



Planning Committee Agenda

Date: Wednesday 19 July 2023

Time: 6.30 pm

Venue: The Auditorium - Harrow Council Hub, Kenmore Avenue, Harrow, HA3 8LU

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)
Samir Sumaria
Zak Wagman

Labour Councillors: Ghazanfar Ali
Peymana Assad
Nitin Parekh

Conservative Reserve Members:

1. Anjana Patel
2. Norman Stevenson
3. Salim Chowdhury
4. Nicola Blackman

Labour Reserve Members:

1. Simon Brown
2. Kandy Dolor
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 [London Borough of Harrow webcasts](#)

Attending the Meeting in person

Directions by car:

Go along Kenmore Avenue and head towards the Kenton Recreation Ground. When approaching the end of the Kenmore Avenue turn right before reaching the Kadwa Patidar Centre.

The venue is accessible to people with special needs. 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) Stay seated.
- (2) Access the meeting agenda online at [Browse meetings - Planning Committee](#)
- (3) Put mobile devices on silent.
- (4) Follow instructions of the Security Officers.
- (5) 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: Tuesday, 11 July 2023.

Agenda - Part I

Guidance Note for Members of the Public attending the Planning Committee (Pages 5 - 8)

1. **Attendance by Reserve Members**
To note the attendance at this meeting of any duly appointed Reserve Members.
2. **Right of Members to Speak**
To agree requests to speak from Councillors who are not Members of the Committee.
3. **Declarations of Interest**
To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from all Members present.
4. **Minutes** (Pages 9 - 14)
That the minutes of the meeting held on 28 June 2023 be taken as read and signed as a correct record.
5. **Public Questions**
To note any public questions received.

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, 14 July 2023. 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.
7. **Deputations**
To receive deputations (if any).
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 - circulated separately.

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, RNOH, Brockley Hill,
Stanmore, P/4341/22 | STANMORE | GRANT -
SUBJECT TO
LEGAL
AGREEMENT | (Pages
15 - 58) |
|-----|---|----------|---|--------------------|

12. Section 2 - Other Applications recommended for Grant

- | | | | | |
|-----|--|--------------|---|-------------------------|
| (a) | 2/01, 16 Montgomery Road,
Harrow, P/2884/22 | EDGWARE | GRANT | (Pages
59 - 92) |
| (b) | 2/02, 35 Manor Way,
P/0941/23 | HEADSTONE | GRANT | (Pages
93 -
122) |
| (c) | 2/03, 53 Suffolk Road,
P/1324/23 | NORTH HARROW | GRANT | (Pages
123 -
144) |
| (d) | 2/04, 53 Suffolk Road,
P/1482/23 | NORTH HARROW | GRANT | (Pages
145 -
174) |
| (e) | 2/05, Regent College, 167
Imperial Drive, P/0186/23 | NORTH HARROW | GRANT -
SUBJECT TO
LEGAL
AGREEMENT | (Pages
175 -
230) |
| (f) | 2/06, 32 Roxeth Grove,
P/0703/23 | ROXETH | GRANT | (Pages
231 -
254) |
| (g) | 2/07, 34 Kingsfield Avenue,
P/0720/23 | HEADSTONE | GRANT | (Pages
255 -
286) |

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

Agenda - Part II - NIL

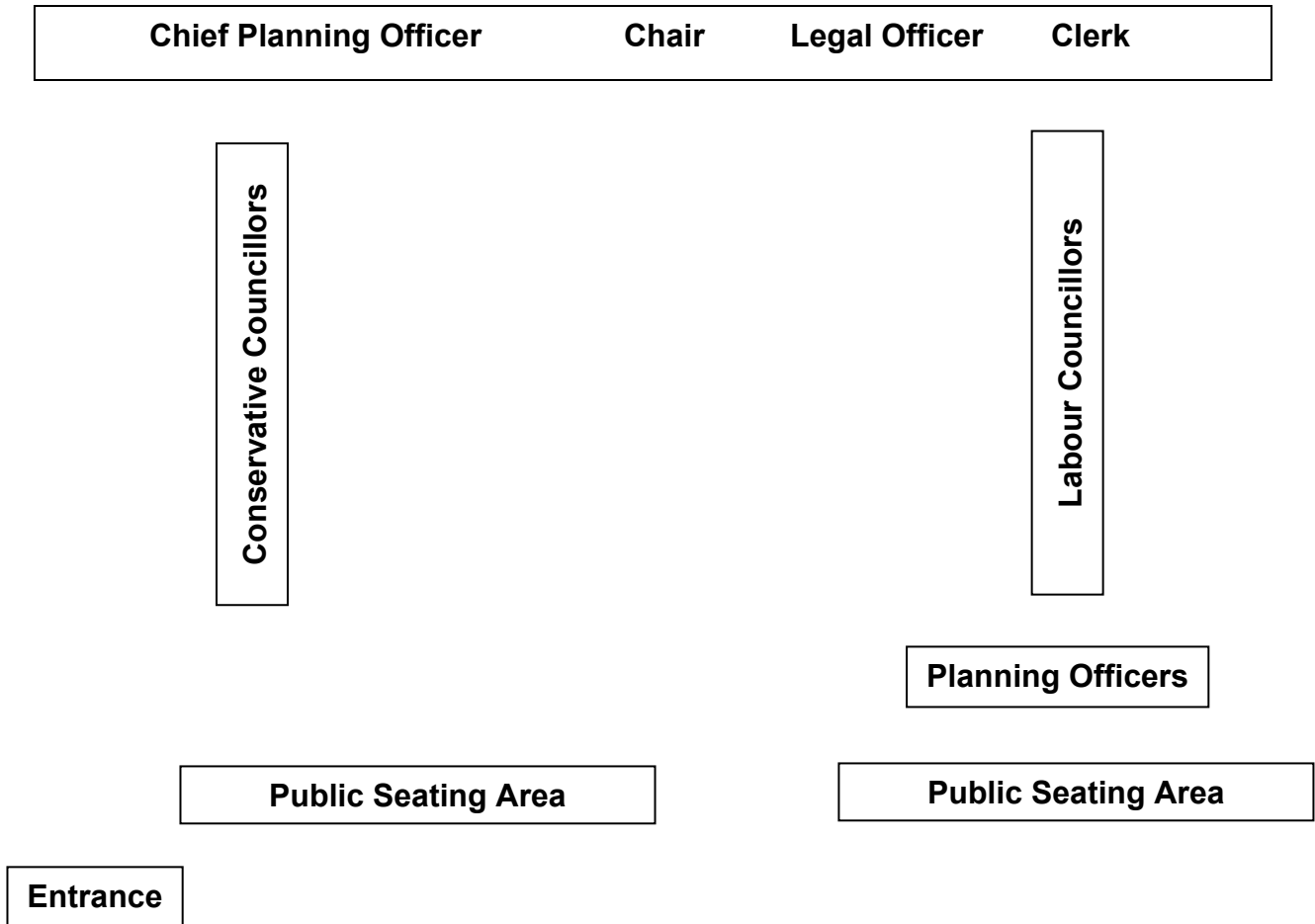
Data Protection Act Notice

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 Auditorium



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:

[Harrow Council Constitution - Part 4B Committee Procedure Rules](#)

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 Auditorium from approximately 6.00 pm onwards on the day of the meeting.

Decisions taken by the Planning Committee

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

Refuse permission:

Where a proposal does not comply with the Council's (or national) policies or guidance and the proposal is considered unacceptable, the Committee may refuse planning permission. The applicant can appeal to the Secretary of State against such a decision. Where the Committee refuse permission contrary to the officer recommendation, clear reasons will be specified by the Committee at the meeting.

Grant permission as recommended:

Where a proposal complies with the Council's (or national) policies or guidance and the proposal is considered acceptable, the Committee may grant permission. Conditions are normally imposed.

Minded to grant permission contrary to officer's recommendation:

On occasions, the Committee may consider the proposal put before them is acceptable, notwithstanding an officer recommendation of refusal. In this event, the application will be deferred and brought back to a subsequent meeting. Renotification will be carried out to advise that the Committee is minded to grant the application.

Defer for a site visit:

If the Committee decides that it can better consider an application after visiting the site and seeing the likely impact of a proposal for themselves, then the application may be deferred until the next meeting, for an organised Member site visit to take place.

Defer for further information/to seek amendments:

If the Committee considers that it does not have sufficient information to make a decision, or if it wishes to seek amendments to a proposal, the application may be deferred to a subsequent meeting.

Grant permission subject to a legal agreement:

Sometimes requirements need to be attached to a planning permission which cannot be dealt with satisfactorily by conditions. The Committee therefore may grant permission subject to a legal agreement being entered into by the Council and the Applicant/Land owner to ensure these additional requirements are met.

(Important Note: *This is intended to be a general guide to help members of the public understand the Planning Committee procedures. It is not an authoritative statement of the law. Also, the Committee may, on occasion, vary procedures).*

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Planning Committee

Minutes

28 June 2023

Present:

Chair: Councillor Marilyn Ashton

Councillors: Peymana Assad Nitin Parekh
Christopher Baxter Samir Sumaria
Kandy Dolor Zak Wagman

In attendance (Councillors): Simon Brown For Minute 25

Apologies received: Ghazanfar Ali

20. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Ghazanfar Ali

Councillor Kandy Dolor

21. 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.

22. **Declarations of Interest**

RESOLVED: To note that the following interests were declared:

Agenda Item 2/02 35 Manor Way, Harrow, HA2 6BZ, P/0941/23

Councillor Marilyn Ashton declared a non-pecuniary interest in that she knows one of the objectors as someone who had been involved in various local issues of concern over the past few years.

23. **Minutes**

RESOLVED: That the minutes of the meeting held on 24 May 2023 be taken as read and signed as a correct record.

24. **Public Questions**

RESOLVED: To note that no public questions were received.

25. **Petitions**

RESOLVED: To receive a petition presented by Councillor Simon Brown on behalf of 44 residents.

The petitioners are opposed to the development and application of a house of multiple occupation (HMO) at 3 and 5 Randon Close, HA2 6NW (P/1121/23), which will come to the Planning Committee, for determination, at a later date.

26. **Deputations**

RESOLVED: To note that there were none.

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

RESOLVED: To note that there were none.

28. **Addendum**

RESOLVED: To note that the Addendum and Supplemental Addendum be received.

29. **Representations on Planning Applications**

RESOLVED: That in accordance with the provisions of Committee Procedure Rule 29 (Part 4B of the Constitution), representations be received in respect of items 2/02 and 2/04 on the list of planning applications.

[Note: Planning application 2/02 was subsequently deferred, and so the representations were not received].

Resolved Items

30. 2/01, Harrow Arts Centre, 171 Uxbridge Road, P/1099/23

PROPOSAL: redevelopment to provide two storey building containing multi-purpose teaching rooms and artists studio (Use Class F); demolition of three temporary classroom buildings; hard and soft landscaping; drainage works (retrospective) (as amended by the Addendum).

This was a resubmission of approved application P/3594/20, subsequently varied under P/0764/22, to enable a slight relocation of the building.

The Committee voted and resolved to accept officer recommendations.

RECOMMENDATION A

The 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 Chief Planning Officer to issue the decision after the expiration of the press notice on 6th July 2022, subject to addressing any comments and objections that are received being addressed to the satisfaction of the Chief Planning Officer and subject to the Conditions listed in Appendix 1 of the report.

RECOMMENDATION B

That if any incoming comments or objections are received up to the overall consultation expiry date of 6th July (or any extended period as may be agreed by the Chief Planning Officer) and they cannot be addressed to the satisfaction of the Local Planning Authority, the application shall be referred to the next available planning committee for further consideration by members.

DECISION: GRANT

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

31. 2/02, 35 Manor Way HA2 6BZ, P/0941/23

PROPOSAL: first floor rear extension; external alterations (as amended by the Addendum and Supplemental Addendum).

Planning Officers recommended deferral of the application to allow for changes to be made to it.

Councillor Nitin Parekh proposed that the application should not be deferred.

This was seconded by Councillor Peymana Assad, put to the vote, and not agreed.

DECISION: DEFER

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

Councillors Ashton, Baxter, Sumaria and Wagman voted to defer the application.

Councillors Assad, Dolor and Parekh voted against deferring the application.

32. 2/03, Grimsdyke Hotel, Old Redding, P/4030/22

PROPOSAL: Listed Building Consent - installation of secondary glazing (as amended by the Supplemental Addendum).

The Committee voted and 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 Listed Building Consent 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.

33. 2/04, 16 Montgomery Road, HA8 6NT, P/2884/22

PROPOSAL: front porch; single and two storey side extension; single and two storey rear extension; external alterations (demolition of side and rear extension) (as amended by the Addendum).

The Committee received representation from Mrs Anne Murray, who urged the Committee to refuse the application.

The applicant (or their agent) did not appear before the Committee, despite being requested to.

Councillor Marilyn Ashton proposed that the application be deferred 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, to allow for a site visit, was unanimous.

34. 3/01, 2 Fallowfield, Stanmore, HA7 3DF, P/4009/22/6198

PROPOSAL: Appeal against non-determination - redevelopment to provide three storey building comprising of six self-contained flats (4 x 3 bed and 2 x 2 bed); parking; landscaping; bin and cycle stores (as amended by the Addendum).

The Committee voted and resolved to accept officer recommendations.

RECOMMENDATIONS

Had the application not been appealed for non-determination, the Local Planning Authority would have recommended that the application be refused.

The Committee was asked to:

- 1) agree the Grounds on which the local planning authority will defend the appeal as set out in the report.

Councillor Marilyn Ashton proposed the addition of another Ground for defending the appeal.

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

The Committee added the following Ground for defending the appeal:

- 1) the proposed development, by reason of its scale and potential opportunity to accommodate up to 26 occupiers within 6 separate households, would result in an over intensive use of the site, resulting in an over all increase in disturbance related to the comings and goings to the site, which would be harmful to the neighbouring residential amenities and the character of the area, contrary to policy D3 London Plan (2021) and DM1 Harrow Development Management Policies (2013).

DECISION: APPROVE GROUNDS FOR DEFENDING APPEAL

The Committee wished it to be recorded that the Grounds for defending the appeal were approved, and the addition of another Ground being added, was unanimous.

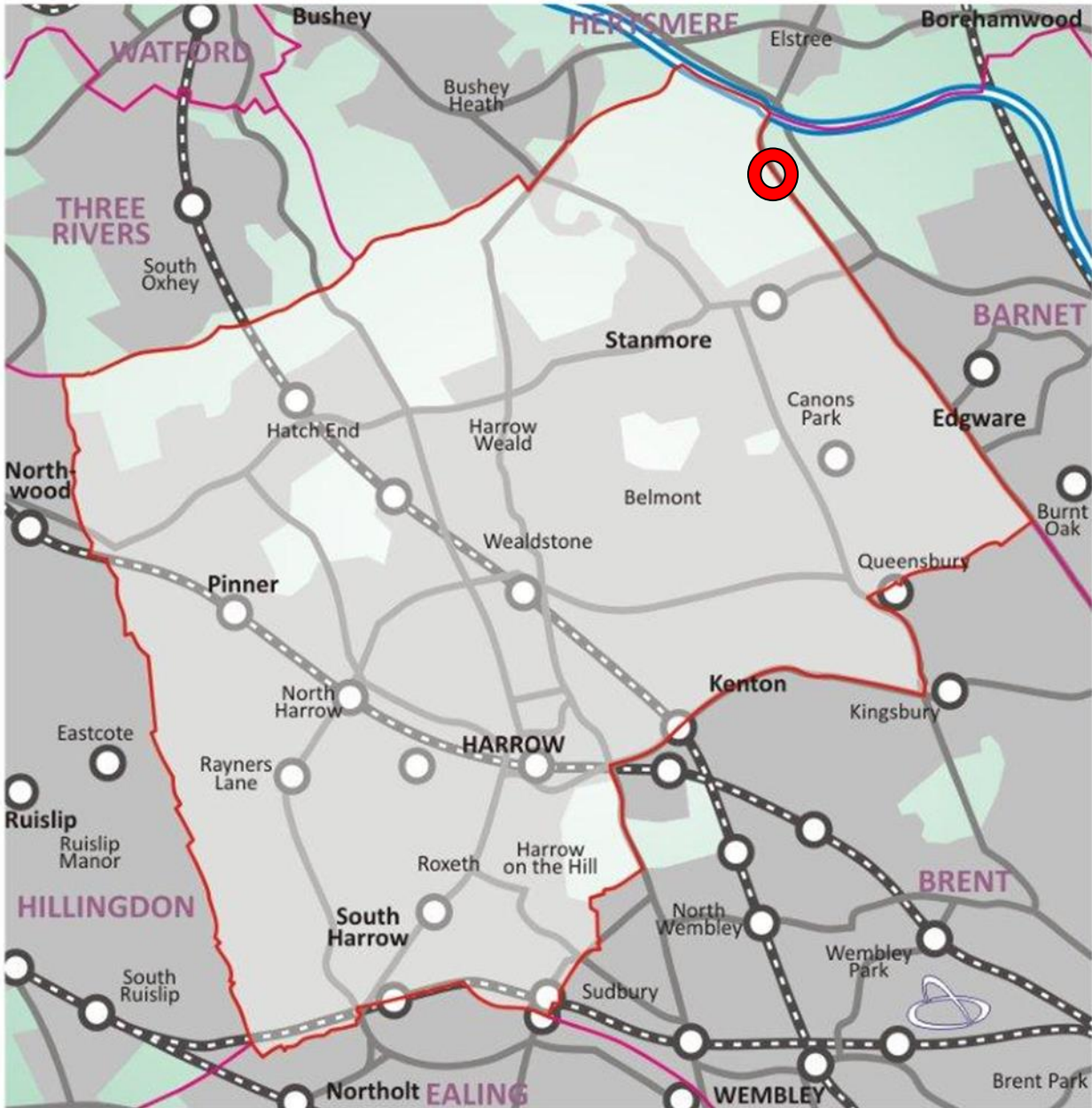
The video/audio recording of this meeting can be found at the following link:

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

(Note: The meeting, having commenced at 6.30 pm, closed at 7.40 pm).

(Signed) Councillor Marilyn Ashton
Chair

 = application site



**Royal National Orthopaedic Hospital NHS Trust, Brockley P/4341/22
Hill, Stanmore, HA7 4LP**

Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/4341/22
VALID DATE: 26/01/2023
LOCATION: ROYAL NATIONAL ORTHOPAEDIC HOSPITAL,
BROCKLEY HILL, STANMORE
WARD: STANMORE
POSTCODE: HA7 4LP
APPLICANT: RNOH
AGENT: TEMPLE
CASE OFFICER: NICOLA RANKIN
EXPIRY DATE: 22/03/2023 (EXTENDED EXPIRY DATE 28/09/2023)

PROPOSAL

Single storey surgical theatre facility with associated rooms and link corridor to adjacent wards; associated ancillary buildings including substation and generator; proposed vehicle access; associated earth works and landscaping

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval and the conditions as set out this report in appendix 1; and
- 2) Refer this application to the Mayor of London (the GLA) as a Stage 2 referral and the Secretary of State
- 3) Subject to the Mayor of London (or delegated authorised officer) advising that he is content to allow the Council to determine the case itself and does not wish to direct refusal, or to issue a direction under Article 7 that he does not wish to direct refusal, or to issue a direction under Article 7 that he is to act as the local planning authority for the purposes of determining the application and the Secretary of State not Calling in the Application, delegate authority to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the continued negotiation and completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement.

The Section 106 Agreement Heads of Terms would cover the following matters:

- a) Travel Plan
- b) Carbon Off set contribution
- c) Legal Costs, Administration and Monitoring: 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 financial obligation (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

REASON FOR THE RECOMMENDATION

The proposed development would result in limited visual harm to the Green Belt and a modest amount of spatial harm. As such the proposal is an inappropriate development in the Green Belt. Nevertheless, the applicant has provided a case of Very Special Circumstances setting out the pressing need to reduce the waiting time for surgery following the COVID 19 Pandemic. Officers accept that there is an acute need for this facility, which is required to provide additional medical capacity.

There will be some impacts on biodiversity value of the site, but this can be off set through securing additional net gain on the site and elsewhere around the RNOH site.

The proposal would result in a sustainable and energy efficient building which would have an acceptable impact on the character and appearance of the surrounding area.

In conclusion, given the limited harm that would be caused to the Green Belt and balancing this against the very special circumstances of providing an additional medical facility to meet demand, officers conclude that very special circumstances decisively outweigh any harm to Green Belt.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 28th September 2023 (or such period as the Council may determine) of the date of the Committee decision on this application, then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to secure necessary agreement and commitments in relation to energy, sustainability and sustainable travel would fail to mitigate the impact of the development resulting in an unsustainable development on the application site, contrary to the National Planning Policy Framework (2021), London Plan 2021 policies SI2 and SI3, Harrow Core Strategy 2012 policies CS1 R and T and Harrow Development Management Polices Local Plan (2013) policies DM43, and DM50.

INFORMATION

This application is reported to Planning Committee as the application is for a major development. 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:	Major Development
Council Interest:	N/A
Gross additional Floorspace:	
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	n/a
Local CIL requirement:	n/a

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policy D11 of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, had the proposal been considered acceptable a condition would have 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 Royal National Orthopaedic Hospital (RNOH) is a 41.45 hectare site which is located within the Green Belt at the north-east of the London Borough of Harrow. The RNOH is nationally and internationally renowned as a specialist orthopaedic hospital.
- 1.2 The site is of strategic planning importance. It is one of two strategic developed sites in the Green Belt, as defined by the Site Allocations Development Plan Document (DPD) and the Development Management Policies DPD.
- 1.3 The buildings across the site are of varying ages and conditions, from the original main building (Eastgate House) built in the 1880s to the blocks of the 1920s and 1930s, some prefabricated 1940s huts as well as latter additions in the 1970s and 1980s.
- 1.4 There have been some latter additions to the wider hospital site such as the Stanmore building which was completed in 2018 and was brought forward under the hybrid masterplan for the site approved under planning permission P/3912/12.
- 1.5 The topography of the site is varied and the hospital campus is set amongst an undulating landscape, consisting of trees, woodland and grassland.
- 1.6 The main pedestrian and vehicle entrance to the hospital campus is from Brockley Hill and from there a large spinal road links the site from the east to the west.
- 1.7 The application site boundary is shown below:



- 1.8 The site is a grassed area with a hard standing path to the west, leading to the disused helicopter pad and a hospital estate path along its southern edge and within

the south eastern part of the site. The site is mostly enclosed by other surrounding hospital buildings.

- 1.9 The site is covered by a Tree Preservation Area Order and is within the Harrow Weald Ridge Area of special character.
- 1.10 The main access into the site is through the hard standing path between the Sir Herbert Seddon Teaching Centre and the Pharmacy and Coxen Ward which is used primarily by pedestrians and the occasional service vehicle.
- 1.11 The site has a PTAL of 1a with the nearest public transport being from Brockley Hill where buses 107 and 324 runs services to and from Elstree, New Barnet, Edgware and Brent Cross.
- 1.12 Stanmore London Underground Station is located 1.4 miles to the south of RNOH. It is the northern terminus of the Jubilee line running through to central London.
- 1.13 The RNOH provides a courtesy car service Monday to Friday for staff, patients and visitors, where vehicles pick up and drop off individuals from the taxi rank/bus stop outside Stanmore Station and drop off on the RNOH site at various dedicated drop down areas including Orthotics, Outpatients Department and the Main Gate.

2.0 PROPOSAL

- 2.1 The proposal seeks planning permission for:
- Erection of a *temporary*, single storey new surgical theatre facility providing theatres and associated rooms, with electrical and mechanical plant; associated earth works and landscaping
 - A covered link corridor to adjacent wards; and
 - Widening of existing hardstanding path to create a new vehicular access within the Hospital Campus.
 - Earth works and landscaping
- 2.2 The applicant outlines that the proposed development is an interim development that is required to meet RNOH's clinical demand up until the new theatres within the approved masterplan (P/3912/12) come forward either under the approved masterplan or a new masterplan.
- 2.3 The new surgical theatre facility will provide:
- 4 surgical theatres
 - 2 recovery rooms
 - Associated facilities such as staff changing room and toilets
- 2.4 A covered link corridor is proposed to connect the new building to the existing wards (Ward 4 building and internal 'Hospital Street' to the west of the application site).
- 2.5 The proposed building will have 1350sqm of floorspace.

- 2.6 The building will be of modular prefabricated construction.
- 2.7 The proposed development is proposed to be car free.
- 2.8 A new vehicular and access road for fire and waste access is proposed from the east of the site, within the Hospital estate. The access has been designed to be 3.7 metres wide to accommodate a fire tender. The route has been designed to include a turning head to accommodate both fire tender and a 7.5t box van refuse collection.
- 2.9 Following a site inspection to the site at the beginning of May, it was observed that the development has commenced on site and a large part of the structure has already been built.

Amendments to the scheme since the submission of application

- 2.10 The following amendments to the scheme have been submitted:
- Reposition of ancillary plant towards the southern boundary of the site
 - Provision of an additional 6 cycle parking units (and within the building associated shower and changing facilities)
 - Clarification of landscape earth works surrounding the building footprint
 - Installation of an emergency diesel generator near the south eastern boundary of the site
 - Installation of vehicular barrier at the new access road
 - Erection of roof covering over the refuse storage
 - Addition of green roofs to the ancillary buildings
 - Introduction of a footpath connecting the ancillary buildings to the walkway

3.0 RELEVANT PLANNING HISTORY

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

<u>Application Ref:</u>	<u>Description</u>	<u>Status and Date of Decision</u>
P/2152/16	Reserved matters application (condition 4) for all matters (scale appearance layout access landscaping) pursuant to hybrid planning permission reference p/3191/12 (for the phased comprehensive, redevelopment of the royal national orthopaedic hospital) for the development of phase 2a. construction of a 5 storey building of 8,480 sq (gifa) of	Granted 26/07/2016

	<p>hospital floorspace (c2 use class), including inpatient accommodation, rehabilitation space, consultancy space, patient care facilities and other ancillary clinical and service related development. development to also include associated landscaping and fences, access, bin stores, facilities management yard, pedestrian links and ancillary works</p>	
P/3191/12	<p>Hybrid planning application for the comprehensive, phased, redevelopment of the Royal National Orthopaedic Hospital ("the Development"). The application is accompanied by an Environmental Statement. The development comprises two elements:</p> <p>An Outline Element - ("the Outline Element") To include: Up to 56,871sqm (Gross Internal Floor Area) of new hospital development, including rehabilitation unit and parent accommodation (Use Class C2); Up to 21,000 sqm (Gross Internal Floor Area) multi storey car park providing up to 805 car parking spaces; Up to 88 surface car parking spaces and up to 50 undercroft car parking spaces for operational hospital use; Up to 40,260 sqm (Gross Internal Floor Area) of residential development (Use Class C3) (including ancillary floorspace i.e. garages and undercroft parking) providing up to 356 residential units of which up to 45 units will be for staff accommodation (36 proposed and 9 existing); Partial change of use of Eastgate House from office to private residential (Use Class C3);</p>	<p>Granted 05/08/2013</p>

	<p>Up to approximately 19.2 hectares of public open space; Associated landscaping and ancillary works; Closure of existing access at north-eastern end of Wood Lane.</p> <p>A Detailed Element - ("the Detailed Element") Permanent: Demolition of four structures (incinerator, patients centre, Moor House Cottage and Moor House store); Realignment and alterations to the existing service road and access from the south-western end of Wood Lane; Provision of a new internal road and a new internal access point to the Aspire National Training Centre; Provision of a total of 75 car parking spaces for the Aspire National Training Centre; Associated lighting, drainage and landscape works.</p> <p>Temporary (5 years) - Construction of an area of hard standing to accommodate 121 car parking spaces, Erection of a 3m high fence to enclose the existing boiler house, Works to the existing estates compound; Associated lighting, drainage and landscape work</p>	
P/0083/10	Extension to the time limit for implementing outline planning permission p/1704/05/cou dated 15/01/2007 for partial redevelopment to provide new hospital and associated facilities, housing (including staff), revised road junction, car parking and open space	Granted 04/06/2010
P/0963/09	Demolition of graham hill unit and construction of three storey ronald mcdonald house (sui generis).	Granted 04/02/2010
P/1704/05/COU	Outline: partial redevelopment to provide new hospital and associated facilities, housing (including staff), revised road	Granted 05/01/2007

	junction, car parking and open space	
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4.0 **CONSULTATION**

- 4.1 A total of 17 consultation letters were sent to neighbouring properties regarding this application on the 26th January 2023.
- 4.2 A site notice was posted on 3rd May 2023 (Major Development/Departure from Development Plan).
Press Advert published (Major Development/Departure from Development Plan) on 2nd February 2023.
- 4.3 The overall public consultation period expired on 16th February 2022 and no objections were received.
- 4.4 Statutory and Non-Statutory Consultation
- 4.5 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee and Summary of Comments
<p><u>Greater London Authority:</u> More information required to confirm compliance with the London Plan (2021).</p> <p>London Plan policies on Green Belt, urban design, sustainable development, environmental issues, and transport are relevant to this application. Whilst the proposal is supported in principle, the application does not fully comply with these policies, as summarised below:</p> <ul style="list-style-type: none"> • Land Use Principles: The proposal would involve development on land within a previously developed site, which would have some (limited) harm to the openness of the Green Belt. Very Special Circumstances have been demonstrated in this case that would outweigh this harm. • Urban Design: No strategic issues are raised regarding the design of this functional building, however, further information is required on landscaping and planting. • Sustainable development and Environmental issues: Further information is required on energy, circular economy, whole life-circle carbon assessment, urban greening, loss of trees, and biodiversity. • Transport: Further revisions of the proposal are required to confirm that the application complies with the transport policies in the London Plan. <p><u>Transport for London:</u> No objection in principle, further information required</p>

- Access arrangement for cyclists, such as proposed cycle parking and access routes
- Concerns regarding the delivery and servicing arrangements and risks of informal parking
- Further work is required to demonstrate how the development will deliver improvements that support the ten Healthy Streets Indicators and facilitate secure and inclusive active travel, particularly in hours of darkness
- The way in which the framework Travel Plan reflects the development. A TP, CLP and DSP should all be secured by legal agreement

LBH Highways Authority: The only objection relates to the cycle parking.

This is a very large and sprawling site. There is currently one cycle store for 28 cycles and the hospital states that currently only 5 cycles are parked here. A large sprawling site should have several small cycle stores near the entrances to different wings and blocks as cyclists do not feel their cycles are safe or can be easily checked upon if they are parked outside a different block to that in which they work.

For this reason I recommend the addition of a secure and covered cycle store for 5 to 10 cycles near the entrance to the new extension.

LBH Landscape Officer: No Objection, subject to conditions

2 'B' grade trees are to be removed to enable the development. There should be replacement tree planting and these should be incorporated into the landscape design proposals. An access road which runs over the RPA – root protection areas of existing trees, and therefore the construction of the road in the RPA areas will need to be no dig, as noted in the tree report, and can be covered by a planning condition.

I note a flat roof is proposed with solar PV's. Could the roof incorporate a green roof, to enhance the biodiversity of the area. Bio solar PV's could be added to the roof, with native type of planting in between and under the PV panels.

LBH Biodiversity Officer: Objection

- There are a number of deficiencies and inconsistencies in the information supplied. These will need to be addressed.
- Whereas there are no in principle objections on biodiversity grounds to temporary development within the identified redline, the approach as proposed is unacceptable and will require modification via condition.
- Where mitigation of impacts and/or gain are to be provided these should, depending on site circumstances, either be delivered within the redline area or in a strategically useful location that would justify an offsetting approach. In this instance, that would have involved consideration of the whole site and identification of suitable locations. Instead, the applicants' approach is to enhance the biodiversity unit value of a separate area of amenity grassland

seeking to justify the overall reduction of habitat and potential habitat area- which is generally to be discouraged.

- The following conditions are recommended
 1. unless there are over-riding and acceptable reasons for not doing so, the new building be provided with an appropriately specified bio-solar roof rather than the suggested plain partial solar panel coverage. This would have both flood risk and biodiversity benefits, minimising overall loss of soft surface and habitat as well as being in keeping with the move to a more natural SuDS approach
 2. taking account of 1, there should be adequate natural SUDS provision over the hospital site to achieve natural run-off rates
 3. there will be appropriate planting of trees to fully replace the function of what would be lost (based on a CAVAT valuation)
 4. any mitigation or gain obligations – delivering a minimum 20% uplift based on corrected baseline valuations – should be appropriately targeted within the overall hospital site, taking account of biodiversity opportunities and constraints

LBH Urban Design Officer: No objection

The applicant should give consideration to the following points:

- Provision of landscaping, particularly around recovery room windows and on approach to the building (for building entrances and along covered walkways).
- The proposed development footprint could be made parallel with the existing building to the north.
- Substation and generator could be relocated eastwards to be adjacent to the equipment store.
- The design team is asked to ensure natural light is maximized.
- The use of covered external walkways to the north and west elevations is queried. Clarification must be provided as to why these are not fully internal and what such walkways will be used for.
- it would be highly beneficial for visual and architectural interest to be increased at patient-facing points in the building. For example, patterned or coloured glass panels to walkways and a distinct material treatment and furniture choice to entrance lobby could do this.
- A screen should be provided to screen plant at the roof level
- Covered walkways should be provided with some screening for protection against the rain.
- A green roof to increase biodiversity should be considered.

LBH Drainage Authority: No objection

I can confirm that sw condition can be discharged. The applicant has confirmed that there's no additional impermeable areas from the original application discharging to the existing pond.

Brent Council: No objection

Secure by Design Officer: No objection

All NHS buildings must achieve a Secured By Design award as it's a NHS policy. A condition is therefore recommended.

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'
- 5.3 The Government has issued the National Planning Policy Framework [NPPF 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.
- 5.4 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].
- 5.5 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 Development
- Character and Appearance of the Area
- Residential Amenity
- Traffic, Safety and Parking
- Biodiversity, Trees and Landscaping
- Energy and Sustainability
- Development and Flood Risk
- Accessibility and Fire Safety

6.2 Principle of Development

The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: G2, S2
- Harrow Core Strategy 2012:CS1B, F

- Harrow Development Management Policies Local Plan (2013):DM1, DM6 DM16
- Site Allocations (2013)

Masterplan and Site Allocation

- 6.2.1 The RNOH site is subject to a Hybrid Planning permission (Ref: P/3191/12) for the comprehensive phased redevelopment of the hospital site to provide new hospital buildings and residential development. The consent has been partially implemented through the construction of a new hospital building in the western part of the site (Ref: P/2152/16).
- 6.2.2 The image below shows four distinct development zones which were approved through the masterplan including the Central Development Zone (CDZ) allocated for hospital functions, the Eastern Development Zone (EDZ), the Western Development Zone (WDZ), allocated for residential development and the Northern Amenity Zone (NAZ).



- 6.2.3 As part of the evaluation of the preferred solution, the proposals for the surgical hub were considered within the context of the approved masterplan. It was deemed essential that the location of the development, considered by the applicant as temporary in nature, does not compromise the future redevelopment of the masterplan to enable future phases of hospital development come forward with minimum disruption to overall service delivery of the hospital. As such, the proposed location is outside the Central Development Zone of the approved masterplan intended for the main hospital development.

