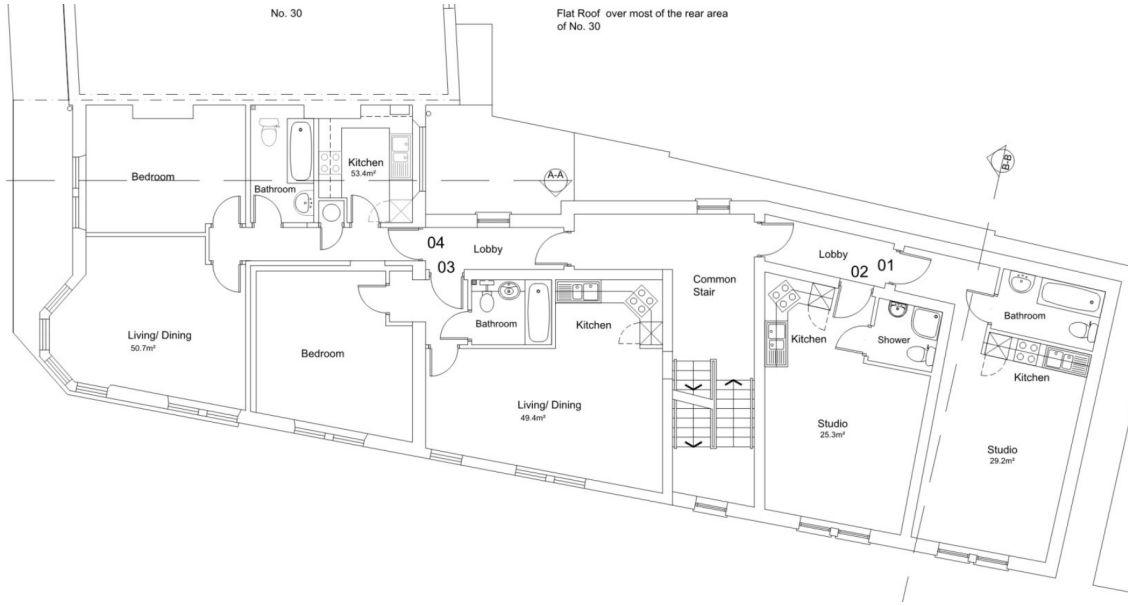
Existing rear and existing rear section



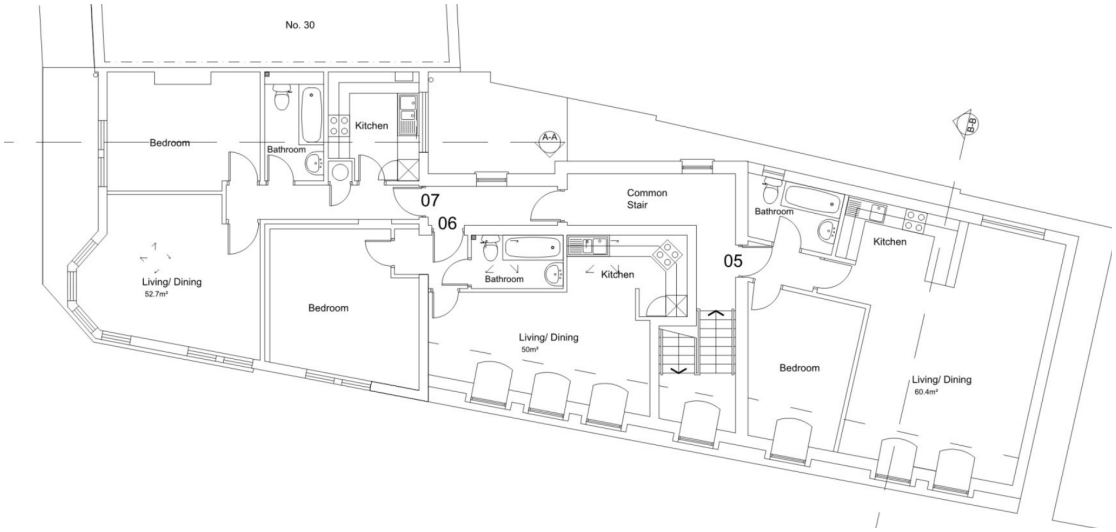
Existing ground floor




Existing first floor

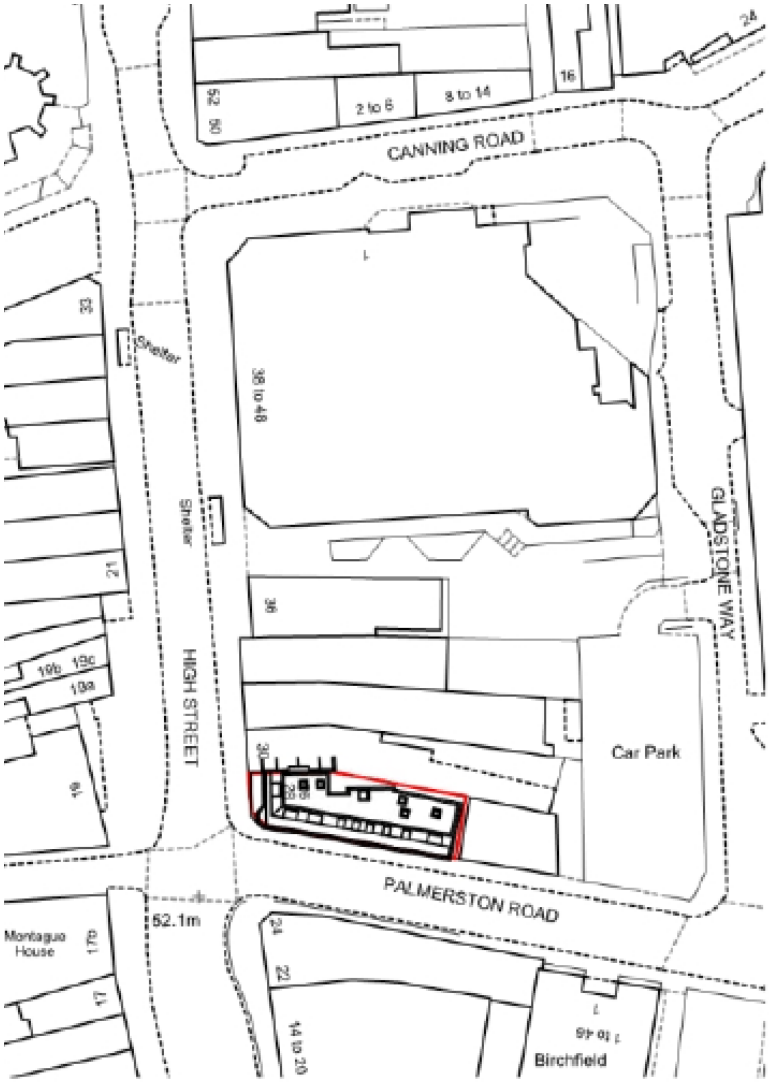



Existing second floor



## APPENDIX 2: PROPOSED PLANS

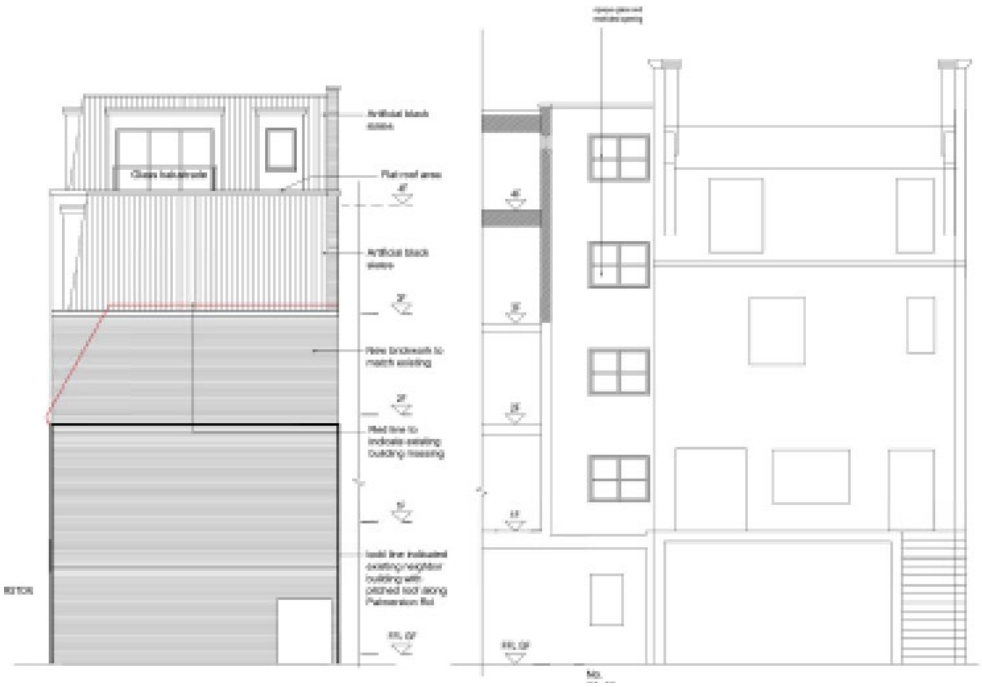
Proposed Site Plan



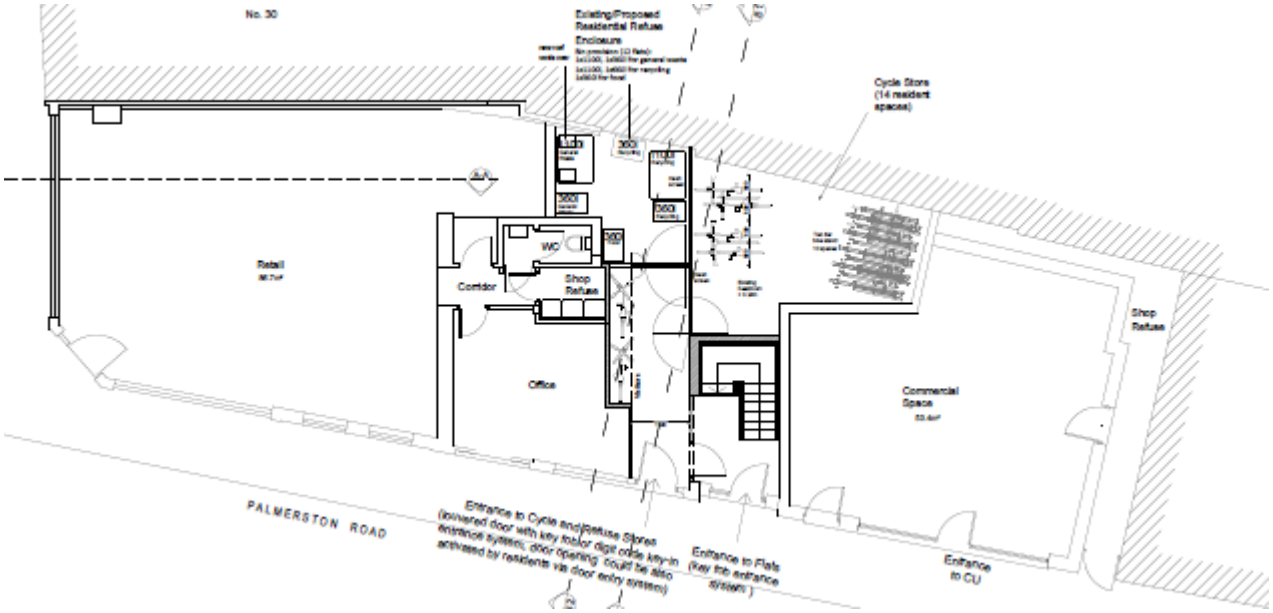
Proposed front and Palmerstone Road/South side elevation

Proposed north side elevation and rear section

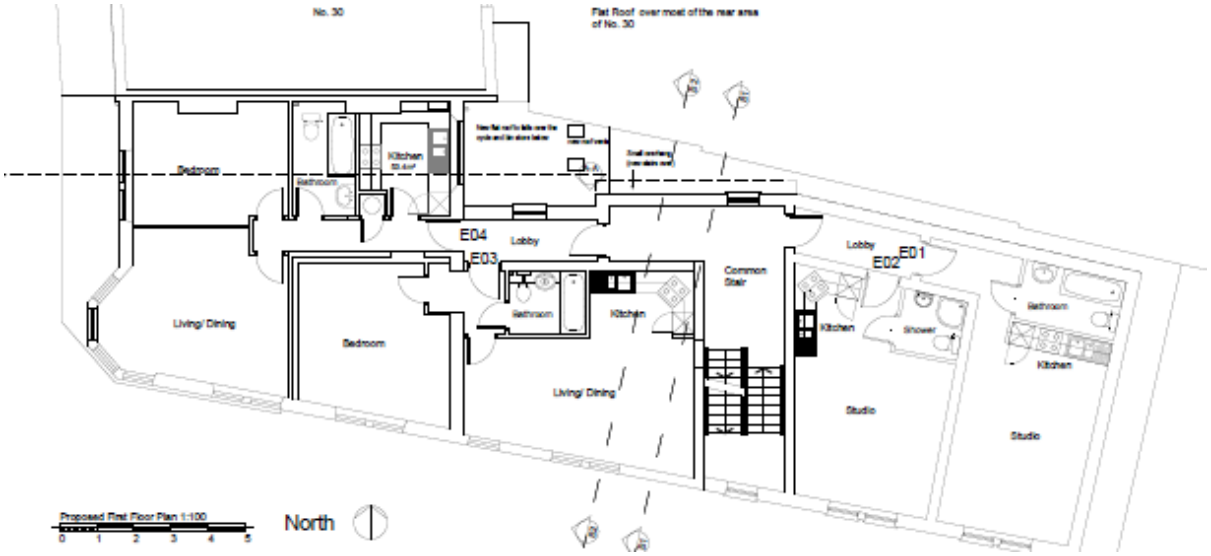
Proposed rear elevation and rear section



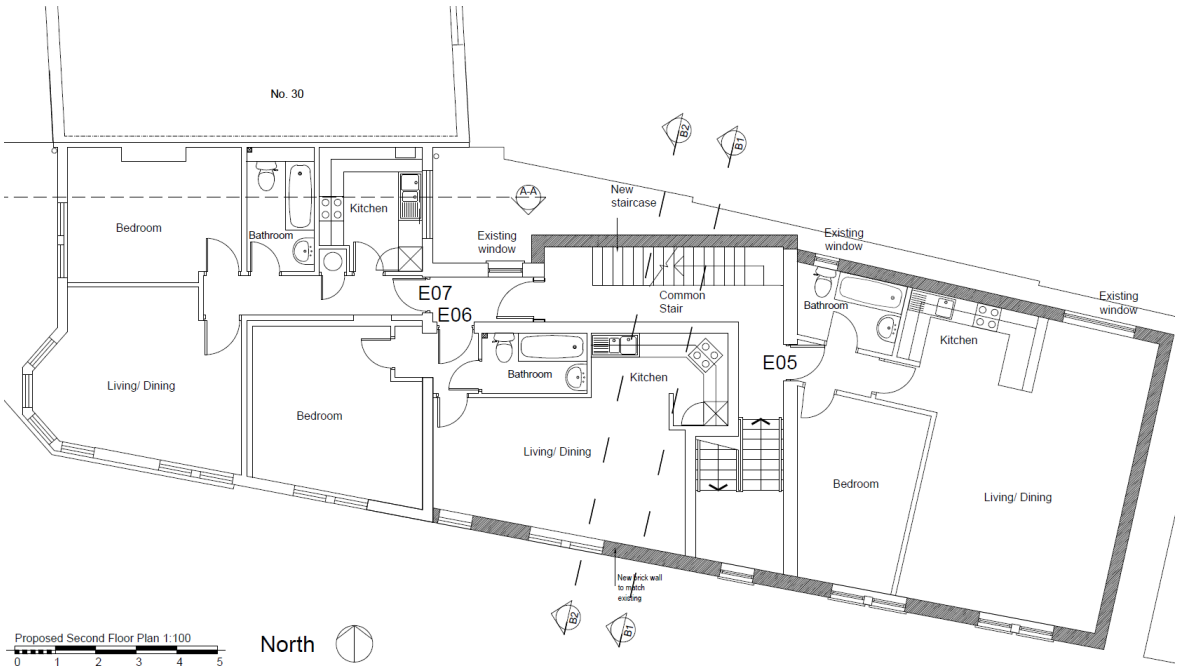
Proposed ground floor



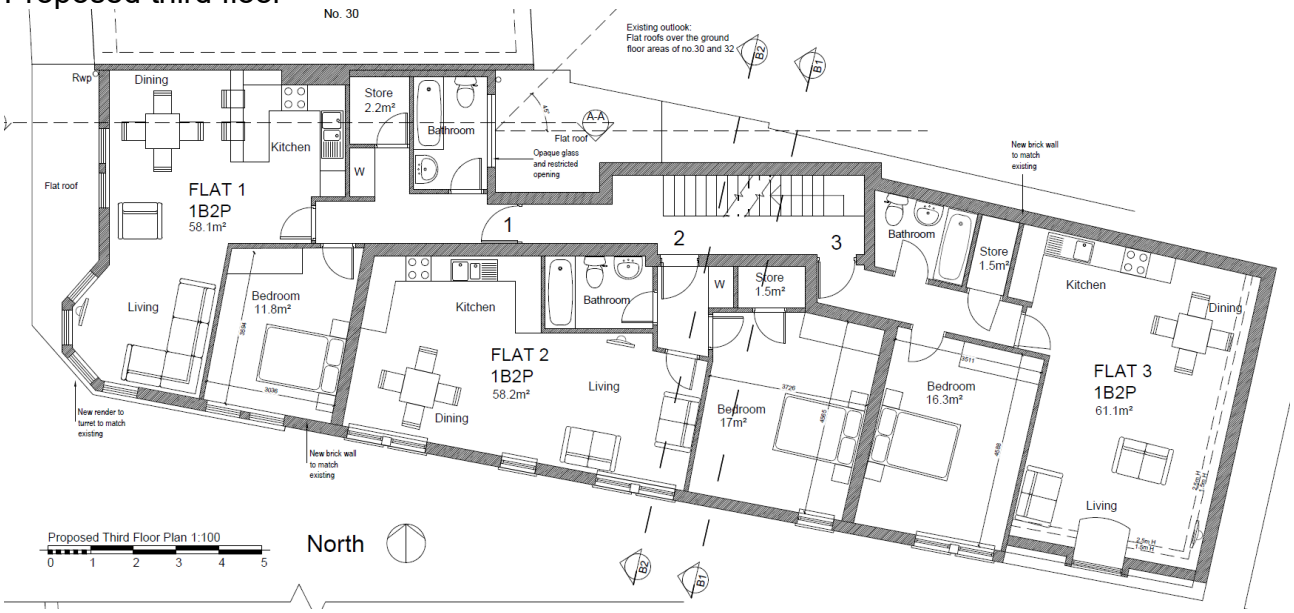
## Proposed first floor



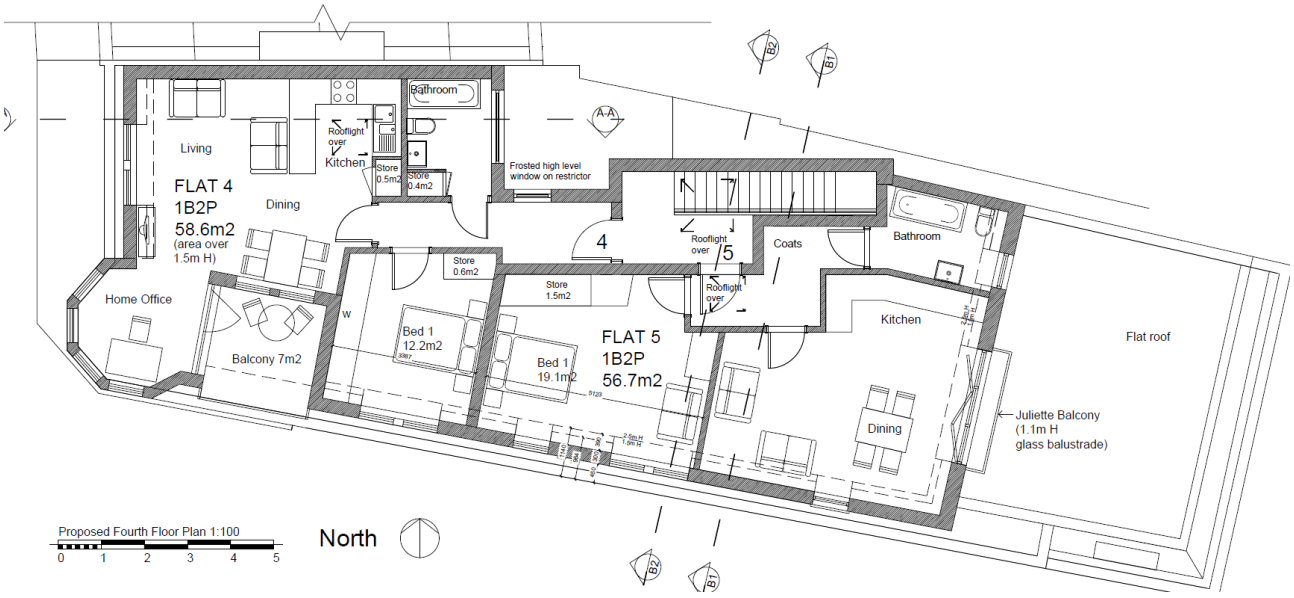

## Proposed second floor



## Proposed third floor




## Proposed fourth floor



## APPENDIX 3: AERIAL VIEW AND SITE PHOTOS

Aerial view

Front/side elevation High Street/Palmerstone Road Site Photo

Wierzejki
HAM SAUSAGES
WĘDLINY GARMAŻERKA

Rear/side elevation with attached No 30 High Street to the north Site Photo

## APPENDIX 4: APPEAL DECISION RELATING TO EXISTING UNITS

The Planning Inspectorate

# Appeal Decision

Hearing held on 21 October 2010
Site visit made on

**by Christine Thorby MRTPI, IHBC**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 3 February 2011**

**Appeal Ref: APP/M5450/A/10/2127357**
**26/28 High Street, Wealdstone, Harrow, HA3 7AB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Colin Collins against the decision of the Council of the London Borough of Harrow.
- The application Ref P/3027/09, dated 23 December 2009, was refused by notice dated 24 February 2010.
- The development proposed is a two to three storey rear extension including dormer windows on side elevation, new commercial unit for retail, business or medical use on ground floor (Class A1 – A5, B1 or D1). Change of use of first floor office and use of upper floors as six flats, bin store, cycle parking, external alterations, retention of ground floor front shop unit A1).