- 6.2.4 The delivery of the new theatre block in the CDZ is likely to be one of the last major phases of redevelopment, given its proposed location to the southern end of the clinical campus. As such, the proposed hub will need to remain in place until the new theatre complex is delivered. However, the availability of the EDZ for disposal is also not intended until the CDZ has been fully developed with all services accommodated within it. Therefore, the Hub will have been removed prior to the EDZ's disposal, thereby not compromising the residential layouts and principles prescribed in the masterplan.
- 6.2.5 It is therefore considered that the proposed location of the development would not compromise the ability of the applicant to continue to implement the masterplan for the site or a new masterplan. As such, there would be no conflict with the site allocation for site redevelopment.
- 6.2.6 Notwithstanding the above, it is considered that the proposed development should be considered as a standalone application for a permanent building as the timeframe for removal of the surgical hub and further future development of the site is unknown and the building could be on site for many years. As such, officers have not taken into account the temporary nature of the facility when weighing up its impact on the Green Belt.

Buildings in the Green Belt

- 6.2.7 London Plan Policy G2 states that the Green Belt should be protected from inappropriate development and, unless VSC exist, development that would harm the Green Belt should be refused. The NPPF in Paragraph 149 point (g) states that the construction of new buildings in the Green Belt should be regarded as inappropriate, except in specific circumstances.
- 6.2.8 One of the exceptions set out in Paragraph 149 point (g) of the NPPF is:
- 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- *not have a greater impact on the openness of the Green Belt than the existing development; or*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.'*
- 6.2.9 The site lies within a strategic developed site in the Green Belt, as defined by the Site Allocations Development Plan Document (DPD) and the Development Management Policies DPD. Whilst the application site is open grassland, the immediate surrounding land is highly developed with hospital buildings.
- 6.2.10 The proposed development would be a single storey structure which would be in keeping with the surrounding buildings in terms of height and massing. The accompanying Design and Access Statement demonstrates that the proposed

development would have very limited visibility in relation to both immediate and distant views into the site. As such, it is considered that the development will have limited visual impact on the openness of the Green Belt. Nevertheless, the introduction of the building in this location would have a greater spatial impact on openness of the Green Belt and therefore is not considered to fall within the exception 149(g) of the NPPF (2021). Therefore, the development is considered to constitute inappropriate development in the Green Belt.

6.2.11 The NPPF states that “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.” (Paragraph 147/148).

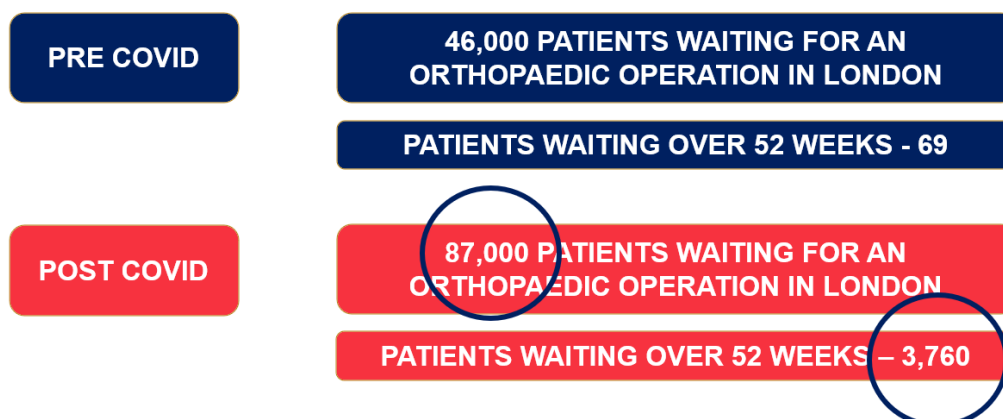
6.2.12 The applicant has put forward a case for VSC to justify the acceptability of the proposals:

Very Special Circumstances

6.2.13 The London Plan Policy S2 notes that development proposals that support the provision of high-quality new and enhanced health and social care facilities to meet identified need should be supported.

6.2.14 The applicant outlines that the proposed development at Stanmore is a critical piece of temporary medical infrastructure that is required following the backlog of surgery cases that accrued following the COVID-19 Pandemic. At present, the waiting times for patients to receive surgery has been extended from approximately 18 weeks up to as long as two years.

6.2.15 The following figures have been provided to give an indication for the timeframes for orthopaedic surgery in London



6.2.16 The proposed development has received direct funding approval from the Department of Health with the Secretary of State for Health confirming that the development must go ahead to ease waiting times for surgery.

6.2.17 The overall health and socio-economic impacts are summarised as follows:

- Reduced waiting times have significant health benefits, particularly for more vulnerable and lower socio-economic status patients;
- An additional £1.4m of direct gross value added (GVA) per annum, along with additional spend of around £50,000 per annum which will be created by new workers and be retained within the local economy;
- Modular hubs contribute to attracting and retaining high quality staff due to creating a recognised centre of excellence and providing an inspiring workplace;
- The RNOH will be able to build on existing clinical partnerships, offering mutual aid through increased capacity and access to training across the sector;
- There is evidence of increased patient satisfaction and wellbeing whilst receiving care in dedicated surgical hubs;
- Design of modular surgical hubs reduces impact on existing hospital services, reduces health and safety risk on site and provides ongoing operational benefits through a high-quality designed workspace; and
- The delivery of the modular hubs is less carbon intensive due to the factory-first construction and materials used within the design creating a reduced carbon footprint with resulting wider societal benefits.

6.2.18 The Applicant has assessed three alternative locations for the operating theatre. These are all within the RNOH campus because the facility is required to be delivered at the hospital to alleviate pressure on its existing services. All possible alternative locations are therefore within the Green Belt and development outside of the Green Belt is not feasible given the operation of the medical facility and synergy with existing hospital services.

6.2.19 In conclusion, given the limited harm that would be caused to the Green Belt and balancing this against the very special circumstances of providing an additional medical facility to meet demand, officers conclude that very special circumstances decisively outweigh any harm to Green Belt.

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 B
- Harrow Development Management Policies Local Plan (2013): DM1, DM6 DM16

6.3.2 The proposal comprises a single storey building within a currently landscaped and open area between existing RNOH buildings. There is limited concern regarding the location of this building, which is located to adjoin to the building to the west, with a glazed covered link to this building part of the application. As outlined above, the proposed location of the surgical theatre facility has been determined for efficient

functionality and to ensure the potential future delivery of the master plan is not hindered.

Massing, Scale & Built Form

- 6.3.3 The building height is considered to be acceptable and its proximity to existing buildings to the north and west is not considered to result in any overshadowing or overbearing impacts.
- 6.3.4 The enclosed link corridor to the south west of the theatres provide staff access to the theatres and would be used to transport patients from wards to operating theatres. The walkway would be enclosed and is accessible by non-ambulant patients and staff. The covered walkway connecting the theatre to the main building is located to the north west and wraps around the northern edge of the building. The walkways serves two purposes as a fire escape and for the egress of waste.
- 6.3.5 The proposal includes provision for a standalone generator and substation buildings. During the course of the application these buildings have been moved further to the south and east, thereby improving the visual outlook from the building and creating opportunity for further landscape.
- 6.3.6 The internal arrangement of spaces focuses on specialised surgical uses, including operating theatres and recovery rooms.
- 6.3.7 It is acknowledged that the proposed architectural design of the building is highly utilitarian. The Councils urban design officer has outlined that it would be highly beneficial for visual and architectural interest to be increased at patient-facing points in the building. However, the applicant has set out the way in which the design and scale of the building is a product of its required functionality and the lack of architectural visual interest to the building is not considered to be unacceptable in this case.
- 6.3.8 It is noted that the flat roof features a considerable amount of plant, PV panels and safety railings. This creates a cluttered and unsightly appearance and conveys a lack of resolution and refinement in the detailing of the buildings. It is considered that a parapet or perforated screen which can screen and enclose this plant from view at eye level is necessary and could be achieved at a low cost. A condition is therefore recommended in relation to this, should approval be granted.
- 6.3.9 The building sits within an open and lawned site. There is clear scope for a modest degree of landscaping, particularly around recovery room windows and on approach to the building (for building entrances and along covered walkways). Moreover, at least two trees have been removed to construct the building and it is considered necessary that replacement planting should be provided to mitigate their loss. Planning conditions for landscape works can be secured, should approval be granted.

6.3.10 As noted above the development has already commenced and a substantial part of the building has already been constructed. A large amount of earth works has taken place in order to construct the building. Detailed pre-existing and finished levels information has not been provided with the application. However, sectional plans have been provided showing the proposed height in relation to the surrounding buildings (see images below). Moreover, in officers' opinion, following a site visit, it is considered the building sits comfortably within the surrounding context. In this instance it is considered it would not be reasonable to impose a final levels condition on the building, given the works that have been undertaken to date. As such, it is considered that the proposal would not result in unreasonable harm to the character of the area and Green Belt, in the absence of a levels condition.



Site Section Looking South
Section looking south



Section looking west

6.3.11 In summary, the proposal is considered to have an acceptable impact on the character and appearance of the surrounding area and would not cause adverse harm to the character of the Green Belt. The proposal would therefore comply with the above stated policies.

6.4 Residential Amenity

6.4.1 *The relevant policies are:*

- NPPF 2021
- The London Plan (2021) D3 (7), D13, D14
- Harrow Development Management Polices Local Plan (2013):DM1

6.4.2 There are no residential properties located in close proximity to the site. The nearest residential properties to the south are over 300 metre away and separated by Wood Lane. A Noise Assessment has been prepared by Temple which supports this application.

- 6.4.3 A noise survey and model of the proposed mechanical services has been used to assess the effects of the noise levels on the nearest noise sensitive receptors both on-site and off-site. This has been assessed in line with Harrow Council's guidance and British Standard.
- 6.4.4 Based on the proposed level of additional noise mitigation, it is predicted that plant noise levels at on-site noise sensitive receptors will be equal to background noise levels. plant noise levels at the nearest noise sensitive receptors off-site (at Wood Farm Close and Brockley Hill House) will be at least 10 dB below background noise levels and will not increase the background noise levels. A small proportion of attenuation is required, though, which could comprise acoustic attenuators or screens to the plant. Officers consider that full details of those could be dealt with by a planning condition.
- 6.4.5 On this basis, the scheme is considered to comply with planning policy

6.5 **Traffic, Safety and Parking**

6.5.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: T1, T2, T4, T6, T6.4
- Mayor's Transport Strategy: Policy 1
- Harrow Core Strategy CS1 R
- Harrow Development Management Policies Local Plan (2013):DM42 and DM 43

Car and Cycle Parking

- 6.5.2 The proposed development is car free. The hospital provides multiple car parks around the wider site. The proposals have been referred to the Highways authority who have raised concerns with the lack of additional cycle parking facilities proposed. The applicant has reviewed the comments made in relation to cycle spaces and has outlined that 6 spaces are to be delivered (5 long-stay and 1 short-stay) near the entrance to the proposed building. The proposed cycle parking spaces would be used by staff given the nature of the Hospital's Orthopaedic specialism and the restricted access to the proposed theatres. RNOH staff will have access to the washing and storage facilities in the proposed building.
- 6.5.3 It is further outlined that patients are very highly unlikely to travel to the site by means of active travel given the nature of the hospital. Visitor access is restricted to the wards in which patients are transported back to pre and post operation and visitors can use existing shower and locker facilities within the main RNOH building on the site.
- 6.5.4 Moreover drawing H2204-PL-02.2A Proposed Block Plan shows the shower and change facilities in the proposal. Although the proposed location is situated outside of the red line boundary, it is on land within the Applicant's control. Full details of the cycle provision could be secured by condition, should approval be granted.

- 6.5.5 The proposed access road is intended to be used for infrequent deliveries and service vehicles only and would be controlled by a vehicular barrier and this will help ensure that no informal parking around the building will occur.

Construction, Delivery and Servicing

- 6.5.6 A draft Construction management Strategy has been submitted which is considered to be acceptable. However, it is noted the development has already commenced on site so in this case a final version cannot be secured. However, a condition will be attached requiring the applicant to build the remainder the of development in accordance with the approved documents which is considered to be satisfactory on this instance.
- 6.5.7 Refuse collection, delivery and servicing will be accommodated via a new corridor running along the northern edge of the proposed building and a new vehicle access road. Officers consider the proposed arrangement to be acceptable. Final details of a Delivery and Servicing Plan in accordance with TFLs guidance can be secured by condition.
- 6.5.8 The application is accompanied by an existing Travel Plan which is out of date. As such, it is considered that the targets within this should be reviewed and updated as part of this proposal to ensure more sustainable modes of travel to the site can be achieved. The Travel Plan can be secured by section 106 agreement.

6.6 **Biodiversity, Landscaping and Trees**

- 6.6.1 The relevant polices are:
- National Planning Policy Framework (2021)
 - The London Plan 2021: G5, G6, G7
 - Harrow Core Strategy CS1 E
 - Harrow Development Management Polices Local Plan (2013): DM1, DM12, DM20, DM21, DM22,
Other Relevant Guidance:
 - Circular 06/05: biodiversity and geological conservation
- 6.6.2 The wider hospital site includes both the Royal Orthopaedic Hospital Borough Grade I Site of Importance for Nature Conservation (SINC) and the outliers of the Stanmore Country Park and Pear Wood Site of Metropolitan Importance. The former is 75+ metres distant but, although the latter is 50 metres away, the woodland which it includes continues right up to the southern edge of the development redline.
- 6.6.3 The application is supported by a report of a Preliminary Ecological Assessment which has been referred to the Council's biodiversity officer who has identified several deficiencies with the information, noting it was conducted more than a year ago in the middle of winter. Whilst some desk study was undertaken, this was very limited. The consultants did not utilise existing biological records nor to examine

publicly available information about the location and extent of locally designated wildlife sites. As such relevant species and habitat data to inform both the development and any appropriate mitigation measures have not been addressed

- 6.6.4 There has also been a lack of consideration of the regular movement or dispersal of animals between more valuable areas on the hospital site and beyond and, including across the development area. As such the assessment process is compromised and the reliance which the Planning Statement places on the report is not entirely warranted.
- 6.6.5 Given the nature of the proposals and what is within the redline and its immediate environs, in this case it is considered more appropriate to secure appropriate mitigation and gain.

Trees

- 6.6.6 The area covered by the Arboriculture report and method statement does not include all of the red line area
- 6.6.7 Whilst the current proposal envisages the removal of one larch tree and a group of holly, it is noted that there has previously been a loss of more than 10% of the site's tree cover. An updated tree report is currently awaited to reflect minor modifications to the scheme and discrepancies between the biodiversity report and current tree report. Further details will be outlined via the committee addendum. It is considered that all trees lost should be replaced on a like basis and on the full Capital Asset Valuation of Amenity Trees (CAVAT) value of what is to be lost. CAVAT is a widely used methodology for the value of lost trees and would ensure trees of equivalent value would be retained on site. The details of this can be secured by planning condition.

Biodiversity Net Gain

- 6.6.8 The applicant has commissioned a Biodiversity Net Gain Appraisal. This was based on the habitat mapping of the Preliminary Ecological Assessment (PEA), rather than a more up-to-date assessment, those responsible having examined the site nor the suggested offset area. This also means that the information that has been provided doesn't cover the full red line area. Additionally, the applicant has only submitted the consultant's summary report and not a copy of the Biodiversity Metric 3.1 spreadsheet. This will need to be provided to enable a proper evaluation of the consultants' appraisal together with a clear map identifying where any mitigation/gain is to be delivered, including an evaluation of potential impacts on any offset area. In the absence of any evidenced assessment and the 'assessed' value of existing habitat areas have the highest rather than the lowest. What has been provided so far should be treated as indicative rather than presenting any accurate assessment.
- 6.6.9 In summary, there are a number of deficiencies and inconsistencies in the information supplied. These will need to be addressed. Whereas there are no in principle objections on biodiversity grounds to the proposed development, the approach as proposed is unacceptable and will require modification via condition.

- 6.6.10 Where mitigation of impacts and/or gain are to be provided these should, depending on site circumstances, either be delivered within the redline area or in a strategically useful location that would justify an offsetting approach. In this instance, that would have involved consideration of the whole site and identification of suitable locations.
- 6.6.11 At the time of writing this report, further information on biodiversity net gain and UGF proposals are awaited from the applicant. Further updates to the committee can be made via the committee addendum.
- 6.6.12 It is considered that appropriate biodiversity net gain could be secured by planning conditions. As such, conditions are recommended in relation to replacement tree planting a net gain to ensure a minimum of 20% uplift within the site can be achieved. Subject to securing conditions, the proposal would comply with the above policies.

6.7 Energy and Sustainability

6.7.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: SI 2, SI 3, SI 4, SI7 SI5, SI 13
- Harrow Core Strategy CS1 T, X
- Harrow Development Management Policies Local Plan (2013): DM 12, DM 14

6.7.2 The application is accompanied by an energy strategy which follows the London Plan energy hierarchy.

6.7.3 The development site will be constructed to comply with Part L 2021 of the Building Regulations. The development will reduce regulated CO2 emissions by incorporating a range of passive design and energy efficiency measures, including improved building fabric standards beyond the requirements of Part L of the Building Regulations and energy efficient mechanical and electrical plants. These measures will enable the proposed development to exceed Target Emission Rates (TER) and Target Primary Energy Rate (TPER) minimum standards through energy efficiency measures alone.

6.7.4 After reduction of the energy demand, the strategy proposes implementation of energy efficient Air Source Heat Pump (ASHP) systems to supply space heating and hot water for the development.

6.7.5 The applicants have noted they are not able to comply to Be Seen requirements (35% improvement on site) due to the high cooling requirements for Operating Theatres and the specific fan power on the Air Handling Plant due to the specialist ventilation requirements for the building. PV panels onto the roof (in areas that will not be shaded) to go some way to compliance with Be Seen but do not have sufficient space to comply to the 35% improvement.

- 6.7.6 However, the development can achieve the zero-carbon target through a carbon-offset payment which offsets the shortfall in regulated CO₂-emissions reduction. The total CO₂ emissions to offset have been calculated as circa 598.8 t.CO₂/yr. Based on a carbon price of £95 t.CO₂/yr over a 30-year period, this is equivalent to a cash-in-lieu contribution of circa £56,516. The carbon off set contribution can be secured by section 106 agreement.
- 6.7.7 A Circular Economy Statement, Whole Life Carbon and Sustainability Statement confirm that the approach to sustainability is compatible with policies of the London Plan, being within acceptable policy thresholds, the scheme being designed and capable of delivery in a sustainable way. A condition can be secured to secure a post construction assessment.
- 6.7.8 In accordance with London Plan Policy SI2 the Applicant is required to calculate and reduce whole life-cycle carbon ('WLC') emissions to fully capture the development's carbon footprint.
- 6.7.9 The GLA has noted that the applicant has not submitted a fully completed GLA WLC template spreadsheet and without a completed template a review cannot be undertaken. The additional information will be referred to the Mayor under the stage 2 referral process. A condition can be secured to secure a post construction assessment.
- 6.7.10 Taking account of the specific considerations of this building in relation to energy needs and subject to securing and the above conditions and obligations, the scheme is considered to be acceptable in relation to the above planning policies.

6.8 **Development and Flood Risk and Air Quality**

- 6.8.1 The relevant policies are:
- National Planning Policy Framework (2021)
 - The London Plan 2021: SI 12 and SI13
 - Harrow Core Strategy 2012: CS1U
 - Harrow Development Management Polices Local Plan (2013):DM9, DM 10
- 6.8.2 The Site falls within Flood Zone 1 land which has a low probability flooding, therefore, there is no requirement to produce a standalone Flood Risk Assessment with this Application.
- 6.8.3 The SuDS proposed, comprises:
- In principle storm water will be held on site and released to the public surface water sewer at a discharge rate of 2 l/s this is the minimum rate to prevent blockages;
 - A catchpit manhole will intercept solids and discharge to the geocell attenuation tank;

- The attenuation tanks drain to a manhole with a vortex flow restrictor, details of which are attached to the hydraulic calculations.
- The flow restrictor manhole discharges to a surface water tail limited to 5 l/s provided by the NHS Trust.

6.8.4 The application has been reviewed by the Council's drainage engineers who raised no objection, subject to conditions. It is therefore considered the proposed development is compliant with above outlined polices.

Air Quality

6.8.5 An Air Quality Assessment has been prepared by Temple and submitted with this Application. The Assessment concludes that:

- The assessment of air quality in relation to roads during the construction and operational stages has determined that there will be a negligible impact on air quality as a result of road traffic, the proposed emergency generator and Non-road Mobile Machinery and therefore the air quality effects will not be significant;
- The dust risk assessment has identified that construction activities pose a low risk. However, with the implementation of the mitigation measures detailed the accompanying Air Quality Assessment, the activities are not anticipated to result in significant effects on local receptors;
- The baseline assessment shows that future Site users would not be exposed to poor ambient air quality; and
- The development has been assessed as air quality neutral.

6.8.6 It is noted that the GLA have outlined that on-site plant and machinery must comply with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards for Opportunity Areas (Policy SI1 para. D). This can be secured via planning condition.

6.8.7 The GLA have also noted that measures to control emissions during the construction phase relevant to a low risk site should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. However, as the development is already commenced and a substantial part of the structure complete, compliance with such a condition can no longer be met.

6.9 **Accessibility and Fire Safety**

6.9.1 *The relevant policies are:*

- The London Plan 2021: D3, D5, D12
- Harrow Development Management Polices Local Plan (2013):DM2

Accessibility

- 6.9.2 The applicant has outlined that the development of the proposals has followed extensive engagement, over several months, with the clinical users and support staff, as well as development and estates teams and the RNOH Inclusivity Team. Given the restrictive nature of the facilities, for surgical theatres, access is strictly controlled and operationally managed. There is therefore no unrestricted public access to the unit.
- 6.9.3 The facilities have been designed to BS8300, Design of buildings and their approaches to meet the needs of disabled people – Code of Practice. March 2009. Provision is made for disabled toilet facilities within the facility with accessibility for all.
- 6.9.4 It is considered that the applicant has demonstrated that the building will be suitably inclusive and accessible to all and is acceptable in this regard.

Fire Safety

- 6.9.5 In line with policy D12 of The London Plan (2021), the applicant has provided a fire strategy, prepared by a suitable qualified third party assessor.
- 6.9.6 The GLA noted that to demonstrate compliance with policy D12 of the London Plan, the statement needs to provide details of a suitably positioned unobstructed outside space appropriate for use as an evacuation assembly point.
- 6.9.7 With reference to drawing reference H2204-PL-02.2A Proposed Block Plan, the fire assembly point has been marked and is located to the north-west of the application site.
- 6.9.8 As such, it is considered the policy requirement of Policy D12 of the London Plan has been satisfied.
- 6.9.9 A planning condition is recommended to secure the details of the fire strategy.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would result in limited visual harm to the Green Belt and a modest amount of spatial harm. As such the proposal is an inappropriate development in the Green Belt. Nevertheless, the the applicant has provided a case of Very Special Circumstances setting out the pressing need to reduce the waiting time for surgery following the COVID 19 Pandemic. Officers accept that there is an acute need for this facility, which is required to provide additional medical capacity.
- 7.2 There will be some impacts on biodiversity value of the site but this can be off set through securing additional net gain on the site and elsewhere around the RNOH site.

- 7.3 The proposal would result in a sustainable and energy efficient building which would have an acceptable impact on the character and appearance of the surrounding area.
- 7.4 In conclusion, given the limited harm that would be caused to the Green Belt and balancing this against the very special circumstances of providing an additional medical facility to meet demand, officers conclude that very special circumstances decisively outweigh any harm to Green Belt.

APPENDIX 1: Conditions and informatives

1. Approved Plans and Documents

Save where varied by other planning conditions comprising this permission and unless otherwise agreed in writing by the local planning authority, the development shall be carried out in accordance with the approved drawings and documents.

REASON: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policies 7.6 and 7.7 of the London Plan (2016) and Policies and policy DM 1 of the Local Plan (2013) and for the avoidance of doubt and in the interest of proper planning.

2. Surface Water Drainage

Prior to first occupation of the development hereby approved, details of works for the disposal of surface water, including surface water attenuation and storage, shall be submitted to, and agreed in writing by, the local planning authority. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance.

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

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited, in accordance with London Policies SI12 & SI13 of the London Plan (2021) and Policy DM 10 of the Local Plan (2013).

3. Foul Water Drainage

Prior to first occupation of the development hereby approved, a foul water drainage strategy, shall be submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, in accordance with Policy 5.14 of the London Plan (2016) and Harrow Core Strategy Policy CS1, and to ensure that the development would be resistant and resilient to foul water flooding in accordance with Policy DM10 of the Local Plan (2013). To ensure that measures are agreed and put in place to dispose of foul water arising from the development, this condition is a PRE-COMMENCEMENT condition.

4. Hard and Soft Landscaping

Prior to the first occupation of the building a scheme for the hard and soft landscaping shall be submitted to, and agreed in writing by, the local planning authority. The hard and soft landscape details shall include the following:

- a) A scheme for detailed hard and soft landscaping of the development, to include details of the planting, hard surfacing materials, raised planters and external seating and so on. 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. Include details of the tree pit, soil cells and tree fixing, details of the semi natural pond area new planting. 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.
- b) Details of replacement tree planting which shall be based on CAVAT valuation
- c) Green roofs for the ancillary buildings, hard and soft landscape details including planting medium, buildup layers and planting plans and written specification of the planting and planting plans. Details of the maintenance and proposed ongoing plant replacement, for any plant failures, during the lifetime of the built development.
- d) Details of all furniture, boundary treatment, specification for supports and fixings for plants, landscape structures and any climbing plant frames, including proposed material and source / manufacturer, watering or irrigation system for planting and detailed drawings of such; for all communal amenity areas, raised beds, furniture and bespoke furniture.

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 makes provision for 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 Local Plan Policies CS.1B, DM1, DM7 and Policies G5, G6, G7 of The London Plan (2021) and to ensure that the development makes appropriate provision for the protection, enhancement, creation and management of biodiversity in accordance with Local Plan Policy DM 21.

5. External Lighting

The building hereby approved shall not be occupied until details of the lighting of all external areas (including buildings) relating to the development 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 prior to the first occupation of the building 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 design quality in accordance with Local Plan Policy DM1 and to ensure that the development does not unduly impact on the biodiversity potential of the site in accordance with Local Plan Policy DM 20.

6. Secured by Design

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted and approved in writing by the Local Planning Authority. The development shall be retained in accordance with the approved details.

REASON : In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy D 11 of the London Plan (2021) and Policy DM2 of the Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

7. Soft Landscaping Management and Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the hard and soft landscaping relating to development has been submitted and approved in writing by the Local Planning Authority. The details shall include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years, including the ground level hard and soft landscape, green roofs and any biodiverse roofs and landscape structures for plant growth and a programme of maintenance including a calendar of routine physical tasks for all landscape areas / plant replacement for the life time of the development for landscape structures.

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

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity, in accordance with Policies DM21 and DM22, of the Local Plan (2013), and to ensure a high standard of design, layout and

amenity in accordance with Policy DM1 of the Local Plan.

8. Delivery and Servicing Plan

The building hereby approved shall not be first occupied until a Delivery and Servicing Plan has first been submitted to, and agreed in writing by, the local planning authority. The Plan will include setting out permitted delivery times. The development shall adhere to the plan so agreed.

REASON: To ensure that the transport network impact of deliveries associated with the phase one development is managed in accordance with Local Plan Policy DM1 and Policy T4 of the London Plan (2021).

9. Cycle Parking

The development hereby permitted shall not be occupied until details of the cycle parking spaces on the site have been submitted to and approved in writing by The Local Planning Authority. The cycle parking shall be implemented on site in accordance with the approved details prior to the first occupation of the building and shall be retained for the lifetime of the development.

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

10. Energy and Sustainability

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

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework 2021 and policy SI 2 and SI 3 of the London Plan (2021).

11. Biodiversity Net Gain

Prior to the occupation of the building hereby approved, a plan detailing the implementation of biodiversity mitigation and net gain measures, demonstrating a minimum level of 20% gain for biodiversity, shall be submitted to the Local Planning Authority and approved in writing. The plan should include details of a programme for its implementation. The development shall be undertaken in accordance with the approved plan.

REASON: For the protection of biodiversity (in accordance with local plan Policy

DM 20) and for the enhancement of biodiversity conservation and provision of access to nature (in accordance with local plan Policy DM21) in support of the local Biodiversity Action Plan and in accordance with policy G6 of the London Plan (2021) and the National Planning Policy Framework. This is a pre commencement condition to ensure no harm would be caused to biodiversity during construction.

12. Whole life cycle carbon

Once the as-built design has been completed and prior to the building(s) being occupied (or handed over to a new owner, if applicable), the legal owner(s) of the development should submit the post-construction Whole Life-Cycle Carbon (WLC) Assessment to the GLA at: ZeroCarbonPlanning@london.gov.uk. The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's WLC Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the guidance and should be received three months post as-built design completion, unless otherwise agreed.

REASON: To ensure whole life-cycle carbon is calculated and reduced and to demonstrate compliance with Policy SI 2 of the London Plan (2021).

13. Circular Economy Statement

Prior to the occupation of the development, a postconstruction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with policy D3 and SI7 of The London Plan (2021)

14. Plant Screens

Prior to the first occupation of the development, details of plant screen for the mechanical plant on the roof of the building shall be submitted and approved in writing by the Local Planning Authority. The details shall be implemented as agreed prior to the occupation of the building and shall thereafter be retained.

Reason: To ensure that the development is carried out to the highest standards of architecture and materials in accordance with Policy D3 of the London Plan (2021) and Policy DM 1 of the Local Plan (2013).

COMPLIANCE

15. Noise – Mechanical Plant

The rating level of noise emitted from any plant, machinery and equipment on the site, including within the approved electrical substation, shall be lower than the existing background level by at least 10 dB(A). Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation.

Before any plant is used, measurements of the noise from the plant must be taken and a report / impact assessment demonstrating that the plant (as installed) meets the design requirements, shall be submitted to be approved in writing by the Local Planning Authority.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings, in accordance with Local Plan Policy DM1 and Policy D14 of the London Plan (2021).

16. Implementation of hard and soft Landscaping

All hard landscaping shall be carried out prior to the first occupation of the building or in accordance with a programme first agreed in writing by the local planning authority. All soft landscaping works including planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out no later than the first planting and seeding season following the New Civic office building being brought in to use 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, diseased or defective, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity, in accordance with Policies DM22 and DM 21 of the Local Plan (2013), and to ensure a high standard of design, layout and amenity in accordance with Policy DM1 of the Local Plan.

17. Unexpected Contamination

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 approval in writing of 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, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM 15 of the Harrow Development Management Policies Local Plan (2013).

18. Fire Strategy

The development hereby approved shall adhere to the approved fire strategy for the lifetime of the development

REASON: In the interest of Fire Safety and to ensure the safety of all building users in accordance with policy D 12 of the London Plan (2021).

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2021)

The London Plan (2021)

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering Good Design

Policy D5 Inclusive Design

Policy D11 Safety, security and resilience to emergency

Policy D12 Fire Safety

Policy D13 Agent of Change

Policy D14 Noise

Policy S1 Developing London's social infrastructure

Policy S2 Health and Social Care Facilities

Policy HC1 Heritage Conservation and Growth

Policy G2 London's Green Belt

Policy G5 Urban Greening

Policy G6 Biodiversity and access to nature

Policy G7 Trees and Woodlands

Policy SI1 Improving air quality

Policy SI 2 Minimising Greenhouse Gas Emissions

Policy SI 3 Energy Infrastructure

Policy SI 4 Managing Heat Risk

Policy SI 7 Reducing Waste and Supporting the Circular Economy

Policy SI 8 Waste Capacity and net waste self sufficiency

Policy SI12 Flood risk management

Policy SI13 Sustainable drainage

Policy T1 Strategic approach to transport

Policy T2 Healthy Streets

Policy T3 Transport capacity, connectivity and safeguarding

Policy T4 Assessing and mitigating transport impacts

Policy T5 Cycling

Policy T6 Car parking

Policy DF1 Planning Obligations

Harrow Core Strategy (2012)

CS1: Overarching Principles

Harrow Development Management Policies Local Plan (2013):

Policy DM 1 Achieving a High Standard of Development

Policy DM 6 Area of Special Character

Policy DM 9 Managing Flood Risk

Policy DM 10 On Site Water Management and Surface Water Attenuation

Policy DM 12 Sustainable Design and Layout

Policy DM 13 Decentralised Energy Systems

Policy DM 14 Renewable Energy Technology
Policy DM 16 Maintaining the openness of the Green Belt and Metropolitan Open Land
Policy DM 20 Protection of Biodiversity and Access to Nature
Policy DM 21 Enhancement of Biodiversity and Access to Nature
Policy DM 22 Trees and Landscaping
Policy DM 42 Parking Standards
Policy DM 43 Transport Assessments and Travel Plans
Policy DM44 Servicing
Policy DM45 Waste Management
Policy DM 46 New Community Sport and Educational Facilities
Policy 50 Planning Obligations

Site Allocations (2013)

2. INFORMATIVE: 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. INFORMATIVE: IMPORTANT: COMPLIANCE WITH PLANNING CONDITIONS

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

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

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



4. 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.

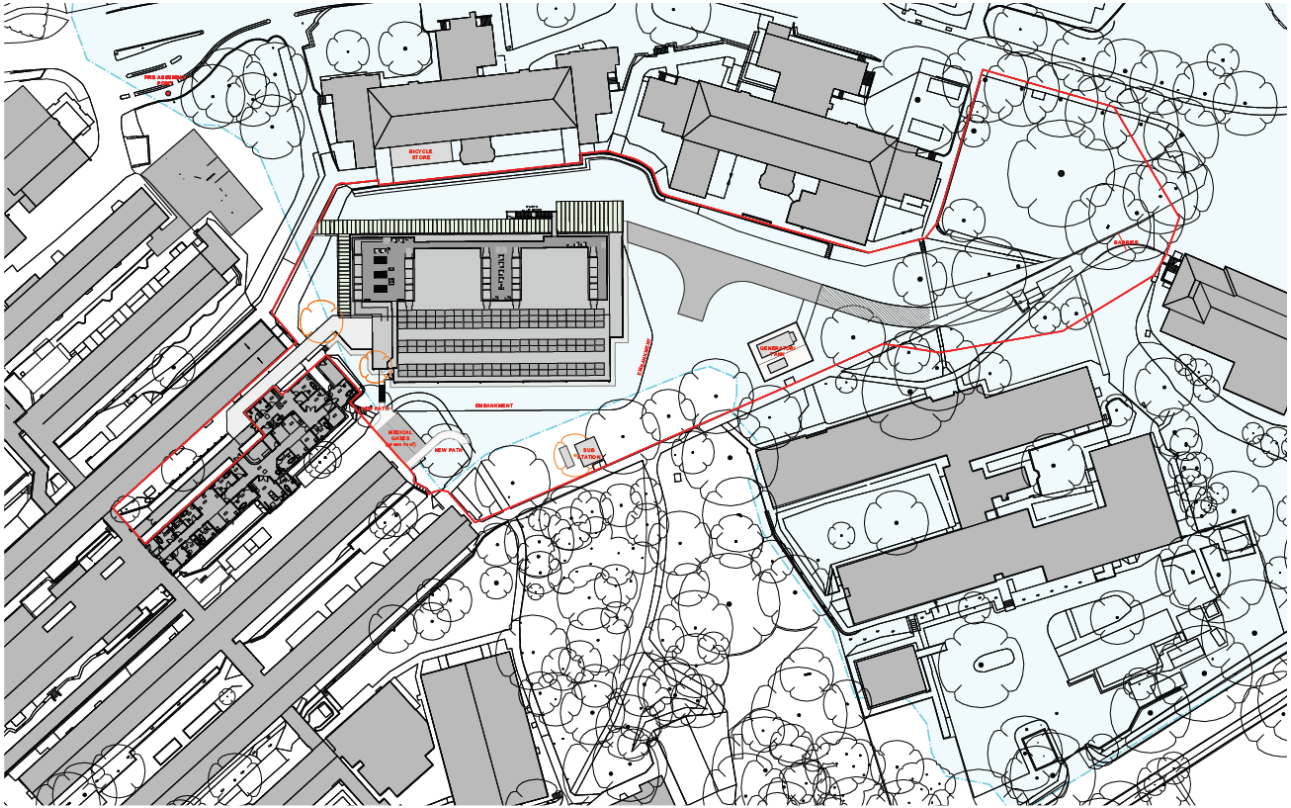
Plan List:

Arboricultural Method Statement by Arbtech, dated 12 December 2022; Circular Economy Statement Draft, dated 16/12/2022; Construction Management Strategy, dated November 2022; Supporting Letter Temple, dated 16th December 2022; Design and Access Statement, dated December 2022; Preliminary Ecological Appraisal, dated 17/12/2021; Energy Strategy, dated 15th December 2022; Fire Statement; Ground Investigation Report by Compass Geotechnical Ltd Ref: 222993B, dated July 2022; Planning Statement, dated December 2022; Preliminary Plant Noise Impact Assessment, dated December 2022; Site Waste Management Plan, dated 22nd November 2022; Sustainable Drainage Strategy Ref 22040-AMA-01-XX-CA-D-138001-S2-P02 Rev P02; Sustainability Statement, dated 14th December 2022; Transport Statement Doc No. D001, dated December 2022, Version 1.0; Tree Survey by Arbtech, dated 21st December 2021; Arboricultural Impact Assessment, Issued November 2012; Biodiversity Net Gain Assessment, dated 12/12/2022 Version 1.0; Air Quality Assessment, dated December 2022;

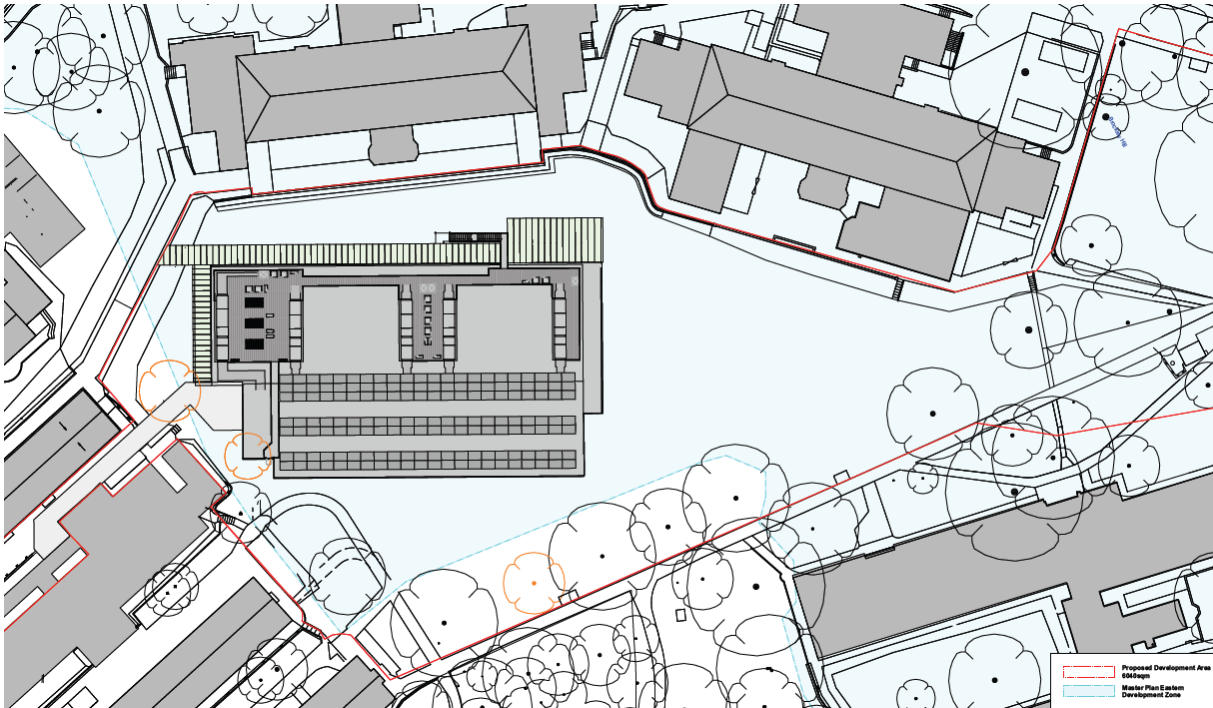
CHECKED

 <p>Orla Murphy Head of Development Management</p> <p>6th July 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>6th July 2023</p>
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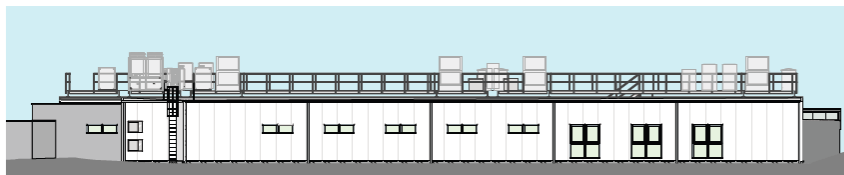
APPENDIX 2: SITE PLAN



APPENDIX 3: PLANS AND ELEVATIONS

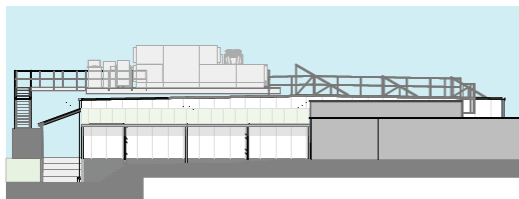


Proposed Roof Plan

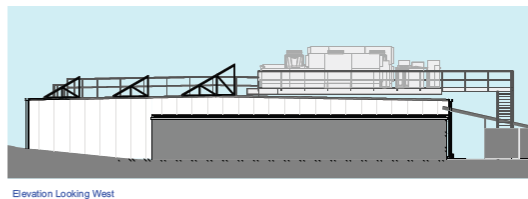


Elevation Looking North

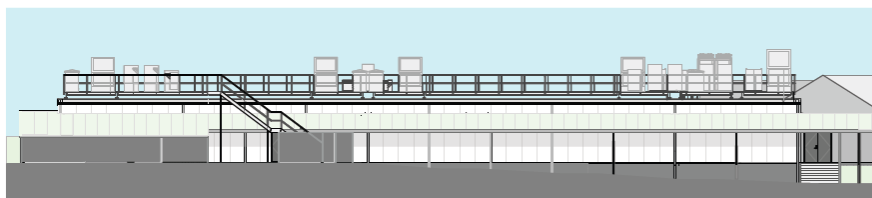
MATERIALS	
CLADDING	White Extruded RAL 9010 Alaska Grey Extruded RAL 7000
SKIRT	800 Grey Facing Brickwork
JOINERY	Flax finish coated Essentil Grey RAL 7012
RAIN WATER GOODS	Aluminium Powder coated White RAL 9010
STAIRS/HANDRAILS/CANOPY FRAMES	Galvanneal Steel
ROOF	Anticorrosion Membrane 800 Grey RAL 7000



Elevation Looking East

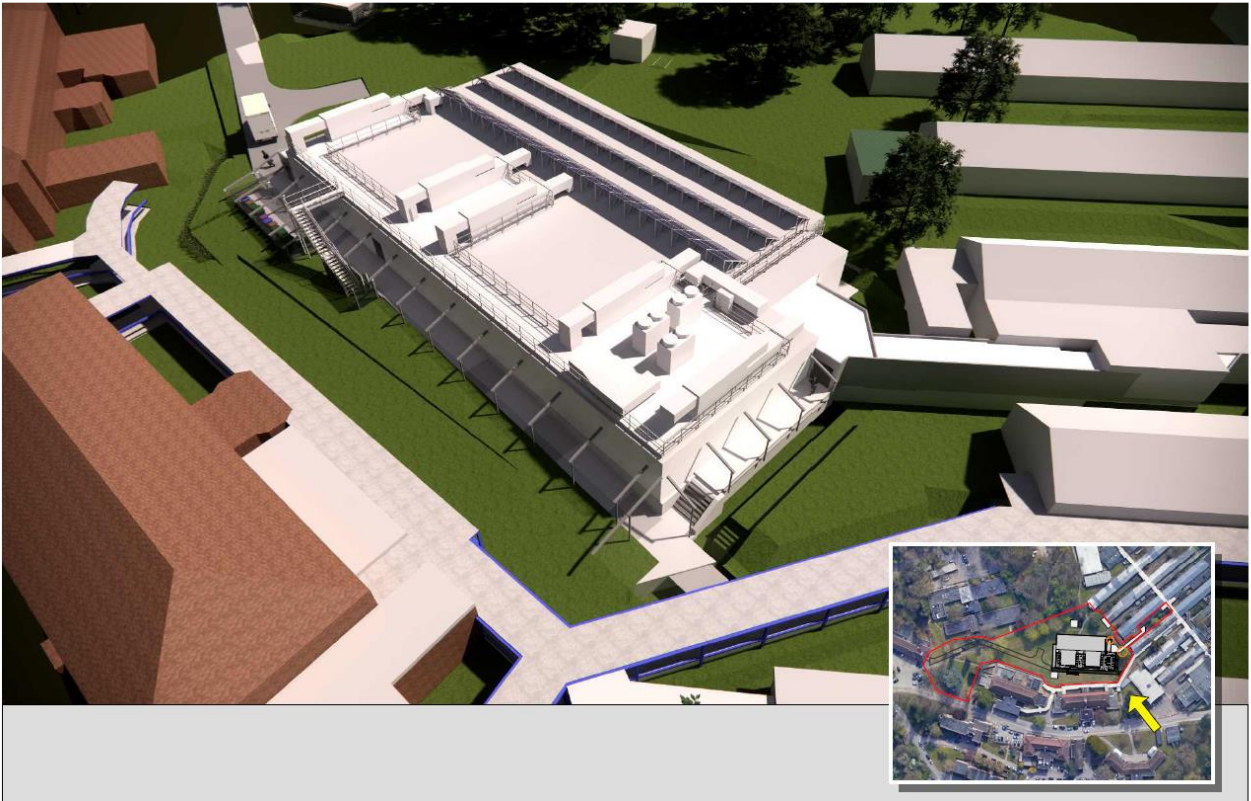


Elevation Looking West



Elevation Looking South

ProProposed Elevations



Proposed view form west




Proposed view from north

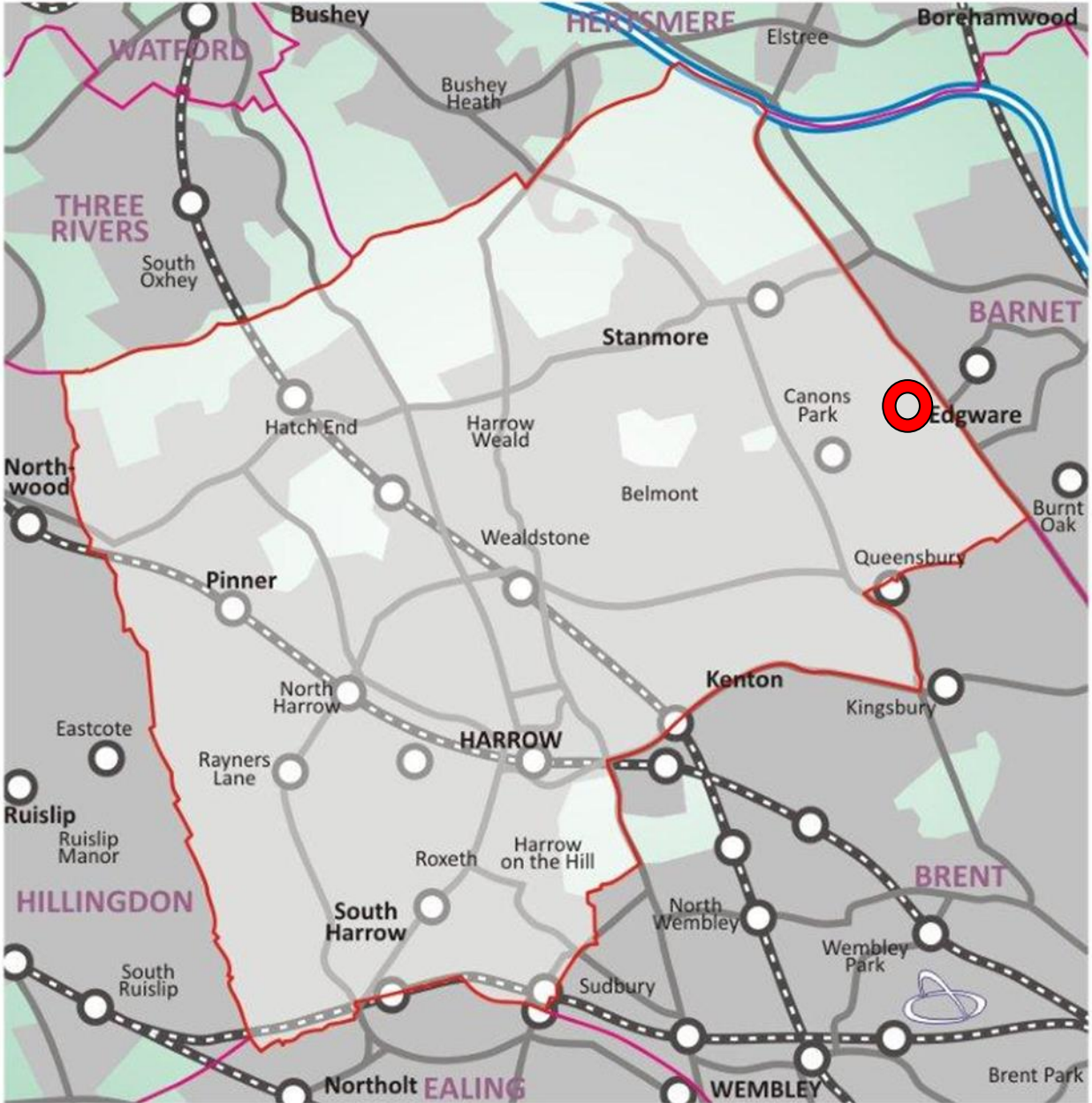


Proposed view to south

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 = application site



16 Montgomery Road, Edgware, HA8 6NT	P/2884/22
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Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/2884/22
VALID DATE: 21/10/2022
LOCATION: 16 MONTGOMERY ROAD, EDGWARE
WARD: EDGWARE
POSTCODE: HA8 6NT
APPLICANT: MR SHYAM MEHTA
AGENT: YOUR LIVING SPACE LTD
CASE OFFICER: AGNES WANJA
EXPIRY DATE: 15/12/2022

PROPOSAL

Front Porch; Single And Two Storey Side Extension; Single And Two Storey Rear Extension; External Alterations (Demolition Of Side And Rear Extension)

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 proposed development is considered to be a modest and sympathetic addition which would not result in a detrimental impact to the character and appearance of the original building and the surrounding area, nor would it result in a detrimental impact to the residential amenities of neighbouring properties.

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 granted.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest. The application was deferred from the planning committee on 28th June 2023 for a members' site visit to take place on 15th July 2023.

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net Floorspace:	74.70sqm
GLA CIL Contribution (provisional):	N/A
Local CIL Contribution	N/A

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policy D11 of The London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

1.0 SITE DESCRIPTION

- 1.1 The application site is a two-storey detached dwelling located at the south-western side of Montgomery Road.
- 1.2 Montgomery Road is a residential road characterised mainly by terraced dwellings. However, there is a small number of semi-detached and two detached dwellings of varying designs sited toward the southern end of the road.
- 1.3 The application site has a hipped, pitched roof profile, an attached garage/store adjacent to the boundary with no 18 and a small single storey rear canopy extension.
- 1.4 The application site is link-detached to no. 18 Montgomery Road, where the original garages share a party wall. No 18 has a distinct design. This dwelling is single storey in form and has a steep pitched roof profile with full gables with habitable living space in the roof space.
- 1.5 The application property is set away from the boundary shared with No. 14 Montgomery Road by approximately 0.9m and no 14 is set away from the shared boundary by a 2.4m wide driveway. It is a semi-detached two storey dwelling with a hipped roof and an original rear outrigger addition with flat roof. There is a detached garage sited in the rear garden of no 14, adjacent to the shared boundary and behind the main house.

2.0 PROPOSAL

- 2.1 The application seeks permission for a front porch with a forward projection of 2.3m a width of 1.3m and a height of 2.8m with a flat roof. Single storey side extension on the east side would have a depth of 12m (incorporating 4m rear extension) a width of 2.1m and a height of 2.8m to a flat roof and two storey side extension with a depth of 9.2m a width of 2m and a height of 6.83m to a hipped roof.
- 2.2 Single storey rear extension with a depth of 4m a width of 8.1m wrapping around the west flank wall a depth of 8.7m and a height of 2.8m to a flat roof, two storey rear extension with a depth of 5.31 a width of 6.8m and a height of 7.2m to a hipped roof.
- 2.3 External alterations to include new front window on the first-floor side extension, two additional windows on the first floor west flank wall, removal of the ground floor east side elevation windows and door, four additional rear elevation windows, two on the first floor and two on the ground floor.
- 2.4 Demolition of side and rear extension.

3.0 **RELEVANT PLANNING HISTORY**

3.1 EAST/493/01/FUL– TWO STOREY REAR, FIRST FLOOR SIDE EXTENSION, GRANT, 18-Jul-2001

4.0 **CONSULTATION**

Neighbour Notification

4.1 A total of 8 consultation letters were sent to neighbouring properties regarding this application. In addition, a site notice was posted on the 25th November 2022. The overall public consultation period expired on the 16th December 2022.

4.2 3 objections were received including an objection from the ward member Cllr Blackman. The objections are summarised below.

Principle of Development

- The extensions are so extensive would present a much larger house

Officer response: The proposed posed development has been assessed according to the relevant policies and guidelines.

Character

- *Demolishing 3 walls and building close to no.14 & right up to the border of no.18*
- *Extensions are so extensive very much larger house*
- *The rear extension is so high and long it protrudes so deep into the rear garden it becomes overbearing and ominous.*

Officer response: these comments are addressed with the report

Impact to Residential Amenity

- *Restriction of light and privacy*
- *It will block the light & view of no. 14 where there is only one window on that side if no. 16 builds 2 stories*
- *Proposed upper extension has 4 windows which will overlook*
- *Increase of overlooking*
- *Enclosed and reduced light and space*

Officer response: these comments are addressed with the report

Highways

- There will be an impact on parking

Officer response: The proposed development would still have the same parking facility available.

Others

- Site notice not displayed
- *This may be converted into another HMO*
- *3 additional bathrooms that would impact on drainage & sewers*
- *This will reduce natural run off of rain water*

Officer response: There is photo evidence of the site notice that was displayed.

The application has not proposed a change of use so we are not able to assess this as a presumption.

Other comments do not fall within the palling remit.

Statutory and Non Statutory Consultation

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

Consultation Responses
<p>LBH Drainage Engineer The application site is within Flood Zone 3a and 3b. A Flood Risk Assessment has been submitted with the application.</p> <p><i>Officer response: the submitted FRA is satisfactory.</i></p>

5.0 POLICIES

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

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

- 5.2 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.

6.0 ASSESSMENT

6.1 The main issues are;

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

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
- Supplementary Planning Document: Residential Design Guide (2010)

Front Porch

6.2.2 The Residential Design Guidance page 41 paragraph 6.35 states: Front extensions have the greatest potential impact on the character and visual amenity of the street scene. Residential buildings in Harrow generally follow a clear building line, with building facades sited on the same plane and often enriched with architectural features reflecting the period of building construction. These features include bay windows, window and door surrounds and other architectural features. Modern front extensions beyond the established building line can disrupt the harmony and architectural coherence of the streetscape. However, small front porches and garage extensions may be permitted provided that they: reflect and complement the scale, design, quality and pattern of development in the surrounding street scene; relate to and complement the existing architectural design and materials of the existing building; do not project significantly forward of front bay windows; do not link into and have clear separation from existing bay windows; and provide for a minimum driveway depth of 4.8m to remain to allow for sufficient parking space, unless adequate alternative parking space is provided.

6.2.3 The proposed front porch would remain set back from the front elevation of the dwelling by 1.9m. It is considered the proposed front porch would be in keeping with the character of the existing dwelling and would not detract from the street scene.

Single and two storey side extension on the east side of the dwelling

6.2.4 The proposed single storey side extension would be built along the boundary with no. 18 and would have a depth of 3 metres with a maximum height of 2.8m to the top of a flat roof.

- 6.2.5 This proposed side extension would not be greater than half the width of the existing dwelling. This side extension would be set back 4m from the front elevation.
- 6.2.6 It is noted the site has an existing garage/store which the proposed extension would extend 3m forward of and in front of the front elevation of no.18. Given its set back from the front elevation it is considered to be an acceptable addition.
- 6.2.7 The proposed first floor element would be set back 7m from the front elevation of the host property and would not project beyond the front elevation of no.18, therefore reducing its visibility within the street scene.
- 6.2.8 Given the proposed single and two storey side extension would remain set back from the front elevation, it would be a subservient addition and would have a width that would not be greater than half the width of the existing dwelling, it is not considered the proposed part single and part two storey additions would detract from the character of the existing dwelling and the general character of the street scene.

Single and two storey rear extension

- 6.2.9 The application proposes a ground floor extension with a depth of 4m a width of 8.1m wrapping around the west flank wall a depth of 8.7m and a height of 2.8m to a flat roof. The first floor addition would be set back from the front of the house on the eastern side adjacent to no 18 and be to an overall depth of 5.3m. It would wrap around the rear of the house and be in line with the original flank wall. The two storey element would not be any closer to the boundary shared with no 14 compared to the existing house.
- 6.2.10 The proposed development is considered to be acceptable and would mirror the similar properties on this side of the street which are narrow and have elongated floorplans.
- 6.2.11 It is noted the first floor side to rear extension would be built to the boundary with no.18, this is not considered to introduce a terracing effect as there will still be a gap maintained of over 2m from the boundary to the steep pitched roof on the side elevation of no.18. Furthermore, the extension is significantly set back from the front and subordinate in appearance to mitigate any potential terracing effects.
- 6.2.12 It is considered that the proposed extensions would be in accordance with the guidance contained in the residential design guidance. The proposals amount to proportionate additions to the dwellinghouse and do not therefore detrimentally harm the street scene.
- 6.2.13 The proposed extension is considered to be in keeping with the general locality as the neighbouring detached and semi-detached properties all appear to have similar depths when viewed through aerial view.

External alterations

- 6.2.14 The proposed external alteration in terms of additional and removal of windows are considered acceptable and in keeping with the character of the existing dwelling and locality.

Summary

- 6.2.15 The proposed development, due to its size, scale, form and design would be a proportionate addition which would relate well to the original dwellinghouse. It is therefore considered that the proposal would have an acceptable impact on the character and appearance of the dwellinghouse and the surrounding area.

6.3 Residential Amenity

- 6.3.1 The relevant policies are:

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

18 Montgomery Road

- 6.3.2 This application site is to the north west of the host property and is a single storey in form and has a steep pitched roof profile with full gables. This roof profile facilitates habitable living accommodation in the roof space.
- 6.3.3 The proposed porch would be hidden in view from this site by the main dwelling therefore no impact on the amenity of this neighbouring property.
- 6.3.4 The proposed single and two storey extensions would be built to the boundary with this adjoining property.
- 6.3.5 It is noted that both properties have existing side additions along the boundary. The proposed single storey element would project 3m forward of the front elevation. According to plans previously submitted to the council, the area immediately adjacent to the boundary is a garage and the front door is set beside the garage with a small hall window. There would not be any harm in respect of neighbouring residential amenity here as this door and window is set off the boundary and they are not protected sources of light.
- 6.3.6 The proposed first floor extension would also be built to the boundary. This element would not project beyond the front elevation but would extend along the boundary and be set 2m from the side elevation window of this adjoining property, which according to previous plans submitted to the council by no 18 for their own planning application, serves the stairway and landing. Although there may be loss of light to this window it is not considered to be a primary window to a habitable room and

therefore loss of light to this window would not be an unreasonable impact in planning terms.

- 6.3.7 The proposed rear extension would continue to the rear of the site and would project 4m from the rear wall of the host property. This depth is in line with the Residential Design Guidance as it would not exceed a depth of 4m from the rear of the side extension and would have an additional separation of 2.5m to the flank wall of this adjoining property.
- 6.3.8 The proposed first floor rear extension would be on the cusp of the 45 degree splay measured from the corner of the rear wall. It is not considered this small breach would give rise to amenity impact of this dwelling to a level that would warrant a refusal on amenity grounds. This is because when reviewing the site, the first floor window is sited within the middle of the wall and not directly adjacent to the eaves of the house from where the 45 degree line is taken. There is not any demonstrable harm by a small overlap of the 45 degree code from the side eaves. Therefore, on balance it is considered acceptable.
- 6.3.9 There are no windows proposed on the side elevation of the single or two storey extension.
- 6.3.10 The proposed extension due to its design, size, scale, siting and its relationship with No.18 Montgomery Road would not result in a detrimental impact to the visual and residential amenities of No.218 due to a loss of privacy, outlook or light.

14 Montgomery Road

- 6.3.11 This adjacent property is a semi-detached dwelling located to the south east of the host property. It has a significant two storey rear addition with a flat roof which appears to be an original outrigger addition.
- 6.3.12 The proposed porch would remain set off approximately 0.9m from the boundary with this property.
- 6.3.13 The proposed single storey side extension would remain 0.9m from the boundary with this property and would have a maximum height of 2.8m to a flat roof. This proposed wrap around side to rear extension would not exceed the recommended depth within the Residential design guidance and would have a separation of 3.5 metres between the flank walls.
- 6.3.14 There is a window in the ground floor flank wall of no 14 Montgomery Road facing the subject site. A site inspection has confirmed that this window serves an open plan living and dining room. It directly faces the existing two storey dwellinghouse at the subject site, it is set 2.4m from the boundary. It faces north west and is clearly glazed. It benefits from oblique views over the rear garden of the subject site. The boundary treatment between the houses is low at approximately 1m tall. The open plan habitable room within no 14 also benefits from two other light sources, the first

is a 4 casement window located on the front elevation of the house facing north east and the second which is a door/window located on the rear wall looking out at the rear amenity space to the south west.

- 6.3.15 Upon considering these site circumstances, officers are of the view that this side window is not a protected source of light and outlook. It is a modestly sized window of one casement being 1m wide and 1.2m high, the cill height measured from the outside is 1.4m. The window directly faces the two storey original dwellinghouse at no 16 and an assessment of the vertical 45 degree code indicates that the eaves of the original house already slightly infringes on this window. It is appreciated that evening sunlight may penetrate this window as it is north west facing but with two other windows/sources of light/outlook serving this room, in particular a large 4 casement window at the front facing north east which would benefit from morning sun/daylight, it would not be reasonable to afford protection to this flank window regarding loss of evening sunlight. Any loss of a view over third party land is not a material planning consideration.
- 6.3.16 The proposed first floor extension would be set off 2.3m from the boundary and would not breach the horizontal 45 degree code. The proposed extensions are not considered to give rise to unreasonable amenity impacts of this property. The driveway and large rear outrigger at this house offsets any potential harm.
- 6.3.17 The existing subject house has one primary bedroom window at first floor level facing no 14 and two secondary bedroom windows. There are also 3 x windows on the side elevation at ground floor level. It is noted the proposal has two dining room windows in the side elevation facing the blank wall of the outrigger of no 14 and 2 x bathroom windows in the side elevation at first floor level also facing the outrigger of no 14. As a measure to restrict oblique views of the garden of no 14 officers recommend a condition to ensure these windows are obscure and non-opening below 1.7m. There is an additional window within the original first floor flank wall to serve a new bedroom which would have a saw tooth design and be angled to face the rear to avoid overlooking. The secondary bedroom window towards the front would be infilled. It is considered that subject to the required condition the proposed windows are not considered to give rise to unreasonable overlooking or loss of privacy this neighbouring property due to site circumstances.
- 6.3.18 The proposed extension due to its design, size, scale, siting and its relationship with No.14 would not result in a detrimental impact to the visual and residential amenities of No.14 due to a loss of privacy, outlook or light.

Properties Located to the Rear of the Site

- 6.3.19 The properties to the rear given the distance from the proposed extension and the rear boundary would not be impacted by the proposal.

Summary

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

Development and Flood Risk

6.3.21 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM10

6.3.22 The development would result in additional hard surfacing on the site. As the site is located within a Critical Drainage Area and flood risk zone.

6.3.23 The agent has provided additional information and an amended flood risk assessment including details of a soakaway and compensatory water storage. The submitted flood risk assessment is now satisfactory.

Summary

6.3.24 The proposed development would not increase the risk of flood onsite or elsewhere, subject to a condition requiring the applicants to build in accordance with the submitted details.

6.4 Fire Safety

6.4.1 The relevant policies are:

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

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

6.4.3 The applicant has submitted a Reasonable Exemption Statement to confirm that the development would not adversely affect the appropriate fire safety measures of the site.

Summary

6.4.4 The applicant has submitted a Reasonable Exemption Statement to address fire safety. On that basis, the proposal therefore complies with the above mentioned policies.

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 and area in a wider context, 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 Fire Strategy 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 & 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. 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: Flood Risk Assessment, Reasonable Exception Statement, 22_051_S2, 22_051_S1, 22_051_SO, 22_051_P3, 22_051_P1, 22_051_P2, 22_051_P0

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

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

5. Obscure Glazing

The windows in the southern elevation of the approved development shall be obscurely glazed and non-opening below 1.7m in height measured from the floor of the room in which the windows are located, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the residential amenities of the occupiers of no 14 Montgomery Road in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1. Relevant 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

Supplementary Planning Document: Residential Design Guide (2010)

2. Pre-application engagement

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

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was not sought and provided and the submitted application was in accordance with that advice.

3. Considerate Contractor Code of Practice

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

4. Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5. Compliance with Planning Conditions

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

6. Liability for Damage to Highway

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

7. 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.