**This decision is issued in accordance with Section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 3 December 2010**

## Decision

1. I allow the appeal, and grant planning permission for a two to three storey rear extension including dormer windows on side elevation, new commercial unit for retail, business or medical use on ground floor (Class A1 – A5, B1 or D1). Change of use of first floor office and use of upper floors as six flats, bin store, cycle parking, external alterations, retention of ground floor front shop unit A1) at 26/28 High Street, Wealdstone, Harrow, HA3 7AB in accordance with the terms of the application, Ref P/3027/09, dated 23 December 2009, subject to the conditions set out in annex A.

## Main Issues

2. The main issues in this case are:
   i) The effect of the proposal on the character and appearance of the area.
   ii) Whether the proposal would be a piecemeal development jeopardising comprehensive redevelopment in the area.
   iii) The effect of the proposal on employment opportunities in the area.

## Reasons

3. *Character and appearance*: The proposed extensions would, in part, replace existing two storey and single storey, rear and side structures. Their scale would be subordinate to original corner building which fronts onto the High

Street, and this would be appropriate as it would reinforce the primacy of the High Street as the main shopping area. The extensions would decrease in size from three to two storeys next to the adjacent commercial units on Palmerston Road and this would fit in well with the existing single and part two storey buildings at this site. The proposed dormer windows would be quite heavy in appearance, and set in a different arrangement to the first floor windows below. However, they would be relatively small with sufficient roof space above and below to ensure that they would not dominate the roof slope. When No 26 to No 28 are looked at as a whole, the arrangement of the proposed dormer windows and the new roof slopes would not undermine the composition of the more traditional features of the original building.

4. The proposal would replace unsightly elements of the building with a new development which would be appropriate in its context and take the opportunity to improve the appearance of the appeal property. The proposal would not detract from the character and appearance of the area and it would therefore comply with the London Plan policies 4B.1, 4B.8 and the London Borough of Harrow Unitary Development Plan policy D4 which seek, among other things, a high standard of design and the protection of local character.

5. *Comprehensive redevelopment*: The Council indicate that a comprehensive scheme is desirable to include the site at the rear on Palmerston Road, and that approval of the appeal scheme would prejudice such redevelopment. However, the sites are in different ownership and there is no evidence of any prospect of both sites coming forward with a combined scheme. The Palmerston Road site has a separate access and frontage, and its future development would not be prejudiced or jeopardised by the appeal scheme. The proposal would therefore comply with the aforementioned policies which seek a high standard of design.

6. *Employment opportunities*: There would be loss of office floor space on the first floor of the building. Whilst extensive marketing has not taken place, a letter from a local estate agent indicates that there are a significant amount of small office suites in Wealdstone. At the site visit it was clear from the numerous to-let signs that employment space is be available within the vicinity. The existing employment floor space has relatively poor access and at ground and first floor is not of high quality. The new commercial units on the ground floor would be an improvement, and this together with the surrounding market conditions would overcome any conflict with UDP policy EM15, which aims to protect employment land.

7. *Other matters*: The amenity space shown would be private, enclosed by a balcony to prevent loss of privacy, and it would be adequate in size for flats within a town centre location. Internally the proposed flats would not be particularly awkward in shape; they would not conflict with any development plan guidance for internal flat sizes. The outlook from some flats onto Palmerston Road would not be constrained or enclosed allowing reasonable views from the rooms. Therefore, there would be a satisfactory internal living environment for the future occupiers.

8. *Conditions*: Samples of materials would be important to ensure that the development fits in with the existing and surrounding buildings. Measures to minimise crime would be important in this town centre location. Restriction on noise and vibration from air conditioning/music, opening hours, and details of the storage and refuse facilities would be important to protect residents' living

conditions. The restriction of parking permits would be important to reduce car dependence in this accessible location and prevent parking pressure in the town centre during the day. Details of the balcony surrounding the amenity area would be important to protect the future occupiers' privacy. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. Conditions relating to these matters are necessary and have been imposed. Although a request for a 5 year time limit for implementation was made by the appellant, no detailed economic or other evidence was put forward to indicate why the standard 3 years would be unreasonable. A 3 year time limit would be appropriate to ensure the development accords with development plan policy and there would be an option for the applicant to extend the time limit at a future date. A 5 year conditions would not therefore be necessary.

**Conclusion**

9. All matters have been taken into account. However, for the reasons given the appeal is allowed.

*Christine Thorby*

INSPECTOR

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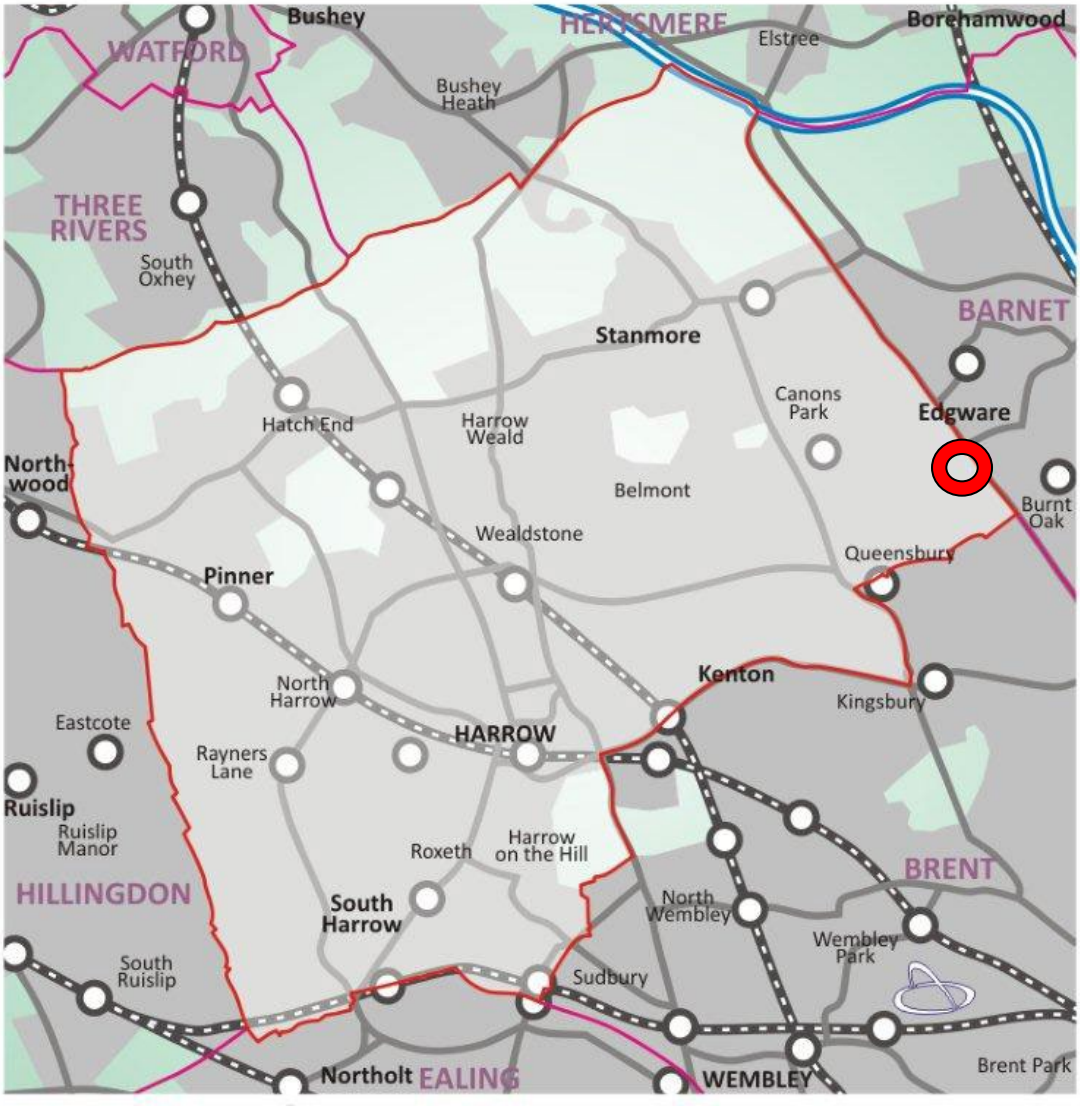
**Agenda Item: 2/03**

**= application site**




**Kilby's Industrial Estate and No's 1-5 Bacon Lane**

**P/0352/22**

# KILBY'S INDUSTRIAL ESTATE AND NOS 1-5 BACON LANE, EDGWARE

**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**22nd June 2022**

| | |
|---|---|
| **APPLICATION NUMBER:** | P/0352/22 |
| **VALID DATE:** | 18/03/2021 |
| **LOCATION:** | KILBY'S INDUSTRIAL ESTATE AND NOS. 1-5 BACON LANE |
| **WARD:** | EDGWARE |
| **POSTCODE:** | HA8 5AS |
| **APPLICANT:** | MR POLYCARPOU |
| **AGENT:** | Cg Architects |
| **CASE OFFICER:** | TOM BLACKMAN |
| **EXTENDED EXPIRY DATE:** | 25/06/2022 |

## PROPOSAL

The application is for a variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of rear dormers to 5 of the houses approved. The application is retrospective.

## RECOMMENDATION

**The Planning Committee is asked to:**

1) Grant planning permission for the reason set out below, subject to the conditions in Appendix 1, and a variation to the S106 attached to planning permission P/3667/19 (dated 11/03/2021).

## REASON FOR THE RECOMMENDATION

1) The application would accord with relevant policy and the proposed development would be a suitable addition to the existing 5(no.) houses approved under P/3667/19 (dated 11/03/2021) and have a satisfactory impact on the character of the area, and the amenities of existing neighbouring occupiers.

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

## INFORMATION

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

| | |
|---|---|
| Statutory Return Type: | E(18) Minor Development |
| Council Interest: | None |
| Net additional Floorspace: | 0sqm |
| GLA CIL (provisional): | N/A |
| Harrow CIL (provisional): | 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 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

The proposed development is not relevant to the consideration of being resilient to crime.

## 1. Site Description

1.1 The application site comprises approximately 0.33ha of vacant land located between the rear gardens of the residential properties along Vancouver Road and The Chase with the access point from Bacon Lane. The land was formerly occupied by B1/B2 lock up garages. In addition, the application site includes three residential properties, nos. 1-5 Bacon Lane. As construction is entering the final stages the three approved blocks are within their final form and appearance.

1.2 The surrounding land use is predominantly residential in the form of semi-detached and terraced inter-war housing.

1.3 The application site is located within the Policy sub area of Edgware and Burnt Oak. It is an identified allocated site (H15) for residential development within the Harrow Site Allocations SPD (2013).

## 2. Proposal Details

2.1 The retrospective proposal is for a variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow the addition of a rear dormer to all of the 5 houses approved as part of Block A. The dormers have already been constructed.

2.2 The dormer windows serve a top floor study in each of the 5 houses, improving the outlook from the room, and daylight levels into the room, which gives a better environment for a study rather than a store. The dormer does not amend the total area of the room for house type 1 (Block A), due to the reconfiguration of the roof.

## 3. Relevant History

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

| Ref no. | Description | Status & date of decision |
|---|---|---|
| P/0451/22 | Variation of condition 2 (approved plans) attached to planning permission p/3667/19 dated 11/03/2021 to allow addition of rear dormers to 5no. Houses. | To be Determined at 22nd June 2022 Committee. |
| P/3522/21 | Variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of a rear dormer to 10 of the houses approved. | Refused: 27/01/2022 |

| | | |
|---|---|---|
| | | Appeal Submitted – Not Concluded |
| P/3667/19 | Redevelopment to provide 23 houses; associated landscaping and parking; refuse storage. | Granted: 09/12/2019 |
| P/5810/17 | Redevelopment to provide 24 houses; associated landscaping and parking; refuse storage | Granted: 16/04/2018 |

## 4. Consultations

4.1 A total of 96 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 8th April 2022 and 2 objections were received. The response to the neighbouring consultation is summarised in the table below:

| |
|---|
| Neighbouring Amenity<br>-Additional dormers create further overlooking.<br>-Increasing noise and air pollution.<br>-Blocking of natural light.<br><br>Quality of Accommodation<br>-Not enough internal storage area within the proposed units due to the storage room being change to study.<br>-Dormers creating additional bedrooms should not be granted.<br><br>Site Levels<br>-Highlighted currently enforcement investigation regarding site levels.<br><br>**Officer response:** All issues raised will be considered in sections 6.2 – 6.4 of the assessment below. |

Statutory and non-statutory consultation

4.3 There are no statutory or non-statutory consultees that are relevant to this variation application.

## 5. POLICIES

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

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

5.3 The Government has issued the National Planning Policy Framework [NPPF 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.

5.4 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 polices are referenced within the report below and a summary within Informative 1.

## 6. ASESSMENT

6.1 The main issues are:

- Character, and Appearance of the Area
- Neighbouring Residential Amenity
- Quality of Accommodation

### 6.2 Character, and Appearance of the Area

6.2.1 The relevant policies are:

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

6.2.2 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.

6.2.3 Policy DM1 of the Development Management Policies Local Plan states 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”.

6.2.4 The design of the rear dormers would be in keeping with the character and appearance of the development approved (P/3667/19 dated 11/03/2021). As such, the design of the 5 additional dormers are considered acceptable.

### 6.3 Neighbouring Residential Amenity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.K
- Harrow Development Management Polices Local Plan (2013): DM1
- London Plan Policy: D3, D6

*Relevant Supplementary Documents*

- Mayor of London Housing Supplementary Planning Guidance (2016)

6.3.2 Policy DM1 of the DMP seeks to ensure that "proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted".

6.3.3 The construction of the five dormers has introduced five new dormers to the rear roof slope of Block A. The consented scheme did not include dormers on this rear roof slope. This rear roof slope faces onto the side elevation and rear gardens of the approved Block B, the rear elevations and rear gardens of the neighbouring properties that face onto The Chase and Vancouver Road are at an angle to these windows and are over 25m from the rear elevations of the existing neighbouring properties, officers consider the effect on privacy from overlooking onto these neighbouring properties would be negligible.

6.3.4 One of the objections received raised concerns about air quality and noise pollution. In officers view, the addition of rear dormers has not created any impacts with regards to air quality, and any noise levels from these dormers would relate to those associated with domestic activities in a residential area. Additionally, the blocking of light has also been raised. The dormers fit within the frame and scale of the approved units therefore officers consider the level of daylight received at neighbouring properties within the immediate vicinity would be unaffected.

6.3.5 It has been highlighted within an objection received that there is an enforcement investigation regarding site level, this is correct, and the result of that investigation is a separate issue to this application, and therefore does not affect the assessment or determination of this application.

6.3.6 Officers consider the dormers constructed are acceptable in consideration of impact on neighbouring amenity.

## 6.4 Quality of Accommodation

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Development Management Polices Local Plan (2013): DM1
- London Plan Policy: D6

6.4.2 London Plan policy D6 (Housing quality and standards) requires that housing developments meet the minimum space standards and also sets out a range of other requirements in relation to residential quality. Part D (g) of Policy DM1 of the Harrow Development Management Policies (2013) states that assessment of amenity should have regard to the adequacy of the internal layout of buildings in relation to the needs of future occupiers.

6.4.3 The constructed dormers has created five additional dormers that would include the change of a store into a study for each relevant unit, no additional bedrooms have been created. An objection received has raised the concern that there is no longer the appropriate level of storage identified within the units approved. Officers consider the general size of all rooms provided, including the proposed study, provides ample space for appropriate storage for future occupants.

## 7.0 CONCLUSIONS AND REASONS FOR RECOMMENDING APPROVAL

7.1 The additional rear dormers constructed on the 5 approved houses would be an appropriate addition to the units to facilitate a study room within each unit, that conforms to the character and appearance of the approved development, and would not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with Policies D3, D6, and D12 of the London Plan (2021), policy CS1 of the Harrow Core Strategy 2012, and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

## 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

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

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

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

3. Disposal of Surface and Foul Water

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

4. Surface Water Attenuation and Storage Works

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

5. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not progress beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and agreed in writing by, the local planning authority:
a. external appearance of the buildings;
b. windows and doors
c. refuse and cycle storage area
d. the boundary treatment
The development shall be carried out in accordance with the details so agreed and shall thereafter be retained.
REASON: To ensure that the development achieves a high standard of design and layout and safeguard the character and appearance of the area

6. Electric Vehicle Charging Points

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

7. PD Rights – Householder Extensions

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

site coverage and size of dwelling and to safeguard the amenity of neighbouring residents.

8. Use as Dwellinghouse

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. Planting

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

10. Hard Surfacing Material

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

11. Contamination 1

The development hereby permitted shall be undertaken in accordance with the remediation measures and strategy detailed within the Phase 3 Remediation Strategy (November 2018), unless otherwise agreed and approved in writing by the Local Planning Authority.
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

12. Contamination 2

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the Local Planning Authority in writing to be agreed
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. Accessible and Adaptable Dwellings

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

14. Wheelchair User Dwellings

Ten per cent of the proposed dwellinghouses shall be constructed to meet the specifications of Building Regulation requirement M4(3) 'wheelchair user dwellings' and shall thereafter be retained in that form.
REASON: To ensure that the appropriate number of dwellinghouses are designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

15. Construction Logistic Plan

The development hereby permitted shall be constructed in accordance with the details set out within the Construction Logistics Plan and Construction Management Plan, unless otherwise agreed and approved in writing by the Local Planning Authority.
REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

16. Refuse Storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the approved designated refuse storage areas
REASON: To enhance the appearance of the development and safeguard the character and appearance of the area.