CHECKED

 <p>Orla Murphy Head of Development Management</p> <p>6th July 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>6th July 2023</p>
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APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

Front of host property in the middle, With no. 18 to the right and No.14 to the left



Site notice



Rear of host site



View of rear and side of no. 18



View of host property from no.14



Rear of host site



Rear of host property view of no.14



Rear of the site view of no.18



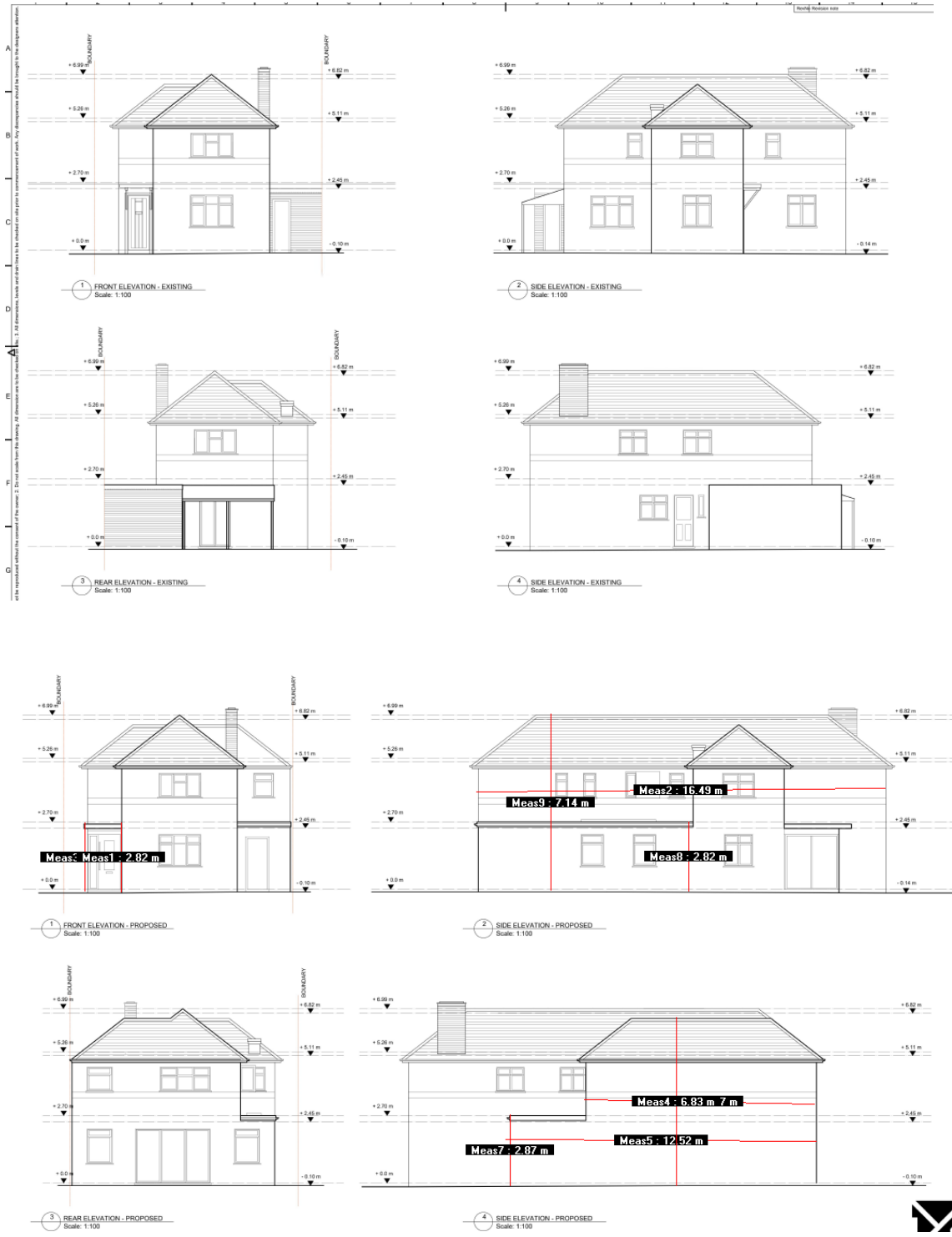
Front of host property

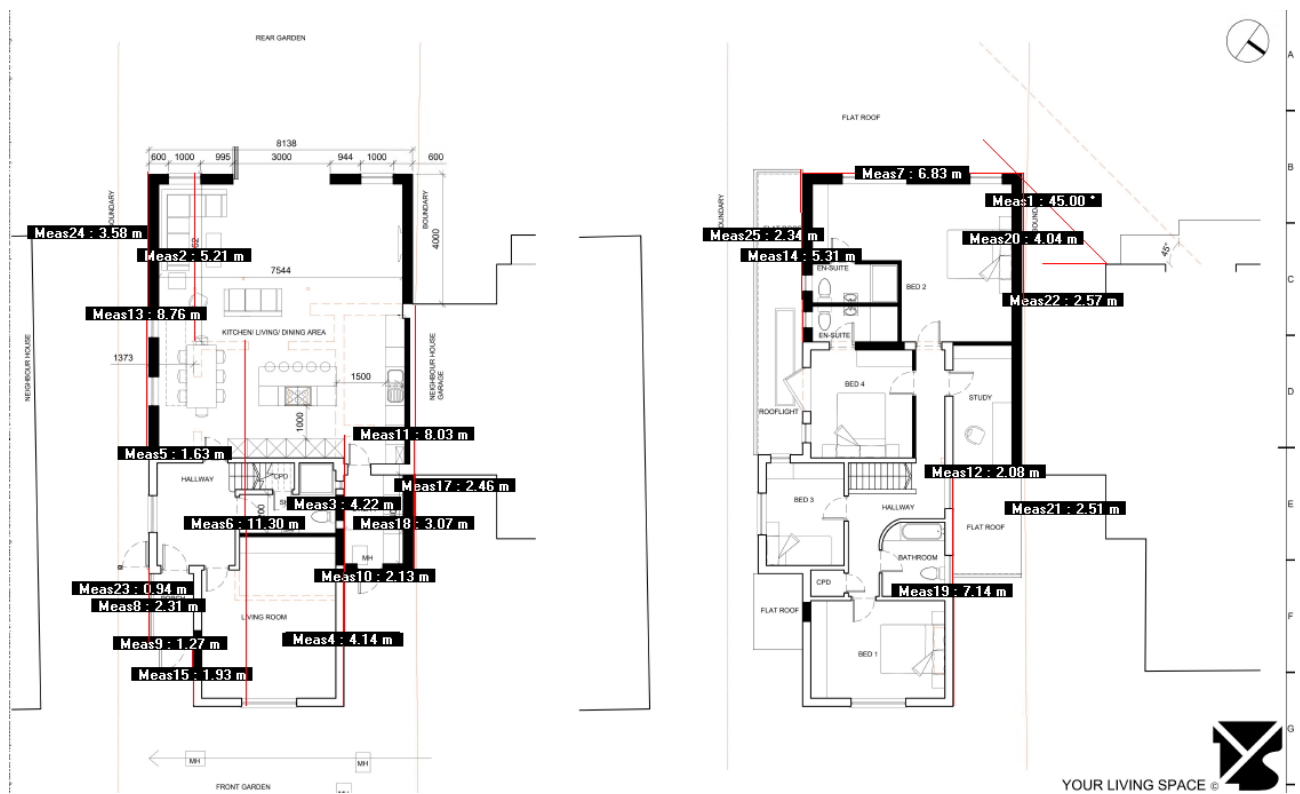
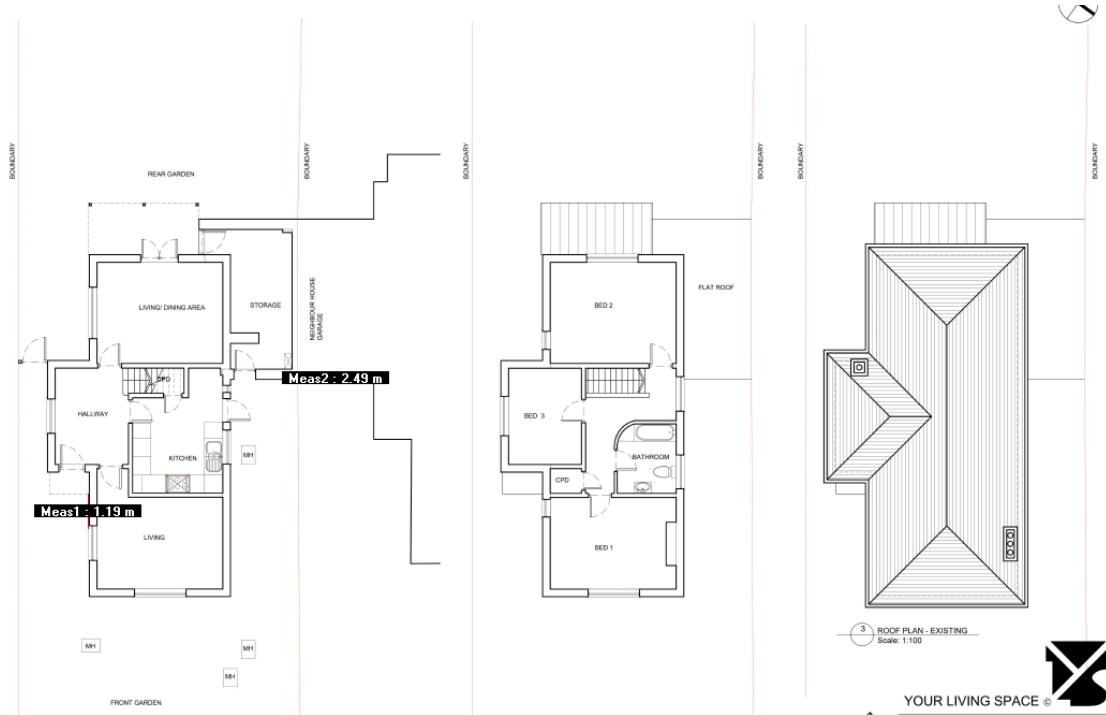


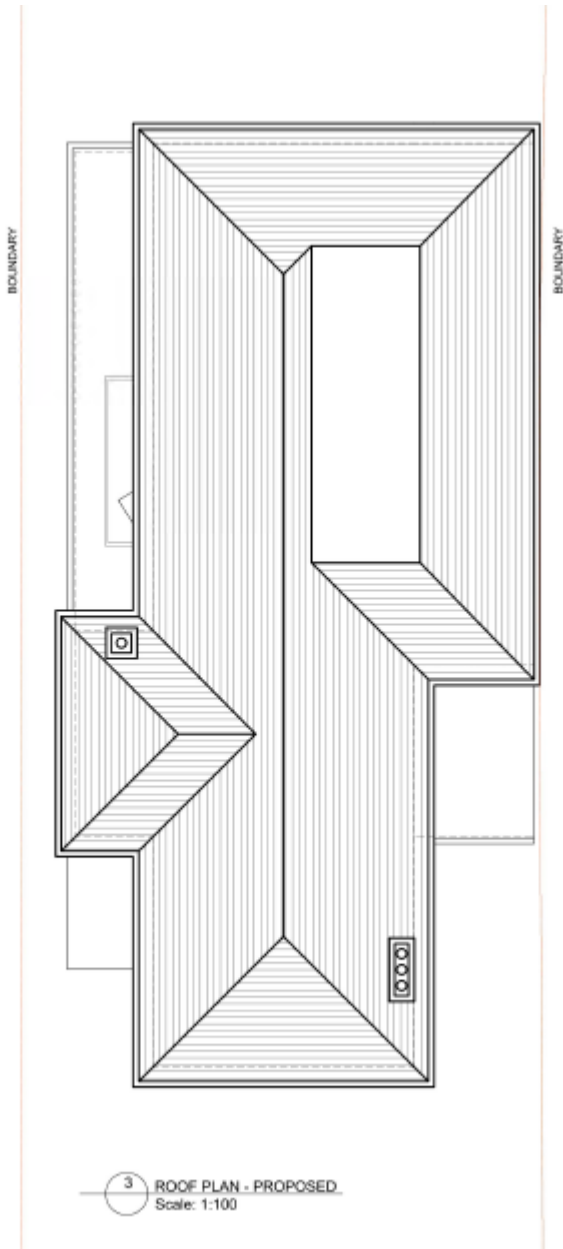
Rear of host property



APPENDIX 4: PLANS AND ELEVATIONS




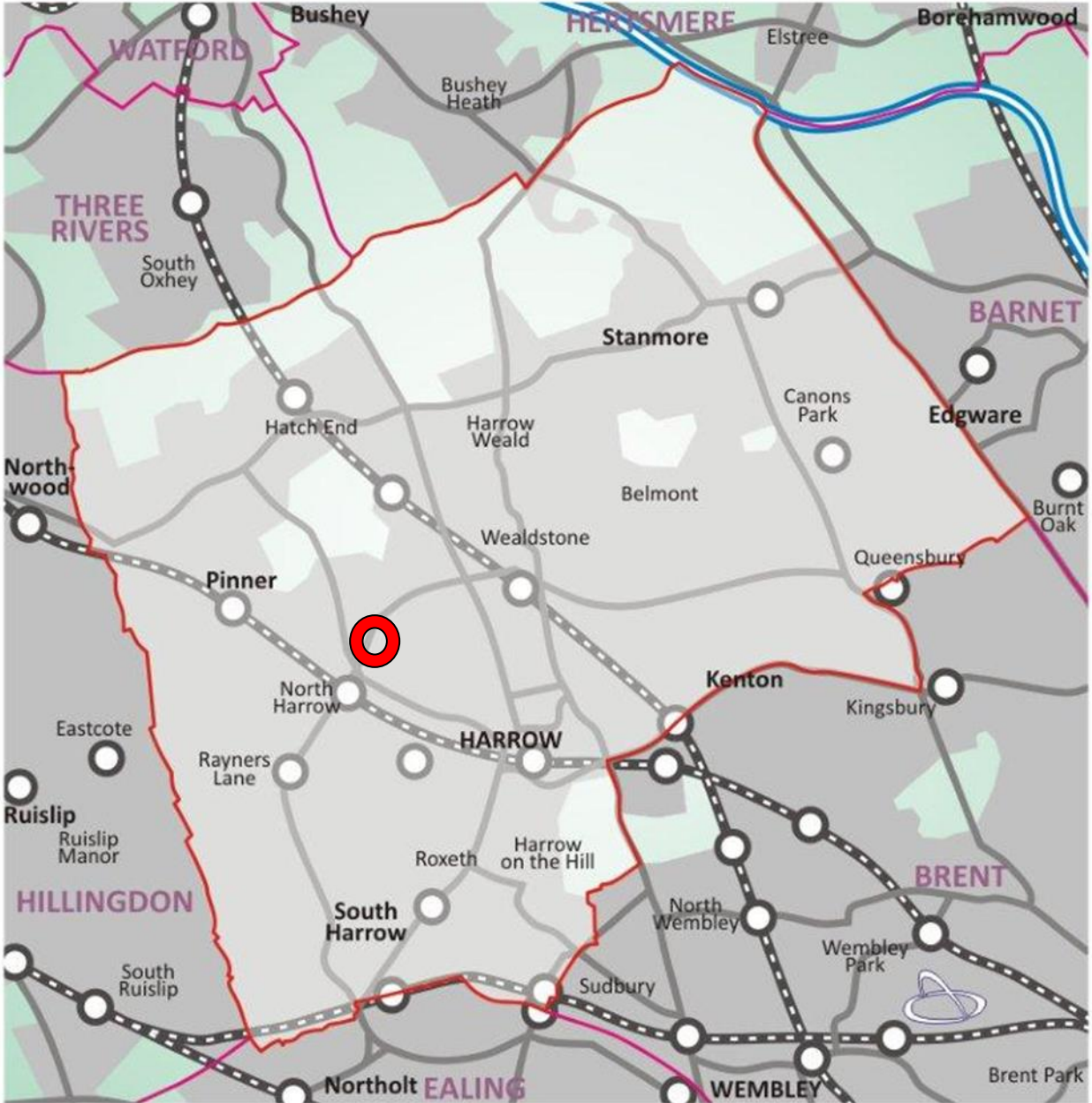




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 = application site



35 Manor Way, Harrow, HA2 6BZ	P/0941/23
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Location Plan



PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/0941/23
VALID DATE: 28/03/2023
LOCATION: 35 MANOR WAY HARROW
WARD: HEADSTONE
POSTCODE: HA2 6BZ
APPLICANT: MR AND MRS JOSHI
AGENT: STUDIO 136 ARCHITECTS LTD
CASE OFFICER: AGNES WANJA
EXPIRY DATE: 23/05/2023

PROPOSAL

First Floor Rear Extension; External Alterations

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 proposed development is considered to be a modest and sympathetic addition which would not result in a detrimental impact to the character and appearance of the original building and the surrounding area, nor would it result in a detrimental impact to the residential amenities of neighbouring properties.

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 granted.

INFORMATION

This application is reported to Planning Committee at the request of a nominated member in the public interest. Application was deferred from the June committee at officers request to permit submission of amended plans and re-consultation.

Statutory Return Type:	Householder
Council Interest:	None
Net Floorspace:	10.99sqm
GLA CIL Contribution (provisional):	N/A
Local CIL Contribution	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.

1.0 SITE DESCRIPTION

- 1.1 The application site is a two-storey semi-detached dwelling located to the north of Manor Way.
- 1.2 The application site has been extended by way of part single part two storey side and single storey rear extension and front porch which was approved under ref: WEST/75/98/FUL.
- 1.3 The application site is attached to no. 37 Manor Way which is also a two-storey dwelling which has not been extended.
- 1.4 No. 33 is on the detached side to the west of the host property, is not extended but has a large single storey garage at the boundary with the host property.
- 1.5 The application site is not listed and is not located within a conservation area.
- 1.6 There are no other site constraints.

2.0 PROPOSAL

- 2.1 The application seeks permission for a first floor rear extension with a depth of 3m from the rear wall, a width of 5.01m and a height of approximately 7m from the ground level to the subordinate hipped roofline.
- 2.2 The proposal has been amended since the previous committee in June to set in the extension by 0.5m on both sides. The rear elevation at first floor level has been amended from two windows to one window and the overall height of the first floor rear addition has been reduced from approx. 7.4m to 7m. The images below show the previously proposed rear elevation on the left and the revised rear elevation on the right.



2.3 The proposed extension would accommodate a new bedroom.

3.0 RELEVANT PLANNING HISTORY

3.1 WEST/75/98/FUL– Part Single, Part Two Storey Side, And Single Storey Rear Extensions And Front Porch. Grant: 26/03/1998.

4.0 CONSULTATION

Neighbour Notification

4.1 A total of 6 consultation letters were sent to neighbouring properties regarding this application. In addition, a site notice was posted. The overall public consultation period expired on the 24th April 2023.

4.2 Two objections have been received.

4.3 After the application was deferred from planning committee on 28th June 2023 amended plans were submitted and neighbours reconsulted by letter sent out first class on 30th June. The consultation period will expire on 14th July 2023. At the time of going to print, no further objections have been received and any correspondence received as a result of this re-consultation, after publication will be reported and addressed via the addendum.

4.4 The objections received as a result of the original consultation are summarised below.

Principle of Development

- *Existing plans do not match the approved plans previously by the council for the property. The comments relates to vent on the side boundary and internal alteration and pipe works*

Officer response: Fitting, altering or replacing an external flue, chimney, or soil and vent pipe is normally considered to be permitted development, not requiring planning consent, if the conditions outlined below are met:

Flues on the rear or side elevation of the building are allowed to a maximum of one metre above the highest part of the roof

Character

- *Concerns is approved it would set precedent*

Officer response: each application is assessed on its own merit therefore not necessarily setting a precedent.

- *The size of the extension is quite considerable and disproportionate to those elsewhere on the road.*

Officer response: This has been taken into account and assessed below.

- *Additional space in the loft*

Officer response: no additional loft space has been applied for on this application, however the space internally can be converted into habitable space without the need for planning permission.

Impact on Residential Amenity

- *Cast shadow in the afternoon, impact of natural light and sunlight to the adjoining properties, overbearing, create shadow in garden patio and rear rooms*
- *Impact to the enjoyment of the use of the rear rooms which get sunlight*
- *Front door is also to the side so great impact light and security*
- *Raising the roof has similar impact*
- *Effect on plants*
- *New window to the rear side obscure window*
- *Wind tunnel effect*

Officer response: the proposed development has been assessed and the points above have been taken into consideration. Front door is not a protected source of light or outlook.

Others

- *Ensure that the new roof does not drain onto no.37 roof*
- *The existing ground floor extension encroaches on boundary with no.37*
- *Concerns relating to foundations*
- *Plans, bamboo and other plans close to garage*
- *Tree concerns*

Officer response: The proposed extension is set of the boundary with no.37, therefore there would be no drain on the boundary.

The existing extension is not being assessed under this application. In addition to this the existing extension has been in place for a time surpassing enforcement investigation.

Concerns relating to foundations do not fall under planning remit. There are no protected trees within the neighbouring site. The plants and trees within the site should continue to received sufficient sunlight.

Statutory and Non Statutory Consultation

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

Consultation Responses
None

5.0 POLICIES

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

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

5.2 In this instance, the Development Plan comprises The London Plan 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.

6.0 ASSESSMENT

6.1 The main issues are;

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

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 Policies Local Plan (2013): DM1
- Supplementary Planning Document: Residential Design Guide (2010)

First Floor Rear Extension

6.2.2 The Residential Design Guidance para 6.64 states all roofs should be designed to reflect the character of the dwelling house and those adjoining to provide a satisfactory appearance. The height of any first floor or two storey extension should not exceed the height of the highest part of the roof of the existing dwelling house. The proposed first floor rear extension would comply with this.

6.2.3 It is noted the proposed first floor rear extension would be additional to the two storey side extension which has already been built, and therefore would have a width just short of the original dwelling. The proposal has been amended to reduce the scale of the extension by 1m overall, setting the extension in by 0.5m on each side. This has the benefit of reducing the massing of the extension in width and height (as the subordinate roof is reduced as a result) and ensuring space is retained between the existing back bedroom window and the proposed wall (previously the first floor extension directly abutted the window). In addition, in views of the flank wall from the street scene, the bulk of the proposed extension to the premises is broken up through this additional set in. Overall officers consider this revised proposal to be an improvement to the originally proposed scheme ensuring that the proposal would not unduly impact on the character and appearance of the existing dwelling or the area.

6.2.4 Summary

6.2.5 The proposed development, due to its size, scale, form and design would be a proportionate addition which would relate well to the original dwellinghouse. It is therefore considered that the proposal would have an acceptable impact on the character and appearance of the dwellinghouse and the surrounding area.

6.3 **Residential Amenity**

6.3.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): D3, D12
- Harrow Development Management Policies Local Plan (2013):DM1
- Supplementary Planning Document: Residential Design Guide (2010)

33 Manor Way

6.3.2 This application site is to the west of the host property. This dwelling has its front door on the side elevation which opens out onto a driveway area and there is a detached garage set back from the frontage on the boundary with the host property with a depth of 9m (including a wooden shed structure to the rear of the garage) and it has a width of 2.3m. The flank wall of the main dwelling at no 33 is set about 3.3m from the shared boundary.

6.3.3 The Residential Design Guidance para 6.65 states that two storey or first floor rear extensions abutting a side boundary have considerable potential for detrimental impact on the amenity of neighbouring properties because of potential excessive bulk and loss of light. Where such extensions need planning permission they must always comply with the 45 degree code and will also be assessed against the relevant site considerations, in particular: the orientation of the houses - siting south or west of the neighbour would normally be unacceptable the extent to which the proposal would rely for its setting on the garden of the adjoining house the location of the adjacent house and any existing extensions or other buildings at that property the use of the adjacent rear garden

- 6.3.4 Whilst the previously proposed extensions met the horizontal 45 degree code, officers felt there could be some betterment by ensuring the extension is set off the boundary to ensure a more neighbourly relationship in terms of breaking up the massing of the extension along this side. The amended plans include the reduction of width and set in of the extension by 0.5m. This has the added benefit of pulling the flank wall of the extension further away ensuring the extension sits well within the splay. Furthermore, the height of the extension would be reduced from 7.4m to 7m with the subordinate hipped roof splayed away from this boundary. Officers consider that the siting of the main house away from the boundary and the compliance of the 45 degree code (horizontal) from the nearest corner of no 33 would ensure that there would therefore not be an unreasonable loss of light or outlook to the rear protected rooms of no 33 as a result of the proposal. Loss of light to a front door in this house is not a material planning consideration as the hallway within the house is not a habitable room.
- 6.3.5 The proposed development is to the east of number 33 and it is notable that there is a large garage structure along the boundary, directly abutting the existing ground floor extensions at the subject property. In consideration of the orientation, any cast of shadow or light in the morning would come from the existing siting of the house at no 35 in the winter months when the sun is low and in the summer months be directly over the roof of the outbuildings. The same would be true of the proposed extensions. The reduced scale of the proposed extensions in terms of the height (as it is subordinate to the main roof) would ensure that any cast of shadow over the garage roof would be reduced compared to the previous scheme. The garden space at the rear of no 33 would not be unduly affected.
- 6.3.6 This neighbouring property has submitted objections to the proposal which the officer has summarised and responded to above. Any further submissions will be reported via the addendum,
- 6.3.7 The proposed extension due to its design, size, scale, siting and its relationship with No.33 Manor Way would not result in a detrimental impact to the visual and residential amenities of No.33 due to a loss of privacy, wind tunnel effect, outlook or light. It is also considered although there may be shadow cast at some times of the day the plants on this adjoining site would not be unduly impacted, given the site circumstances noted above and the north facing rear gardens on this side of Manor Way.

37 Manor Way

- 6.3.8 This application site is located to the to the east of the host property. The proposed extension would now be set 3.3m from the boundary with this attached property and would not breach the 45 degree code taken from the nearest first floor rear corner of this attached neighbour ensuring that the proposal would not appear overbearing or result in unacceptable loss of light of outlook to the rear protected windows. Again, the setting in from the flank boundary by an additional 0.5m ensures that the proposal comfortably sits within the splay, it would be less overbearing and ensure a more neighbourly relationship.

- 6.3.9 It is noted an objection have been received from this property which have been summarised and responded to above. Any further submissions will be reported via the addendum.
- 6.3.10 The proposed extension due to its design, size, scale, siting and its relationship with No.37 would not result in a detrimental impact to the visual and residential amenities of No.37 due to a loss of privacy, outlook or light.

Properties Located to the Rear of the Site

- 6.3.11 The proposed extension would be set over 30m to the rear boundary of the properties along Priory Way and therefore there would be no impact on the properties to the rear.

Summary

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

6.4 **Development and Flood Risk**

- 6.4.1 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): DM10

- 6.4.2 The development would not result in additional hard surfacing 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

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

6.5 **Fire Safety**

- 6.5.1 The relevant policies are:

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

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

Summary

- 6.5.4 The applicant has submitted a Reasonable Exception Statement to address fire safety. 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.

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: ST_MAR 23_35 MAN_00, ST_MAR 23_35 MAN_001 REV , ST_MAR 23_35 MAN_002 REV C, Fire Safety Report. Photos

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

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

Informatives

1. Relevant Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

The London Plan (2021):

D3; D11, D12, SI 12

The Harrow Core Strategy (2012):

CS1

Harrow Development Management Policies Local Plan (2013):

DM1, DM10

Supplementary Planning Document: Residential Design Guide (2010)

2. Pre-application engagement

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

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was not sought and provided and the submitted application was in accordance with that advice.

3. Considerate Contractor Code of Practice

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

4. Party Wall Act

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237
Textphone: 0870 1207 405
E-mail: communities@twoten.com

5. Liability for Damage to Highway

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

6. 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.

CHECKED

 <p>Orla Murphy Head of Development Management</p> <p>6th July 2023</p>	 <p>Viv Evans Chief Planning Officer</p> <p>6th July 2023</p>
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APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS

Front of host property



View of Host property and No. 33 Manor Way



View of No. 35 from host property garden







View of No. 33 from host property garden



Rear view of No.33 from host property garden



Front view of host property



Boundary view of No. 33 from host property



Host property garden

APPENDIX 4: PLANS AND ELEVATIONS

Existing plans and elevations

EXISTING 1:100

EXISTING 1:50

EXISTING 1:50 FLOOR PLANS

EXISTING FIRST FLOOR PLAN

EXISTING GROUND FLOOR PLAN

studio 13 architects

architects

ST_MAR 23_35 MAN_001

C

Amended proposed plans and elevations



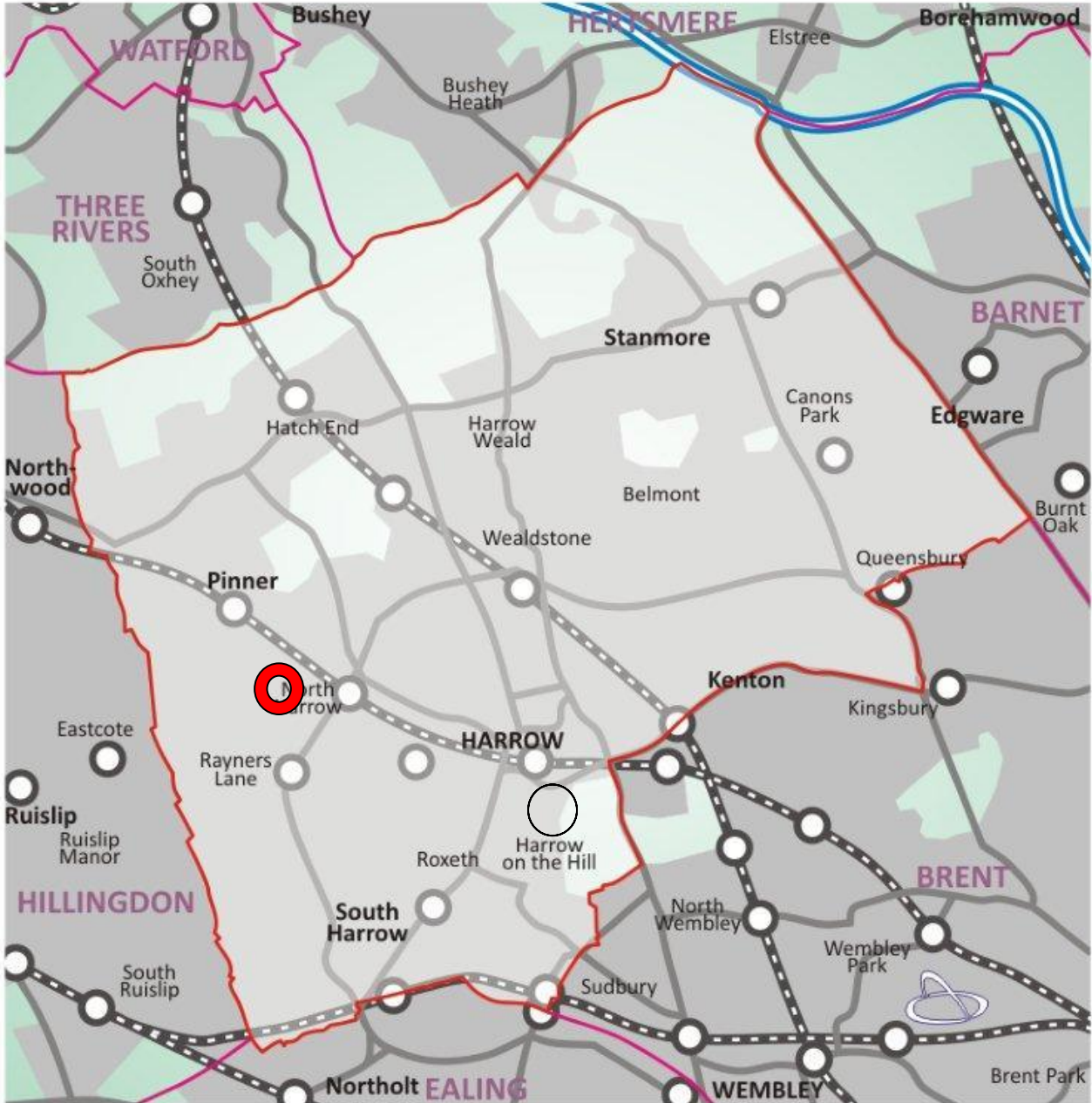
Superseded proposed plans and elevations



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 = application site



53 Suffolk Road, Harrow, HA2 7QF

P/1324/23

Location Plan



01 Location Plan
1:1250

0 10 20 30 40 50 M

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/1324/23
VALID DATE: 11/05/2023
LOCATION: 53 SUFFOLK ROAD
WARD: NORTH HARROW
POSTCODE: HA2 7QF
APPLICANT: MR NAHYAN GODIL
AGENT: MR PAULO TAVARES
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 06/07/2023
EXTENSION OF TIME: N/A

PROPOSAL

Certificate of lawful development (proposed): alterations and extension to roof to form side and rear dormer with Juliette balcony; rooflight in both side roofslopes; single storey front extension incorporating porch, infilling of front portico and removal of side chimney stack.

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant certificate of lawful proposed development

REASON FOR THE RECOMMENDATION

The proportions of the extensions are considered acceptable by default on both character and residential amenity grounds by virtue of compliance with Schedule 2, Part 1, Classes A, B, C, D and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

INFORMATION

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

Statutory Return Type:	Certificate of Lawful Development
Council Interest:	None
Net additional Floorspace:	Approximately 52.55 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

1.0 SITE DESCRIPTION

- 1.1 The application site relates to a two storey detached dwelling located toward the south western side of Suffolk Road.
- 1.2 The host building benefits from a side garage, which projects approximately 0.5 metres beyond the rear façade of the dwellinghouse
- 1.3 The application site is not listed, is not located within a Conservation Area, but is located within a Critical Drainage Area.
- 1.4 The site is not subject to an Article 4 Direction restricting permitted development rights.

2.0 PROPOSAL

- 2.1 The infilling of the dwellinghouse's front portico - Assessed under Class A of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2.2 A flat roofed dormer roof extension featuring a Juliet balcony which would extend over the rear roof slope and would also wrap around both side roof slopes - Assessed under Class B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In facilitating the roof extensions, the applicant is proposing to partially remove a side chimney stack - Assessed under Class G of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2.3 The installation of 2.no flank roof lights - Assessed under Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2.4 The erection of a flat roofed ground floor front porch to the front of the dwellinghouse's front portico - Assessed under Class D of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3.0 RELEVANT PLANNING HISTORY

P/1916/21/PREAPP	2 storey side and rear extension, loft conversion and dormer; garden office	Pre-application Advice Issued: 17/09/2021.
P/2469/21/PRIOR	Single storey rear extension: 8.00 metres deep, 3.00 metres maximum height and 2.70 metres high to the eaves – Refused 26/07/2021	Refused: 26/07/2021.

Refusal Reason (1): *The applicants submitted drawings fail to sufficiently indicate if the approximately 500mm deep original side garage wall projecting beyond the rear façade of the dwellinghouse is to be demolished to accommodate the proposed extension. In the absence of sufficient information, the Council cannot be satisfied that this original side wall is to be removed, and therefore cannot be satisfied that the proposed extension would not adjoin to and project beyond a side elevation wall of the original dwellinghouse whilst incorporating a width greater than half the width of the main dwellinghouse. The proposal would thereby fail to comply with the requirements of Schedule 2, Part 1, Class A, A.1 (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*

Refusal Reason (2): *The applicant has failed to accurately list all adjoining neighbouring properties within their submission, with No. 55 Suffolk Road being omitted as an adjoining property within Section 5 of the application form. The proposal would thereby fail to comply with Condition A.4 - (2)(c) of Schedule 2, Part 1, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).*

Refusal Reason (3): *The proposed extension, by reason of its excessive rearward projection and siting in relation to No. 55 Suffolk Road, would give rise to an unduly dominant and overbearing form of development which would result in an unacceptable loss of outlook to the rear garden and ground floor rear facing habitable room windows of No. 55 Suffolk Road. The proposed development would thereby be contrary to the Policy DM1 A and DM1 B (a) of the Development Management Policies Local Plan document (2013) and the relevant provisions of the adopted Supplementary Planning Document: Residential Design Guide (2010).*

P/4469/21	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 roofslopes; external steps at rear; extension of hardsurfacing at front; external alterations (demolition of attached garage)	Refused 11/01/2022:
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Refusal Reason (1): *The proposed part single part two storey front side and rear extension by reason of its excessive combined width, bulk, scale and massing, is considered to represent an overdevelopment of the site, which would appear unduly at odds with the established pattern of development along the street scene and within the wider area. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D3 (1) and (11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A., DM1 B. (a), (c) and of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).*

Refusal Reason (2): *The first floor front and side element of the extension, by reason of the fact that it would fail to be sufficiently set back from the front of the existing dwellinghouse, the adjacent side boundary with No. 55 Suffolk Road, and is to extend the dwellinghouse further forward at first floor level, would from an*

insubordinate addition to the dwellinghouse, which would unduly diminish the spacious gap between No. 53 and No. 55 Suffolk Road at first floor level resulting in a harmful terracing effect along the street scene. Furthermore, the replicated cat slide roof and projecting front windows associated with this element of the extension would relate poorly to the character and appearance of the original dwelling, it would not offset the loss of the original cat slide roof and projecting first floor front window, and would form an alien addition to the street scene and area. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D3 (1) and (11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A., DM1 B. (a), (b), (c) and (d) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

Refusal Reason (3): The ground floor front and side element of the extension, by reason of the fact that it would fully subsume the dwellinghouse's prominent original front portico and would uncharacteristically be set forward of the original portico would form an incongruous, unsympathetic and insubordinate addition to the host dwelling which would unduly detract from its original character and appearance, and would appear unduly at odds with the established uniformity of front and side extensions along the street scene. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D3 (1) and (11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A., DM1 B. (a), (c) and (d) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

Appeal Dismissed - (APP/M5450/D/22/3295845) 28/06/2022.

P/0940/22	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 roofslopes; external steps at rear; extension of hardsurfacing at front; external alterations (demolition of attached garage)	Refused 30/05/2022: (Committee Overturn)
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Refusal Reason: *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).*

Appeal Dismissed - (APP/M5450/D/22/3303763) 30/12/2022.

P/3338/22	Redevelopment to provide two storey (6 bed) detached dwelling with habitable roofspace; landscaping; parking; bin and cycle storage, new outbuilding to the rear, new boundary treatment including new front vehicular and pedestrian access gates (demolition of existing dwelling and greenhouse to the rear)	Refused 24/11/2022
<p>Refusal Reason (1): <i>The proposed replacement dwellinghouse by reason of its uncharacteristic contemporary design, blocky form, unsympathetic and unduly bulky flat roof, its prominent three storey appearance, it's excessive incorporation of uninterrupted white render, its incongruous roof terrace, and its failure to adequately reflect distinctive design features of surrounding dwellinghouses along the road, would give rise to an incongruous, unsympathetic and contrived form of development that would appear unduly at odds with the established pattern of buildings along the street scene, adversely impacting upon the overall visual amenity afforded within the area. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policies D3.D(1) and D3.D(11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A, DM1 B (a), (b) and (c) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</i></p> <p>Refusal Reason (2): <i>The proposed front access gates, associated brick wall and proposed flank boundary treatment (where applied to the front forecourt), by reason of their siting, uncharacteristic height, the resulting lack of visual permeability into and surrounding the site, and their undesirable visual demarcation of the site would appear unduly at odds the established pattern of front forecourt treatment along the street scene which is predominantly low scale and very open in nature. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policies D3.D(1) and D3.D(11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A, DM1 B (a), (b), (c) and (d) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</i></p> <p>Refusal Reason (3): <i>In failing to provide proposed elevation drawings detailing the external appearance of the proposed rear outbuilding, its height, and the extent to which the proposed solar panels would protrude above the roof surface, the Council cannot be satisfied that this building would not appear as an incongruous, disproportionate and unsympathetic addition to the application site and area in a wider context. Furthermore, the Council cannot be satisfied that this outbuilding would not appear as unduly overbearing and visually intrusive when viewed from the rear gardens of adjoining neighbouring properties at No. 51 and 55 Suffolk Road in addition to No. 94 Chester Drive. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policies D3.D(1), D3.D(7), D3.D(11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A, DM1 B (a), (b), and (c), DM1 C, DM1 D (d) and (e) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</i></p>		

P/1482/23	Single storey side to rear extension; external alterations (demolition of attached garage)	Pending Consideration. (Recommendation for Approval)
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4.0 **CONSULTATION**

4.1 The application is for a certificate of proposed lawful development, whereby consultation to adjoining properties is not required.