17. Flank Windows

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

18. Secured By Design

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

19. Site Hoardings

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

**INFORMATIVES:**

1. Policies

The following policies are relevant to this decision:

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

2. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday.

3. Party Wall Act:

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:
1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,
and that work falls within the scope of the Act.
Procedures under this Act are quite separate from the need for planning permission or building regulations approval.
"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:
Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
Please quote Product code: 02 BR 00862 when ordering.
Also available for download from the Portal website:
https://www.gov.uk/party-wall-etc-act-1996-guidance

4. Pre-application engagement

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

5. Thames Water

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

6. Sustainable Urban Drainage

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

7. Compliance with Conditions

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

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

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

8. Highways Interference

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

9. Street Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.
All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

Checked

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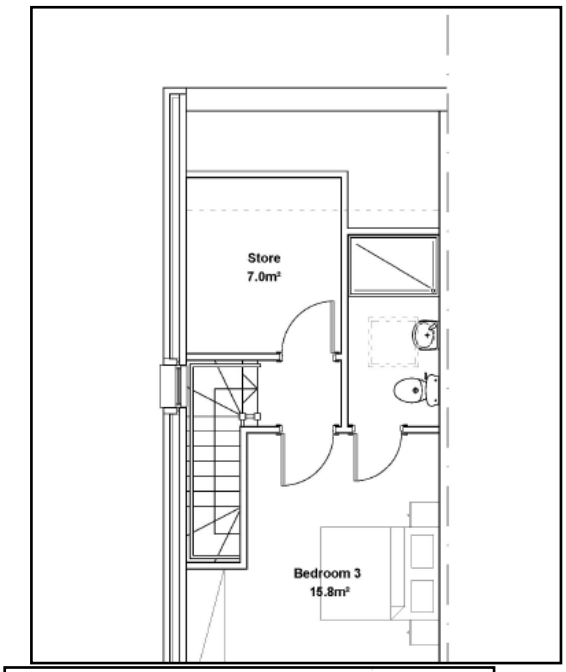
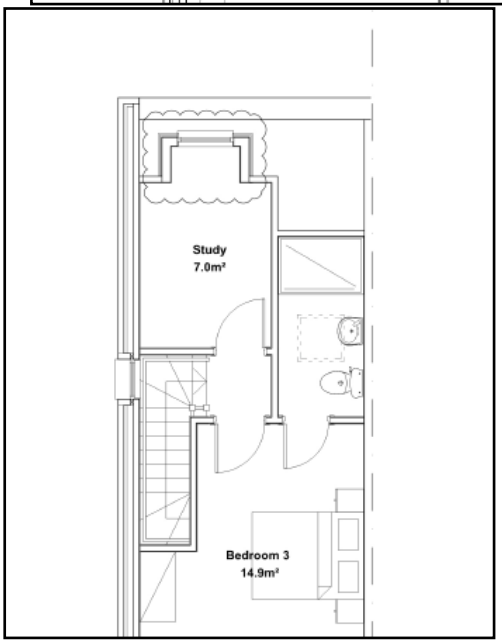
|---|---|
| Interim Head of DM | DM 06/06/2022 |
| Interim Corporate Director | DP 07/06/2022 |

## APPENDIX 2: SITE PLAN

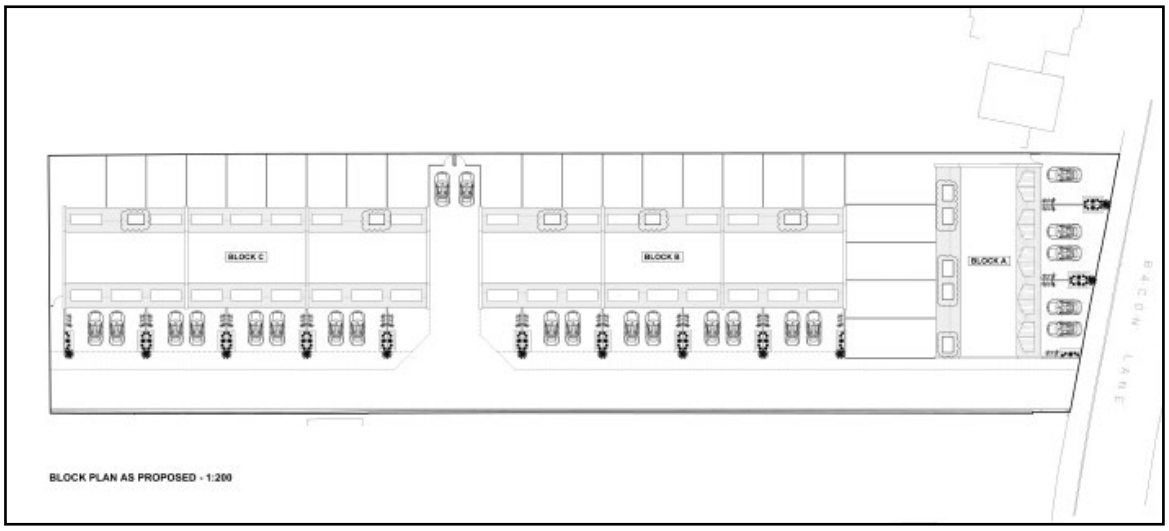
## APPENDIX 3: PLANS AND ELEVATIONS

Approved and Proposed House Type 1

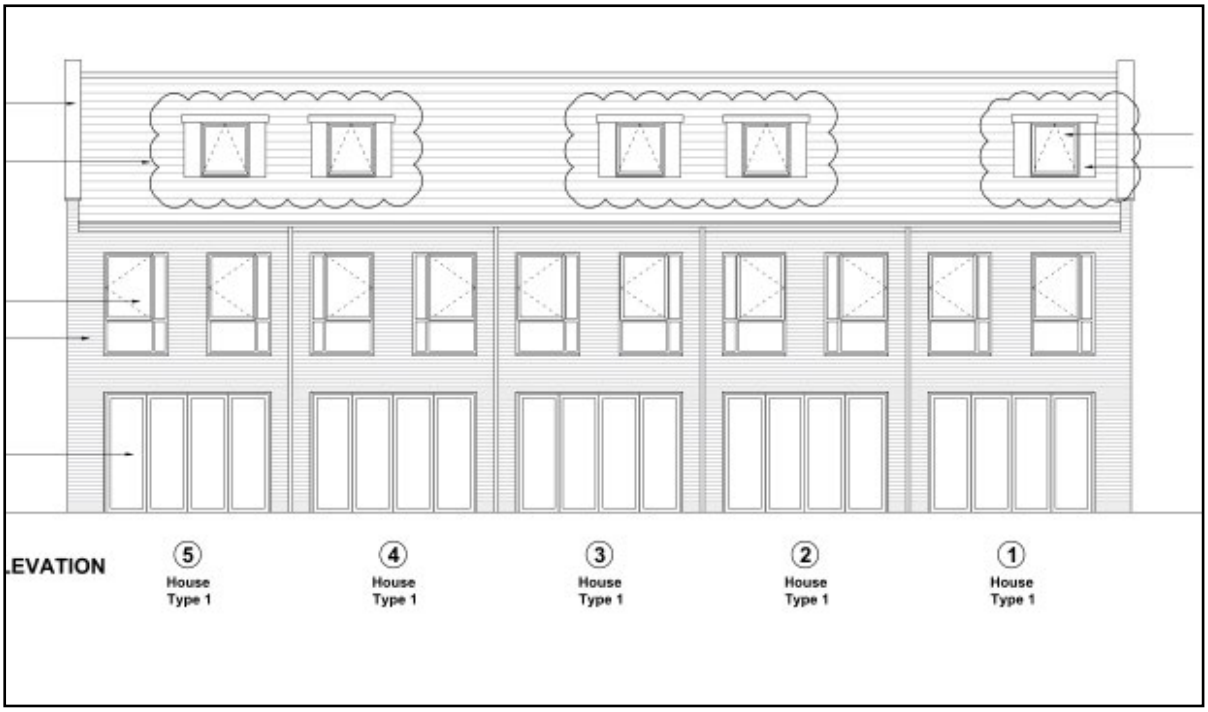



Proposed Block Plan




Amendments Proposed to Block A Rear Elevation



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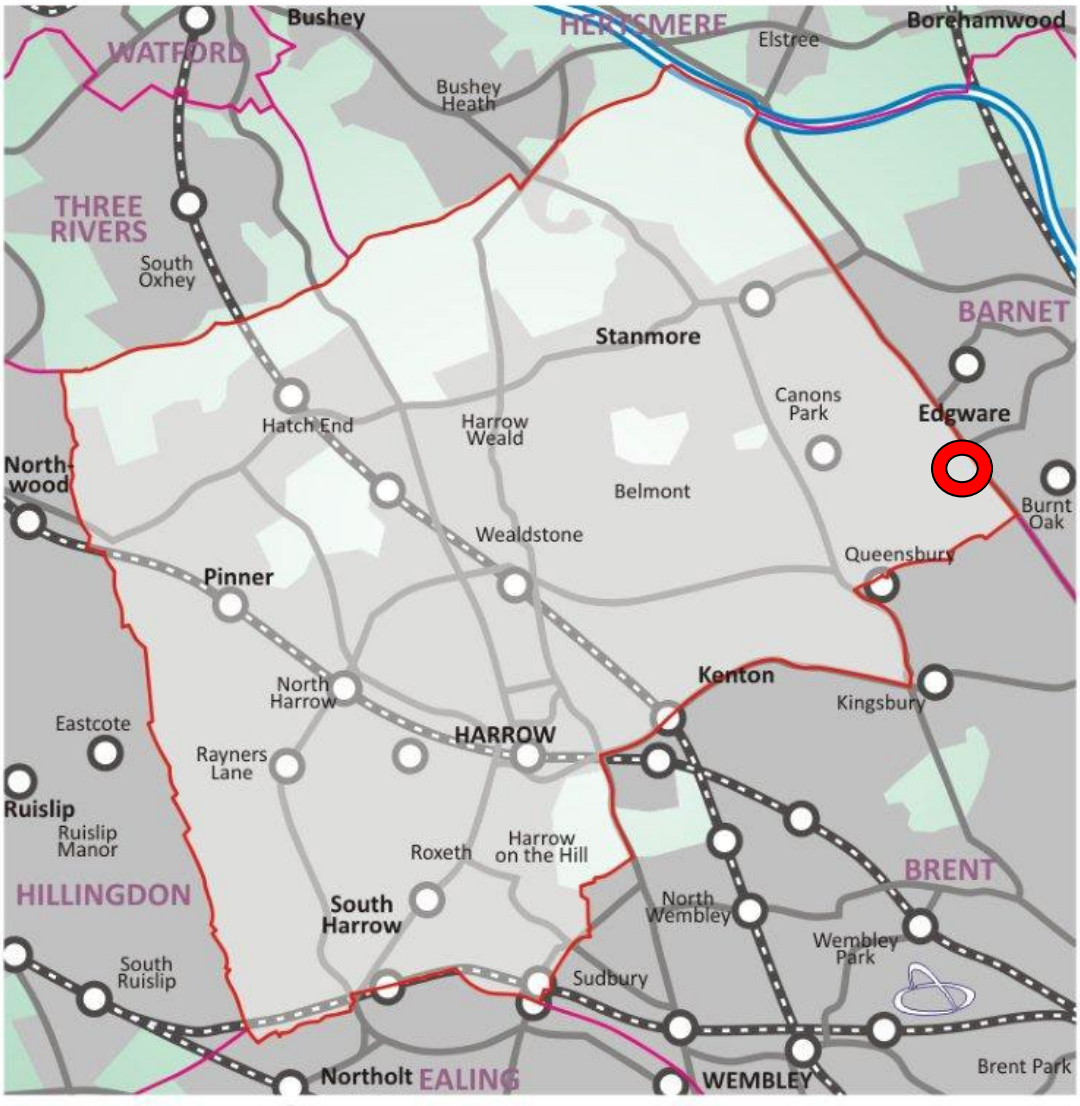
**Agenda Item: 2/04**

**= application site**




**Kilby's Industrial Est & No's 1-5 Bacon Lane P/0451/22**

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# KILBY'S INDUSTRIAL ESTATE AND NOS 1-5 BACON LANE, EDGWARE

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**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**22nd June 2022**

| | |
|---|---|
| **APPLICATION NUMBER:** | P/0451/22 |
| **VALID DATE:** | 18/03/2022 |
| **LOCATION:** | KILBY'S INDUSTRIAL ESTATE AND NOS. 1-5 BACON LANE |
| **WARD:** | EDGWARE |
| **POSTCODE:** | HA8 5AS |
| **APPLICANT:** | MR POLYCARPOU |
| **AGENT:** | Cg Architects |
| **CASE OFFICER:** | TOM BLACKMAN |
| **EXTENDED EXPIRY DATE:** | 25/06/2022 |

## PROPOSAL

The proposal is for a variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of rear dormers to 5 of the houses approved. The application is retrospective.

## RECOMMENDATION

**The Planning Committee is asked to:**

1) Grant planning permission for the reason set out below, subject to the conditions in Appendix 1, and a variation to the S106 attached to planning permission P/3667/19 (dated 11/03/2021).

## REASON FOR THE RECOMMENDATION

1) The proposal would accord with relevant policy and the proposed development would be a suitable addition to the existing 5(no.) houses approved under P/3667/19 (dated 11/03/2021) and have a satisfactory impact on the character of the area, and the amenities of existing neighbouring occupiers.

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

-

## INFORMATION

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

| | |
|---|---|
| Statutory Return Type: | E(18) Minor Development |
| Council Interest: | None |
| Net additional Floorspace: | 15sqm |
| GLA CIL (provisional): | £900 |
| Harrow CIL (provisional): | £2,379 |

## HUMAN RIGHTS ACT

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

## EQUALITIES

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

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

## S17 Crime & Disorder Act

The proposed development is not relevant to the consideration of being resilient to crime.

-

## 1. Site Description

1.1 The application site comprises approximately 0.33ha of vacant land located between the rear gardens of the residential properties along Vancouver Road and The Chase with the access point from Bacon Lane. The land was formerly occupied by B1/B2 lock up garages. In addition, the application site did include three residential properties, nos. 1-5 Bacon Lane. As construction is entering the final stages the three approved blocks are within their final form and appearance.

1.2 The surrounding land use is predominantly residential in the form of semi-detached and terraced inter-war housing.

1.3 The application site is located within the Policy sub area of Edgware and Burnt Oak. It is an identified allocated site (H15) for residential development within the Harrow Site Allocations SPD (2013).

## 2. Proposal Details

2.1 The application is for a variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of a rear dormer to 5 of the houses approved in Block B and Block C.

2.2 This retrospective proposal would create a dormer that includes two windows to serve a top floor study in each of the 5 houses, improving the outlook from the room, and daylight levels into the room, which gives a better environment for a study rather than a store. The storeroom that is altered as a result of the constructed dormers does increase the floor area within the approved house type 3 by approx. 3m2, resulting in a 7.39m2 study, this would remain under the 7.5m2 which is the size of a single bedroom.

2.3 The applicant has split the details of the original application to achieve the grant of planning permission for the different blocks, as the Block B and C dormers could be acceptable to members and not Block A, and vice versa.

## 3. Relevant History

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

| Ref no. | Description | Status & date of decision |
|---|---|---|
| P/0352/22 | Variation of condition 2 (approved plans) attached to planning permission p/3667/19 | To be Determined at 22nd June |

-

| | | |
|---|---|---|
| | dated 11/03/2021 to allow addition of rear dormers to 5no. Houses. | 2022 Committee. |
| P/3522/21 | Variation of condition 2 (Approved Plans) attached to planning permission P/3667/19 (dated 11/03/2021) to allow addition of a rear dormer to 10 of the houses approved. | Refused:<br>27/01/2022<br>Appeal Submitted – Not Concluded |
| P/3667/19 | Redevelopment to provide 23 houses; associated landscaping and parking; refuse storage. | Granted:<br>09/12/2019 |
| P/5810/17 | Redevelopment to provide 24 houses; associated landscaping and parking; refuse storage | Granted:<br>16/04/2018 |

## 4. Consultations

4.1 A total of 96 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 8th April 2022, 2 objections were received. The response to the neighbouring consultation is summarised in the table below:

| |
|---|
| Neighbouring Amenity<br>-Additional dormers create further overlooking.<br>-Increasing noise and air pollution.<br>-Blocking of natural light.<br><br>Quality of Accommodation<br>-Not enough internal storage area within the proposed units due to the storage room being change to study.<br>-Dormers creating additional bedrooms should not be granted.<br><br>Site Levels<br>-Highlighted currently enforcement investigation regarding site levels.<br><br>**Officer response:** All issues raised will be considered in sections 6.2 – 6.4 of the assessment below. |

Statutory and non-statutory consultation

4.3 There are no statutory or non-statutory consultees that are relevant to this variation application.

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## 5. POLICIES

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

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

5.3 The Government has issued the National Planning Policy Framework [NPPF 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.

5.4 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 polices are referenced within the report below and a summary within Informative 1.

## 6. ASESSMENT

6.1 The main issues are:

- Character, and Appearance of the Area
- Neighbouring Residential Amenity
- Quality of Accommodation

### 6.2 Character, and Appearance of the Area

6.2.1 The relevant policies are:

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

6.2.2 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.

-

6.2.3 Policy DM1 of the Development Management Policies Local Plan states 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”.

6.2.4 The design of the rear dormers is in keeping with the character and appearance of the development approved (P/3667/19 dated 11/03/2021). As such the 5 additional dormers are considered acceptable.

### 6.3 Neighbouring Residential Amenity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012: CS1.K
- Harrow Development Management Polices Local Plan (2013): DM1
- London Plan Policy: D3, D6

*Relevant Supplementary Documents*

- Mayor of London Housing Supplementary Planning Guidance (2016)

6.3.2 Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.

6.3.3 The dormers constructed on site create three additional dormers to the rear roof slopes of Block B, which had 6 dormers included within the consented scheme at the rear elevation, following the construction of the dormers this would now result in a total of 9 dormers. Furthermore, the two additional dormers to the rear roof slope of Block C, which have 7 dormers included within the consented scheme at the rear elevation, now result in 9 dormers on the rear roof slope of Block C. As a level of overlooking has been accepted in the approved application (P/3667/19 dated 11/03/2021) at this distance from the approved rear roof slope, from the 13 dormers already located on the rear elevations of Block B and C, as the future occupants of the units that would include the constructed dormers would be able to overlook from the first floor windows of these approved units, and the orientation and location of the approved units within these blocks follow the spatial pattern of development officers consider the 5 additional dormers are acceptable in consideration of the privacy of existing occupants opposite that are located on the eastern side of The Chase.

6.3.4 One of the objections raised concerns about air quality and noise pollution. In officers view, the addition of rear dormers would not create any impacts with regards to air quality, and any noise levels created from these dormers would relate to those associated with domestic activities in a residential area.

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Additionally, the blocking of light has also been raised. The dormers constructed fit within the frame and scale of the approved units, therefore officers consider the level of daylight received at neighbouring properties within the immediate vicinity would be unaffected.

6.3.5 It has been highlighted within an objection received that there is an enforcement investigation regarding site level, this is correct, and the result of that investigation is a separate issue to this application, and therefore does not affect the assessment or determination of this application.

6.3.6 Officers consider the constructed dormers acceptable in consideration of impact on neighbouring amenity.

### 6.4 Quality of Living Accommodation

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)
- Harrow Development Management Polices Local Plan (2013): DM1
- London Plan Policy: D6

6.4.2 London Plan policy D6 (Housing quality and standards) requires that housing developments meet the minimum space standards and also sets out a range of other requirements in relation to residential quality. Part D (g) of Policy DM1 of the Harrow Development Management Policies (2013) states that assessment of amenity should have regard to the adequacy of the internal layout of buildings in relation to the needs of future occupiers.

6.4.3 The five dormers in-situ include the change of a store into a study for each relevant unit, no additional bedrooms would be created as part of this proposal. An objection received has raised the concern that there is no longer the appropriate level of storage identified within the units approved. Officers consider the general size of all rooms provided, including the study, provides ample space for appropriate storage for future occupants in line with London Plan requirements.

## 7.0 CONCLUSIONS AND REASONS FOR RECOMMENDING APPROVAL

7.1 The additional rear dormer on 5 of the approved houses that have already been constructed would be an appropriate addition to facilitate a study room within each unit that conforms to the character and appearance of the approved development and would not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord with Policies D3, D6, and D12 of the London Plan (2021), policy CS1 of the Harrow Core Strategy 2012, and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

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## 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

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

Site Location Plan, 1294/50, 1294/51, 1294/52, 1294/53, 1294/56, 1294/62, 1294/63, 1294/64, 1294/65, LLDD1210-LAN-DWG-100 Rev 04, 1294/71, 1294/72, 1294/73, 1294/73, LLDD1210-LAN-DWG-101 Rev 05, LLDD1210-LAN-DWG-102 Rev 05, LLDD1210-LAN-DWG-200 Rev 03, LLDD1210-LAN-DWG-201 Rev 05, LLDD1210-LAN-DWG-202 Rev 05, Design and access statement, Planning Statement, Energy and Sustainability Assessment, Phase 3 Remediation Strategy, Air Quality Impact Assessment, Contamination Assessment Report, Report on a Phase 2 Ground Investigation, Extended Phase 1 Habitat Survey, Food Risk Assessment and Drainage Strategy, Construction Management Plan with supporting plans, Construction Logistics Plan, Transport Statement Addendum, Illustrated Schedule of Materials and Planting, Soft Landscape Specification, Daylight Sunlight and Overshadowing Assessment, Detailed Plant Schedule and Specification, Financial Viability Assessment, 1294/201 Rev A, 1294/51202 Rev A, 1294/51203 Rev A, 1294/51204 Rev A, 1294/51205 Rev A.
REASON: For the avoidance of doubt and in the interests of proper planning.

3. Disposal of Surface and Foul Water

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

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4. Surface Water Attenuation and Storage Works

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

5. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not progress beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and agreed in writing by, the local planning authority:
a. external appearance of the buildings;
b. windows and doors
c. refuse and cycle storage area
d. the boundary treatment
The development shall be carried out in accordance with the details so agreed and shall thereafter be retained.
REASON: To ensure that the development achieves a high standard of design and layout and safeguard the character and appearance of the area

6. Electric Vehicle Charging Points

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

7. PD Rights – Householder Extensions

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

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

8. Use as Dwellinghouse

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. Planting

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

10. Hard Surfacing Material

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

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11. Contamination 1

The development hereby permitted shall be undertaken in accordance with the remediation measures and strategy detailed within the Phase 3 Remediation Strategy (November 2018), unless otherwise agreed and approved in writing by the Local Planning Authority.
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems.

12. Contamination 2

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the Local Planning Authority in writing to be agreed
REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. Accessible and Adaptable Dwellings

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

14. Wheelchair User Dwellings

Ten per cent of the proposed dwellinghouses shall be constructed to meet the specifications of Building Regulation requirement M4(3) 'wheelchair user dwellings' and shall thereafter be retained in that form.
REASON: To ensure that the appropriate number of dwellinghouses are designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

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15. Construction Logistic Plan

The development hereby permitted shall be constructed in accordance with the details set out within the Construction Logistics Plan and Construction Management Plan, unless otherwise agreed and approved in writing by the Local Planning Authority.
REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site.

16. Refuse Storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the approved designated refuse storage areas
REASON: To enhance the appearance of the development and safeguard the character and appearance of the area.

17. Flank Windows

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

18. Secured By Design

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

19. Site Hoardings

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

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**INFORMATIVES:**

1. Policies

The following policies are relevant to this decision:

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

2. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday.

3. Party Wall Act:

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:
1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,
and that work falls within the scope of the Act.
Procedures under this Act are quite separate from the need for planning permission or building regulations approval.
"The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:
Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
Please quote Product code: 02 BR 00862 when ordering.
Also available for download from the Portal website:
https://www.gov.uk/party-wall-etc-act-1996-guidance

4. Mayoral Community Infrastructure Levy (provisional)

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL

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The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £900. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).
You are advised to visit the planningportal website where you can download the appropriate document templates. Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf
https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

5. Harrow Community Infrastructure Levy (provisional)

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.
Harrow's Charges are:
Residential (Use Class C3) - £110 per sqm;
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis) - £55 per sqm;
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm
All other uses - Nil.
The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £2,379
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/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

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The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.

6. Pre-application engagement

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

7. Thames Water

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

8. Sustainable Urban Drainage

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

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

9. Compliance with Conditions

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

10. Highways Interference

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

11. Street Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.
All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link. http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

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| Interim Head of DM | DM 06/06/2022 |
| Interim Corporate Director | DP 07/06/2022 |

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## APPENDIX 2: SITE PLAN

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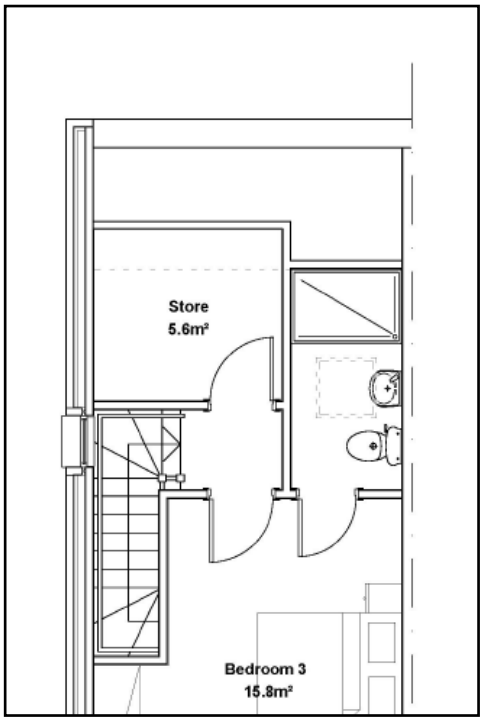
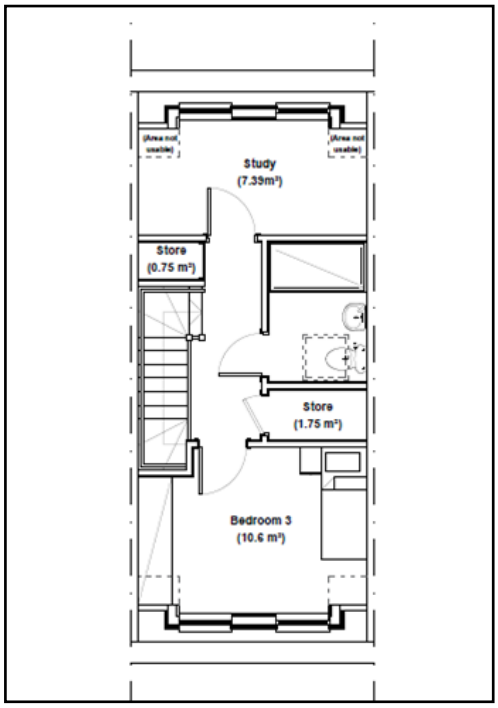
## APPENDIX 3: PLANS AND ELEVATIONS

Approved and Proposed House Type 3

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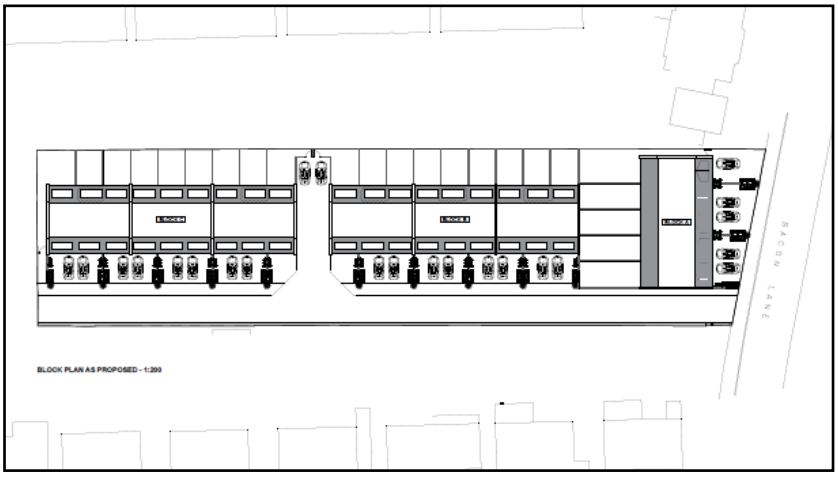
Proposed Block Plan




Amendments Proposed to Block B Rear Elevation

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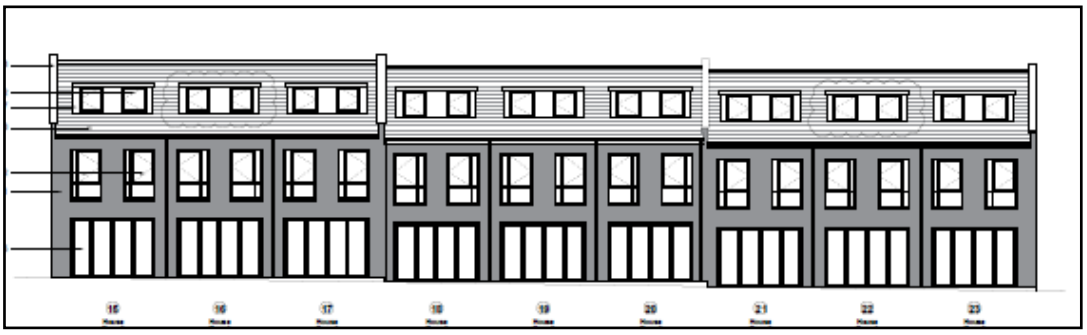
Amendments Proposed to Block C Rear Elevation



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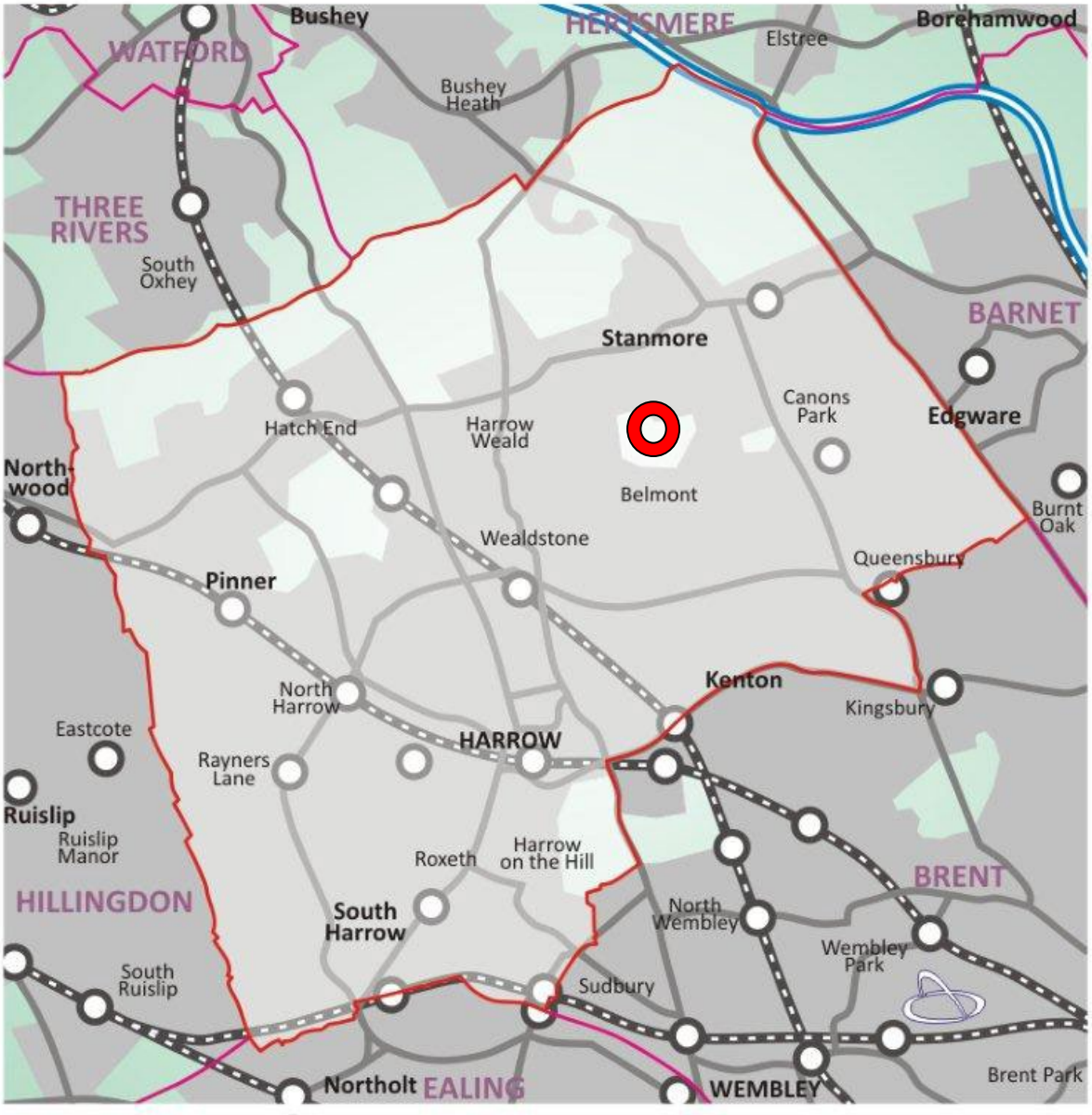
**Agenda Item: 2/05**

**= application site**

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|---|---|
| **21 Ash Close, Stanmore, HA7 3RH** | **P/0431/22** |

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# LOCATION PLAN 1:1250

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**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**22nd June 2022**

| | |
|---|---|
| **APPLICATION NUMBER:** | P/0431/22 |
| **VALID DATE:** | 24/02/2022 |
| **LOCATION:** | 21 ASH CLOSE, STANMORE |
| **WARD:** | STANMORE PARK |
| **POSTCODE:** | HA7 3RH |
| **APPLICANT:** | MR SANJIV CHANDARIA |
| **AGENT:** | MR COLIN ROWE |
| **CASE OFFICER:** | JOSEPHINE DUTTON |
| **EXPIRY DATE:** | 7TH APRIL 2022 |

**PROPOSAL**

First floor side extension; two storey rear extension; rooflights in front, side and rear roof slopes; external alterations

**RECOMMENDATION**

The Planning Committee is asked to:

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

2) Grant planning permission subject to the conditions listed in Appendix 1 of this report:

**REASON FOR RECOMMENDATION**

The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area and would have an acceptable impact on the residential amenities of neighbours. As such the proposal would accord with the NPPF (2021),

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Policy D3 of The London Plan (2021), Policy CS1.B of the Harrow Core Strategy, Policy DM1 of the Harrow Development Management Policies Plan, and the adopted Harrow Supplementary Planning Document: Residential Design Guide (2010).

## INFORMATION

This application is reported to Planning Committee on request of a nominated member, owing to public interest, and therefore falls outside the provision A of the Scheme of Delegation.

| | |
|---|---|
| Statutory Return Type: | (E)21 Householder Development |
| Council Interest: | None |
| Net Additional Floorspace: | 75 sqm |
| GLA Community Infrastructure Levy (CIL): | N/A |
| Local CIL requirement: | N/A |

## HUMAN RIGHTS ACT

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

## EQUALITIES

In determining this planning application, the Council has regard to its equality's 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.

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## 1.0 SITE DESCRIPTION

1.1 The application site comprises of a two storey detached dwellinghouse located on the north side of Ash Close.

1.2 The site forms part of a small development of 4 detached houses granted under planning permission LBH/32885. Condition 7 of this permission has restricted Permitted Development Rights.

1.3 The property is unextended and features a large single storey attached garage

## 2.0 PROPOSAL

2.1 The application proposes a first floor side extension and a two storey rear extension located on the eastern side of the property.

2.2 The proposed first floor side extension would have a 1m set back from the adjacent front wall and would have a width of 5.3m.

2.3 The proposed extension would have a subordinate hipped roof with a central crown roof and would be set down from the main roof ridge. One small window is proposed in the flank wall.

2.4 The two storey rear extension would have a width of 7.8m and a depth of 1.9m. The extension would not project beyond the main original rear wall of the subject dwellinghouse.

2.5 The existing first floor side window (serving the stairway) on the western flank wall would be increased in size.

2.6 Eight rooflight are proposed within the main roofslope, and the extension would be finished in materials to match with the existing house.

## 3.0 RELEVANT PLANNING HISTORY

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

-

| Ref no. | Description | Status & date of decision |
|---|---|---|
| LBH/36105 | Four detached houses with access from ash close assistant: ps 02/11/88 reg | Grant - 29/09/1988 |

## 4.0 CONSULTATION

4.1 A total of 5 consultation letters were sent to neighbouring properties regarding this application. The minimum statutory consultation period expired on 17th March 2022.

4.2 One objection has been received from the public consultation.

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

**Character and Appearance and Residential Amenity Impact**

- The proposal will block light coming through the side windows of a bedroom and main bathroom
- Lack of privacy due to the proposed window on first floor flank wall
- The proposal will be out of character with the adjoining houses along Ash Close

*Officer response:*
*These points have been assessed within the body of the report*

4.4 Statutory and non-statutory consultation

4.5 No consultations were undertaken as this application is for householder planning permission. Notwithstanding this, a section is included below on drainage as the site is located in a critical drainage area and as such relevant informatives are necessary and recommended.

## 5.0 POLICIES

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

-

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 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 and Appearance
- Residential Amenity Flood Risk and Drainage

### 6.2 Character and Appearance

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1B
- Harrow Development Management Policies (2013): DM 1
- Residential Design Guide (2010)

6.2.2 Ash Close is a quiet residential road ending in a cul-de-sac, which has a mix of two-storey detached dwellings. The properties within the surrounding area have a variety of architectural styles, with many of these houses having been extended. The host property forms part of a small, newer development of four relatively large, detached properties. The host dwelling has an identical appearance to the west adjoining neighbour No. 19, with both featuring single storey double garages with large, hipped roofs, whereas Nos. 23 and 25 have

-

integrated garages and do not appear as wide as the other two neighbouring properties.

6.2.3 The proposed first floor side extension would occupy the full width of the existing garage (5.3m wide), which would be approximately half the width of the original house (10.5m). A setback of 1m from the main front building line would be provided and the proposal would encompass a subordinate hipped roof, set down from the main roof ridge line and would also include a central crown roof. The proposed first floor window in the front elevation respects the size, design and position of the existing front windows and ensures that the proposed side extension has an acceptable visual appearance on the street scene.

6.2.4 It is noted that the existing house is relatively wide, and that the proposal would result in that width to the frontage being enhanced. However, even with the proposed first floor side extension, visible gaps are left on both sides of the house with the boundaries. In addition, it is noted that other properties in the vicinity have similar wide frontages. The proposal would therefore be considered acceptable in terms of character and appearance.

6.2.5 In relation to the two storey rear extension, at 7.9m wide with a depth of 1.9m, the extension would infill the recessed part of the rear elevation and as such, would not project beyond the original main rear wall of the house. This element would also be provided with a subordinate hipped roof, set-down from the ridge of the main roof and the fenestration would be in keeping with the host dwelling.

6.2.6 In conclusion, the proposal would result in proportionate, balanced and well-integrated addition to the existing house, and is considered to have an acceptable impact on the character and appearance of the main house and the street scene. The development would therefore accord with the relevant policies of the development plan and the Council's adopted SPD: Residential Design Guide 2010.