4.2 Statutory and non-statutory consultation

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

5.0 **REGULATIONS**

5.1 Schedule 2, Part 1, Classes A, B, C, D and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

6.0 **ASSESSMENT**

6.1 The main issues are:

- Compliance with Class A – Enlargement, improvement or other alteration of a dwellinghouse
- Compliance with Class B – Additions etc to the roof of a dwellinghouse
- Compliance with Class C – Other alterations to the roof of a dwellinghouse
- Compliance with Class D – Porches
- Compliance with Class G – Chimneys, flues etc on a dwellinghouse

6.2 **Compliance with permitted development (Classes A, B, C, D, and G)**

6.2.1 The relevant regulations are:

- Schedule 2, Part 1, Classes A, B, C and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Assessment for Infilling of Front Portico (Class A)

6.2.2 Permission to use the dwellinghouse as a dwellinghouse has **not** been granted only by virtue of Class M, N, P or Q of Part 3 of Schedule 2 (changes of use).

6.2.3 As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would **not** exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

- 6.2.4 The height of the part of the dwellinghouse enlarged, improved or altered would **not** exceed the height of the highest part of the roof of the existing dwellinghouse.
- 6.2.5 The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would **not** exceed the height of the eaves of the existing dwellinghouse.
- 6.2.6 The enlarged part of the dwellinghouse would **not** extend beyond a wall which— (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse.
- 6.2.7 The enlarged part of the dwellinghouse would have a single storey and would **not** (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height.
- 6.2.8 The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would **not** exceed 3 metres.
- 6.2.9 The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, but would **not**— (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwellinghouse.
- 6.2.10 The infilling of the front portico would **not** consist of or include – (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse.
- 6.2.11 The dwellinghouse is not located on article 2(3) land.
- 6.2.12 As confirmed within the email from the agent (Dated 03/07/2023), The materials to be used in the external works of infilling of the portico would be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
- 6.2.13 In light of all of the above, the infilling of the front portico would be permitted development under Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Assessment of Dormer Roof Extension (Class B)

- 6.2.14 Permission to use the dwellinghouse as a dwellinghouse has **not** been granted only by virtue of Class M, N, P or Q of Part 3 of Schedule 2 (changes of use).
- 6.2.15 Any part of the dwellinghouse would **not**, as a result of the works, exceed the height of the highest part of the existing roof;
- 6.2.16 Any part of the dwellinghouse would **not**, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

- 6.2.17 The cubic content of the resulting roof space would **not** exceed the cubic content of the original roof space by more than – (ii) 50 cubic metres.
- 6.2.18 The proposed dormer roof extension would **not** consist of or include (i) the construction or provision of a verandah, balcony or raised platform, or the installation, alteration or replacement of a flue or soil and vent pipe. It would however result in an alteration of a side chimney stack, however this is to be assessed separately under Class G of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 6.2.19 The dwellinghouse is not located on article 2(3) land.
- 6.2.20 The materials used in any exterior **would** be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
- 6.2.21 The enlargement has been constructed so that the (i)(aa) eaves of the original roof are maintained, (bb) the edge of the enlargement closest to the eaves of the original roof is **not** less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves.
- 6.2.22 No windows are proposed to the flank walls of the dwellinghouse at loft floor level. Flank rooflights are being proposed, however these are being proposed to the original roof form of the main dwellinghouse as opposed to proposed roof enlargements and would therefore be assessed under Class C of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as opposed to Class B.
- 6.2.23 In light of all of the above, the proposed dormer roof extension would be permitted development under Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Roof Lights (Class C)

- 6.2.24 Permission to use the dwellinghouse as a dwellinghouse has **not** been granted only by virtue of Class M, N, P or Q of Part 3 of Schedule 2 (changes of use).
- 6.2.25 The roof lights would **not** protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.
- 6.2.26 The roof lights would **not** exceed the highest part of the original roof.
- 6.2.27 The installation of the roof lights would **not** consist of or include – (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.
- 6.2.28 As indicated within the email from the agent (Dated 03/07/2023), the proposed flank roof lights **would be** obscure glazed and non-opening where they are set below 1.7 metres above the floor of the loft.

6.2.29 In light of all of the above, the proposed roof lights would be permitted development under Class C of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Front Porch (Class D)

6.2.30 Permission to use the dwellinghouse as a dwellinghouse has **not** been granted only by virtue of Class M, N, P or Q of Part 3 of Schedule 2 (changes of use).

6.2.31 The ground area (measured externally) of the structure would **not** exceed 3 square metres.

6.2.32 Any part of the structure would **not** be more than 3 metres above ground level.

6.2.33 Any part of the structure would **not** be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

6.2.34 In light of all of the above, the proposed front porch would be permitted development under Class D of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Partial Removal of Side Chimney Stack (Class G)

6.2.35 Permission to use the dwellinghouse as a dwellinghouse has **not** been granted only by virtue of Class M, N, P or Q of Part 3 of Schedule 2 (changes of use).

6.2.36 The partially removed chimney stack would **not** exceed the highest part of the roof by 1 metre or more

6.2.37 The dwellinghouse is not located on article 2(3) land.

6.2.38 In light of all of the above, the partial removal of the chimney would be permitted development under Class G of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal is consistent with the requirements of Schedule 2, Part 1, Classes A, B, C, D, and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is therefore lawful.

APPENIDIX 1: Reason for Approval and Informatives

REASON FOR APPROVAL:

1. The proposal would be within the tolerances of Schedule 2, Part 1 Classes A, B, C, D, and G of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
2. The proposal is therefore a lawful development

Plan Nos:

53_SR A1000 00 (Location Plans), 53_SR A1200 00 (Ground Floor GA), 53_SR A1201 00 (First Floor GA), 53_SR A1202 00 (Loft Floor GA), 53_SR A1203 00 (Roof Plan), 53_SR A1400 00 (Front Elevation), 53_SR A1401 00 (Rear Elevation), 53_SR A1402 00 (Side Elevation), 53_SR A1403 00 (Side Elevation), Location Plan, Email from Agent (Dated 03/07/2023).

INFORMATIVES:

1. 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

2. 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>

3. Permitted Development Guidance

You should be aware that, whereas a planning permission is valid for three years, a Certificate is only valid for as long as the permitted development legislation that gave rise to the decision remains in place. This could mean that, if the legislation changes after the Certificate was determined, your proposals may no longer be permitted development. In this case this Certificate decision was based on the revised permitted development rights for householders that the Government brought into effect on 15 April 2015.

For further advice on the current householder permitted development guidance an interactive guide is available on the Planning Portal on: <http://www.planningportal.gov.uk/permission/house>

4. Certificate Issued Based on Information Submitted

The applicant is advised that this Certificate is issued on the basis that the submitted plans and information are a true representation of the site circumstances and on the assumption that the property is in use as a single family dwellinghouse. If later this information turns out to be incorrect, then the basis of this Certificate may be challenged and the development could be liable to enforcement action.



5. Liability For Damage to Highway

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

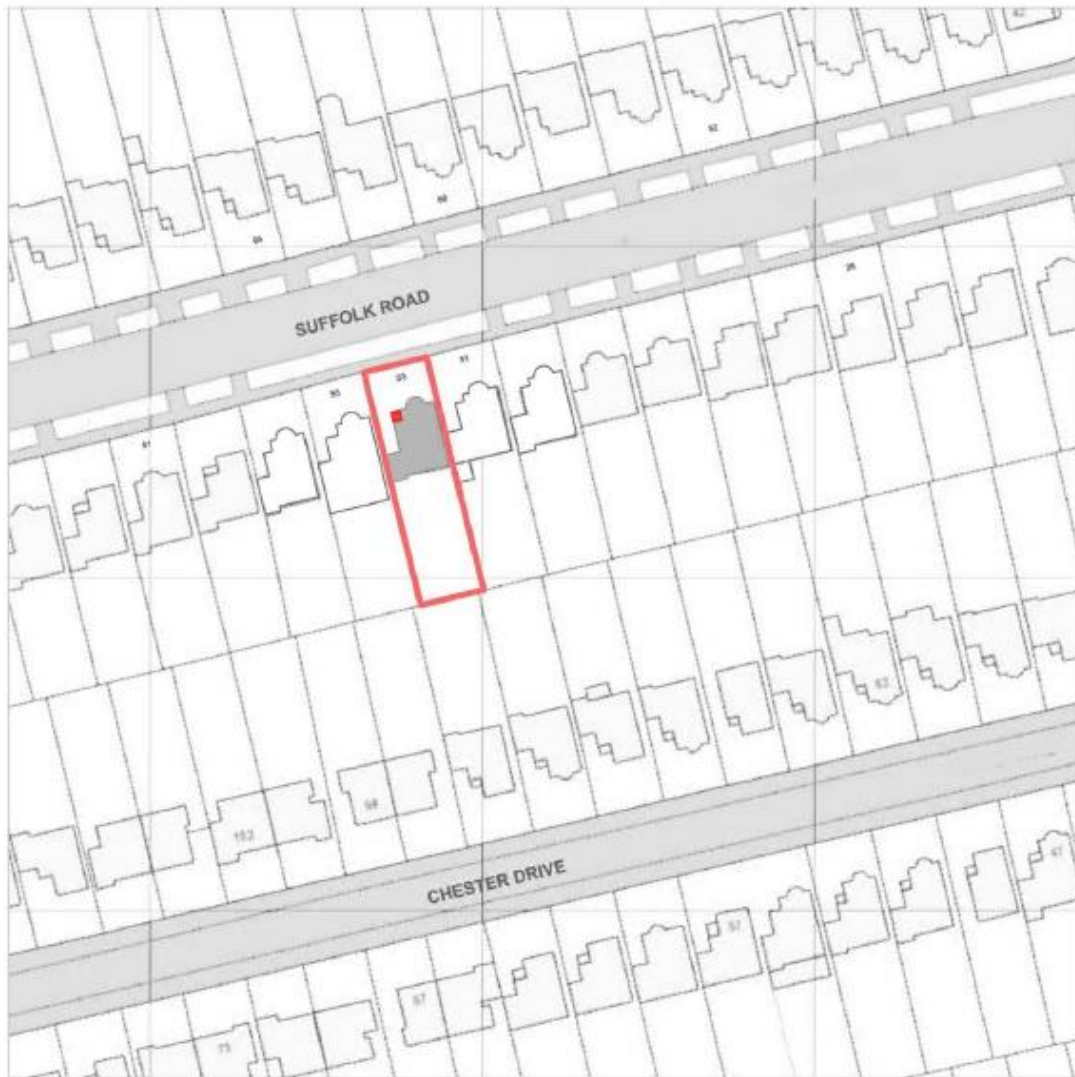
6. Surface and Foul Water Connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

CHECKED

 <p>Orla Murphy Head of Development Management 6th July 2023</p>	 <p>Viv Evans Chief Planning Officer 6th July 2023</p>
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APPENDIX 2: LOCATION PLAN



01 Location Plan
1:1250

0 10 20 30 40 50 M

APPENDIX 3: SITE PHOTOGRAPHS

Front Elevation



Front Elevation



View of Rear Garden (No.53)



Rear Elevation of No. 53

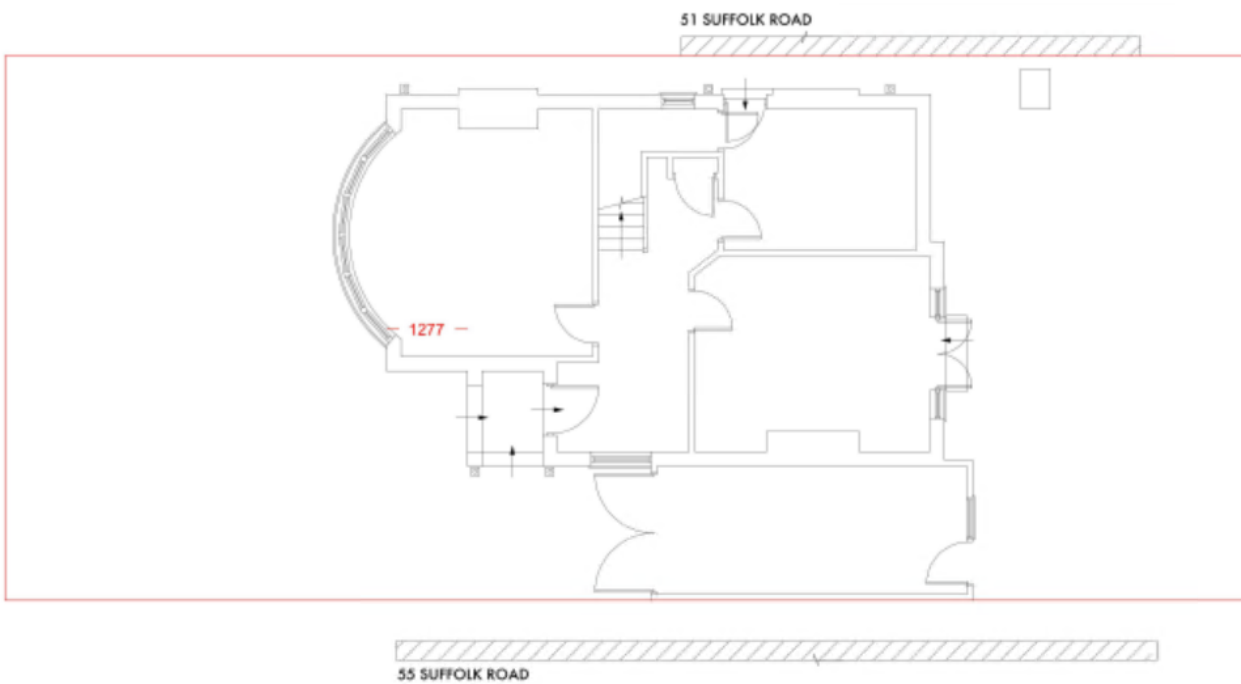


Street Scene Elevation

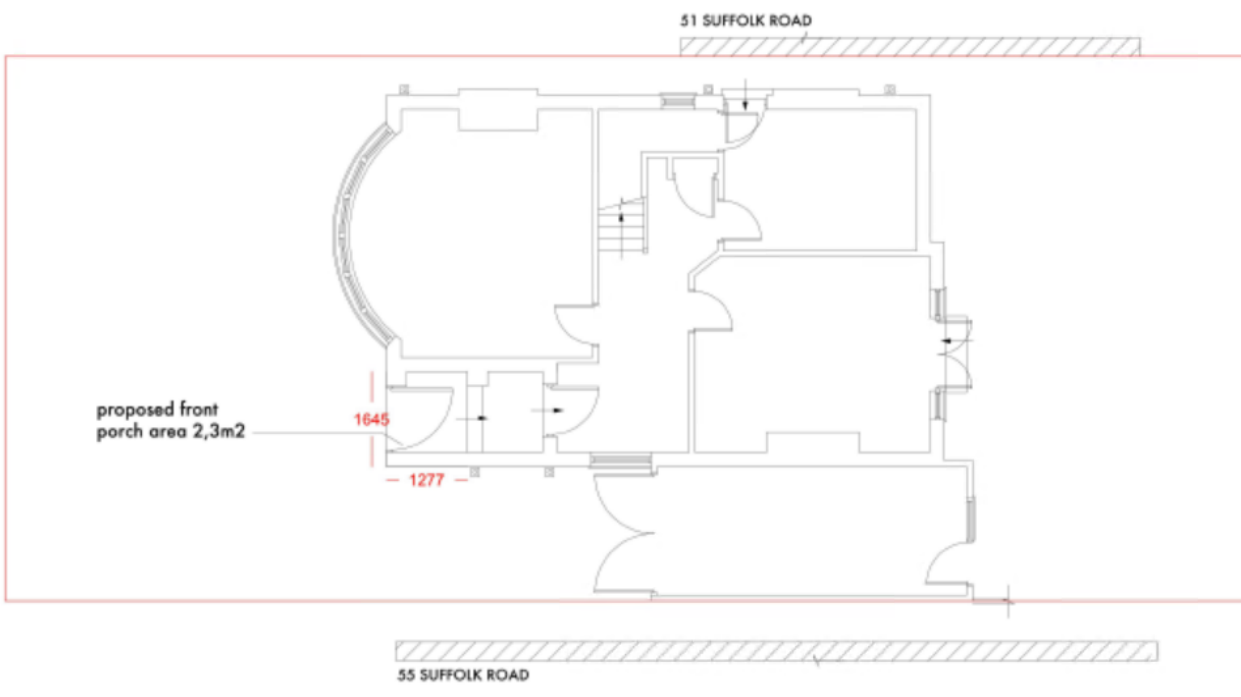


APPENDIX 4: PLANS AND ELEVATIONS

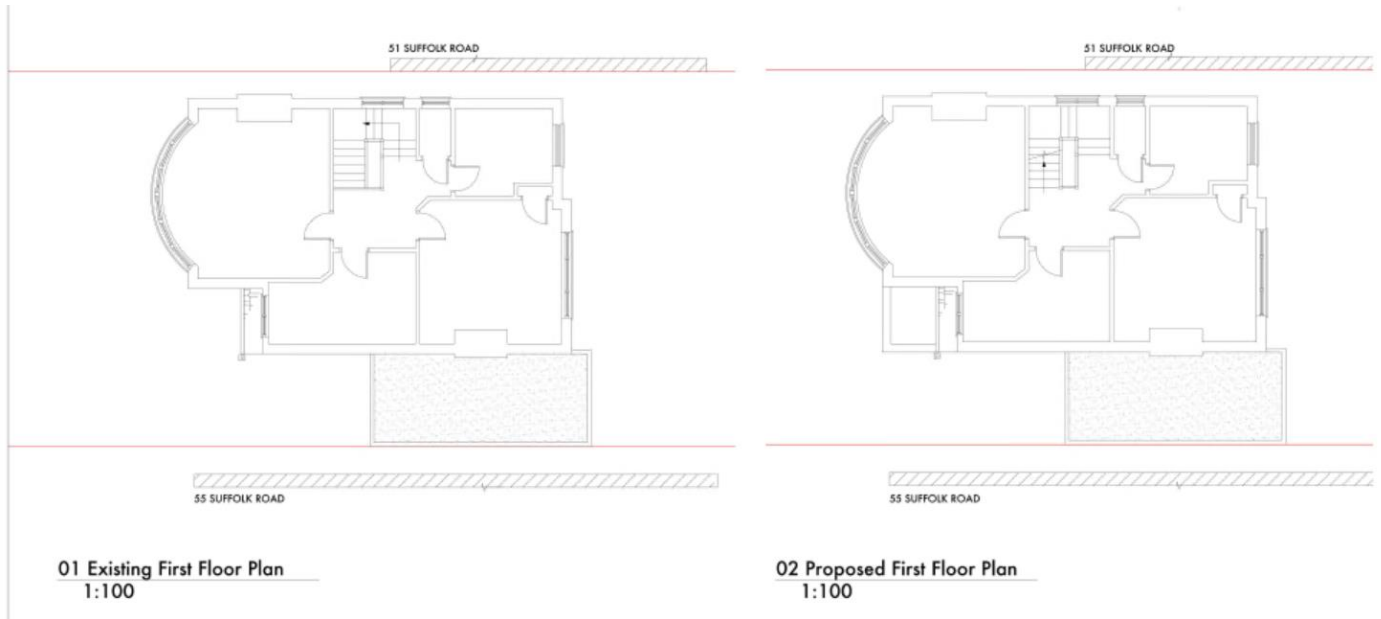
Existing and Proposed Ground Floor Plans



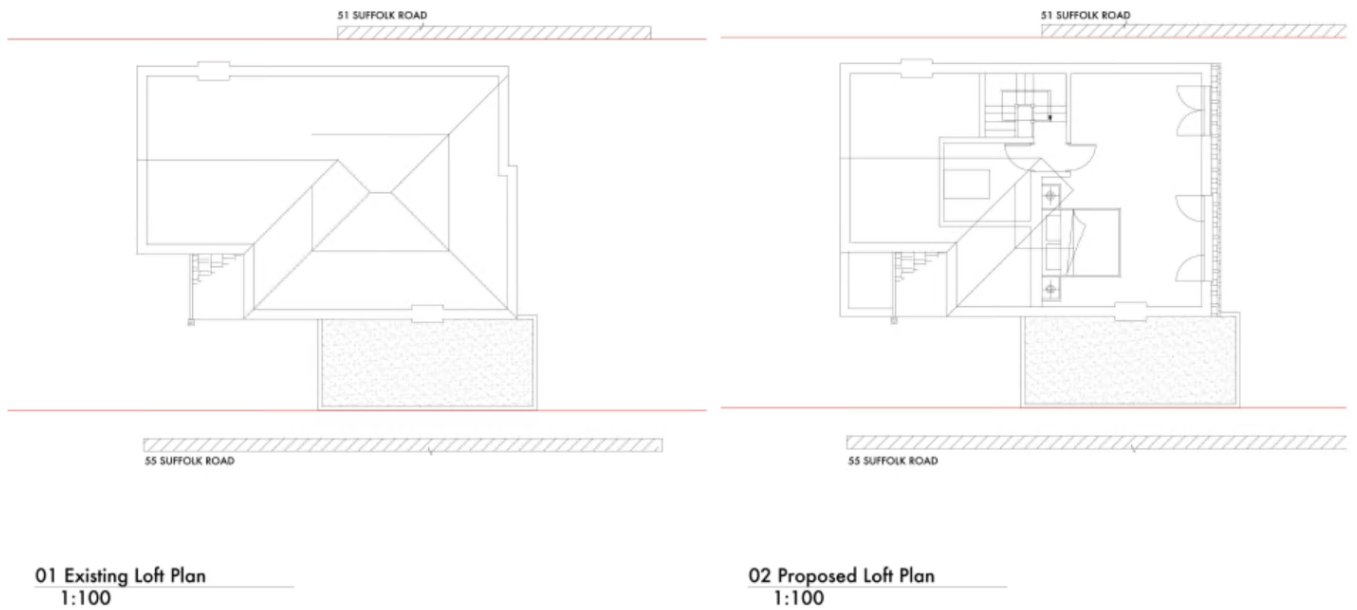
01 Existing Ground Floor Plan
1:100



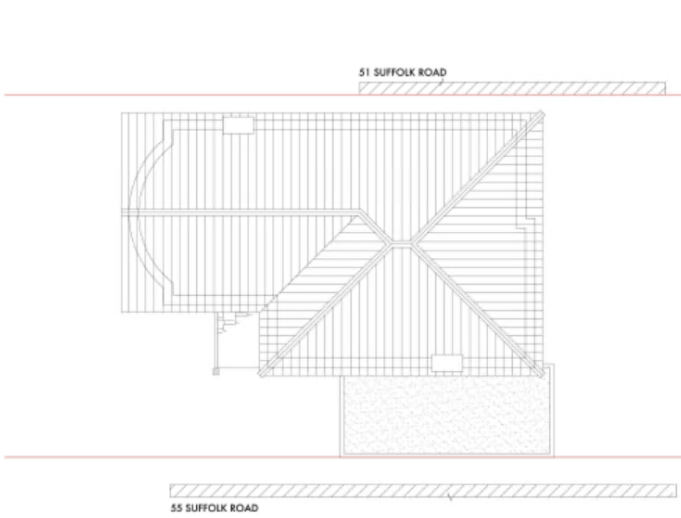
Existing and Proposed First Floor Plans



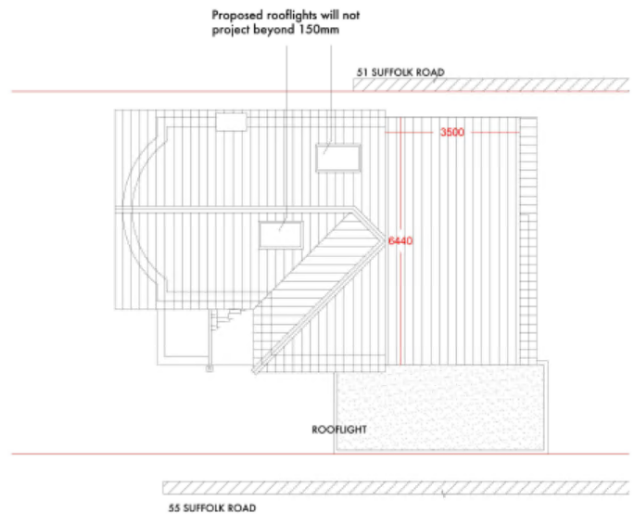
Existing and Proposed Loft Floor Plans



Existing and Proposed Roof Plans



01 Existing Roof Floor Plan
1:100



02 Proposed Roof Floor Plan
1:100

Existing and Proposed Front Elevations



01 Existing Front Elevation
1:100



01 Proposed Front Elevation
1:100

Existing and Proposed Rear Elevations



01 Existing Rear Elevation
1:100

new extension would match the materials of the existing roof slate tiles



01 Proposed Rear Elevation
1:100

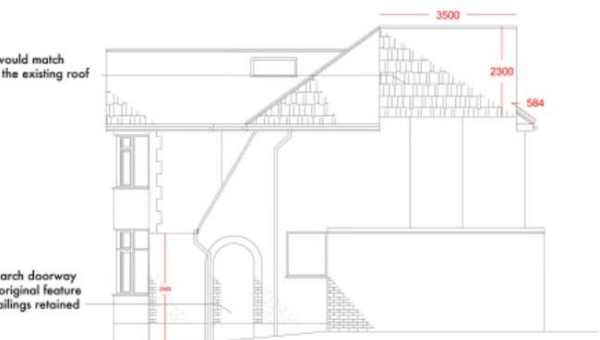
Existing and Proposed Side Elevations



01 Existing Side Elevation
1:100

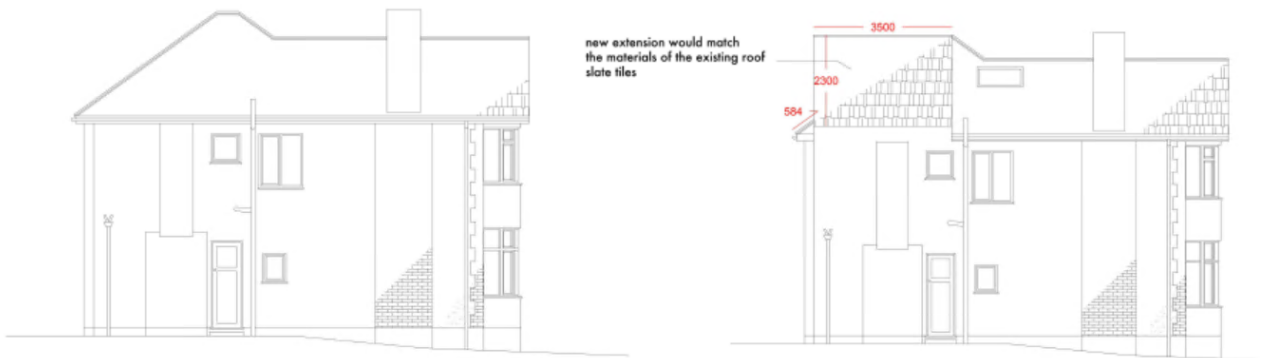
new extension would match the materials of the existing roof slate tiles

original arch doorway infilled, original feature and detailings retained



02 Proposed Side Elevation
1:100

Existing and Proposed Side Elevations

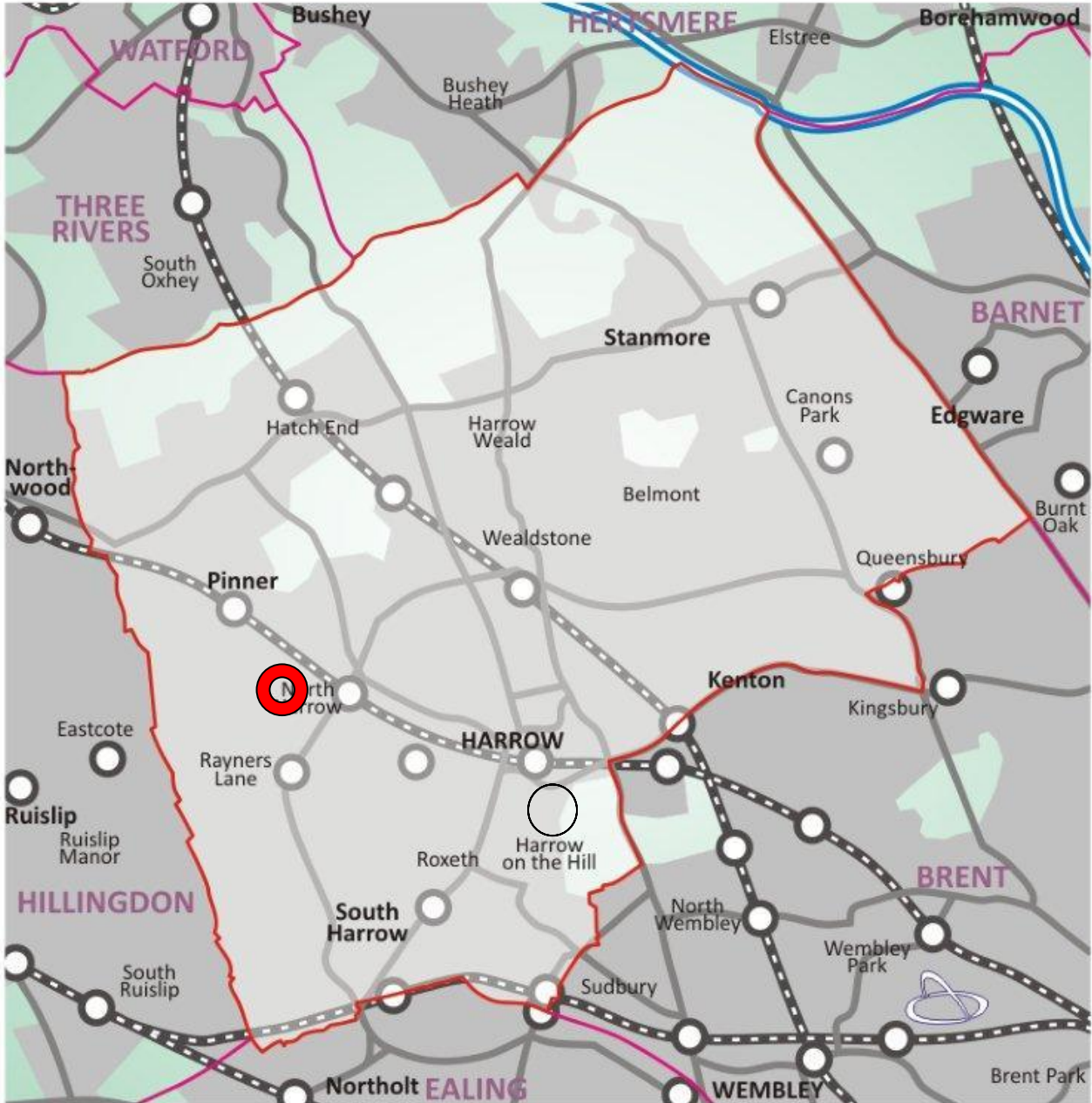


01 Existing Side Elevation
1:100

02 Proposed Side Elevation
1:100

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 = application site



53 Suffolk Road, Harrow, HA2 7QF

P/1482/23

Location Plan



01 Location Plan
1:1250

0 10 20 30 40 50 M

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/1482/23
VALID DATE: 24/05/2023
LOCATION: 53 SUFFOLK ROAD, HARROW
WARD: NORTH HARROW
POSTCODE: HA2 7QF
APPLICANT: MR NAHYAN GODIL
AGENT: MR PAULO TAVARES
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 19/07/2023
EXTENSION OF TIME: N/A

PROPOSAL

Single storey side to rear extension; external alterations (demolition of attached garage)

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, 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, DM9 and DM10 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

INFORMATION

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

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	Approximately 72.48 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The application site relates to a two storey detached dwelling located toward the south western side of Suffolk Road.
- 1.2 The host building benefits from a side garage, which projects approximately 0.5 metres beyond the rear façade of the dwellinghouse
- 1.3 The adjacent dwellinghouse at No. 55 Suffolk benefits from a two storey rear extension and a ground floor front and side extension beyond the front of their original side garage.
- 1.4 The adjacent dwellinghouse at No. 51 Suffolk Road has not been extended to the front or rear of the main dwelling but does feature a rearward projection beyond the rear of its original side garage.
- 1.5 There is a great deal of uniformity in the style and appearance of original dwellinghouses along Suffolk Road, although it is recognised that numerous properties do benefit from extensions.
- 1.6 The application site is not listed, is not located within a Conservation Area, but is located within a Critical Drainage Area.

2.0 PROPOSAL

- 2.1 The erection of a ground floor side to rear extension that can be broken down into the following elements:
- 2.2 A ground floor side extension following the removal of the existing side garage. The proposed extension would feature a flat roof form. The extension would project forward of the existing garage terminating in line with the dwellinghouse's front portico. The extension would feature a window to the front in place of the garage door. The extension would extend all the way up to the shared boundary with No. 55 Suffolk Road and would have a height of approximately 2.95m towards the front end and a height of approximately 2.65 towards the rear end.
- 2.3 A ground floor rear extension that would extend across the full width of the main dwellinghouse and beyond the rear of the side element referenced above. This extension would also have a flat roof, with a height of 2.65, and would extend beyond the rear of the dwellinghouse at a depth of approximately 7.55m

3.0 RELEVANT PLANNING HISTORY

P/1916/21/PREAPP	2 storey side and rear extension, loft conversion and dormer; garden office	Pre-application Advice Issued: 17/09/2021.
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P/2469/21/PRIOR	Single storey rear extension: 8.00 metres deep, 3.00 metres maximum height and 2.70 metres high to the eaves – Refused 26/07/2021	Refused: 26/07/2021.
<p>Refusal Reason (1): <i>The applicants submitted drawings fail to sufficiently indicate if the approximately 500mm deep original side garage wall projecting beyond the rear façade of the dwellinghouse is to be demolished to accommodate the proposed extension. In the absence of sufficient information, the Council cannot be satisfied that this original side wall is to be removed, and therefore cannot be satisfied that the proposed extension would not adjoin to and project beyond a side elevation wall of the original dwellinghouse whilst incorporating a width greater than half the width of the main dwellinghouse. The proposal would thereby fail to comply with the requirements of Schedule 2, Part 1, Class A, A.1 (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</i></p> <p>Refusal Reason (2): <i>The applicant has failed to accurately list all adjoining neighbouring properties within their submission, with No. 55 Suffolk Road being omitted as an adjoining property within Section 5 of the application form. The proposal would thereby fail to comply with Condition A.4 - (2)(c) of Schedule 2, Part 1, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</i></p> <p>Refusal Reason (3): <i>The proposed extension, by reason of its excessive rearward projection and siting in relation to No. 55 Suffolk Road, would give rise to an unduly dominant and overbearing form of development which would result in an unacceptable loss of outlook to the rear garden and ground floor rear facing habitable room windows of No. 55 Suffolk Road. The proposed development would thereby be contrary to the Policy DM1 A and DM1 B (a) of the Development Management Policies Local Plan document (2013) and the relevant provisions of the adopted Supplementary Planning Document: Residential Design Guide (2010).</i></p>		

P/4469/21	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 roofslopes; external steps at rear; extension of hardsurfacing at front; external alterations (demolition of attached garage)	Refused 11/01/2022:
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Refusal Reason (1): *The proposed part single part two storey front side and rear extension by reason of its excessive combined width, bulk, scale and massing, is considered to represent an overdevelopment of the site, which would appear unduly at odds with the established pattern of development along the street scene and within the wider area. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D3 (1) and (11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A., DM1 B. (a), (c) and of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).*

Refusal Reason (2): *The first floor front and side element of the extension, by reason of the fact that it would fail to be sufficiently set back from the front of the existing dwellinghouse, the adjacent side boundary with No. 55 Suffolk Road, and is to extend the dwellinghouse further forward at first floor level, would form an insubordinate addition to the dwellinghouse, which would unduly diminish the spacious gap between No. 53 and No. 55 Suffolk Road at first floor level resulting in a harmful terracing effect along the street scene. Furthermore, the replicated cat slide roof and projecting front windows associated with this element of the extension would relate poorly to the character and appearance of the original dwelling, it would not offset the loss of the original cat slide roof and projecting first floor front window, and would form an alien addition to the street scene and area. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D3 (1) and (11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A., DM1 B. (a), (b), (c) and (d) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).*

Refusal Reason (3): The ground floor front and side element of the extension, by reason of the fact that it would fully subsume the dwellinghouse's prominent original front portico and would uncharacteristically be set forward of the original portico would form an incongruous, unsympathetic and insubordinate addition to the host dwelling which would unduly detract from its original character and appearance, and would appear unduly at odds with the established uniformity of front and side extensions along the street scene. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policy D3 (1) and (11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A., DM1 B. (a), (c) and (d) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

Appeal Dismissed - (APP/M5450/D/22/3295845) 28/06/2022.