### 6.3 Residential Amenity

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1
- Residential Design Guide (2010)

6.3.2 The proposal would not be visible when viewed from the rear elevation of No. 19, as the extension would be obscured from view by the host property. As such, the proposal is not considered to negatively impact this neighbouring property.

-

6.3.3 In relation to No. 23, the first floor rear extension would slightly interrupt the 45º degree splay when taken from the nearest first floor rear corner of this neighbouring dwelling. However, the amount by which the proposal would project past the 45-degree splay is marginal. Furthermore, No. 23's first floor rear windows which are closest to the boundary, are obscure glazed as they serve the main bathroom. As both of these windows serve a non-habitable room, they are not considered to be 'protected' windows and therefore, a minor breach of the 45º line is not considered to result in an unacceptable impact towards this property.

6.3.4 It is noted that objections have been raised with regards to loss of light and loss of privacy to the obscure glazed, side facing windows at No. 23, as a result of the first floor side extension. The side window located towards the rear of No. 23 also serves the main bathroom, and as mentioned above, this is not a 'protected' window. The other side window, located towards the front of this property, serves a bedroom. This bedroom is dual aspect as it has two large windows in the front elevation, both of which are considered to be the primary 'protected' windows as they provide the principal source of light and outlook from this habitable room. Therefore, this bedroom is served by three large windows. The secondary side window is not considered to warrant the same level of protection as the primary windows and consequently, should not prejudice future development of the adjacent host property.

6.3.5 With regards to overshadowing and outlook concerns; as discussed above, the windows most affected by the development serve rooms which are either non-habitable or are dual aspect. The ground floor living area closest to the common boundary benefits from two large windows/patio doors, located approximately 3m from the proposed extension. Furthermore, No. 23 is situated on a relatively wide plot (approx. 15m wide) and given the 2m separation distance between the two properties, any loss of natural light and outlook to this ground floor habitable room is not considered to be unreasonable.

6.3.6 In relation to privacy concerns, the proposed small window in the first floor flank elevation would serve a non-habitable room (bathroom), would be obscure glazed and would be located further down the extension away from the side bedroom window of No. 23. The window would therefore have an acceptable relationship with this adjoining neighbour and privacy concerns are considered to be limited.

6.3.7 In conclusion, the proposal would not give rise to any unacceptable adverse impact in terms of loss of light, outlook, overshadowing or loss of privacy to neighbours.

### 6.4 Development and Flood Risk

6.4.1 The relevant policies are:

- National Planning Policy Framework (2021)

-

- The London Plan (2021): D3, SI 13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.4.2 Policy DM9 B of the Development Management Policies Local Plan (2013) states, “proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.”

6.4.3 The application site is located within a critical drainage area as defined by the maps held by the local drainage authority. The site is not located within a flood zone. As such this permission contains an informative relating to the provision of sustainable drainage systems.

## 7.0 CONCLUSIONS AND REASONS FOR APPROVAL

7.1 The proposal would result in an acceptable impact on the visual amenities of the house and surrounding area and would have an acceptable impact on the residential amenities of the neighbours. As such, the proposal would accord with the NPPF (2021), Policy D3 of The London Plan (2021), policy CS1B 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).

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## APPENIDIX 1: CONDITIONS AND INFORMATIVES

## Conditions

1. Timing

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

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

2. Approved plans and documents

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

Location Plan, CHA/21/01, CHA/21/02B, CHA/21/04B, Reasonable Exception Statement (Fire Safety)

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

3. Windows

No window(s)/door(s), other than those shown on the approved plans shall be installed in the side and rear elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the residential amenities of neighbouring residents.

4. Glazing

The window(s) in the flank elevation(s) of the proposed development shall:

(a) be of purpose-made obscure glass,
(b) be permanently fixed closed below a height of 1.7m above finished floor level,
and shall thereafter be retained in that form.

-

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

5. Materials

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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

6. No Balcony

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

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

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**INFORMATIVES:**

1. Policies

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

**The National Planning Policy Framework 2021**

**The London Plan 2021**
**D3, D12**

**The Harrow Core Strategy 2012**
CS1.B

**Harrow Development Management Policies Local Plan 2013**
DM1, DM10

**Relevant Supplementary Planning Document**
Supplementary Planning Document: Residential Design Guide (2010)

2. Considerate Contractor code of practice

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

3. Party Wall Act

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

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

and that work falls within the scope of the Act. Procedures under this Act are quite separate from the need for planning permission or building regulations approval. "The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236 Wetherby, LS23 7NB. Please quote Product code: 02 BR 00862 when ordering. Also available for download from the CLG website:

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http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf Tel: 0870 1226 236, Fax: 0870 1226 237, Textphone: 0870 1207 405, E-mail: Ucommunities@twoten.comU4T

4. Per-application engagement

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

This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

5. Sustainable Urban Drainage

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

The applicant can contact Harrow Drainage Section for further information

-

6. Surface and foul water connections

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

7. Damage to Highway

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

8. Flank Windows

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

**CHECKED**

| | |
|---|---|
| Interim Head of Development Management | 07/06/2022 |
| Corporate Director | 07/06/2022 |

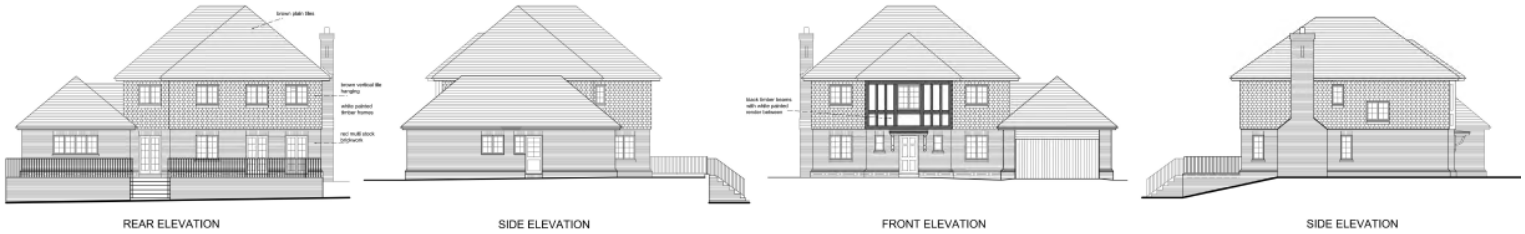
-

## APPENDIX 2: SITE PLAN

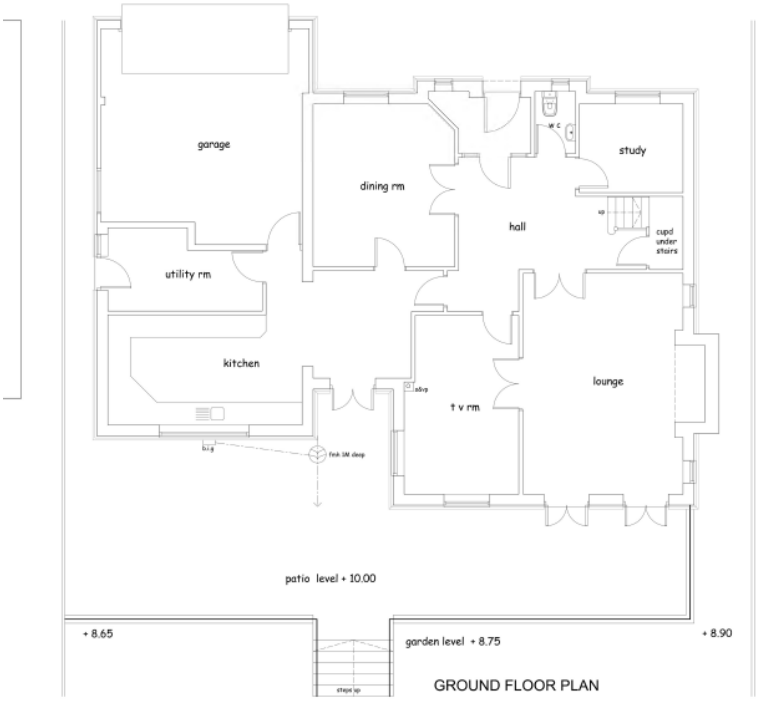
-

## APPENDIX 3: FLOOR PLANS AND ELEVATIONS

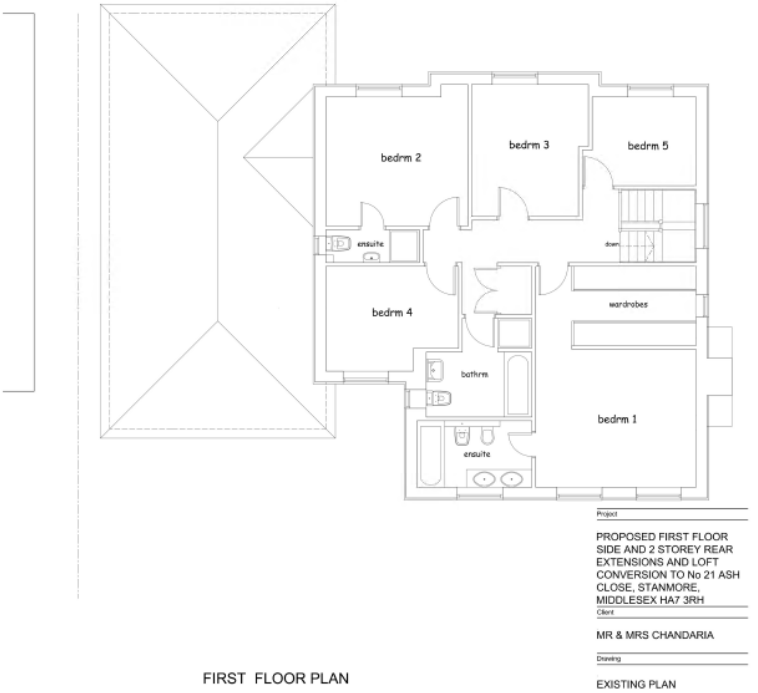
Existing elevations and floor plans



REAR ELEVATION | SIDE ELEVATION | FRONT ELEVATION | SIDE ELEVATION




GROUND FLOOR PLAN




FIRST FLOOR PLAN

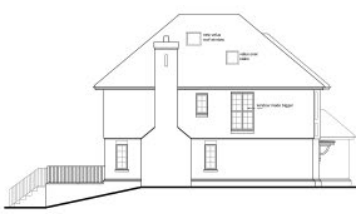
-

Proposed elevations and floor plans

REAR ELEVATION

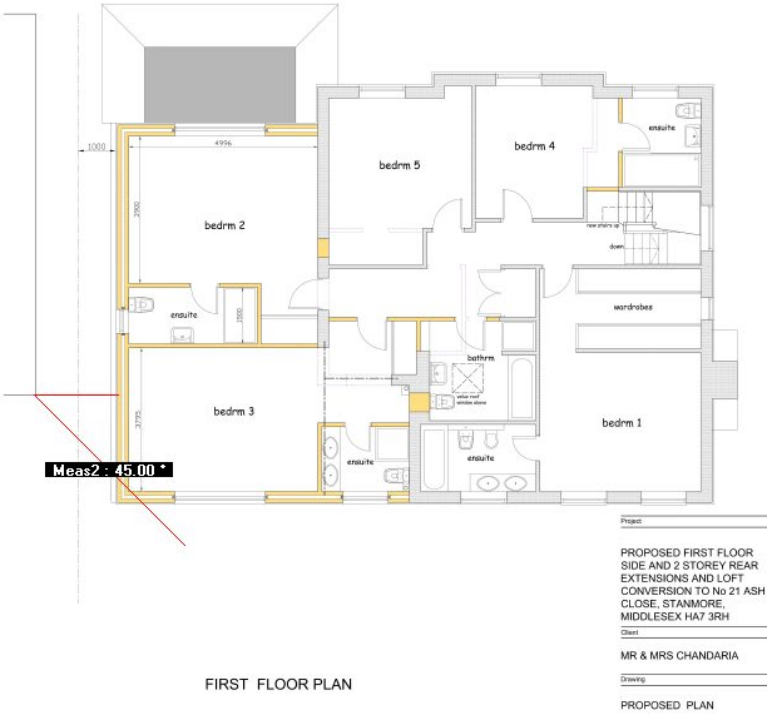
SIDE ELEVATION

FRONT ELEVATION



SIDE ELEVATION

GROUND FLOOR PLAN




FIRST FLOOR PLAN

Project

PROPOSED FIRST FLOOR SIDE AND 2 STOREY REAR EXTENSIONS AND LOFT CONVERSION TO No 21 ASH CLOSE, STANMORE, MIDDLESEX HA7 3RH

Client

MR & MRS CHANDARIA

Drawing

PROPOSED PLAN

-

## APPENDIX 3: SITE PHOTOGRAPHS

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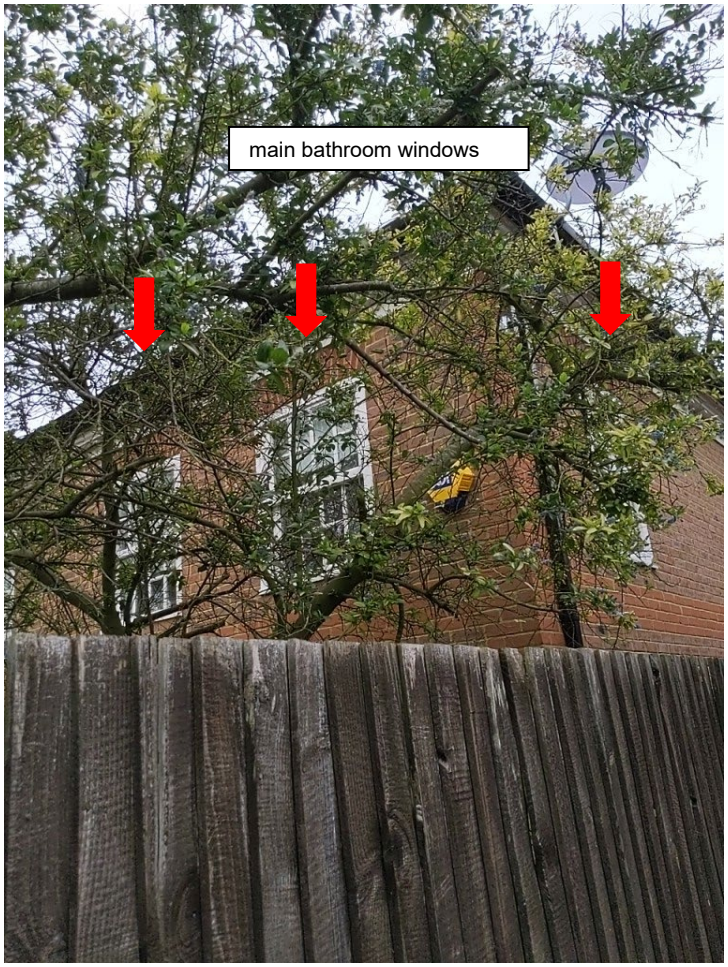
-

Shared boundary with No. 23


main bathroom windows

No. 23

-

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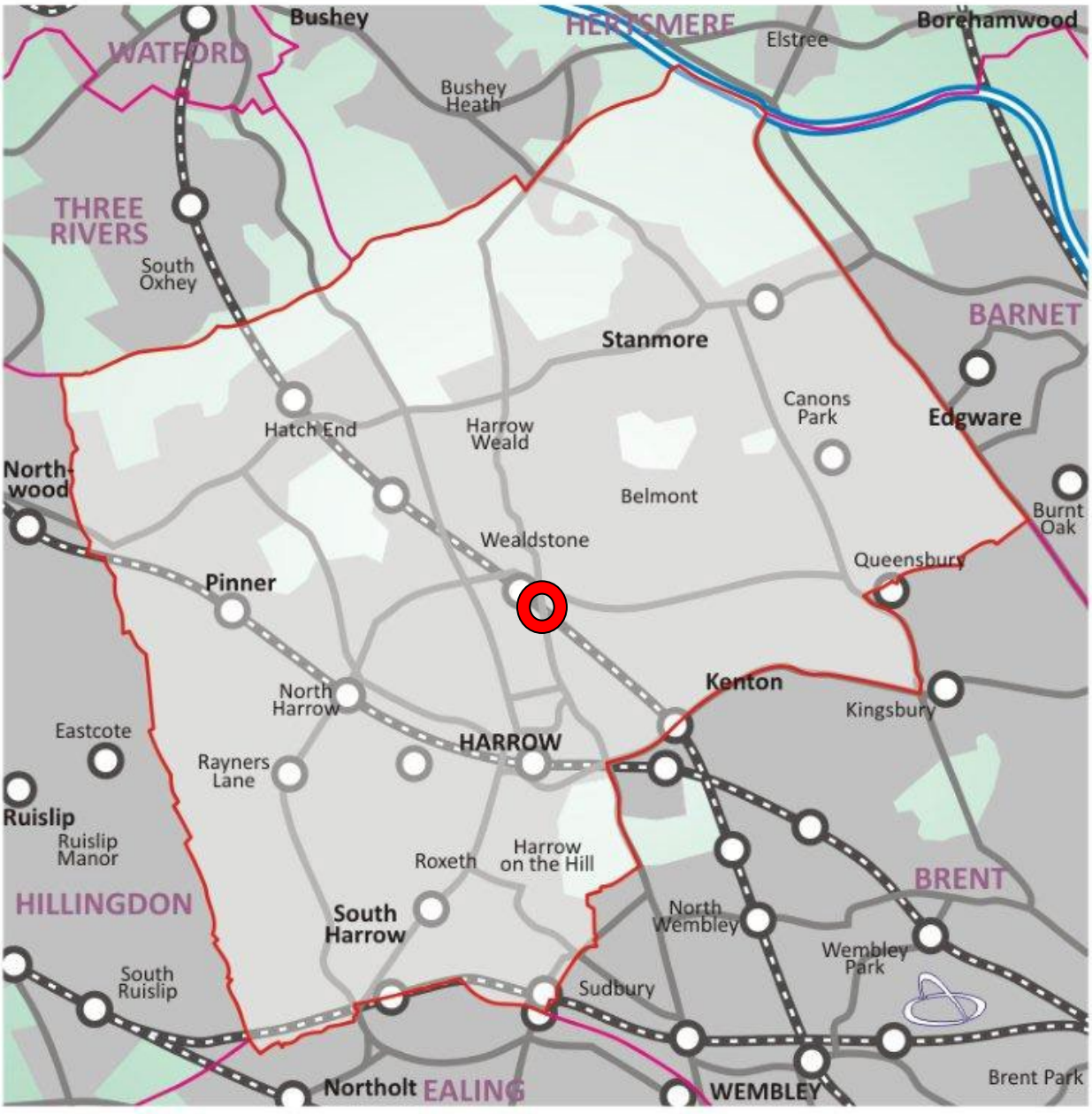
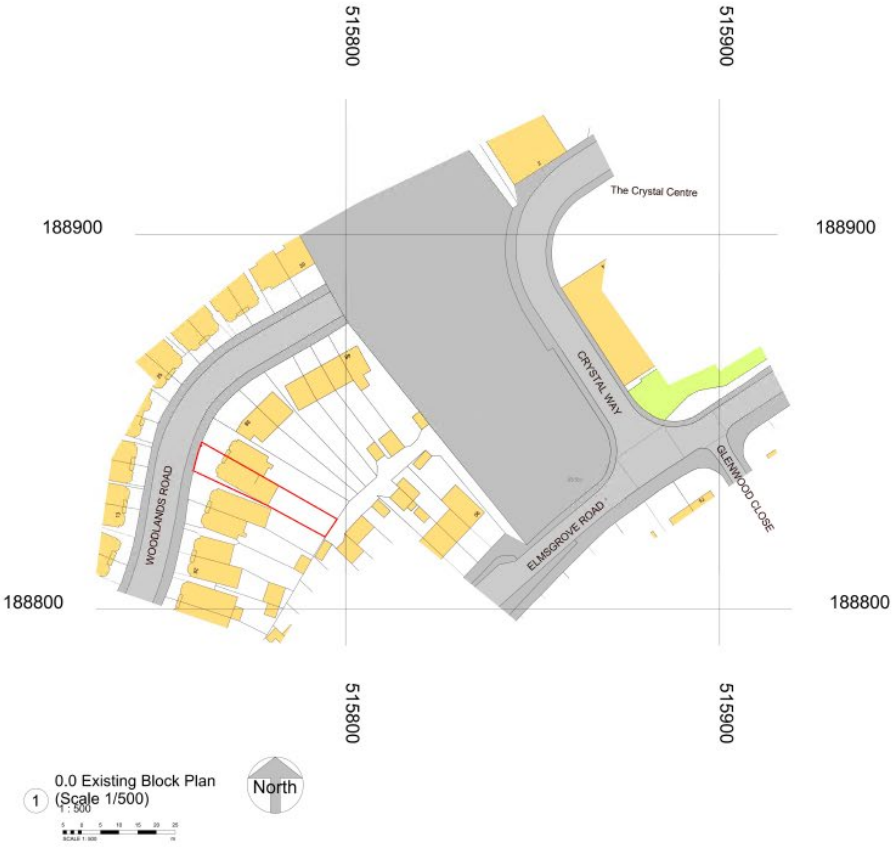
**Agenda Item: 2/06**

**= application site**




**34 Woodlands Road, Harrow, HA1 2RS** **P/0177/22**

## Site Plan




1 0.0 Existing Block Plan (Scale 1/500)

2 0.0 Existing Site Plan 1 : 1250

Client : Mr Farcas
Project : 34 Woodlands Road, Harrow
Drawing : Site & Block Plans
Scale : As indicated
Status : Planning
Date : 12/12/20

DESIGNLABS LONDON
ARCHITECTURE / INTERIOR / MANAGEMENT / PLANNING
T: 07870661614 / 07888831314
E: info@designlabslondon.com W: www.designlabslondon.com

**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**22nd JUNE 2022**

| | |
|---|---|
| **Application Number:** | P/0177/22 |
| **Validation Date:** | 22/02/2022 |
| **Location:** | 34 WOODLANDS ROAD, HARROW, HA1 2RS |
| **Ward:** | GREENHILL |
| **Post Code:** | HA1 2RS |
| **Applicant:** | MR FARCAS |
| **Agent:** | DESIGNLABS LONDON LTD |
| **Case officer:** | ROBERTA HENRIQUES |
| **Extended Expiry date** | 28/06/2022 |

## PROPOSAL

Replacement roof to single storey rear element; replacement of windows and doors to rear elevation

## 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 end result of the proposed development would amount to alterations to an existing extension. The proposal would respect the character and appearance of the host dwelling and the locality, and the proposal 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: | Householder |
| Council Interest: | None |
| Net additional Floorspace: | 0 sqm |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional)(£60p/sqm): | N/A |
| Local CIL requirement (Provisional) (£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 Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. 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.