P/0940/22	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 roofslopes; external steps at rear; extension of	Refused 30/05/2022: (Committee Overturn)
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	hardsurfacing at front; external alterations (demolition of attached garage)	
<p>Refusal Reason: <i>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).</i></p> <p>Appeal Dismissed - (APP/M5450/D/22/3303763) 30/12/2022.</p>		

P/3338/22	Redevelopment to provide two storey (6 bed) detached dwelling with habitable roofspace; landscaping; parking; bin and cycle storage, new outbuilding to the rear, new boundary treatment including new front vehicular and pedestrian access gates (demolition of existing dwelling and greenhouse to the rear)	Refused 24/11/2022
<p>Refusal Reason (1): <i>The proposed replacement dwellinghouse by reason of its uncharacteristic contemporary design, blocky form, unsympathetic and unduly bulky flat roof, its prominent three storey appearance, it's excessive incorporation of uninterrupted white render, its incongruous roof terrace, and its failure to adequately reflect distinctive design features of surrounding dwellinghouses along the road, would give rise to an incongruous, unsympathetic and contrived form of development that would appear unduly at odds with the established pattern of buildings along the street scene, adversely impacting upon the overall visual amenity afforded within the area. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policies D3.D(1) and D3.D(11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A, DM1 B (a), (b) and (c) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</i></p> <p>Refusal Reason (2): <i>The proposed front access gates, associated brick wall and proposed flank boundary treatment (where applied to the front forecourt), by reason of their siting, uncharacteristic height, the resulting lack of visual permeability into and surrounding the site, and their undesirable visual demarcation of the site would appear unduly at odds the established pattern of front forecourt treatment along the street scene which is predominantly low scale and very open in nature. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policies D3.D(1) and D3.D(11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A, DM1 B (a), (b), (c) and (d) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</i></p>		

Refusal Reason (3): *In failing to provide proposed elevation drawings detailing the external appearance of the proposed rear outbuilding, its height, and the extent to which the proposed solar panels would protrude above the roof surface, the Council cannot be satisfied that this building would not appear as an incongruous, disproportionate and unsympathetic addition to the application site and area in a wider context. Furthermore, the Council cannot be satisfied that this outbuilding would not appear as unduly overbearing and visually intrusive when viewed from the rear gardens of adjoining neighbouring properties at No. 51 and 55 Suffolk Road in addition to No. 94 Chester Drive. The proposal would thereby be contrary to the high quality design aspirations of the National Planning Policy Framework (2021), Policies D3.D(1), D3.D(7), D3.D(11) of The London Plan (2021), Core Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 A, DM1 B (a), (b), and (c), DM1 C, DM1 D (d) and (e) of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).*

Appeal In Progress: (APP/M5450/W/23/3318226)

P/1324/23	Certificate of lawful development (proposed): alterations and extension to roof to form end gables; rear dormer with juliette balcony; rooflight in both side roofslopes; single storey front extension incorporating porch	Pending Consideration. (Recommendation for Approval)
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3.1 Context of APP/M5450/D/22/3303763

3.2 This application follows the refusal of application P/0940/22 and its subsequent dismissal at appeal (APP/M5450/D/22/3303763). Looking closely at the inspector’s appeal decision for APP/M5450/D/22/3303763, it can be conceived that their fundamental issues with the scheme relate to:

- The depth and siting of the rear extension in relation to No. 51 Suffolk Road and a loss of sunlight and outlook afforded to this neighbouring property, particularly due to the fact that the development was proposed to the south west of No. 51. Within Paragraph 9 of it is noted that *“due to the orientation and depth of the two storey element of the extension, I consider that there would be some harmful impact upon sunlight and outlook from this neighbouring property as a result”*. Furthermore, within Paragraph 10 it is noted that there would be *‘some considerable loss of daylight through the proposed first floor extension both into the first floor window of number 51 and into the garden area, especially in the afternoon and even more so in winter. Moreover, when combined with the blank elevation here and the proposed dormer window to the second floor, I consider that the harm here would be significant and that the proposed extension would appear overly dominant.’*
- Harm to the character of the original property through the loss of locally distinct features such as the removal of the front gable, brick quoin details, and the brick chimneys. Within Paragraph 12 it is noted that *“the proposal does still*

noticeably alter the character of the original property, primarily through the loss of locally distinct features that I consider are important in maintaining the character and appearance of the streetscene". This is elaborated on with Paragraph 13 where it is noted that "the removal of the front gable, brick quoin details, and the brick chimneys for instance would all contribute to a harmful erosion of this distinctive character"

- Concern over the scale of the development and an overdevelopment of the site, with it being noted within it being noted within Paragraph 14 that the loss of important detailing to the building *"added to the scale of development and the harmful rearwards projection contained within this application would lead me to the conclusion that such harm is significant"*. Furthermore, within Paragraph 15 it is noted that *"the proposed extensions would represent an overdevelopment of this plot that would have a harmful impact upon the living conditions of neighbours and a more modest impact upon the streetscene through the loss of architectural details that I consider are important in this context"*.

- 3.3 This current application is only for a single storey side to rear extension, with both the ground floor side and rear elements being highly comparable to the ground floor side to rear elements proposed under application P/0940/22 in terms of their overall massing and design. The inspector's appeal decision for APP/M5450/D/22/3303763 holds significant weight, however when considered in isolation independent of the other extensions and alterations proposed under application P/0940/22, officers do not consider the proposed ground floor side to rear extension to be in contravention of the inspector's conclusions for APP/M5450/D/22/3303763, this will be assessed in greater detail within the Assessment section (6) of this Committee Report.

4.0 CONSULTATION

- 4.1 A total of 5.no consultation letters were sent to neighbouring properties regarding this application. Letters were sent out on 24/05/2023 and the public consultation period expired on 14/06/2023. A site notice was posted on 16/06/2023 and is set to expire on 07/07/2023. No comments have been received in respect to this application. If comments are received between the publication of this committee report and the committee meeting, these shall be set out within an addendum.

Statutory and non-statutory consultation

- 4.2 No internal or external consultees were consulted on the application.

5.0 POLICIES

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

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

- 5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] which sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP]. The relevant policies are referenced within the report below and a summary within Informative 1.

6.0 **ASSESSMENT**

6.1 The main issues are:

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

6.2 **Character and Appearance of the Area**

6.2.1 The relevant policies are:

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

Relevant Supplementary Documents

- Residential Design Guide (2010)

Ground Floor Side Extension

6.2.2 The proposed side extension is considered to be a congruous, proportionate and sympathetic addition to the host building street scene and area in a wider context. There are a wide range of ground floor side extensions in place of original garages along the street scene, the most comparable examples on this side of Suffolk Road include side extensions to No. 37, 39, 49, 55, 75, 79, and 81 which all features side extensions with a window in place of the original garage door and all project in line with their original front porticos, although all of these have been infilled. The front window associated with the extension is not considered to appear at odds with the rest of the dwellinghouse's front fenestration in terms of its design. Based on the context of surrounding development and the fact that the proposed side extension would remain proportionate to main dwelling in terms of its overall bulk and massing, officers consider it to be an acceptable addition on character and design grounds.

6.2.3 It should be noted that within the inspector's decision for APP/M5450/D/22/3303763 the ground floor side extension is not independently referenced as a reason for dismissal. The inspector did raise concern over the loss of distinctive original features to the building, however the loss of the original side garage was not referenced as one of these features. The front forecourt of the site is predominantly hardsurfaced and is considered to be sufficient in accommodating off-street car parking needs in spite of the loss of the garage.

Ground Floor Rear Extension

- 6.2.4 Likewise, officers consider the ground floor rear extension be to a congruous and proportionate addition to the host dwelling and wider area given then the site context. Whilst officers acknowledge that this element of the extension would have a fairly significant depth and overall massing, it is not visible from the street scene, it would be subordinate in height to the main dwelling, furthermore it is noted that there is not significant uniformity in terms of rearward extensions along the road, with various dwellinghouses incorporating large rearward extensions. Overall, given the site context and its low scale visibility from the site's surroundings, the ground floor rear extension is considered on balance to have an acceptable impact on the character and appearance of the host dwelling and wider area.
- 6.2.5 Within the inspector's decision for APP/M5450/D/22/3303763, concerns were raised regarding the overall scale of development and the proposal for P/0940/22 forming an overdevelopment of the plot, however the overall scale of development proposed on the site has been substantially reduced with the applicant now only proposing extensions at ground floor level, significantly reducing overall built form. Officers note that the ground floor rear extension would limit the size of the dwellinghouse's rear garden, however this is not considered to be to such an extent that it would unduly harm the character of the host dwelling and area in a wider context. The Council's policies and design guidance do not set a minimum requirement for the amount of rear garden space that needs to be retained following an extension, this is assessed on a case by case basis with the Council expecting the size of rear garden space to be meaningful, functional and in context with the gardens of surrounding properties. In this instance, there is not complete uniformity in the size of rear gardens along this part of the road with extended dwellings, and/or dwellinghouses with outbuildings having noticeably smaller gardens. Whilst the size of the retained rear garden would be smaller than that of surrounding properties, it is not considered to be to such an extent that it would detract from the character of the area. Within the inspector's decision for APP/M5450/D/22/3303763 they did not make reference to the retained size of the garden as a reason for dismissal.

Materials

- 6.2.6 The applicant's submitted elevation drawings indicate that the external walls of the proposed development would be finished in render brickwork, this would be consistent with finish applied to the main dwellinghouse and is considered to be appropriately sympathetic.
- 6.2.7 In summary, the overall design of the proposed development is considered to be acceptable. The development remains sympathetic to the main dwelling and does not detract from the overall character and appearance of the host building, street scene and surrounding area.

6.3 Residential Amenity

- 6.3.1 The relevant policies are:
- National Planning Policy Framework (2021)
 - The London Plan (2020): D3
 - Harrow Core Strategy (2012): CS1
 - Harrow Development Management Policies (2013): DM1
Relevant Supplementary Documents

- Residential Design Guide (2010)

Impact on No. 51 Suffolk Road

- 6.3.2 The ground floor side extension would not project beyond the front of the dwellinghouse's front gable projection, meaning that it would not be visible from the main dwellinghouse at No. 51 Suffolk Road. Based on the above, this element is considered to have an acceptable impact in relation to this neighbouring property.
- 6.3.3 The ground floor rear extension would project approximately 4 metres beyond the rear of the single storey rear projection which extends beyond No. 51 Suffolk Road's garage. This projection is sited directly adjacent to the application site and would screen large parts of the extension from view. Applying the guidance set out within Paragraph 6.59 of the Residential Design Guide SPD, the Council would expect extensions on detached properties to project no more than 4 metres beyond the neighbouring property (unless site circumstances allow for this) given that a detached dwellinghouse would be allowed to extend 4 metres to the rear under permitted development. In this particular case the proposal would be compliant given the siting of No. 51 Suffolk Road's rear projection beyond their side garage. Taking this into account alongside the fact that the proposed extension would not incorporate an excessive overall height, it is not considered to unduly impact on light and outlook afforded to the rear garden and rear facing habitable room fenestration of this neighbouring property. The rear facing window to the rear of the projection beyond No. 51 Suffolk Road's garage does not appear to serve a habitable room, as such the development's impact on this window is considered acceptable. Within the inspector's decision for APP/M5450/D/22/3303763 they did raise concern over a loss of sunlight and outlook afforded to the rear garden and first floor rear facing habitable room windows of No. 51 Suffolk Road due to the development's siting to the south west of the rear of this neighbouring property, however within the inspector's decision it is clearly indicated that this harm fundamentally results from upper floor level additions which are not being proposed as part of this application.

Impact on No. 55 Suffolk Road

- 6.3.4 On the basis that the ground floor side extension would be sited towards the front end of the dwellinghouse, would not protrude forward of No. 55 Suffolk Road and would not sit parallel to any facing ground floor fenestration in respect to No. 55 Suffolk Road, it is considered to have an acceptable impact on the residential amenity of this neighbouring property.
- 6.3.5 Reiterating points set out above, in applying the guidance set out within Paragraph 6.59 of the Residential Design Guide SPD, the Council would expect ground floor rear extensions on detached properties to project no more than 4 metres beyond the neighbouring property (unless site circumstances allow for this) given that a detached dwellinghouse would be allowed to extend 4 metres to the rear under permitted development. In this particular instance, the ground floor rear extension is indicated to project approximately 3.8 metres beyond the rear façade of No. 55 Suffolk Road, furthermore the extension would incorporate a relatively low height on the side bordering this neighbouring property (approximately 2.65 metre high), and a small gap (measured on site to be approximately 0.67-0.68m) would be provided between the extension and main flank wall of No. 55 Suffolk Road, which does provide a degree of relief. Whilst officers recognise that No. 55 Suffolk Road does feature a primary rear facing kitchen window located on the side adjacent to the

application site, given that that the ground floor rear element of the extension would not project excessively rearward of this neighbouring property, incorporates a relatively low overall height, and some spacing has been provided between the extension and flank wall of No. 55 Suffolk Road, it is considered on balance not to result in an undue loss of outlook to this neighbouring property's rear garden and rear facing kitchen window.

- 6.3.6 With regard to impact on light, officers acknowledge that the rear garden and rear facing habitable room windows of No. 55 Suffolk Road are south facing, and are located to the west of the application site. This effectively means that the ground floor rear element of the extension could result in a degree of overshadowing in the early morning during summer months, however, this would not last for a significant length of time and is not anticipated to be intensive enough to result in undue harm. It should be noted that inspector made no reference to harm upon the residential amenity afforded to occupants of No. 55 Suffolk Road within their reasons for the dismissal of APP/M5450/D/22/3303763, the overall scale of the rear extension proposed under this application is substantially smaller than that of the rearward extensions proposed under application P/0940/22.

Impacts on Properties to the Rear

- 6.3.7 The applicant property is sufficiently set back from the properties to the rear and would not unduly affect neighbour amenity.
- 6.3.8 In summary, the proposed development is considered to have an acceptable residential amenity impact in respect to all neighbouring occupants.

6.4 Drainage

- 6.4.1 The relevant policies are

- National Planning Policy Framework (2021)
- The London Plan (2020): SI 12, SI 13
- Harrow Core Strategy (2012): CS1.W
- Harrow Development Management Policies (2013): DM9, DM10

- 6.4.2 The development would result in an increase in the development footprint on the site and would therefore have an impact in terms of increased surface water flood risk. 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.

6.5 Fire Safety

- 6.5.1 The relevant policies are

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

- 6.5.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are

in place as well as confirmation of the fire-fighting water supply. The applicant has completed a Reasonable Exception Statement to confirm that the development will not adversely affect the appropriate fire safety measures of the site.

6.6 Consultation Responses

6.6.1 N/A

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 and area in a wider context, 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 Exception 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, DM9 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:

Planning Statement, 53_SR A1000 00 (Location Plans), 53_SR A1200 00 (Ground Floor GA), 53_SR A1201 01 (First Floor GA), 53_SR A1202 00 (Loft Floor GA), 53_SR A1203 00 (Roof Plan), 53_SR A1400 00 (Front Elevation), 53_SR A1401 00 (Rear Elevation), 53_SR A1402 00 (Side Elevation), 53_SR A1403 00 (Side Elevation), Reasonable Exception Statement.

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

3. **Materials to Match**

The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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

4. **Glazing 2**

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

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

5. **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 residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

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

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

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM9, DM10

Supplementary Planning Documents: Residential Design Guide SPD (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. Grant with Pre-App Advice

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

This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

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

CHECKED

 <p>Orla Murphy Head of Development Management 6th July 2023</p>	 <p>Viv Evans Chief Planning Officer 6th July 2023</p>
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APPENDIX 2: LOCATION PLAN

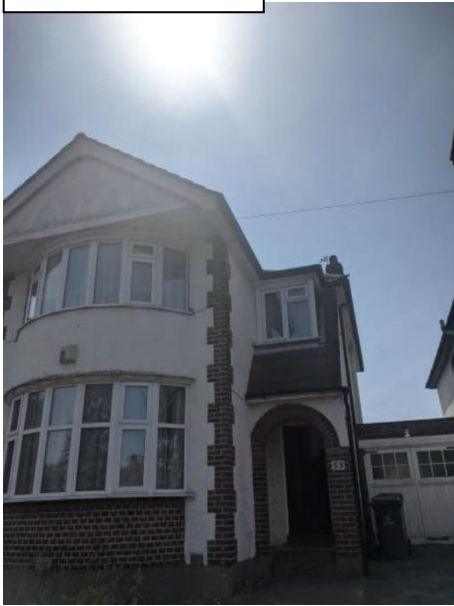


01 Location Plan
1:1250



APPENDIX 3: SITE PHOTOGRAPHS

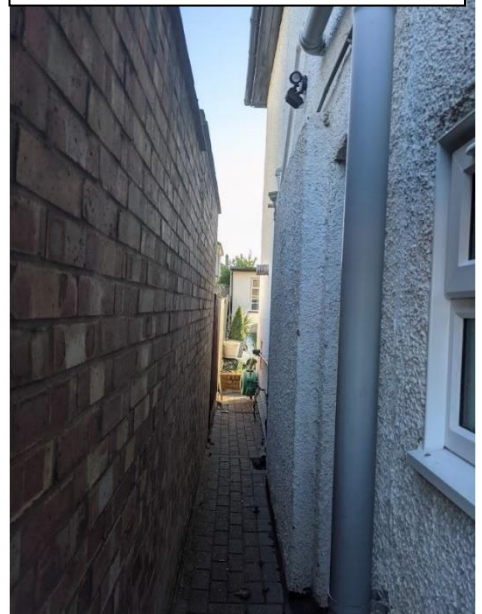
Front Elevation



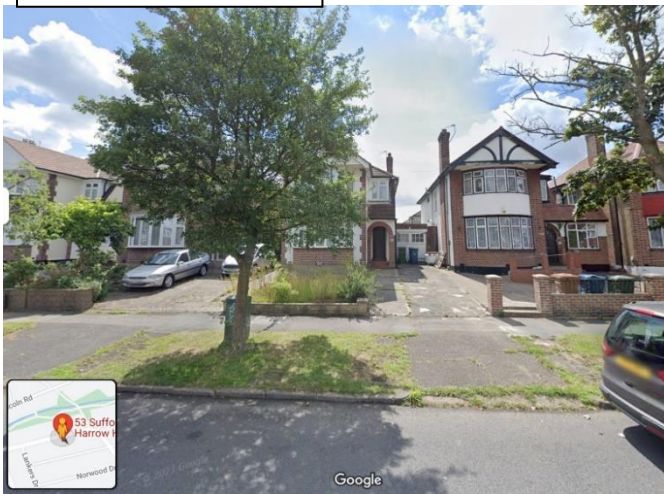
Front Elevation



Gap Between No. 53 and 55



Street Scene View



View of No. 55's First Floor Flank Windows



Rear Elevation of No. 53

View of Rear Garden (No.53)



Rear Elevation of No. 55



View of No. 55's Rear Garden



View of No. 55 (From No. 53)



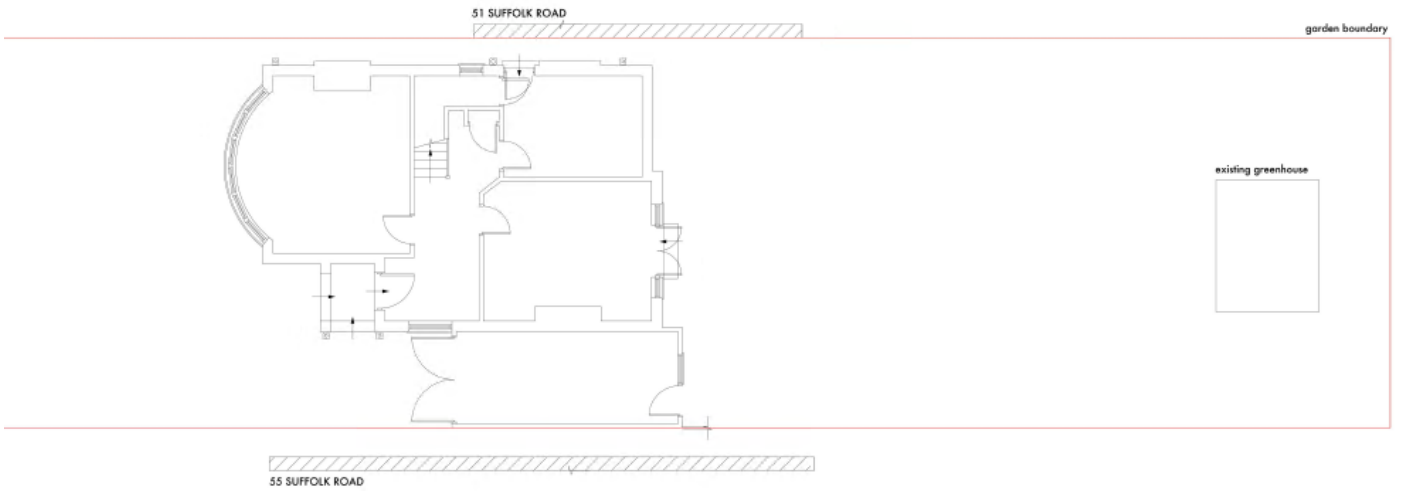
View of No. 51 (From No. 53)

Window to No. 51's Side and Rear Projection

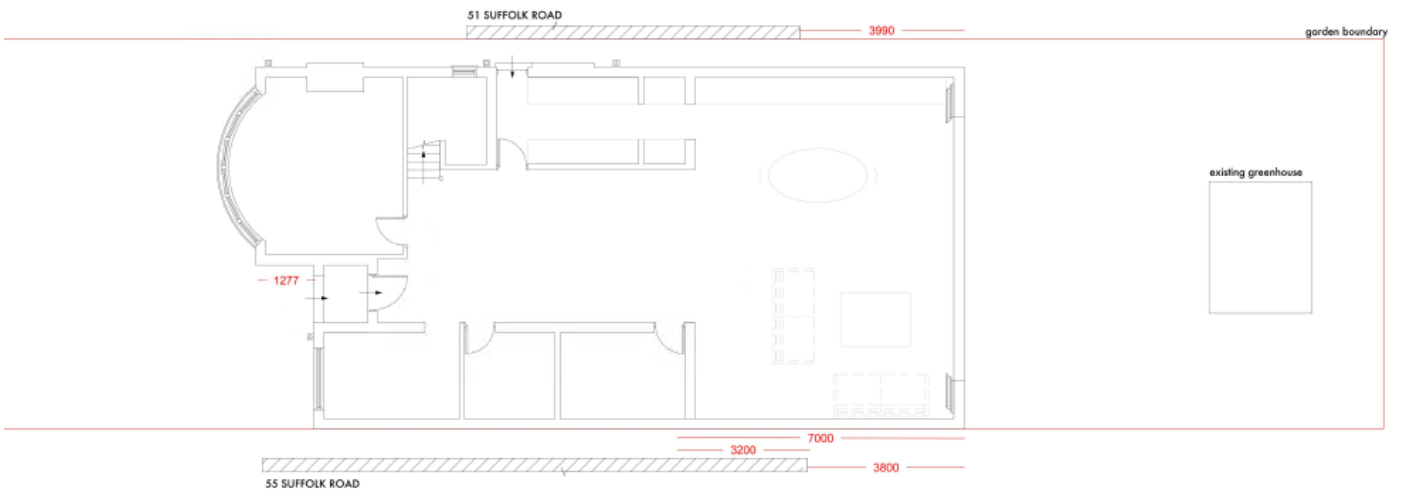


APPENDIX 4: PLANS AND ELEVATIONS

Existing and Proposed Ground Floor Plan

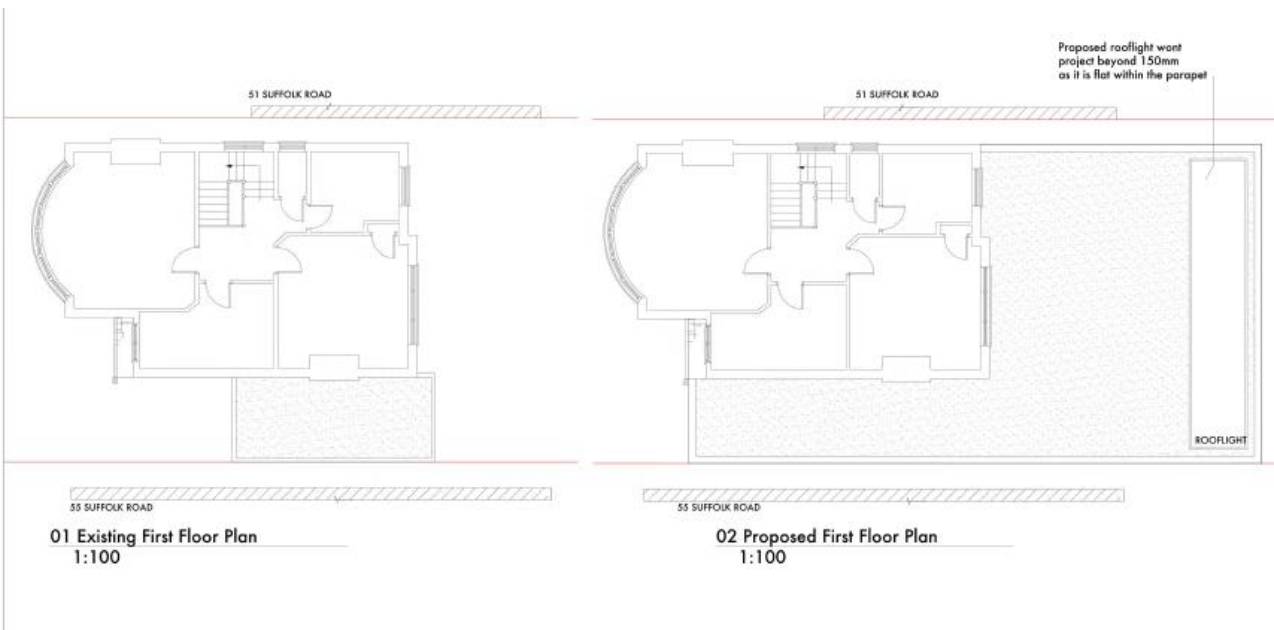


01 Existing Ground Floor Plan
1:100

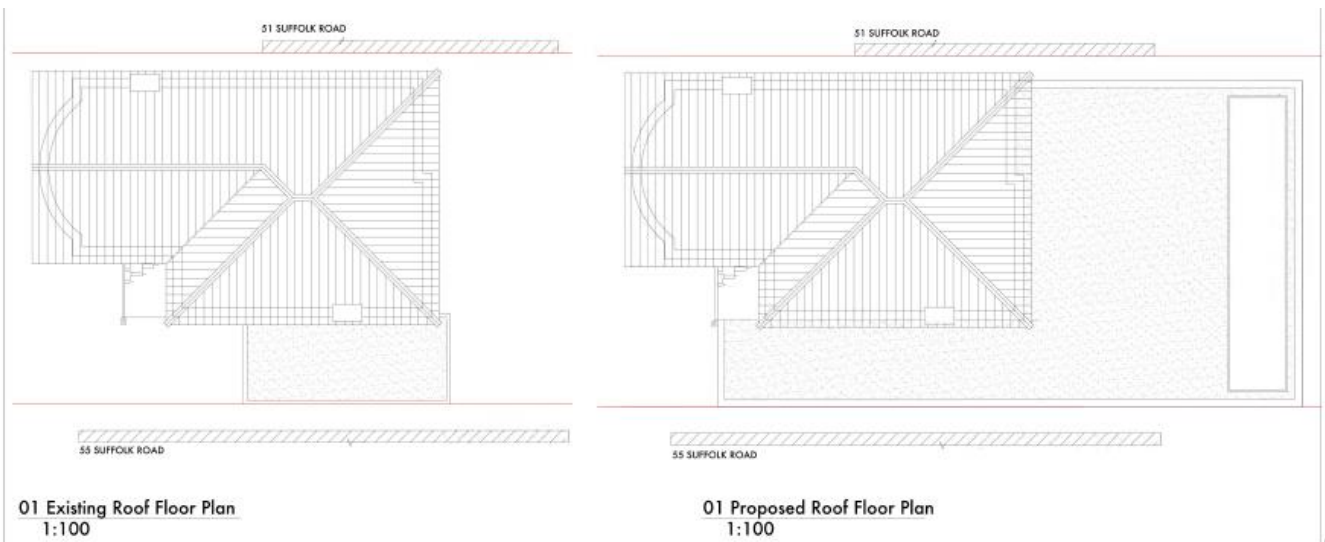


02 Proposed Ground Floor Plan
1:100

Existing and Proposed First Floor Plan



Existing and Proposed Roof Plan



Existing and Proposed Front Elevations



01 Existing Front Elevation
1:100

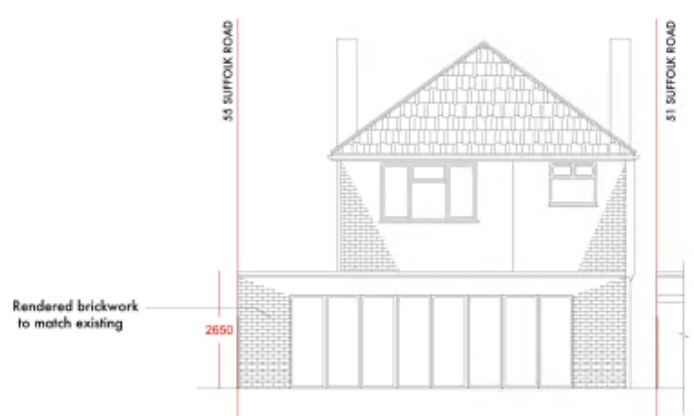


02 Proposed Front Elevation
1:100

Existing and Proposed Rear Elevations

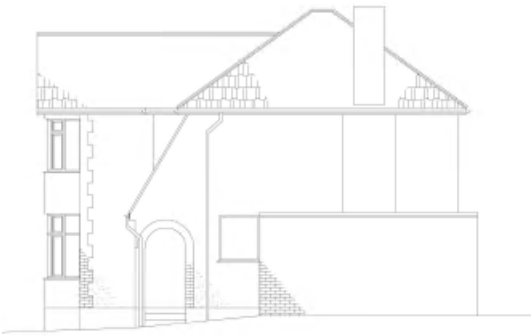


01 Existing Rear Elevation
1:100

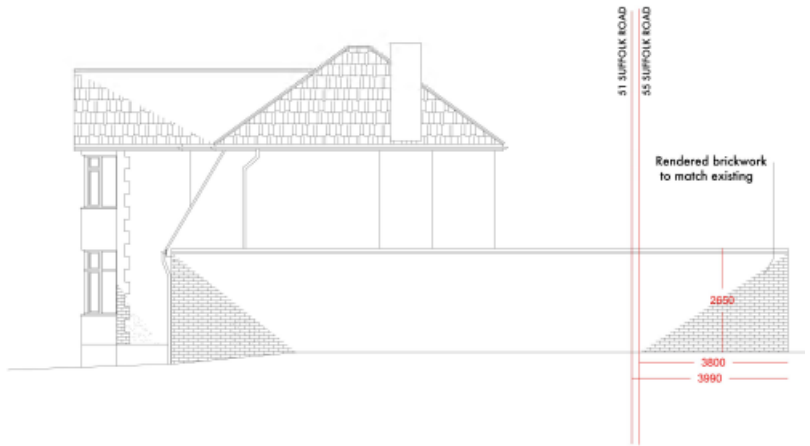


02 Proposed Rear Elevation
1:100

Existing and Proposed Side Elevations



01 Existing Side Elevation
1:100



02 Proposed Side Elevation
1:100

Existing and Proposed Side Elevations



01 Existing Side Elevation
1:100



02 Proposed Side Elevation
1:100



Appeal Decision

Site visit made on 30 September 2022

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 30 December 2022

Appeal Ref: APP/M5450/D/22/3303763

53 Suffolk Road, Harrow HA2 7QF

- 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 Nahyan Godil against the decision of London Borough of Harrow Council.
 - The application Ref: P/0940/22 dated 7 March 2022, was refused by notice dated 30 May 2022.
 - The application is for proposed single storey front extension incorporating porch; single storey 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 hardstanding at front; external alterations (demolition of attached garage).
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the Council's decision notice and differs from that used on the Appellant's original application. In Part E of the appeal form it is stated that the description of development is the same as that used by the Council and as such I have used this description accordingly which I feel accurately represents the scope of the proposals.

Main Issues

3. The main issues are the effect of the proposal upon the character and appearance of the area and upon the living conditions of neighbours.

Reasons

4. Suffolk Road is characterised primarily by mid century detached and semi detached houses that appear to exhibit the typical qualities of mid twentieth century suburban design that was fashionable around the time. Although some properties have been modified the vast majority of houses along Suffolk Road exhibit a general consistency in design that contributes in a positive manner to the character and appearance of the area. Such uniform motifs as Mock Tudor details, simple gable roofs and brick detailing all contribute to this character.

<https://www.gov.uk/planning-inspectorate>

5. The appeal property exhibits many of these details and although it has lost much of its timber Mock Tudor detailing to its front gable, the property does still form part of a row of four seemingly near identical houses, each sporting full protruding gable roofs and double height bay windows, along with distinctive features such as brick quoins and render. These properties are also notable for their subservient catslide type roof to the side of the protruding frontage gable that again echoes the neo vernacular design aesthetic that likely inspired these dwellings originally.
6. The proposals before me appear to be the result of significant negotiation between the Appellant's and the Council and it appears that some considerable improvement upon the original plans may have now been arrived at. Nevertheless, I am required to deal with the proposal before me as it stands through these proposals bearing in mind all the evidence before me as well as that gathered on my site visit.
7. In summary the proposals intend to extend the property to the side, over the location of the existing garage which would be demolished. This would be supplemented by a change to the front gable roof to a hip with accommodation within the roof and a large single and first floor extension to the rear so as to create dining and kitchen extension with bedrooms above. The proposal would also render over the brick quoin details and remove the existing red brick chimneys.
8. To the rear the extension would extend beyond the existing extensions of both the neighbouring properties but would nevertheless conform to the maximum recommendations within the Council's Supplementary Design Guidance for Residential Extensions. Despite this the proposal would be located towards the south west of the neighbouring property at number 51. Number 51 already appears to have a single storey rear garage extension that protrudes outward from the rear elevation of the property. Number 51 also has a similar fenestration pattern to that of the appeal property in having two windows on the first floor here, one of which is obviously a bathroom and one of which is, presumably, a bedroom.
9. This proposal would be located towards the south east of number 51 and as such I give special consideration to the impact that this specific orientation may have upon the living conditions of residents at number 51. The proposal would for instance introduce a much higher scale of development along this boundary and, due to the orientation and depth of the two storey element of the extension, I consider that there would be some harmful impact upon sunlight and outlook from this neighbouring property as a result.
10. Although the 45 degree rule appears to have been conformed to, there would still be some considerable loss of daylight through the proposed first floor extension both into the first floor window of number 51 and into the garden area, especially in the afternoon and even more so in winter. Moreover, when combined with the blank elevation here and the proposed dormer window to the second floor, I consider that the harm here would be significant and that the proposed extension would appear overly dominant.
11. As such, and contrary to the Planning Officer's conclusion on this matter, I find that the living conditions of neighbours would actually be adversely affected both through the dominance of this extension and through the impact of it upon number 51 through the orientation and siting of the two dwellings. This

would in turn lead to a detrimental and overbearing impact upon the living conditions of neighbours at number 51 Suffolk Road.

12. In terms of the impact of the proposal upon the streetscene, it is apparent that great lengths have been gone to in order to minimise the impact of the proposed extensions, especially to the front. However, the proposal does still noticeably alter the character of the original property, primarily through the loss of locally distinct features that I consider are important in maintaining the character and appearance of the streetscene.
13. The removal of the front gable, brick quoin details, and the brick chimneys for instance would all contribute to a harmful erosion of this distinctive character. Although many of these changes could be undertaken without the need for planning permission, I consider it unlikely that such changes would occur without the rest of these extensions being implemented, and as such I can give this fall back position only limited weight.
14. On balance therefore there would be some modest harm sustained to the streetscene through the cumulative loss of such important details even though the overall form of the extensions would be largely appropriate when seen from Suffolk Road itself. This loss of detail however added to the scale of development and the harmful rearwards projection contained within this application would lead me to the conclusion that such harm is significant.
15. In light of the issues identified above therefore, I consider, on the whole, that the proposed extensions would represent an overdevelopment of this plot that would have a harmful impact upon the living conditions of neighbours and a more modest impact upon the streetscene through the loss of architectural details that I consider are important in this context. As such I conclude that the policy recommendations outlined in Policy CS1 of the Harrow Core Strategy, Policy DM1 of the Harrow Development Management Policies Plan and D1 of The London Plan which seek to protect both the character of an area and the living conditions of nearby residents have not been fully met.

Conclusion

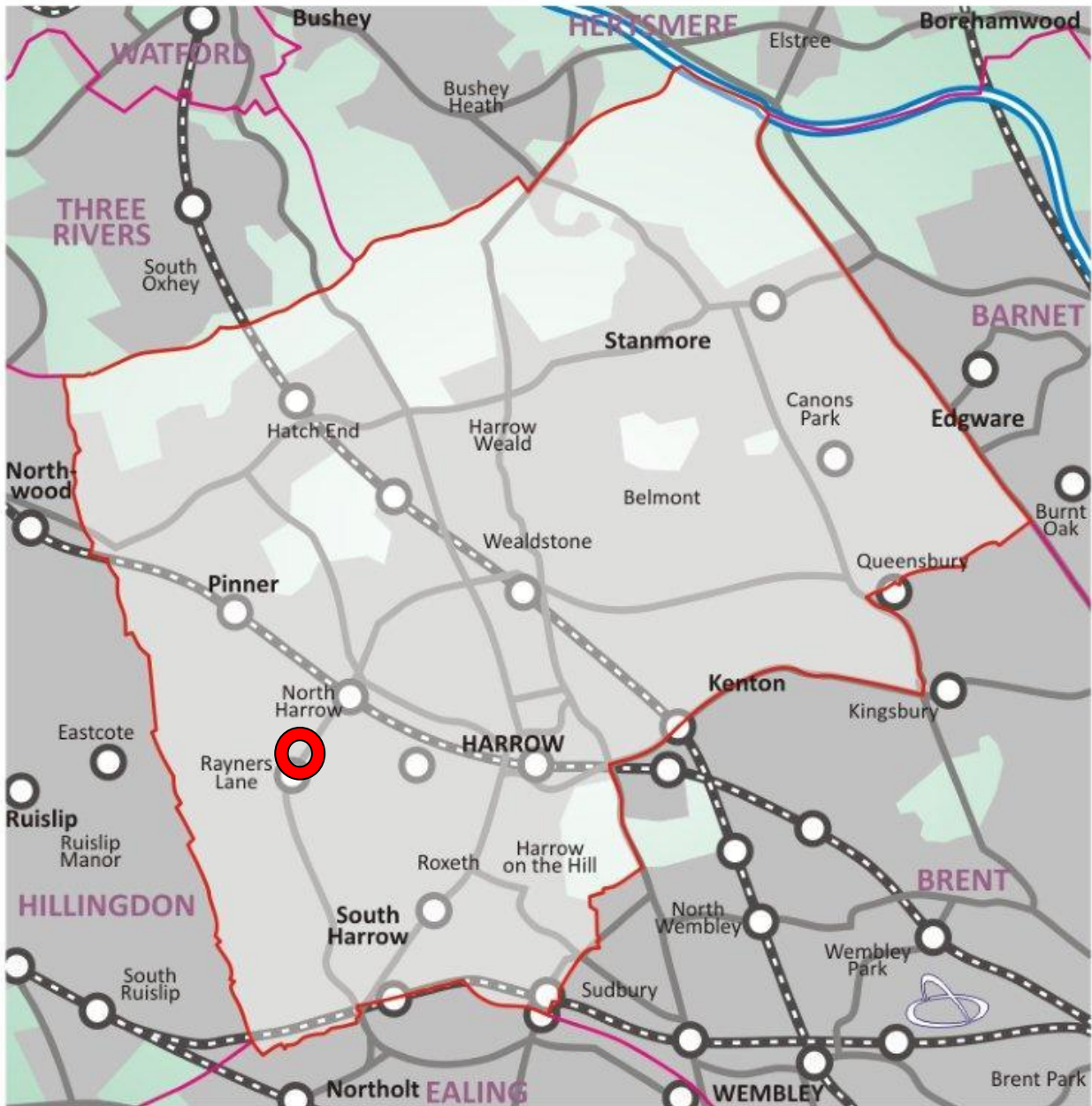
16. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR

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 = application site



187 Imperial Drive, North Harrow, Harrow HA2 7JP **P/0186/23**

Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/0186/23
VALID DATE: 22/02/2023
LOCATION: REGENT COLLEGE, 167 IMPERIAL DRIVE, NORTH HARROW
WARD: NORTH HARROW
POSTCODE: HA2 7JP
APPLICANT: REGENT GROUP LIMITED
AGENT: NEXUS PLANNING
CASE OFFICER: MONGEZI NDELA
EXPIRY DATE: 21/04/2023 EXTENDED TO 29/09/2023

PROPOSAL

Redevelopment to provide five storey building with basement level comprising of higher education facilities (use class f1(a)) and 5 x self-contained flats to fourth floor (2 x 2 bed and 3 x 1 bed); landscaping

RECOMMENDATION

RECOMMENDATION A

- 1) Agree the reasons for approval as set out in this report, and
- 2) Grant planning permission subject to authority being delegated to the Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of a legal agreement and other enabling legislation and issue of the planning permission, subject to any comments and objections that are received as a result of the site notice/advertisements which expires on 4th August 2023 being addressed to the satisfaction of the Chief Planning Officer and subject to minor amendments, insertion to or deletion of the conditions (set out in Appendix 1 of this report) or the legal agreement. The Legal Agreement Heads of Terms would cover the following matters:
 - a. Harrow Employment and Training Initiatives: financial contribution towards local training and employment initiatives prior to commencement - £25,000
 - b. Carbon offsetting contribution - £20,339
 - c. Parking Permit Restrictions – The development to be “resident permit restricted” in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that 1) all marketing/advertising material makes reference to this fact and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those

who are registered disabled) will not be entitled to apply for residents parking permit or a visitor permit. A contribution in accordance with the adopted fees and charges of £1,500 is required to amend the Traffic Management Order

- d. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement.
- e. Legal Agreement Monitoring fee of £500

RECOMMENDATION B

That if the Legal Agreement is not completed by 29th September 2023, or as such extended period as may be agreed by the Chief Planning Officer, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that:

The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2021), policies D7, H5, G6, E10, SI2, SI3, and DF1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), policies DM1, DM13, DM20, DM21, DM24, and DM50 of the Harrow Development Management Policies Local Plan and the Supplementary Planning Document: Planning Obligations & Affordable Housing (2013).

REASON FOR THE RECOMMENDATIONS

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

The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward a mixed-use development of a satisfactory layout and design to ensure that the future users of the site would benefit from a high-quality educational establishment and that future residential 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 and include non-residential floorspace greater than 400m². 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:	3,040.96sqm (residential 429.21sqm)
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£25,752.60
Local CIL requirement:	£47,213.10

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used

1.0 SITE DESCRIPTION

- 1.2 The site comprises a rectangular-shaped parcel of brownfield land, located immediately to the south of the junction of Village Way East and Imperial Drive in Rayners Lane.
- 1.3 The site is currently in use as a higher education college, and comprises of a three-storey college building, including ground level parking.
- 1.4 The site measures approximately 0.12 hectares and is largely free of significant trees and vegetation.
- 1.5 The site is located within the boundary of Rayner's Park District Centre but is located beyond the Primary and Secondary Shopping Frontages.
- 1.6 The site currently has a single vehicular access point from Imperial Drive and egress via the lane to the rear. The main pedestrian access is from Imperial Drive.
- 1.7 The site is bound to the north by a Pinner Ambulance Station, and to the east, by the rear of residential properties facing Beechcroft Avenue. To the south of the site is Broad House, a former office building which has since been converted to flats. To the west of the site are a mix of commercial and residential use within Rayners Lane District Centre. The site is also within the setting of the former Rayners Lane Public House, a Grade II Listed Building.
- 1.8 The site is located within the Rayner's Lane District Centre, which provides a diverse mix of retail and service uses. The site is located approximately 200m from Rayner's Park Underground Station.
- 1.9 The site has a Public Transport Accessibility Level (PTAL) of 4 however is immediately adjacent to an area with a PTAL of 5.

2.0 PROPOSAL

- 2.1 The application proposes to redevelop the site to provide a new five-storey mixed use building fronting Imperial Drive.
- 2.2 The building is proposed to primarily retain its educational use, providing routes to higher education, with an element of residential above. The first four storeys are proposed to be retained within the education use whilst a fifth floor is proposed to be residential. It is estimated that up to 420 students and 30 staff on-site on a typical day, which is an increase of 45 students and 10 staff compared to current usage.
- 2.3 The proposals extend to five floors with the ground and first floors covering the full width and length of the site. The second and third floor are then set back from the front elevation by approximately 3m and set back from the rear by approximately 5.8m, whilst the fourth floor is set back further from the rear elevation by

approximately 7.8m. Two terraces are provided to the rear of the first floor whilst an additional rear terrace is provided at second floor level.

- 2.4 A total of five flats are proposed comprising of 2 x 2b4p flats and 3 x 1b2p flats. Access would be via the ground floor side entrance. The proposed building would have a flat roof.
- 2.5 A new scheme of hard and soft landscaping is proposed throughout the site, including additional planting at the various roof and terrace levels. As well as an area of green roof with photovoltaic panels at the roof level.
- 2.6 Vehicular access is situated to the rear of the building where four parking spaces are provided including two disabled spaces.
- 2.7 The proposals include 42 bicycle parking spaces for short stay parking to the front of the site. A further 18 cycle long stay parking spaces for staff and students are provide within the building at the ground floor level. 10 Cycle parking spaces associated with the residential component are provided at the ground floor level
- 2.8 The waste storage would be provided to the rear of the building at ground floor.

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
P/898/04/CFU	Change of use: class b1 to d1(offices to education) on ground first and second floors	Grant - 24/05/2004
P/153/06/DFU	3.55M high chain-link fence to rear and side boundary	Grant - 9/03/2006
P/5432/17	Display of six non-illuminated fascia boards on railings	Refuse - 27/06/2018

4.0 Consultation/Advertisement

- 4.1 Application advertised as Affecting the setting of a Listed Building and Conservation Area on 11th July 2023 and Site Notice erected on 30th June 2023.
- 4.2 A total of 106 consultation letters were sent to neighbouring properties regarding this application and a site notice was erected on 27th February 2023.

4.3 Three objections were received.

- I am writing to object to the proposed application, as prior to the current owners (Regent College) taking possession of the property, there was originally consultation regarding the same and it was agreed that they would take ownership as it was to be used for educational purposes.
Officer Response:
This is not a material planning consideration
- This will not only block out light / obstruct part of the view for residents of Imperial Court but will also cause extra congestion and parking problems for the whole area.
Officer Response
Please refer to sections 6.4 and 6.5 of this report
- Traffic is horrendous at peak times from North Harrow to Alexandra Avenue
Officer Response
The residential component on this site is relatively small in comparison to the enhanced educational establishment that would be created. Furthermore, the proposal only includes four new parking spaces which is considered negligible on the existing capacity on site.
- There are already many flats within the vicinity
Officer Response:
This is not a material planning consideration
- There are lots of unofficial HMOs.
Officer Response:
A condition will be attached to ensure that the flats are not converted to HMO's
- Regent College has various educational site which presumably mean they will apply for similar planning permissions elsewhere.
Officer Response:
This is not a material planning consideration
- This 5 story will effect our privacy.
Officer Response
Please refer to section 6.4 of this report
- Traffic is worst affecting more pollution and parking issues.
Officer Response
Please refer to section 6.5 of this report

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

Consultee and Summary of Comments

Transport for London

Healthy Streets and ATZ:

- All developments should deliver against the Mayor's Healthy Streets approach, in line with Policy T2. An Active Travel Zone (ATZ) assessment was provided to support this application. The ATZ assessment has been conducted along 4 key routes.
- The ATZ highlighted and concluded that there are no significant areas where improvements are required. The London Borough of Harrow as the highway authority is best placed to assess this conclusion. In line with London Plan policy T2, TfL will support Harrow should they request a contribution/works in kind to deliver improvements which will benefit future staff, students, and visitors of the site, support the 10 Healthy Street indicators, and will further encourage active travel.

Cycle Parking:

The current level of cycle parking proposed is below the requirements of the London Plan, see paragraph 5.20 of the Transport Assessment. London Plan Policy T5 requires a minimum of 29 long stay cycle parking spaces, and 60 short stay cycle parking spaces for the education element of the scheme, and a further 9 long stay cycle parking spaces and 2 short stay cycle parking spaces for the residential element of the scheme. The applicant has proposed the following levels of cycle parking, 21 Sheffield stands providing 42 short stay cycle parking spaces, and an internal 18 spaces for long stay cycle parking for the education element, and 10 cycle parking spaces in an internal store for the residential scheme. TfL requests that the minimum level of cycle parking standards in the London Plan are achieved at this site, in addition TfL highlight that 20% of the residential cycle parking should be provided as Sheffield Stands to ensure accessibility for all, and additional 5% of spaces are able to accommodate large cycles.

Car Parking:

The proposal includes 2 standard parking bays for the residential element of the scheme and 2 disabled parking bays for the education element of the scheme. Policy T6 of the London Plan states that 'Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport' and that 'All residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces'. The proposed level of car parking is in line with London Plan Policy T6.

However, TfL request that at least 20% of the parking has active charging facilities and the remaining spaces have passive provision to ensure compliance with London Plan Policy T6.

A condition securing the blue badge parking spaces and EVPC should be secured.

Deliveries and Servicing Plan:

Delivery and Servicing (DSP) has not been submitted to support this application. Further information should be provided regarding the deliveries and servicing strategy. The DSP should be agreed with the local authority due to the road (Imperial Drive) being a borough highway. DSP subsequently submitted.

Construction:

An outline Construction Logistics Plan (CLP) has been provided to assess/mitigate impacts from the proposed development. TfL requests a full CLP is secured via condition in accordance with London Plan and TfL guidance.

Thames Water

Waste Comments

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation.

Surface Water Drainage

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

Building Regulations

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team

LBH Design Officer

Massing

- The key concern with the proposed massing is the appropriateness of massing to the rear of site, the rear elevation and its location and proximity to neighbouring dwellings.
- While it is the case that the proposed rear elevation technically aligns with the rear elevation of the existing Regent College building, the existing building features a much smaller area of ground and first floor massing and rear elevation, with c. 12m wide elevation, as opposed to the proposed 26m wide ground and first floor elevation.

Revised Massing Option 1

- Pull first floor rear elevation away from rear boundary to increase separation distance between proposed building and Broad House properties.
- It could be preferable to bring this in-line with second and third floor rear elevation.
- Broad House, to the south of the site is a five-storey development on Imperial Drive with a separation distance between its rear elevation and the rear elevation of dwellings to Beechcroft Avenue of circa 30 metres. Increasing separation distance of the proposed ground and first floor rear elevation (currently 22m) to match this distance and align with the rear elevation of Broad House would be highly desirable and significantly reduce overbearing impacts.
- Ground and first floor internal layouts would be required to be reconfigured to accommodate this reduction in floor area but would be achievable.

LBH Secure By Design Officer

I would expect the educational facility to follow the most up to date Secured By Design advice, to achieve a Secured By Design accreditation for the College part of this build.

The 5 flats will have to follow the most up to date advice Secured By Design advice for residential builds, and achieve a Gold or Silver Secured By Design accreditation for the residential part of the build.

With the basic design, there is no reason why a Secured By Design accreditation could not be achieved, however there are a few minor changes, and aspects which do need more explanation.

- The perimeter security,
- Refuge strategy
- Postal strategy,
- Cycle storage for the students and staff.

All of which need further explanation, at the earliest stage to prevent unnecessary costs to the developer.

If planning permission is granted I would strongly advise TWO separate, Secured By Design accreditation planning conditions are attached to the planning conditions, and I would advise the developers to contact myself or another design out crime officer at the earliest opportunity.

LBH Highways

No objections subject to conditions

LBH Drainage

No objections subject to informatives

LBH Waste Management Policy Officer

No objections

Landscape Officer

No objections subject to conditions

5.0 POLICIES

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government’s planning policies for England and how these should be applied, and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS],, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

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

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Design, Character and Appearance of the Area
- Residential Amenity
- Traffic and Parking

- Waste and Servicing
- Flood Risk and Drainage
- Biodiversity
- Fire Safety

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan (2021): S1, S3, H1, H2
- Harrow Core Strategy 2012: CS1.Z
- Harrow Development Management Polices Local Plan (2013): DM24, DM46

6.2.2 Policy S1 C of the London Plan notes that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.

6.2.3 Policy S3 of the London Plan relates to 'Education and childcare facilities'. Part B of the policy notes that development proposals for education and child care facilities should:

- 1) Locate facilities in areas of identified need.
- 2) locate facilities in accessible locations, with good public transport accessibility and access by walking and cycling.
- 3) locate entrances and playgrounds away from busy roads, with traffic calming at entrances.
- 4) link to existing footpath and cycle networks to create healthy routes to schools, and other education and childcare facilities, to enable all children to travel actively to school (walk, cycle or travel by public transport).
- 5) maximise the extended or multiple use of educational facilities for community or recreational use, through appropriate design measures.
- 6) encourage the shared use of services between schools, colleges, universities, sports providers, and community facilities, and between early years and health and social care providers.
- 7) ensure that new developments are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach.
- 8) ensure that facilities incorporate suitable, accessible outdoor space.
- 9) locate facilities next to parks or green spaces, where possible.

6.2.4 Part C of Policy S3 of the London Plan notes that development proposals should ensure that there is no net loss of education or childcare facilities, unless it can be demonstrated that there is no ongoing or future need.

6.2.5 Policy CS1.Z of Harrow's Core Strategy relates to 'Required Infrastructure'. It notes that proposals for new development will be required to demonstrate adequate capacity exists or can be secured both on and off site to serve the development. The development or expansion of physical or social infrastructure will be permitted

where it is needed to serve existing or proposed development, or required to meet projected future requirements. The loss of community facilities will be resisted unless adequate arrangements are in place for their replacement or the enhancement of other existing facilities.

6.2.6 Policy DM46 of the Council's Development Management Policies Local Plan relates to 'New Community, Sport and Education Facilities' Part B of the Policy notes that proposals for the provision of new community, sport, and educational facilities will be supported where:

- a) they are located within the community that they are intended to serve;
- b) subject to (a) they are safe and located in an area of good public transport accessibility or in town centres; and
- c) there would be no adverse impact on residential amenity (see Policy DM1) or highway safety.

6.2.7 The proposed development is not considered to conflict with the interests of the above planning policy. The demolition of the existing education facility and rebuilding it with an improved building would provide improvement in facilities. Furthermore, the enhanced facility would vastly improve teaching conditions, and the overall student experience. The proposed building provides an additional 2,612m² of floorspace which would be vastly superior in terms of its aesthetics, offering a far more attractive environment for students to learn. The need for the building is considered to be justified.

6.2.8 The proposed development would serve the existing student base as well as improve staff numbers from 10 to 20 whilst also increasing the student base. The proposed building is located within the confines of an existing college, as such its public transport accessibility is not of significant importance, nevertheless, the development is promoting sustainable and healthy means of transport through the provision of cycle parking and through the various measures outlined within the Travel Plan. The proposed development is not considered to impact upon the safety of students, teachers, visitors, pedestrians and vehicles, furthermore it is not considered to unduly prejudice the residential amenity of neighbouring occupants, further assessment will be provided on this within the pertinent sections of this Committee Report.

6.2.9 The proposal seeks to include residential use on the fourth floor of the proposed building. The proposal would thereby meet the aims of policy H2 of the London Plan (2021), which supports development on smaller sites (less than 0.25 hectares). The London Plan states that small sites should play a greater role in increasing and diversifying London's housing supply and supporting small and medium sized contractors and developers. On this basis, the proposal to develop this site for residential purposes is considered to be acceptable in principle.

6.2.10 For the reason set out above, it is considered that the principle of this proposal meets the above policy requirements with regard to enhanced educational facilities and the overarching goal of housing choice and provision and the need to support economic activity and development. In light of all of the above, officers raise no objection to the principle of development.

6.3 Design, Character and Appearance of the Area

The relevant policies are:

- National Planning Policy Framework (2021)
- The London Plan 2021: D3, D4, D12
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM22, DM23
- Housing Design Standards LPG (2023)

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. The Housing Design Standards LPG (2023) seeks to ensure that placemaking and the public realm; shared and ancillary facilities; and homes and private outside space are at the heart of all proposals for new developments.

6.3.2 Policy CS1.B of Harrow's Core Strategy notes that proposals that would harm the character of suburban areas and garden development will be resisted. All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.

6.3.3 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.

6.3.4 Policy DM22 of the Development Management Policies Local Plan provides design guidance on trees and hard and soft landscaping for proposals. Part B of this policy provides an assessment framework on appropriate forms of hard and soft landscaping.

Design, Height and Scale

6.3.5 The proposals have been reviewed in depth by the Council's Design Officer who notes the existing Regent College building has low architectural merit. The current building frontage is set back from the street scene and a rear three-storey return to the building extends to the service lane at the rear of the site and faces rear

gardens of Beechcroft Avenue properties. It is also noted that the current building represents an under-development of this site and therefore the redevelopment of the site is welcomed. The demolition of this existing building is supported in favour of a higher density proposal which can better contribute to and animate Imperial Drive and provide betterment to the street scene through high-quality architectural design.

- 6.3.6 The height and scale of the proposed building would be comparable to that of other buildings within the site, it would not appear as an alien addition in context with surrounding buildings. The form and appearance of the proposed building would not be overly complex and would be appropriate for the proposed use. The proposed building would be visible from the street scene along Imperial Drive, however the setbacks proposed are considered appropriate. The building is not considered excessive it would be sited appropriately within the surrounding context. It is not considered to appear as unduly prominent and visually intrusive when viewed along the street scene.

Massing

- 6.3.7 However, the massing of the building does raise some concern particularly for residents located immediately adjacent to the site. There is some concern regarding the proximity of the ground and first floor rear massing of the building to rear garden boundaries of Beechcroft Avenue dwellings, which is creating some overbearing impact. The initially submitted drawings showed the proposed two-storey ground and first floor massing aligning the rear elevation of the existing building, resulting in greater massing facing Beechcroft Avenue rear gardens compared to the existing site circumstances. The applicants subsequently submitted revised drawings which set in the flanks of the first-floor elevation whilst maintaining the similar projection to the existing site circumstances. The distance between the rear elevation of proposed second and third floors with Beechcroft Avenue dwellings is comparable to that of the rear elevation of Broad House, aligning with its four-storey rear massing. As such, the overbearing impacts from this massing element are not considered to be significantly greater than for the adjacent Broad House. The proposed fourth floor massing is supported and is sufficiently set back and subsidiary in nature to not cause overbearing impacts.

- 6.3.8 It is considered the revisions to the proposed massing and scale results in the proposal being more appropriate for its plot size and the wider context. In principle the materials proposed for the mixed-use building would be considered acceptable. Notwithstanding the submitted information, a condition has been attached to ensure that samples be submitted for further consideration of the appropriateness of the appearance and quality of the materials.

Heritage Impacts

- 6.3.9 The proposal site is located within the setting of the grade II listed former Rayners Lane public house. The proposal is also in the setting of the Rayners Lane Conservation Area. The proposal has been reviewed by the Council's

Conservation Officer who notes that the existing building does to some extent fit in with the twentieth century context to the above heritage assets given its flat roofed design and scale. However, it makes a limited contribution towards the heritage assets. Therefore, on balance, a proposal for a flat roofed replacement at 5 storeys is considered to preserve the setting of these heritage assets in a similar manner.

6.3.10 As such, it is not considered that this would cause particular harm to the setting of the Conservation Area or Listed Building.

6.4 Residential Amenity

The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM2, DM27
- London Plan Policy (2021): D6
- “Housing Design Standards LPG (2023)”
- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

Impacts on neighbouring properties

6.4.1 The Housing Design Standards LPG (2023) seeks to ensure that “Housing Design Standards LPG that “*Visual privacy*” and mitigations are sought to ensure residential amenities are protected. Furthermore, the document states: “*Consideration should be given to the internal layout of homes, including vertical stacking, to reduce noise impacts (for example, between living rooms and bedrooms)*”. 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 rear of the site adjoins a private servicing road and beyond this faces rear gardens and rear elevations of suburban dwellinghouses to Beechcroft Avenue. Private dwellings in closest proximity to the site, and therefore with greatest potential to be impacted are Nos. 78, 80, 82, 84, 86, 88, 92 and 94 Beechcroft Avenue. These dwellings and the ambulance station to the north are 2-storey in nature. Aside from this low-density pattern adjoining the north and east of the site, there is an immediate context of four to five storey buildings fronting Imperial Drive (Broad House; Carmine Court).

Impact to Nos. 78, 80, 82, 84, 86, 88, 92 and 94 Beechcroft Avenue

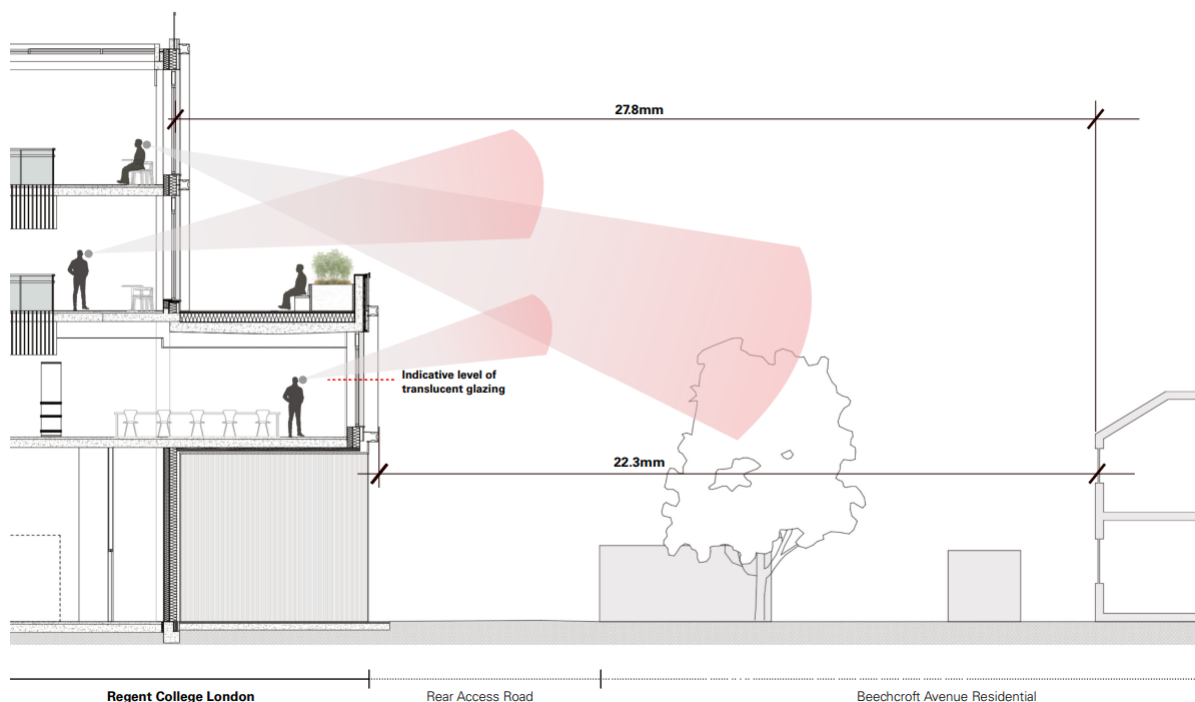
6.4.3 The proposals inevitably have an impact on the adjacent properties however it is noted that the existing site circumstances have an impact given the college building projects to the rear site boundary and has a width of approximately 10.72m and a height of 9.58m. The proposals cover the full width of the site and therefore bring

additional mass and scale. However, this mass is reduced to the rear of the first floor with the setback of the flank elevations resulting in a width of approximately 17.22m and a height of approximately 10.54m. It is proposed that these setbacks host terraces that can potentially look into the gardens of neighbouring properties. However, this has been reduced from a full width projection at first floor as initially proposed. As such, there is an increase in the width of the proposed building compared to the current situation, however, there is a modest reduction in height. Whilst an impact inevitably exists, on balance it is considered acceptable given the current site circumstances. The first-floor massing reductions satisfactorily reduce overbearingness to Beechcroft Avenue properties and rear gardens to the east of site. As a result of this reduction, the proposed massing is considered acceptable and is supported. There is a concern however about the potential overlooking from the flank terraces and therefore a condition will be added restricting the use to maintenance only.



- 6.4.4 There was also some concern over the amount of glazing proposed at first floor level which resulted in direct overlooking to rear gardens. However, the applicant has since amended the glazing at first floor by introducing windows that benefit from gradient translucency up to 1700mm from finished floor level thereby restricting direct overlooking into the residential properties. This solution is considered acceptable.
- 6.4.5 It is considered that the setback at second, third and fourth floor is considered acceptable. The second and third floor east elevation windows are sufficiently set back to create limited direct overlooking, while a small degree of perceived overlooking from these windows is considered acceptable and similar to that of the existing building to the south of site. There is some concern about overlooking from the rear terrace on the second floor. This is likely to create increased actual and perceived overlooking. However, it is considered that with an increased depth of planters in addition to perimeter seating, will mitigate overlooking from the second

floor terrace into neighbouring gardens. A condition will be added to ensure the final proposal is acceptable in these terms.



Residential Quality of Proposed Development

6.4.6 Policy D6 of the London Plan and the Housing Design LPG specify 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
Flat 1	1 bed 2 persons	50sqm	50sqm	3.3sqm	1.5
Flat 2	1 bed 2 persons	53sqm	50sqm	2.8sqm	1.5
Flat 3	1 bed 2 persons	61sqm	50sqm	2.6sqm	1.5
Flat 4	2 bed 4 persons	76sqm	70sqm	3.4sqm	2.0
Flat 5	2 bed 4 persons	75sqm	70sqm	3.1sqm	2.0

6.4.8 All the units either meet or exceed the minimum standards. The flats would provide a good standard of living accommodation given its spacious and functional layout with good outlook to the habitable rooms. All but one of the units are dual aspect and would therefore provide enhanced residential amenity. It is therefore considered that the proposed flats would provide a satisfactory standard of accommodation for the future occupiers in terms of floorspace.

6.4.9 All of the habitable rooms are provided with windows which allow for sufficient levels of natural light and adequate outlook. The floor to ceiling height for the flats would measure 2.8 metres which is considered to be significantly above the London Plan requirement for 2.5 metres resulting in a spacious form of accommodation. In regard to vertical stacking, ideally, bedrooms and living areas should not significantly overlap in order to minimise the potential for noise transfer between new homes. However, in this instance there is an educational use below and given that the proposal is for a new build, the development would need to comply with Building Regulations requirements for sound insulation measures to ensure there would be no unacceptable noise transmission. Therefore, the proposed layout of these units is considered acceptable on balance.

6.4.10 In terms of privacy and overlooking between the proposed units, the concerns would be limited in this regard. A separation distance of 17.8m would be provided between the rear facing flats whilst the front facing balconies are inset, with the exception of the southernmost unit, and therefore are considered to have good privacy.

Amenity Space

6.4.11 Regarding the private amenity space, the SPG requires a minimum of 5m² per 1-2 person dwelling and an extra 1m² for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. Balcony spaces are provided for all but one of the proposed units.

	Balcony Sizes	Balcony Dimensions
Flat 1	8.9sqm	2.6 x 3.5
Flat 2	5.0sqm	2.8 x 1.7
Flat 3	11sqm	1.5 x 6.9
Flat 4	9.0sqm	2.3 x 4.2
Flat 5	10.0sqm	2.3 x 4.6

6.4.12 As shown on the table above, the balcony sizes and dimensions all exceed the minimum requirements. Overall, it is considered that the proposed development is likely to provide an acceptable level of amenity for future occupiers, subject to conditions

Secure by Design

6.4.13 The Designing Out Crime Officer has raised concerns regarding the crime preventing measures on site such as lighting, lockable cycle stores and boundary treatment. Therefore, in order to ensure the development is of a satisfactory level of safety and security, a condition to achieve Secure by Design accreditation has been attached.

6.5 Traffic, Parking and Servicing

The relevant policies are:

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM42, DM44, DM45
- London Plan (2021): T4, T5, T6

6.5.1 This site is within an area with a Public Transport Accessibility Level (PTAL) of 4/5 meaning access to public transport is considered to be moderate/good. The site is located approximately 200m from Rayner's Lane Underground Station, which provides good access to the wider area including destinations throughout central London, Uxbridge, Ruislip and Ealing. A northbound bus stop is located approximately 60m northwest of the site providing access to several destinations including Northwick Park Hospital and Harrow and Wealdstone station, a southbound bus stop is located approximately 80m south of the site providing access to destinations including Stanmore, Pinner, Hatch End and Ruislip stations. Given the District centre location, the proposed development would be car free with the provision of one disabled person's parking space.