1.1 **SITE DESCRIPTION**

1.1 The application site is a two storey semi-detached dwellinghouse, located on the south eastern side of Woodlands Road

1.2 The dwellinghouse is split into two self-contained flats and benefits from a single storey rear extension.

1.3 The neighbour to the south west No.32 Woodlands Road is also a two storey semi detached dwellinghouse that has been converted into two flats. This neighbour also has a single storey rear extension.

1.4 The neighbour to the north east No.36 is a two storey semi detached dwellinghouse. This neighbour is unextended.

1.5 The property is not in a conservation area and is not a listed building. The site is within a critical drainage area but is not subject to any other flooding constraints.

**2.0 PROPOSAL**

2.1 Planning permission is sought for the replacement of the existing single storey rear extension's roof and windows on doors on the rear elevation.

**3.0 RELEVANT PLANNING HISTORY**

LBH/40028 CONVERSION TO THREE SELF-CONTAINED FLATS WITH PARKING *Refuse 24/04/1990*

P/0959/07 USE OF PROPERTY AS TWO SELF CONTAINED FLATS *Grant 13/06/2007*

**4.0 Consultation**

4.1 A total of 5 consultation letters were sent to neighbouring properties regarding this application. A site notice was also displayed. The overall expiry date of the neighbour consultation period was 15/03/2022.

4.2 A total of 9 responses have been received to date

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

- The plans do not state the maximum, height of the proposed roof, or the angle of the pitch.
  **Officer's response:** The footprint of the extension will not be changing, so the maximum height will remain the same.

- The illegal build halted by Harrow Council is being used to show the existing building and elevations.
  **Officer's response:** An enforcement case (ENF0250/21/P) relates to the unauthorised raising of a parapet wall. The planning enforcement case is not being assessed as part of this planning application.

- The proposal is misleading in its description of the existing roof as dual pitched corrugated metal.
  **Officer's response:** The proposed materials of the roof are being assessed for this application.

- This does not appear to be a roof replacement but a complete rear extension roof alteration with a change in height, incline and two new openings.
  **Officer's response:** The proposal has been assessed in this report as a new roof.
  The existing condition of the roof is the result of unauthorised works. The planning enforcement case is not being assessed as part of this planning application.

- The proposal is overbearing.
  **Officer's response:** The proposal is not considered to harm the visual or residential amenities of the neighbouring occupiers as it seeks only to replace the existing roof and windows, the main structure is already in place.

- The proposal will cause loss of daylight to No.36 Woodlands Road.
  **Officer's response:** The proposal is not considered to harm the visual or residential amenities of the neighbouring occupiers as it seeks only to replace the existing roof and windows, the main structure is already in place

- The party boundary wall is too high and unsightly.
  **Officer's response:** It is assumed that this relates to the raised parapet subject to the enforcement case above. The proposal would see this removed. Notwithstanding, the existing historic party wall is not a planning matter.

- The proposal is a large structure built too close to No.36 Woodland's Road and No.25 Woodlands Road
  **Officer's response:** The proposal is not considered to harm the visual or residential amenities of the neighbouring occupiers. The raised parapet would be removed as part of the proposal.

- Loss of original period character. Period features of the party wall have been destroyed.

**Officer's response:** The proposal is considered to have an acceptable impact on the character and appearance of the dwellinghouse and the surrounding area. The main structure already exists and the application seeks to install a new roof and windows. The site is not within a conservation area and is not a listed building. As such, there is limited scope for the planning department to retain period features at the rear.

- The applicant has changed the pitch of the rear extension
  **Officer's response:** The proposal would see the convoluted double pitched extensions replaced with a single mono-pitch, which is considered acceptable. The proposed extension would have the same footprint as the existing extension.

- The applicant is trying to build from below the windowsills of the bedrooms height.
  **Officer's response:** The submitted drawings show that there would be a separation distance between the windowsills of the bedrooms and the roof of the extension, and is considered acceptable.

- No.82 Roxborough Road (former resident of No.36 Woodland's Road) concerned about loss of light into back room and patio and will cause loss of daylight to No.25 Woodlands Road
  **Officer's response:** The proposal is not considered to harm the visual or residential amenities of the neighbouring occupiers as it seeks only to replace the existing roof and install new windows.

- The drawings do not accurately define the height of the wall bordering No.36.
  **Officer's response:** The footprint of the extension is not being increased and seeks only to replace the existing roof and install new windows.

- Any increase in height beyond the pre existing flat roofed structure would be overbearing and result in a loss of daylight to No.36 Woodlands Road.
  **Officer's response:** The proposal is not considered to harm the visual or residential amenities of the neighbouring occupiers as it seeks only to replace the roof and install new wondows. The alteration to the pitch will have no perceivable impact on sunlight/daylight to any adjoining neighbour given the main builk of structure already exists.

4.4 Statutory and Non Statutory Consultation

LBH Drainage Team Leader- no response

## 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 consolidates national planning policy and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 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].

## 6.0 ASSESSMENT

6.1 The main issues are;

- Character and Appearance of the Area
- Residential Amenity
- Enforcement
- 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

6.2.2 Relevant Supplementary Documents

- Residential Design Guide (2010)

Replacement roof to the single storey rear extension

6.2.3 Paragraph 6.63 of the Council's Residential Design Guide SPD provides guidance on acceptable design for roofs on single storey extensions, it states that the finished height of an extension abutting a residential property should be a maximum height at the boundary of 3.5m at the mid-point of the pitched roof.

6.2.4 The proposed replacement roof would be mono-pitched and have a maximum height of 3.4m where it abuts the main dwelling. At the mid-point of the pitch the height would be approximately 3.15m. As such the development complies with the SPD.

6.2.5 For the development proposal, the existing corrugated metal roof will be replaced with a fibre glass roof. It is considered that materials of the proposed roof will respect the character appearance of the dwellinghouse and the surrounding area.

6.2.6 It should also be noted that the adjoining neighbour at No.32 benefits from an extension of a similar depth and roof height and the proposed alterations would result in a similarly styled and scaled extension at the subject site.

Replacement of the windows and doors to the rear elevation of the single storey rear extension

6.2.7 Guidance on the acceptable design of windows and doors is provided in paragraph 6.13 of the Council's Residential Design Guide SPD. The guidance outlines that windows and doors should generally reflect the proportions; design detail and materials of the original building.

6.2.8 It is acknowledged that existing white UPVC doors on the rear elevation would be replaced with a different design and materials, as the proposed windows and doors would have a white/black metallic finish. However, it is considered that the contemporary modern design of the proposed windows and doors can be justified, because the end result would have a similar appearance to a fully glazed conservatory. Given that this is located at ground level and there are limited views from either private or public locations there is not considered to be any adverse visual amenity impact.

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 Nos. 32 and 36 Woodlands Road

6.3.2 The proposal does not involve increasing the footprint of the extension or adding any new side facing windows. Therefore, it is not considered that the proposal would have a harmful impact on the amenities of neighbouring occupiers.

## 6.4 Enforcement

6.4.1 There is currently a live planning enforcement case open for No.34 Woodlands Road. The planning breach is the unauthorised raising of the parapet wall of the single storey rear extension by 1 metre. The single storey rear extension at the subject site also has an unauthorised beam on its roof that spans across the width of the roof. The planning application proposal for P/0177/22 seeks to remove the unauthorised brickwork and rear beam on the roof of the single storey rear extension, and create an extension that has the same footprint as the existing extension. Therefore, on balance the proposed works are acceptable. If the application is granted, an informative will be placed on this application stating that the unauthorised works should be removed within 2 months of the planning permission being granted or consideration will be given to the issuance of a planning enforcement notice.

## 6.5 Drainage

6.5.1 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

The development would not result in an increase in the development footprint on the site and would therefore not have an impact in terms of increased surface water flood risk. Notwithstanding, as the site is located within a Critical Drainage Area, sustainable urban drainage [SUDs] is encouraged. An informative is therefore attached to this effect. An informative has also been included with regard to surface and foul water connections and has advised the applicant to contact Council's Drainage Engineers to provide a drainage plan.

## 6.6 Fire Safety

6.6.1 The relevant policies are

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

6.6.2 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 completed a Reasonable Exemption Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

## 7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development would not detract from the character and appearance of the host building, street scene or the wider area, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is not considered to be susceptible to unacceptable flood risk and is not considered to exacerbate flood risk elsewhere. The proposed development is not considered to conflict with S17 of the Crime and Disorder Act 1998 (as amended), and finally, the applicant has provided a Reasonable Exemption Statement 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, D11, D12, SI 12, SI 13 of the London Plan (2021), Policies CS1.B and CS1.W of the Harrow Core Strategy, Policies DM1, DM2 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. Full Time

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

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

2. Approved Plans

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

   PL-DR-EX-00-01, PL-DR-EX-01-02, PL-DR-EX-RL-03, PL-DR-EX-XX-50, PL-DR-EX-XX-51, PL-DR-EX-XX-52, PL-DR-EX-XX-70, PL-DR-EX1-XX-80

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

3. Glazing- Future 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 window(s) / door(s) shall be installed in the flank wall(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.

4. Action to be taken

   Notwithstanding the approved plans, the development hereby permitted showing the full removal of the upstand walls in brick and the beam spanning between these walls shall be carried out and completed in full accordance with Dwg No: PL-DR-EX-XX-70 within two months of the date of this decision. The development shall thereafter be retained in that form.

   REASON: To represent a reasonable period of time to regularise the existing unauthorised development and to ensure a satisfactory form of development in terms of character and amenity.

**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
   **Harrow Development Management Policies Local Plan 2013:**
   DM1, DM2 and DM10
   **Supplementary Planning Document: Residential Design Guide (2010)**

2. Considerate Contractor Code of Practice

   The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows: 0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday

3. Party Wall Act:

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

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

   2. building on the boundary with a neighbouring property;

   3. excavating near a neighbouring building,

   and that work falls within the scope of the Act.

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

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

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

Please quote Product code: 02 BR 00862 when ordering.

Also available for download from the Portal website:

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

4. 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.

5. 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.

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 with your plans.

7. Sustainable Drainage Systems

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

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

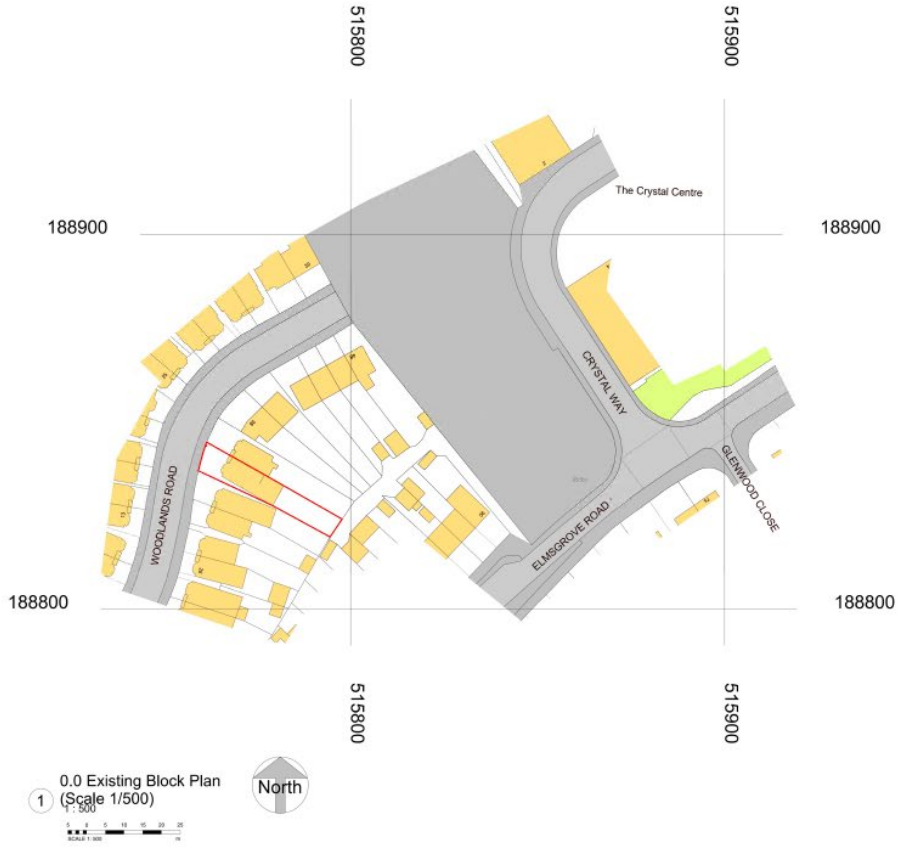
Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2019) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information.

| | |
|---|---|
| Interim Head of Development Management | 06/06/2022 |
| Corporate Director | 07/06/2022 |

## APPENDIX 2: Site Plan

Site plan requested



Client : Mr Farcas
Project : 34 Woodlands Road, Harrow
Drawing : Site & Block Plans
Scale : As indicated
Status : Planning
Date : 12/12/20
Dwg No : PL-100-0000

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ARCHITECTURE / INTERIOR / MANAGEMENT / PLANNING
T: 07870661614 / 07888831314
E: info@designlabslondon.com W: www.designlabslondon.com

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**APPENDIX 3: Site Photographs**

The front of No.34 Woodlands Road

The rear of No.34 Woodlands Road

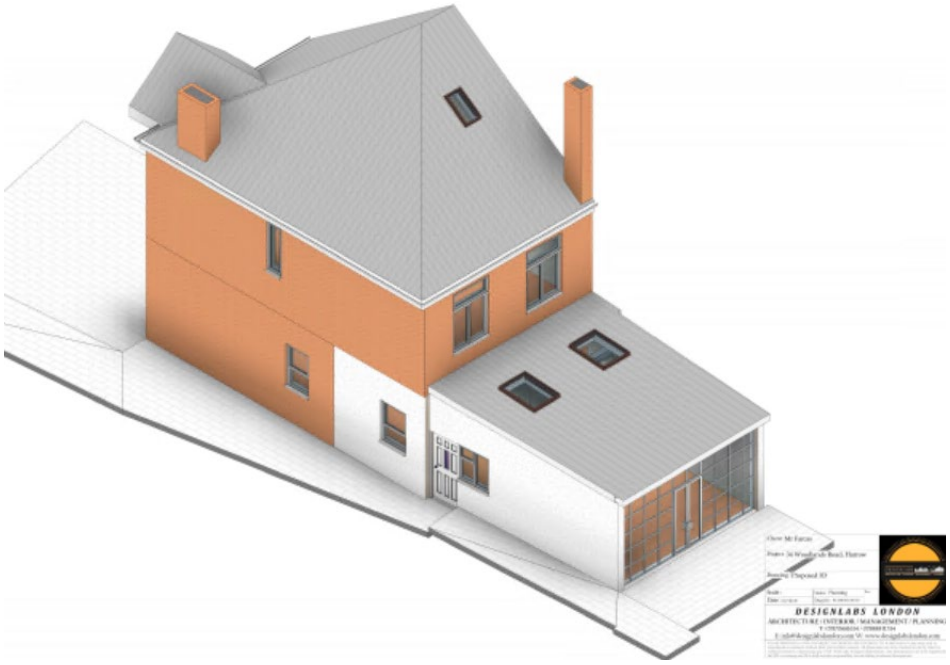
The rear of No.32 Woodlands Road

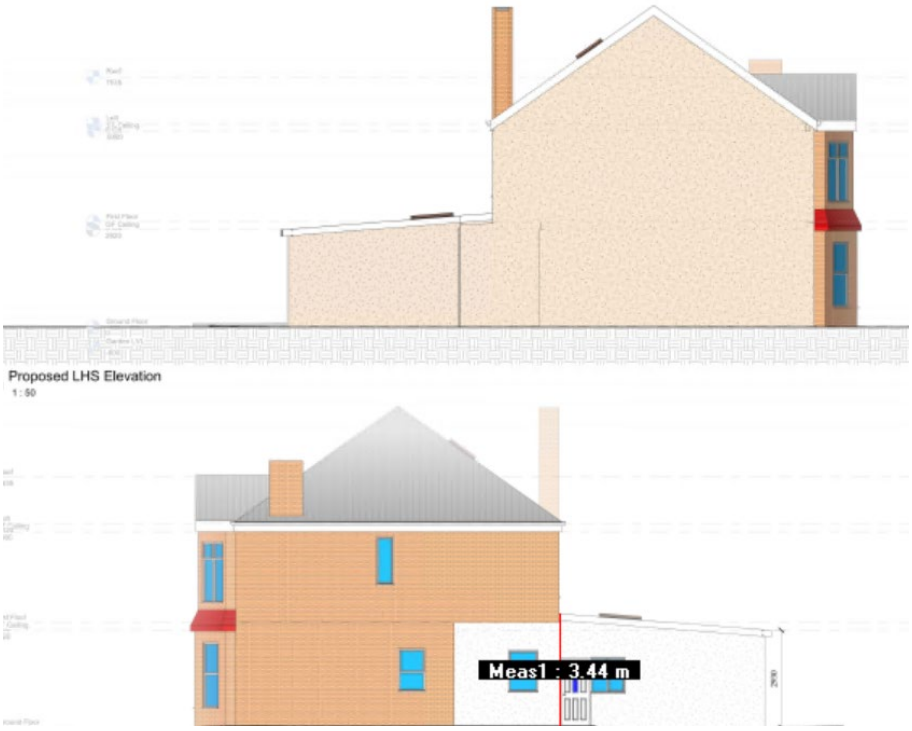
The rear of No.36 Woodlands Road

## APPENDIX 4: Plans and Elevations

3D image of existing

3D image of proposal



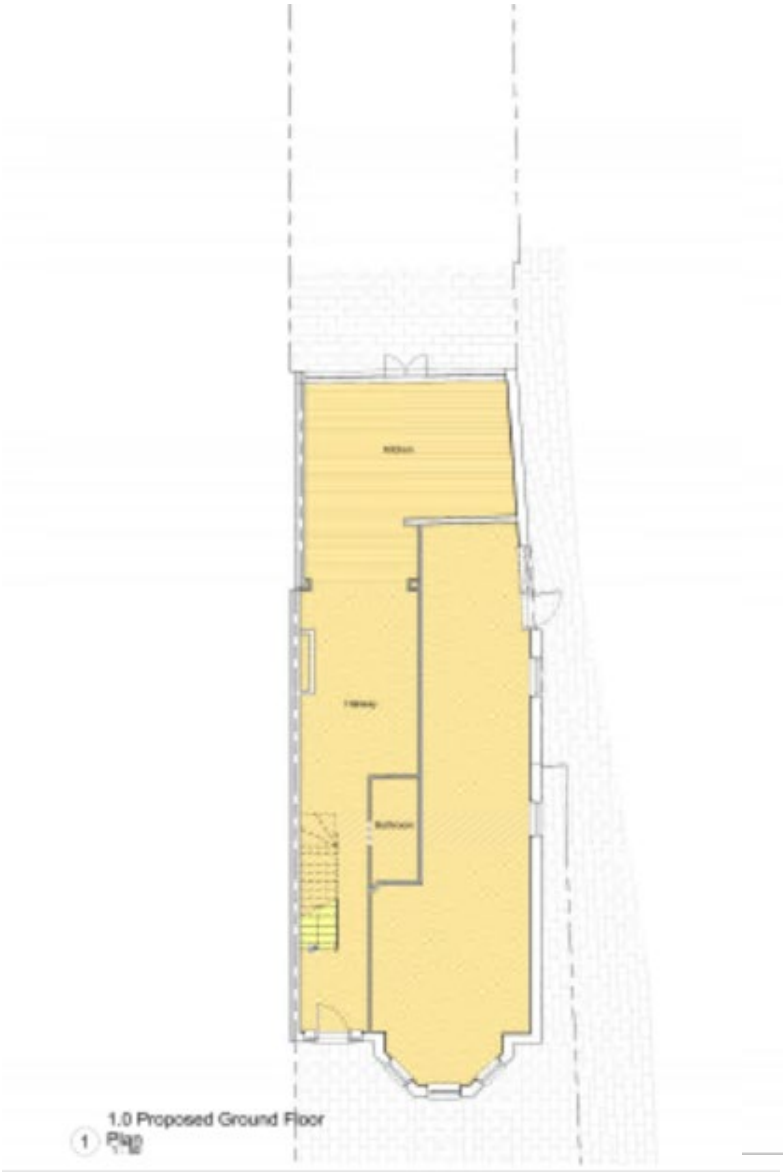



Proposed side elevations

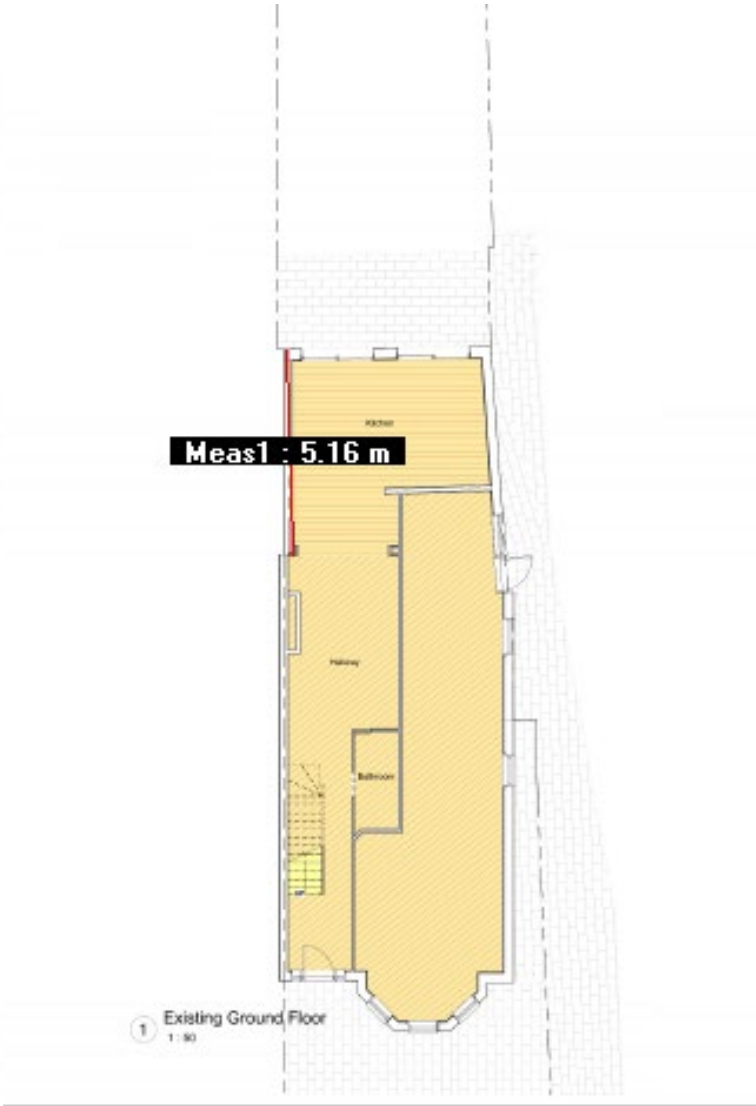
Existing side elevations

Proposed front and rear elevations

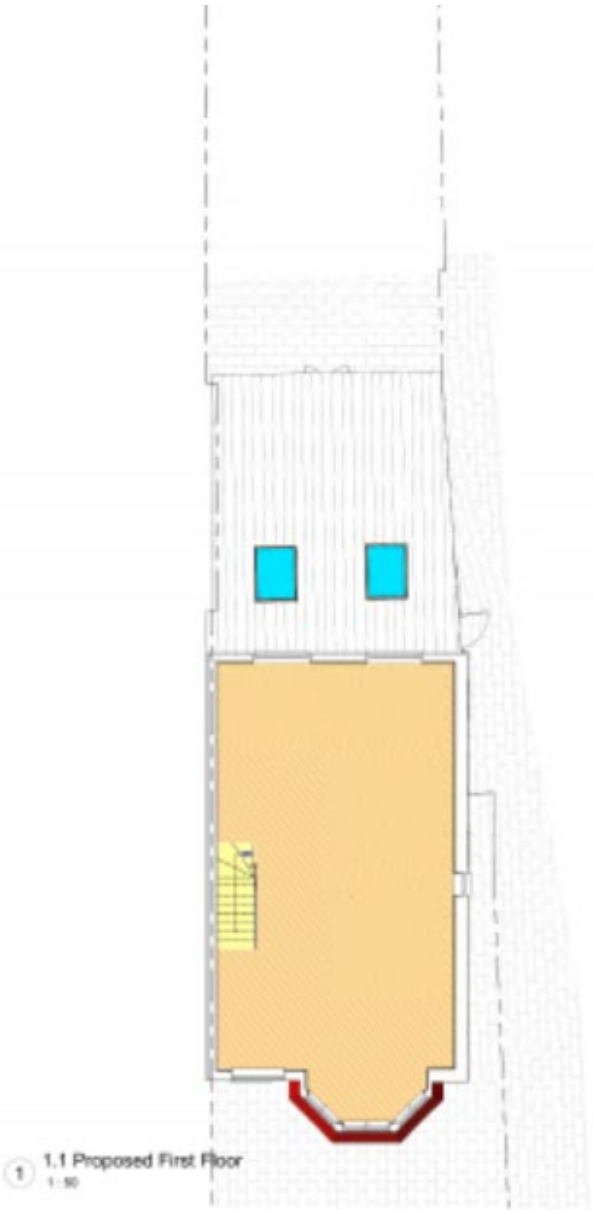
Existing front and rear elevations



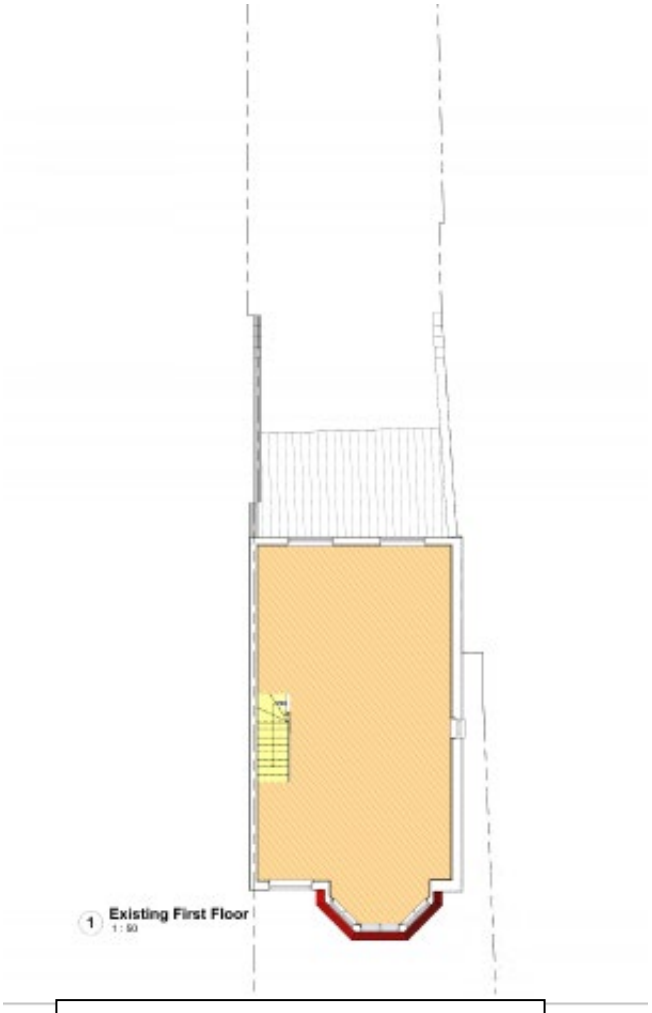

Proposed ground floor plan



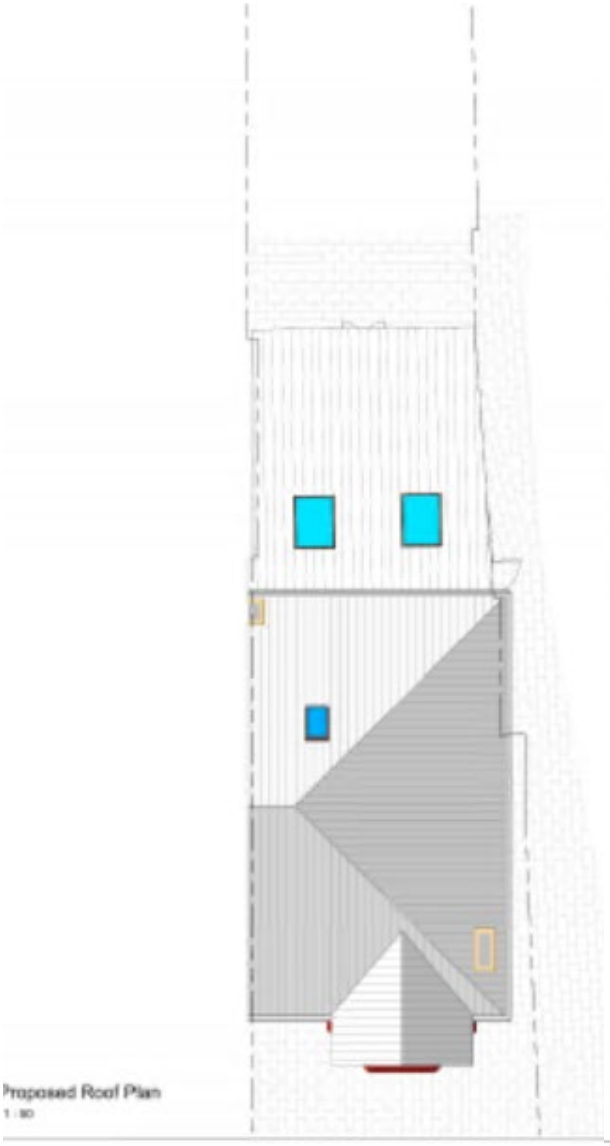

Existing ground floor plan



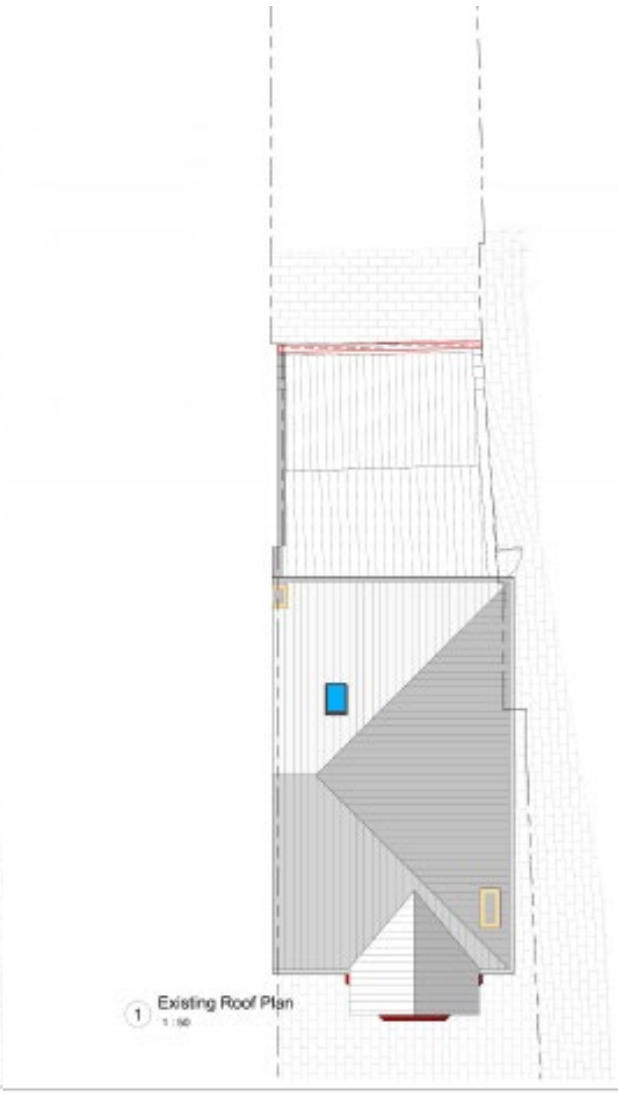

Proposed first floor plan




Existing first floor plan




Proposed roof plan




Existing roof plan

Proposed section

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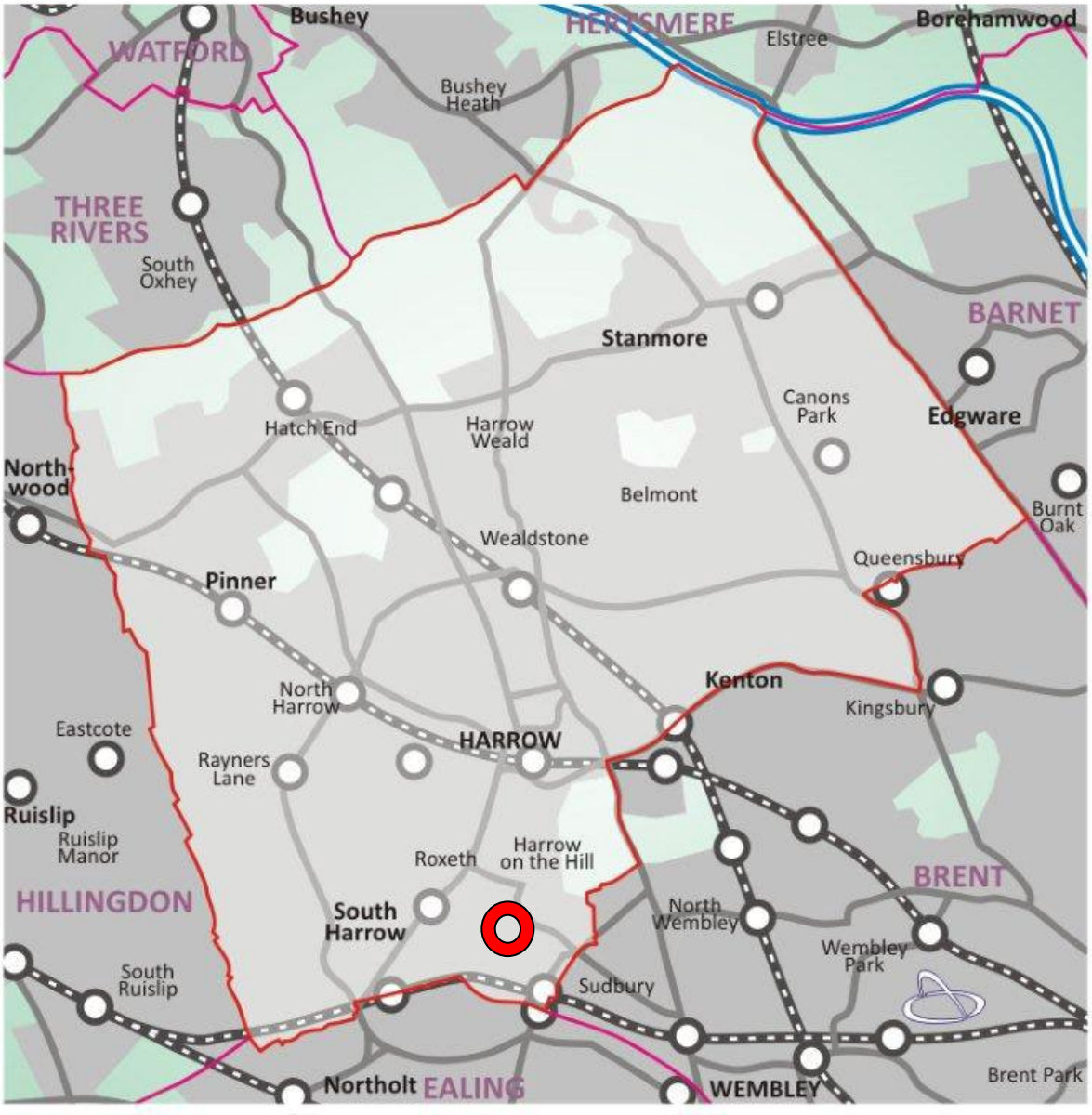
**Agenda Item : 2/07**

**= application site**




| Garages adj. 16 Charles Crescent | P/0632/22 |
|---|---|

-

# Location Plan

-

**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**25th May 2022**

| | |
|---|---|
| **APPLICATION NUMBER:** | P/0632/22 |
| **VALIDATE DATE:** | 04/04/2022 |
| **LOCATION:** | GARAGES ADJACENT 16 CHARLES CRESCENT, |
| **WARD:** | WEST HARROW |
| **POSTCODE:** | HA1 4AP |
| **APPLICANT:** | LONDON BOROUGH OF HARROW |
| **AGENT:** | MEPK ARCHITECTS |
| **CASE OFFICER:** | CATRIONA COOKE |
| **EXPIRY DATE:** | EoT 24/06/2022 |

**/**

**/PROPOSAL**

Redevelopment to provide five x two storey dwellings; parking; landscaping (demolition of garages)

**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 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: | Landowner and Applicant |
| Net additional Floorspace: | 800sqm |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | £48,000 |
| Local CIL requirement: | £126,892.86 |

## 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 Polices Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. 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 two garage blocks. One block of 9 garages adjacent to No. 18 Charles Crescent and a block of 14 garages adjacent to No. 16 Charles Crescent and to the rear of 21 to 23 Lascelles Avenue. The application site currently additionally provides car parking for 24 vehicles in un marked parking bays. The spaces are not allocated to any particular residential property and are available for general use

1.2 The site is not located within a Critical Drainage Area. There are no other designations or constraints.

1.3 The site has a Public Transport Accessibility Level (PTAL) of 2.

## 2.0 PROPOSAL

2.1 Demolition of the existing garages and construction of five x 3 bedroom dwellinghouses. Plots 1,2 and 3 would be detached dwellings and plots 4 and 5 would comprise of a a pair of semi-detached dwellings. All units would be affordable rent. A new road is proposed to service the dwellings.

2.2 The proposal would provide 26 general parking spaces and one dedicated parking space per dwellinghouse.

## 3.0 RELEVANT PLANNING HISTORY

There is no relevant planning history for this site.

## 4.0 CONSULTATION

4.1 A total of 32 consultation letters were sent to neighbouring properties regarding this application. The public consultation period expired on 25th April 2022. No objections were received.

| Consultee and Summary of Comments |
|---|
| **LBH Highways**<br>No objection subject to conditions<br><br>**LBH Drainage** |

-

No objection

**LBH Tree Officer**
No objection subject to conditions

**LBH Principal Landscape Architect**
No objection subject to conditions

LBH Urban Design Officer:
No objection

LBH Waste Management
No comments received

Metropolitan Police Secure by Design Officer:
No objection subject to condition

## 5.0 POLICIES

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

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

5.2 The 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.

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## 6.0 ASSESSMENT

6.1 The main issues are;

- Principle of the Development
- Design, Character and Appearance of the Area
- Residential Amenity
- Traffic, Parking and Access
- Waste, Deliveries 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,
- Harrow Core Strategy (2012): CS1.A
- Harrow Development Management Policies (2013): DM24
- 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 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.

6.2.2 The proposed development would provide an additional 5 dwellings which would be for affordable rent, which is a welcomed addition to the Borough's housing stock. As per policy H5 of The London Plan (2021) the proposed development would not meet the affordable housing threshold and therefore there is no policy requirement for any affordable housing to be provided, on or off-site. Given the size of the site and its constraints the proposal represents an efficient use of land which would not be capable of delivering any additional units to take it over the affordable housing threshold. On that basis, it is not necessary for the applicant to provide affordable housing in order for the development to be acceptable and therefore a planning obligation to secure the proposed number/tenure of affordable housing units is not necessary.

-

Summary

6.2.3 The proposed development constitutes an effective use of land and would provide an increase in the housing stock within the borough. The proposal therefore complies with the abovementioned policies.

## 6.3 Design, Character and Appearance of the Area

*The relevant policies are:*

- National Planning Policy Framework (2021)
- The London Plan 2021: D3, G7
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM22, DM23, DM45
- Supplementary Planning Document: Residential Design Guide (2010)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

6.3.1 The area is characterised by two storey semi-detached dwellings with brick and render facades. Plots 1, 2 and 3 would be detached dwellinghouses and plots 4 and 5 would be a pair of semi-detached properties which would be in keeping with the surrounding area. The proposed two storey dwellinghouses are considered to be appropriate in scale and would have an acceptable appearance with regard to design and materiality in relation to the surrounding two storey dwellinghouses. The proposed dwellings are distributed throughout the length of the site, reducing any overbearing qualities which would occur through an overconcentration of massing in one area. The use of asymmetric pitched roof forms to the dwellings is supported and updates a common feature in Harrow's built environment set by suburban Arts and Crafts dwellings, referencing catslide roofs and gable end frontages. Given the above it is considered that the proposed development would provide high quality design.

Landscaping and Trees

6.3.2 The applicant submitted an Arboricultural Survey Report and Impact Assessment. The proposed development would necessitate the loss of 5 semi-mature grade B and C Trees. The Councils Tree Officer and Principal Landscape Architect has raised no objection to the loss of these trees, subject to the proposed mitigation of 14 new trees. The specific details of tree species, sizes, locations can be secured by a soft landscaping condition.

-

6.3.3 The applicant submitted an indicative soft and hard landscaping proposal. The Councils Principal Landscape Architect was consulted and raised no objections to the proposal. However a condition would be required to ensure that a landscape masterplan is submitted to the LPA for approval prior to occupation to ensure an improvement to the landscaping for the existing and future residents is proposed to be attached to any approval.

Refuse Storage

6.3.4 Each dwellinghouse would be provided with sufficient refuse storage in the rear gardens which is considered acceptable. However, details of the capacity and design of the enclosures have not been submitted. Therefore, a condition would be appropriate to ensure details of the refuse stores are submitted to the LPA for approval, prior to occupation.

6.3.5 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:*

- National Planning Policy Framework (2021)
- London Plan Policy (2021): D3, D6, D7
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013): DM1, DM2, DM27
- Supplementary Planning Document: 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".

*Overlooking and Privacy*

6.4.2 All of the proposed dwellinghouses are sited a minimum of 10m from the rear elevations of the adjoining properties to the north and south which is considered to be acceptable in an urban context. Also all dwellings feature restricted and minimal window openings to their rear elevations, sufficiently reducing overlooking and perceived overlooking to rear elevations and rear

-

gardens of adjoining properties to the rear. Furthermore, the first floor windows serve circulation spaces and bathrooms which would further reduce overlooking concerns.

*Outlook/Visual Amenities*

6.4.3 As noted above the proposed dwellings would be sited a minimum of 10m from the rear elevations of the adjoining properties to the north and south. Officers consider that given the dwellings would be two storey the proposal would have an acceptable impact on the adjoining residential properties with regard to outlook and visual amenities.

*Daylight, Sunlight and Overshadowing*

6.4.4 Plots 1, 2 and 3 would be sited to the north of the properties on Charles Crescent and therefore it is considered that there would and acceptable impact with regard to Daylight, Sunlight and Overshadowing.

6.4.5 Plots 4 and 5 would be sited to the south east of the properties on Lascelles Avenue. Therefore there would be some loss of sunlight to the rear gardens in the early afternoon. However, given that the proposed dwellings are two storey the loss of sunlight would not be significant.

Residential Quality of Proposed Development

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 GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD.

6.4.7 The proposed development includes the following:

| | Proposed Size | Proposed GIA | Minimum GIA | Proposed Storage | Minimum Storage |
|---|---|---|---|---|---|
| Plot 1 | 3 bed 6 person | 108sqm | 102sqm | 3.sqm | 2.5sqm |
| Plot 2 | 3 bed 6 person | 108sqm | 102sqm | 3.sqm | 2.5sqm |
| Plot 3 | 3 bed 5 person | 98sqm | 93sqm | 3sqm | 2.5sqm |
| Plot 4 | 3 bed 5 Person | 96sqm | 93sqm | 2.7sqm | 2.5sqm |
| Plot 5 | 3 Bed 5 Person | 101sqm | 93sqm | 5.3sqm | 2.5 |

6.4.8 The proposed dwellings would all meet and exceed the minimum floor space requirements and each room would comply with the space standards.

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6.4.9 In terms of layout, the dwellings are all dual aspect with all of the habitable rooms provided with windows which allow for sufficient levels of natural light, ventilation and adequate outlook.

6.4.10 The floor to ceiling heights would measure 2.6 metres which would exceed the London Plan requirement of 2.5 metres.

Amenity Space

6.4.11 Housing Standard 26 of the Mayor of London SPG states that "a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant." The private amenity space proposed for each dwellinghouses would significantly exceed the minimum required by policy D6 and would provide an amenity space which would be practical for future occupiers. Therefore, the proposed amenity spaces are acceptable.

Accessible Homes

6.4.12 Policy D7 of the London Plan requires that new residential development meet a minimum requirement of Part M4 (2). The proposed dwellings would have a level access and therefore are considered acceptable. Notwithstanding this, the proposal would be subject to a condition requiring that the development is constructed to Building Regulations Part M4 (2) standards.

Secure by Design

6.4.13 The Designing Out Crime Officer has raised no objections to the proposed development. 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.

6.4.14 In summary, subject to conditions the proposal would have an acceptable impact on residential amenity of existing and future residents in accordance with the relevant policies.

## 6.5 Traffic, Parking and Servicing

*The relevant policies are:*

- National Planning Policy Framework (2021)
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Polices Local Plan (2013):DM1, DM42
- London Plan (2021): T4, T5, T6

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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. However, the site is on the boundary of PTAL 5 which is considered to be very good. There are four bus stops within a 5 minute walk from the site; Harrow on the Hill rail/underground station, Harrow bus station and Harrow Town Centre are within a 13 minute walk.

*Car Parking*

6.5.2 The roads within the site is not currently an adopted highway but is surrounded by Controlled Parking Zone HS which operates Monday to Saturday, 10-11am and 2-3pm. The site does not fall within the existing CPZ and therefore future residents will not be eligible for permits.

6.5.3 A parking survey has been carried out and it shows that there is capacity overnight which is when it would be expected to see the highest level of demand for residential parking. There is little space available on Charles Crescent itself with 27 out 30 spaces occupied during one of the overnight survey periods. It is clear that if the parking that currently takes place within the application site is displaced it will be relocated to the wider area, beyond Charles Crescent. This is not considered to cause any significant problems as the surveys indicate capacity for around 50 vehicles within streets that fall outside of the current CPZ.

6.5.4 The application site currently provides car parking for 24 vehicles in un marked parking bays. The spaces are not allocated to any particular residential property and are available for general use. The proposed development has been designed to allow the re-provision of 24 parking spaces for general use. Such spaces would be adequately laid out, thereby resulting in an improvement than the existing ad-hoc arrangements. The proposed provision of car parking for general use will not result in an adverse impact for the surrounding highway network as this arrangement maintains the current situation.

6.5.5 Each new dwelling would be provided with one private car parking space. The proposed level of car parking for the new houses is in line with the London Plan 2021 maximum parking standards for a PTAL 2 location.

6.5.6 No dedicated Disabled parking spaces are proposed. However, as noted above each new dwelling would have a private parking space and the re provision of 24 general use parking spaces would be an improvement to the existing ad hoc parking situation.

*Cycle Parking*

6.5.7 The London Plan 2021 requires a minimum of two long stay cycle parking spaces for each house and 2 short stay visitor spaces. The proposed cycle parking is acceptable and meets these requirements. A condition is

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recommended to ensure that details of stores and proposed stands are submitted to the LPA for approval prior to occupation.

*Deliveries and Servicing*

6.5.8 The application was accompanied by a Transport Note which includes swept path analysis to demonstrate tracking and manoeuvring for larger vehicles. The road layout has been designed to accommodate refuse collections and other large vehicle turning manoeuvres.

6.5.9 To summarise, the proposed development would not have a detrimental impact on the public highway or highway safety. Sufficient car and cycle parking would be provided, along with sufficient provision for deliveries and access. Furthermore, the Highways Officer has not raised any objection to the proposal. Therefore, the proposal complies with the abovementioned policies.

## 6.6 Flood Risk and Drainage

*The relevant policies are:*

- The National Planning Policy Framework (2021)
- The London Plan (2021): SI13
- Harrow's Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM10

6.6.1 The site is within a Critical Drainage area. The submitted details have been reviewed by the Drainage Department who have confirmed that they raise 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. Therefore, a condition is required to ensure that a fully comprehensive fire strategy is submitted to and approved by the Local Planning Authority prior to the commencement of the development.

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## 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.

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## 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: Extended Phase 1 Habitat Survey Report; Arboricultural Survey Report and Impact Assessment; Transport Note; Flood Risk Assessment; Design and Access Statement; Design and Access Statement; Landscape Proposal; 20040 P-01; 20040 P-02; 20040 P-03; 20040 P-04; 20040 P-05; 20040 P-10; 20040 P-11; 20040 P-12; 20040 SLP-01; GW-HA072-P-1001 Rev B; GW-HA072-P-1002;

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. 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

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j) details showing the frontage/ the boundary of the site enclosed by site hording 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. Levels

No site works or development shall commence until details of the existing and proposed 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.

5. Fire Safety

*Prior to the commencement of the development hereby approved,* 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;

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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).

6. Trees

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 the 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 Development Management Policies Local Plan 2013.

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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. Permeable Paving

The development hereby permitted shall not commence (other than works of demolition) until full details of the permeable paving and details relating to the long-term maintenance and management of the on-site drainage are submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter.
REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with policies D3 and SI13 of The London Plan (2021) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

10. Materials

Notwithstanding the details shown on the approved drawings, the development shall not commence beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below shall be made available to view on site, and agreed in writing by, the Local Planning Authority:

a) Facing materials for the dwellinghouses, including brickwork and roofing material;
b) Windows
c) Doors;
d) Rainwater disposal systems (including downpipes) and soil stacks;
e) Hardsurfacing

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.

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11 External Lighting

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level, until details of the lighting of all external areas (including buildings) within the site has been submitted to the Local Planning Authority. This includes all details of the lighting including sourcing/ manufacturer details, specification, elevations, light spillage and lighting levels The development shall be implemented in accordance with the approved details and shall be retained as such thereafter.
REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of quality in accordance with policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with policy DM20 of the Harrow Development Management Policies Local Plan (2013).

12. Cycle Storage

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

- location of the cycle stores for 2 cycles within the rear gardens, elevation and external finish details

shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be made available prior to the first 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.

13. Landscaping

Notwithstanding the approved details, the development hereby approved shall not be first occupied until a scheme for the hard and soft landscaping details have been submitted to, and approved in writing by the :Local Planning Authority, to include the following

A scheme for the detailed hard landscaping of the development shall include

a) Details of the planting, tree planting and tree pits, climbing rocks, shallow swale.
b) 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, plant container sizes (all at time of planting) and proposed numbers / densities and an implementation programme.

A scheme for the detailed hard landscaping of the development shall include

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c) The hard surfacing details shall include samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.

d) Details of all boundary treatments and access gates including a plan indicating the positions, design, materials and type of boundary treatment/access gates to be erected

The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter. The hard landscaping details shall be completed in accordance with the approved details prior to the first occupation of the development hereby permitted.

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.

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 first 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 Landscape Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going landscape management, management programme of works and landscape maintenance of all the hard and soft landscaping within the development, to include a Landscape Management Plan, including long term design objectives, management responsibilities and Landscape Maintenance schedules including a calendar of routine physical tasks for all landscape areas and plant replacement strategy for plant failures shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development or any phase of the development, whichever is the sooner, for

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its permitted use. The Landscape Management Plan and Landscape Maintenance Plan shall be carried out in a timely manner as approved.

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.

16. Obscure Glazing

The window(s) in the first floor northern elevation of plots 1 and 2 and western elevation of plot 4 of the proposed development shall:
(a) be of purpose-made obscure glass,
(b) be permanently fixed closed below a height of 1.7m above finished floor level,
and shall thereafter be retained in that form.

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

17. 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.

18. Accessible Units

The development hereby permitted shall be constructed to the specifications of: "Part M, M4(2), Category 2: Accessible and Adaptable Dwellings" 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.

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19 PD restriction

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 dwellings which would otherwise fall within Classes A, AA, 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.

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**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, DM10, DM20, DM21, DM22, DM27, DM42, DM44, DM45

Relevant Supplementary Documents:
Supplementary Planning Document: Sustainable Building Design (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)

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.

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"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 £48,000
The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the planningportal website where you can download the appropriate document templates.
Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.
https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf
https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

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If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

6. Harrow 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 £126,892.86
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/cil_questions.pdf
If you have a Commencement Date please also complete CIL Form 6:
https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf
The above forms should be emailed to HarrowCIL@Harrow.gov.uk
Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges.

7. 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.

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

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

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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.

11. Designing Out Crime -INFORM49

There is a condition attached to this permission which requires evidence of certification of Secured by Design Accreditation to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or use. This is a national police initiative that is supported by the Home Office Crime Reduction & Community Safety Unit and the Planning Section of the ODPM. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is therefore recommended that you contact the Borough Crime Prevention Design Advisor by email DOCOMailbox.NW@met.police.uk to obtain further information on what would be required to achieve the Secured by Design Accreditation for the development.

Checked

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| Interim Head of DM | 06/06/2022 |
| Corporate Director | 07/06/2022 |

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## APPENDIX 2: SITE PLAN

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Proposed Site Plan

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## Proposed elevations and floorplans
## Plots 1 and 2

HT1_North Elevation
1 : 100



HT1_West Elevation
1 : 100



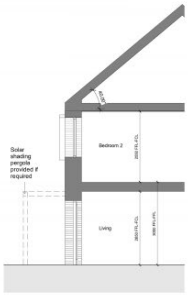
HT1_East Elevation
1 : 100



HT1_South Elevation
1 : 100

HT1_Ground floor plan
1 : 100

HT1_First floor plan
1 : 100




HT1_Section
1 : 50

KEY

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|---|---|---|---|
| OG | Obscure glazed windows | WM | Washing machine |
| RWP | Rainwater pipe | OV | Overhob |
| WB | Water butt | FF | Fridge/Freezer |
| SS | Sub-stack | DW | Dishwasher |
| SVP | Soil vent pipe | | |
| FFG | Future floor gulley | | |

MATERIALS SCHEDULE

Walls

Redrimown stock facing brickwork to ground floor
White facing brickwork to upper floors

Roof

Red vertical zinc panels
Aluminium or solar shading fascias, soffits & rainwater goods
Timber pergola structure to rear elevations as required

Windows & Doors

Aluminium or timber composite windows and doors
PPC Aluminium window surrounds/solar shading to first floor windows

Compliance Schedule

| | Plot 1 | Plot 2 | LB of Harrow | London Plan 2021 |
|---|---|---|---|---|
| Capacity | 3B6P House | 3B6P House | - | - |
| Storeys | 2 | 2 | - | - |
| Amenity (m²) | 112 | 53 | - | 9 |
| GIA (m²) | 108 | 108 | 106 | 102 |
| Storage (m²) | 3.05 | 3.05 | - | 2.5 |
| Treated floor area (m²) | 90 | 90 | - | - |
| Cycle space(s) | 2 | 2 | 2 | 2 |
| Car Parking space(s) | 1 | 1 | 1 | 1 |

| Room | Area (m²) | London Plan 2021/NDSS Area Requirement (m²) | Width (mm) | London Plan 2021/NDSS Width Requirement (mm) |
|---|---|---|---|---|
| Store | 3.05 | 2.5 | N/A | N/A |
| Bedroom 1 | 13.62 | 11.5 | 3430 | 2750 |
| Bedroom 2 | 12.25 | 11.5 | 3065 | 2550 |
| Bedroom 3 | 12.10 | 11.5 | 2960 | 2550 |

Planning
Charles Crescent, Harrow
Plot 1 and Plot 2
Plans, elevations & sections
20040 P-10
MEPK architects

-

## Plot 3

HT2_West Elevation
HT2_North Elevation
HT2_South Elevation
HT2_East Elevation
KEY
MATERIALS SCHEDULE
Compliance Schedule
HT2_Ground floor plan
HT2_First floor plan
HT2_Section
Planning
Charles Crescent, Harrow
Plot 3
Plans, elevations & sections
MEPK architects

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## Plots 4 and 5

HT3 & HT4_ East Elevation
HT3 & HT4_North Elevation
HT3 & HT4_West Elevation
HT3_Ground floor plan
HT3_First floor plan
HT4_Section A
KEY
MATERIALS SCHEDULE
Compliance Schedule
Planning
Charles Crescent, Harrow
Plot 4 and Plot 5
Plans
20040 P-12
MEPK architects

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## APPENDIX 3: SITE PHOTOS

Existing garages adjacent No.18 Charles Crescent

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Existing garages adjacent to rear boundary of 21 & 23 Lascelles Avenue

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