6.5.2 It is proposed to provide four car parking spaces. The educational facility is essentially car free, to both staff and students however, two disabled parking bays will be for the use for those who require it. Two standard car parking spaces will be provided to the rear of the site, accessed from the service road, which will be for use by residents and will be allocated by the site management, with users required to display permits.

6.5.3 Minimum cycle parking standards are set out in London Plan 2021. For sixth form Colleges this requires one space per 8 FTE staff + 1 space per 8 students as long stay parking, plus one space per 100 students short stay parking. For Universities and Colleges, the standards require at least one space per 4 FTE staff + 1 space per 20 FTE students as long stay parking, plus one space per 7 students short stay parking. Based on proposals, it is estimated that the site would require 29 long stay and 60 short stay spaces. The London Plan (2021) sets out long term cycle parking requirements of 1.5 spaces per two-person, one-bedroom dwelling and two spaces for all other dwellings, plus two additional short stay spaces for visitors. This will equate to nine long term spaces, plus two short stay spaces.

- 6.5.4 The proposals provide 21 Sheffield-style cycle stands along the Imperial Drive frontage for short stay parking, accommodating 42 bicycles. An internal storage room for staff / student use will accommodate eighteen bicycles in either Sheffield or two-tier racks. An internal residential cycle store will be provided on the ground floor, accessed from the front lobby. The storage room will accommodate ten bicycles in either Sheffield or two-tier racks. Visitors will be able to use the new external cycle parking; The proposed level of cycle parking is less than the level required by the London Plan (2021) however it is considered to appropriate to meet the existing demand and usage will be monitored so that further parking can be provided should there be a demand for it.
- 6.5.5 The application has been reviewed by Transport for London and the Council's Highways Authority, both who have no objections subject to conditions. The Highways Officer does note that the redundant crossing at the front of Imperial Drive will need to be returned back to full height kerb. This will be added as an informative. It is under this context the highways matters are acceptable

6.6 Waste and Servicing

- 6.6.1 The proposed refuse stores are to be housed internally to the rear of the building whilst the cycle storage for educational use is also internally located to the rear of the building. The cycle stores to the residential is internally located in the lobby area to the north of the building. As the stores would not be readily visible from the street, it would not negatively impact the character and appearance of the street scene. A condition has been attached to ensure that the refuse and cycle store is secure and appropriate in its design and finish.
- 6.6.2 The application included a Delivery and Servicing Plan. Delivery drivers will be required to use the main roads to access the site, including Imperial Drive, the Ridgeway and the A404 Pinner Road, and not to use local side roads unless necessary. Vehicles delivering goods and servicing the proposed building are envisaged to be limited to light goods vehicles such as a transit-type van or similar for delivery of office and cleaning supplies and building maintenance.
- 6.6.3 In summary, subject to the above detailed conditions, the development would accord with the relevant policies of the development plan in terms of character and appearance as set as set out above.

6.7 Flood Risk and Drainage

The relevant policies are:

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

- 6.7.1 The site is located in a low risk Flood Zone 1 and within a critical drainage area of Harrow. The Council's Drainage officers have not objected to the application but have suggested conditions to deal with on-site drainage and water attenuation.
- 6.7.2 The Thames Water sewer records shows a public surface water sewer that runs along the service road, located to the rear of the building, meeting Vicarage Way to the north. Thames Water have been consulted and have recommended planning conditions. Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

6.8 Landscaping, Urban Greening Factor and Biodiversity

- 6.8.1 A new scheme of hard and soft landscaping is proposed throughout the site, including additional planting at the various roof and terrace levels. It is noted that the site is largely covered by hardstanding and therefore the proposed landscaping is a welcomed addition. The site frontage will include planting of three new trees along the street boundary, as well as raised planters on the north and southern edges of the forecourt, which will also be resurfaced with permeable paving. New areas of green roof and planted terraces are provided at the second and fourth floor level and an area of green roof with photovoltaic panels have been provided at the roof level.
- 6.8.2 The proposals have been reviewed by the Council's Landscape Officer who welcomed the changes to the site frontage however noted that careful species selection would be required. Furthermore, Fastigate trees may be considered more appropriate in the space available, to take account of the future growth and long-term ongoing management and maintenance.
- 6.8.3 The Landscape Officer also notes the strategy for proposed planting in the raised beds and green roofs is to be wildlife friendly which is acceptable in principle, however, the proposed plant species would require review, to ensure it is realistic and suitable for the allocated spaces. It is also noted that a hedgerow wildflower mix would be inappropriate for the location in the green roof and as such, would require review. Notwithstanding the above, the landscaping is deemed acceptable subject to conditions
- 6.8.4 The Urban Greening Assessment submitted with the application confirms that the development proposals incorporating the landscaping measures set out in the landscaping plans provided with the application would achieve an Urban Greening Factor (UGF) score of 0.3205, exceeding the target score of 0.3.
- 6.8.5 A Preliminary Ecological Appraisal (PEA) has been undertaken and has been provided with this planning application. The PEA notes that the site is of low ecological value with only common habitats present, the site also has negligible potential to support protected species with a low potential to support nesting birds and roosting bats. Various ecological enhancements have been proposed to improve the ecological value of the site, with the PEA concluding that subject to recommendations of the PA being adhered to the proposals stand to fully avoid ecological impacts and will secure net gains for biodiversity

- 6.8.6 A Biodiversity Net Gain assessment of the proposals utilising v 3.1 of the Biodiversity Metric was submitted as part of the application. Whilst habitat assessment based on a November survey isn't in accordance with best practice, this is unlikely to have been significant in this instance.
- 6.8.7 The PEA has been reviewed by the Council's Biodiversity Officer and notes the document recommends the provision of:
- Wildlife friendly planting;
 - Vertical greening in the form of trellis systems;
 - Extensive biodiverse roofs on all suitable flat roof areas;
 - Invertebrate habitat features such as bee posts and habitat panels; and
 - Integrated bird and bat boxes within the built form.
- 6.8.8 The footprint of the proposed development occupies a much greater proportion of the red line area than the existing building, restricting such opportunities and it would appear that where such provision has been identified, this has been on an a posteriori basis, rather than being an integral part of the design process. No vertical greening has been identified and there are no definite proposals with regard to wildlife shelters.
- 6.8.9 The site survey was undertaken in November 2022. Whilst the site is largely covered in hard/sealed surface and there is no expectation of notable species being present it is likely that the site supports a number of other plant species which should not have been obvious or visible at this time. (It is also intriguing as to how the flat roof was observed with binoculars from below.) The PEA's 0.116 ha value appears to provide a more precise measure of the site's area than the 0.12 ha indicated elsewhere and is taken to be correct based on footprint measurements.
- 6.8.10 Overall the PEA presents a proportionate summary, and therefore no objections are raised on Biodiversity grounds subject to conditions.

6.9 Fire Safety

6.9.1 *The relevant policies are:*

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

6.9.2 Policy D12 of The London Plan requires all development to meet standards of fire safety. Therefore, a condition has been attached to ensure the development meets this requirement prior to completion of damp proof course.

6.10 Energy and Sustainable Development

- 6.10.1 All major applications are required to achieve a 35% reduction (on site) in carbon dioxide emissions over the Building Regulations. Development should follow the hierarchy and policy guidance within Policy SI2 (Minimising Greenhouse Gas Emissions) of the London Plan (2021).
- 6.10.2 The application has been accompanied by both an Energy and Sustainability Statement. The proposed energy and sustainability measures include suitable Passive measures within the building envelope and services design to mitigate overheating and reduce cooling demand. The design of the building ensures very little horizontal distribution of heated pipework. Additional measures include approximately 160m² of photovoltaic panels as a renewable energy source, which is estimated to reduce electricity reliance by up to 20,325kWh per year.
- 6.10.3 This combined with high energy efficiency standards in the built fabric and smart energy efficient systems, with a projected reduction of 62% in CO₂ emissions, for the residential element, and 35% emissions for the non-residential element equating to a 45% overall reduction in Carbon emissions. The remainder of the balance would normally be sought as a carbon off-set payment which the report identifies as being £20,339. This will be secured by a S106 legal agreement.
- 6.10.4 The site is outside of the Heat Network Priority Area, and there are no proposed or planned available in the immediate area. As such, low carbon technology to provide heating to the residential and non-residential elements are proposed separately.
- 6.10.5 Subject to the proposals following through on the Be lean, Be clean, Be Green model, the proposal is considered acceptable in terms of energy and sustainability.

6.11 Air quality and Ground Contamination

- 6.11.1 The application has been accompanied by an Air Quality Assessment, which states that the proposed development is fully compliant with London's 'Air Quality Neutral' guidance for buildings and transport.
- 6.11.2 Therefore, the modelling indicates that both the long term and short-term air quality standards are within targets set by the Air Quality Standards Regulations 2010 and no mitigation would be required, other than dust management measures as part of a Construction and Logistics Plan. The report has been reviewed by the Council's Environmental Health Team and no concerns are raised subject to suitable conditions of consent.
- 6.11.2 The site has been assessed as having a low for potential for contamination, and moderate to low for contamination within poor quality Made Ground. However, the report also states that a more intrusive investigation is necessary to quantify potential risks and remaining uncertainties that have been identified. Therefore, a pre-commencement condition is recommended for the submission of an investigation and risk assessment.

6.12 Noise

- 6.12.1 A noise report has been submitted to identify whether the site is suitable for a mixed educational and residential building. The report also considers the noise profile of proposed external plant on neighbouring residential properties.
- 6.12.2 The report identified that the primary source of noise is road traffic from Imperial Drive to the west. The report does note that the proposed design and structural materials will enhance the building fabric and improve noise leakage from within the building in regard to the educational use. In terms of residential, the report recommends the implementation of 'good acoustic design' principles which would seek to assist with the provision of satisfactory internal and external noise levels
- 6.12.3 The report makes a number of recommendations in relation to standard of double glazing and ventilation systems. The specific type of external plant is not yet known and the report therefore recommends suggested maximum noise levels.
- 6.12.4 The environmental health team have reviewed the report and raise no concerns subject to suitable conditions of consent to ensure appropriate mitigation is installed in accordance with that suggested within the report.
- 6.12.5 As such, conditions of consent will be imposed requiring that necessary mitigation measures to comply with the noise report are installed and maintained. Additionally, the condition of consent will require that a verification report is submitted to confirm appropriate mitigation has been installed and that internal noise levels (and impact from installed acoustic plant on neighbouring noise sensitive facades) are acceptable prior to occupation.

6.13 Environmental Impact Assessment

- 6.13.1 The requirement of the Environmental Impact Assessment (EIA) Regulations 2017 is based on the likelihood of significant environmental effects arising from a new development and are divided into Schedule 1 and Schedule 2 applications under the EIA Regulations. Schedule 1 would normally constitute developments that would have significant effects on the environment such as major chemical projects or ground and air transport infrastructure. Schedule 2 consists of other forms of developments that are dealt with under a threshold approach. The proposed development does not fall within the thresholds for EIA development under Schedule 2. Therefore, an Environmental Impact Assessment is not required.

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 enhanced educational facilities and 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 The redevelopment of the site would provide a sustainable mixed use development of a good design with active frontage to Imperial Drive. The building would provide a modern, contemporary design that responds positively to the local context and contributes to attractive streetscape, The layout and orientation of the buildings to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers whilst encouraging a modal shift towards more sustainable modes of travel.
- 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

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 documents and plans:

3119-JWA-00-00-DR-A-1011 Rev P03, 3119-JWA-00-01-DR-A-1012 Rev P02, 3119-JWA-00-02-DR-A-1013 Rev P02, 3119-JWA-00-03-DR-A-1014 Rev P02, 3119-JWA-00-04-DR-A-1015 Rev P02, 3119-JWA-00-B1-DR-A-1010 Rev P02, 3119-JWA-00-RF-DR-A-1016 Rev P03, 3119-JWA-ZZ-00-DR-A-1020 Rev P02, 3119-JWA-ZZ-01-DR-A-1024 Rev P01, 3119-JWA-ZZ-02-DR-A-1021 Rev P02, 3119-JWA-ZZ-04-DR-A-1022 Rev P02, 3119-JWA-ZZ-RF-DR-A-1023 Rev P03, 3119-JWA-ZZ-ZZ-DR-A-0012 Rev P03, 3119-JWA-ZZ-ZZ-DR-A-0112 Rev P03, 3119-JWA-ZZ-ZZ-DR-A-3010 Rev P02, 3119-JWA-ZZ-ZZ-DR-A-3011 Rev P02, 3119-JWA-ZZ-ZZ-DR-A-3012 Rev P03, 3119-JWA-ZZ-ZZ-DR-A-3013 Rev P03, 3119-JWA-ZZ-ZZ-DR-A-4010 Rev P02, 3119-JWA-ZZ-ZZ-DR-A-4011 Rev P03, 3119-JWA-ZZ-ZZ-DR-A-0111 Rev P01, 3119-JWA-00-00-DR-A-1911 Rev P01, 3119-JWA-00-01-DR-A-1912 Rev P01, 3119-JWA-00-02-DR-A-1913 Rev P01, 3119-JWA-ZZ-ZZ-DR-A-3913 Rev P01, Planning Statement dated January 2023, Design & Access Statement dated May 2023, Transport Assessment (incl. Parking and Service Details, Waste Management Strategy dated January 2023, Travel Plan dated January 2023, Outline Construction Logistics Plan dated January 2023, Air Quality Assessment dated January 2023, Daylight / Sunlight Assessment dated January 2023, Ecological Impact Assessment (including Biodiversity Net Gain and Urban Greening Factor) dated January 2023, Flood Risk Assessment (FRA) including Sustainable Drainage Strategy (SUDS) dated January 2023, Sequential Assessment dated January 2023, Sustainability Statement dated January 2023, Energy Assessment dated December 2022, Statement of Community Involvement, Construction Environmental Management Plan, Fire Strategy dated January 2023, Aviation Safeguarding Assessment, Delivery and Service Management Plan dated May 2023, Built Heritage Statement dated November 2022, Contaminated Land Assessment dated January 2023, Noise Assessment dated December 2022, Geo-Environmental Desk Study dated October 2022; Aviation Safeguarding Assessment January 2023, Archaeological Desk based Assessment dated January 2023

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
- 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 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. Disposal of Surface Water/Surface Water Attenuation

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

REASON: To ensure that adequate drainage facilities are provided and to reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

6. Disposal of Sewage

The development (other than works of demolition) hereby permitted shall not commence 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. This is a PRE-COMMENCEMENT CONDITION to ensure adequate sewage disposal details are agreed before the development commences on site.

7. Cycle Storage For Educational Use

The development hereby permitted shall not commence beyond damp proof course level until details of secure shelters, racks, dimensions and location of a minimum of 42 short stay cycle parking spaces and 18 long stay spaces shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be made available prior to occupation and shall be retained thereafter.

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

8. Cycle Storage For Residential Use

The development hereby permitted shall not commence beyond damp proof course level until details of secure shelters, racks, dimensions and location of a minimum of 10 long stay spaces shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be made available prior to occupation and shall be retained thereafter.

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

9. Waste Management Strategy

The development hereby permitted shall not commence beyond damp proof course level, until details of a waste management plan have been submitted to and approved in writing by the Local Planning Authority. The waste management plan shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: In the interest of sustainable waste management of the site, in accordance with policy DM45 of the Councils Development Management Policies Local Plan 2013.

10.. Materials

Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence beyond damp proof course level until details and samples of the materials to be used in the construction of the external surfaces noted below shall be made available to view on site, and agreed in writing by, the local planning authority:

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

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

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

12. Landscaping

The development hereby approved shall not be commenced beyond damp proof course level until a scheme for the hard and soft landscaping details for the ground level areas and the terraced areas including raised planters have been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. Tree planting along the boundaries adjacent to the car park and screening around carparking area with hedge planting. The hard surfacing details shall include details of all furniture, boundary treatment, samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.

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

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

13. Landscaping Implementation

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

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

14. Landscaping Management Plan

Notwithstanding the details requested above in condition 11, prior to the occupation of the development, a Landscape Management Plan and Landscape Maintenance plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the communal hard and soft landscape areas shall be submitted and approved

by the local planning authority. The long term Landscape Management Plan for the whole of the proposed development will ensure the future success of the development, including the long term aims and objectives for all the external areas. The management and maintenance plan shall be implemented in accordance with the details approved, in perpetuity.

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

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

15. Refuse storage

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 maintain the appearance of the development and safeguard the character and appearance of the area.

16. Satellite Dishes

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

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

17. Permeable Paving

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

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

18. Change of Use (flats)

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, Policy D1 of the London Plan 2021 and the Core Planning Principles of the National Planning Policy Framework 2021.

19. Permitted Development Restriction

No development which would otherwise fall within Classes ZA, A and A.1, in Part 20 of Schedule 2 to that Order shall be carried out in relation to the terraced dwellinghouses hereby permitted without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of the dwellinghouse in relation to the size of the plot and availability of amenity space and to safeguard the amenity of neighbouring residents, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

20. Secure by Design

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

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

21. Accessible Units

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

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

22. Piling Method Statement

No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure

23. Car Parking Design and Management Plan

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

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

- d. Details of the allocation and management of the general and accessible car parking spaces.
- e. Details of monitoring, management and enforcement procedures for parking within the site.

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

24. Biodiverse Roof Details

The development (other than demolition works) hereby permitted shall not commence until full details of biodiverse/bio-solar roof provision within the development have been submitted to and approved in writing by the Local Planning Authority. The submitted information shall include but not be limited to:

- a. identification of the roof areas to be used for the provision of biodiverse/bio-solar roofs;
- b. details of the roof build up, including water reservoirs, substrate, planting schedules/seed mix(es) - to include at least 20 native flower species making up a minimum of 60% of the plant cover, shelter and breeding locations for a range of invertebrate species, plans, details and sections as appropriate;
- c. details of the maintenance to be undertaken during establishment including irrigation and remedial interventions in response to likely risks; and,
- d. the engineering tolerances of the design being such that they would support a waterlogged biodiverse roof with a substrate depth ranging between 80 and 200 mm with a least 50% of each roof area having a minimum substrate depth of 150mm, together with the weight of the vegetation and water reservoir.

The details will need be specific to the submitted proposals and development shall be carried out in accordance with the details so agreed and shall be maintained thereafter.

REASON: To ensure that the development makes appropriate provision for the protection, enhancement, and effective management of biodiversity and green infrastructure within the site and surrounding area in accordance with Policy DM 21 of the Harrow Development Management Policies Local Plan (2013), the London Plan (2021) and the National Planning Policy Framework (2021).

25. First Floor Terraces

The proposed first floor rear terraces shall only be used for the purposes of maintenance and will not be used as a terrace/ 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, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

26. Fire Safety

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

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

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

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

27. Flues and pipework

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

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

28. Use Class Restrictions

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 change of use falling under Classes M, MA, N, O or P in Part 3 of Schedule 2 of that Order shall take place within the educational establishment and it shall only operate under Class F.1 of the Use Class Order 1987 (as amended) unless prior written permission of the local planning authority is sought.

REASON: To ensure a suitable use operates within the space given over to the educational use and that space shall not be converted to a poor quality residential unit.

29. Lighting

The development hereby approved shall not progress beyond damp proof course level until details of the lighting of all external areas (including any undercroft area) within the site, including:

- a) locations, lighting design, lighting details, specification, elevations, light spillage and lighting levels
- b) details of baffles, and filters to be employed, taking account of the provision of artificial shelters for birds, bats and invertebrates in suitable locations so as to avoid adverse impact on the habitat provided for these species.

The details shall be submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles, achieves a high standard of residential quality and does not have an adverse impact on ecology and species habitat.

30. Boundary Treatment

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

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

INFORMATIVES:

1. Policies

The following policies and guidance are relevant to this decision:

National Planning Policy Framework (2021)

The London Plan 2021: D1, D3, D4, D5, D6, D7, D8, D11, D12, G6, H1, H9, H10, S1 12, T5, T6.1, SI 13

Harrow Core Strategy 2012: CS1

Development Management Policies Local Plan 2013: DM1, DM2, DM7, DM10, DM20, DM21, DM22, DM27, DM42, DM44, DM45, DM47

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)

Residential Design Guide Supplementary Planning Document (2010)

Housing Design Standards LPG (2023)

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 £25,752.60. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the [planningportal](https://ecab.planningportal.co.uk) 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 £47,213.10

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



10. Thames Water

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

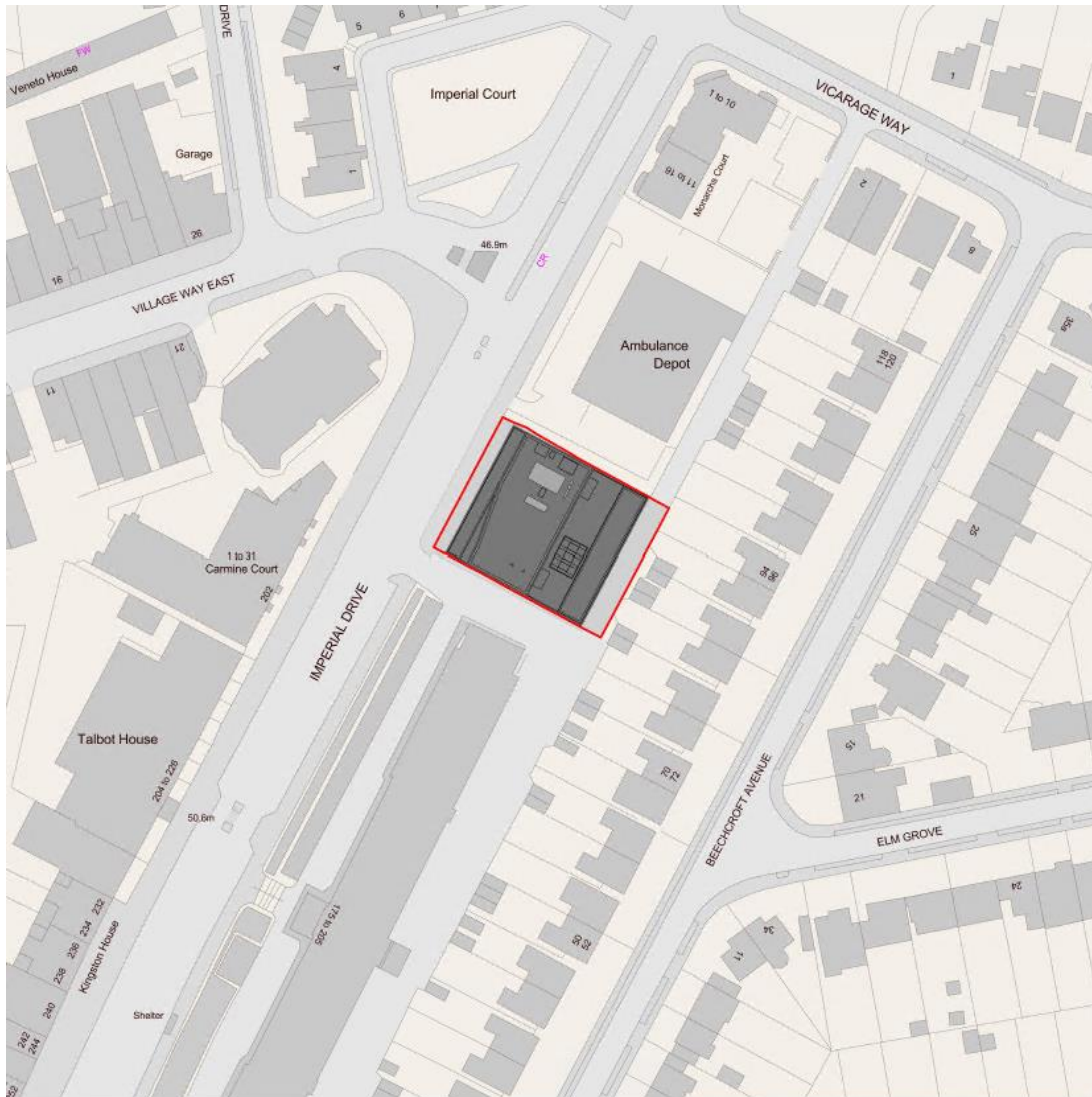
11. Fire Safety Statement

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

CHECKED

 <p>Orla Murphy Head of Development Management 6th July 2023</p>	 <p>Viv Evans Chief Planning Officer 6th July 2023</p>
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APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOS



1 | View looking south-east towards rear of site



2 | View looking south-west towards existing building main entrance



4 | View looking north-west from rear of site



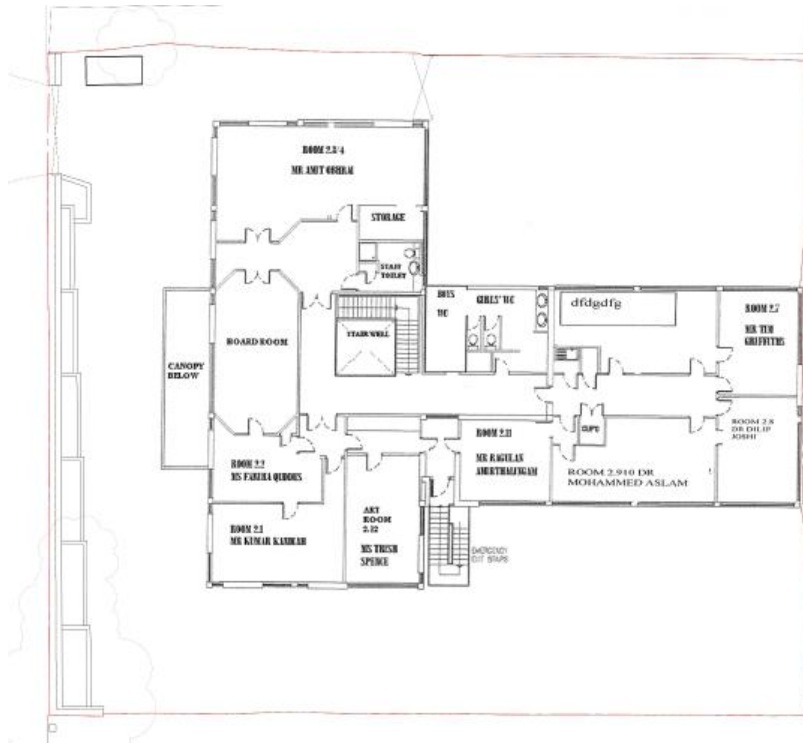
5 | View looking north-east from Right of Way



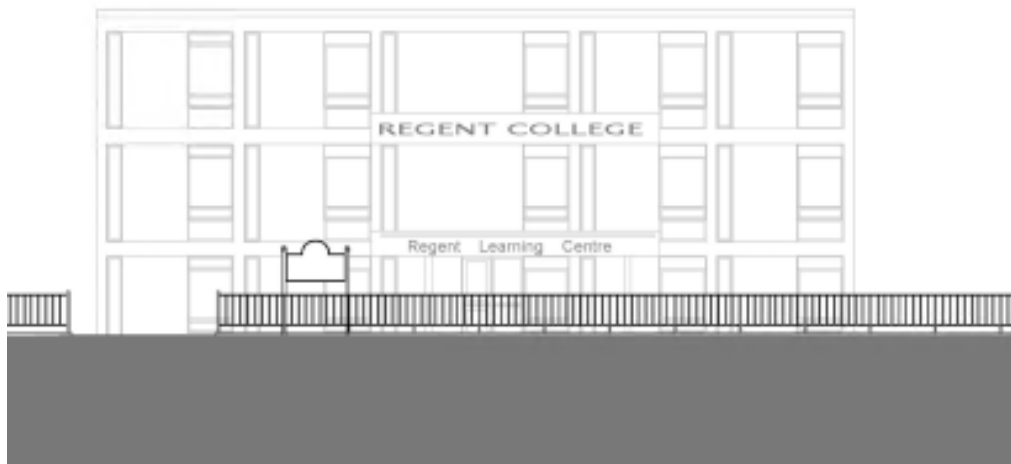
7 | View facing the site from Imperial Drive (looking south-east)



8 | View looking south towards existing main entrance



Existing Elevations



Proposed ground floor



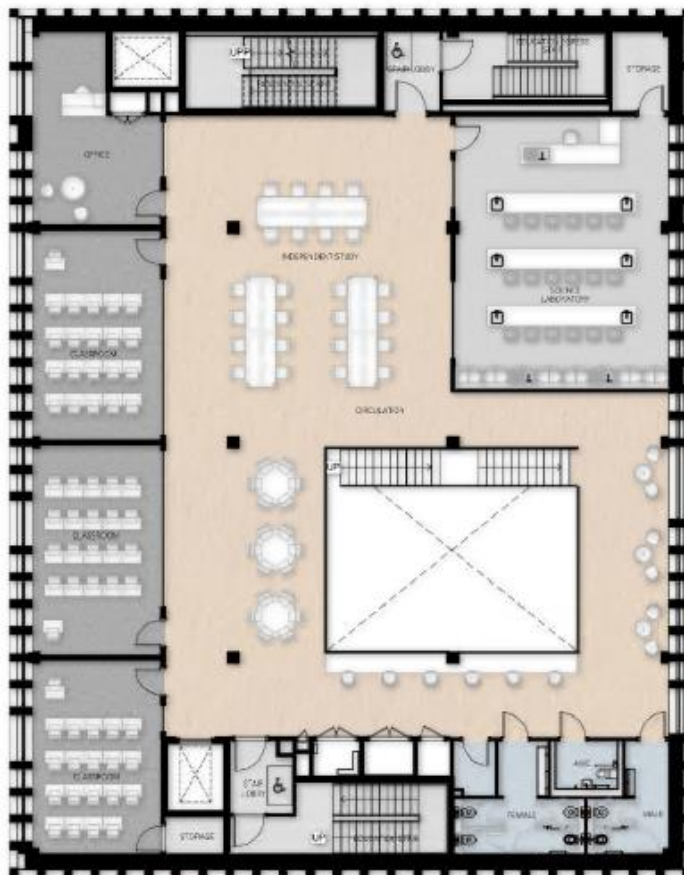
Proposed first floor



Proposed second floor



Proposed Third Floor



Proposed Third Floor



Image of Proposed Front Elevation

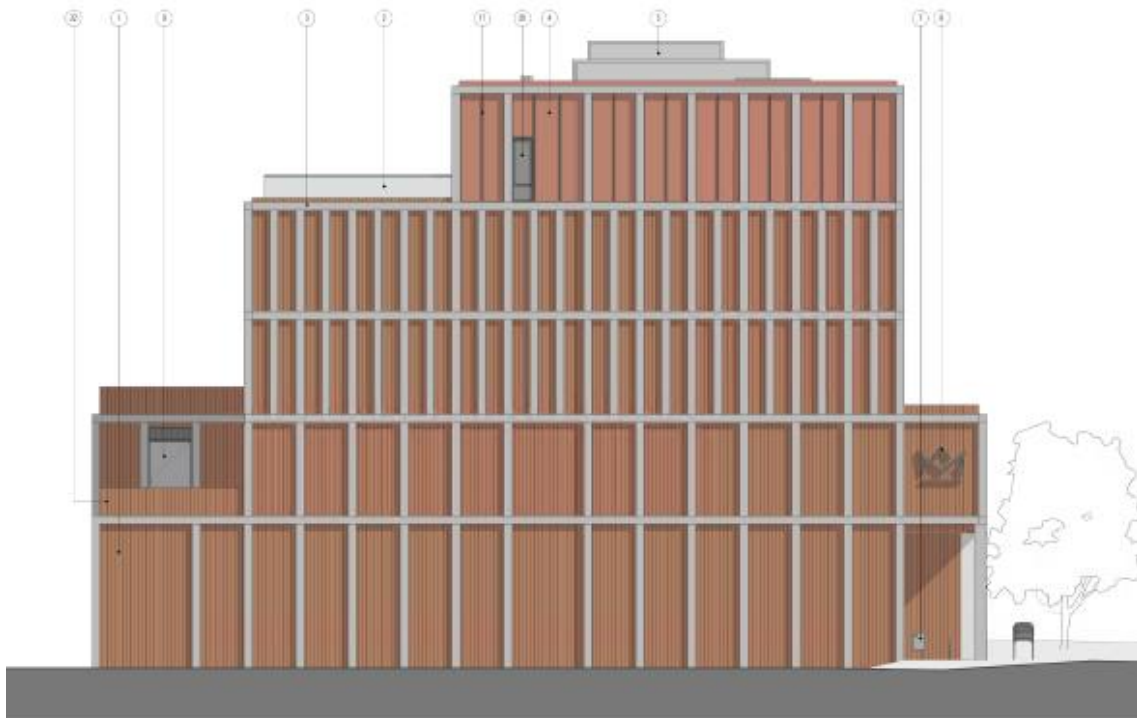


View from Imperial Court

Proposed Front Elevation



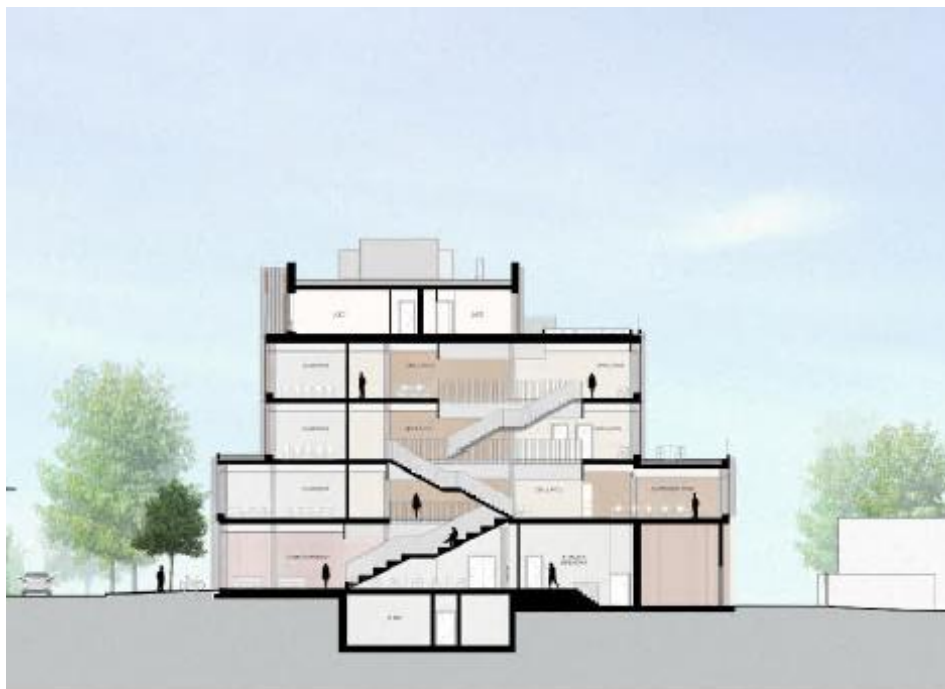
Proposed Flank Elevation



Proposed Rear Elevation



Proposed Sections



Proposed Images



View looking south down Imperial Drive



Photomontage view looking North up Imperial Drive



Proposed Street Elevation

Façade Treatment



Brushed Metal Cladding



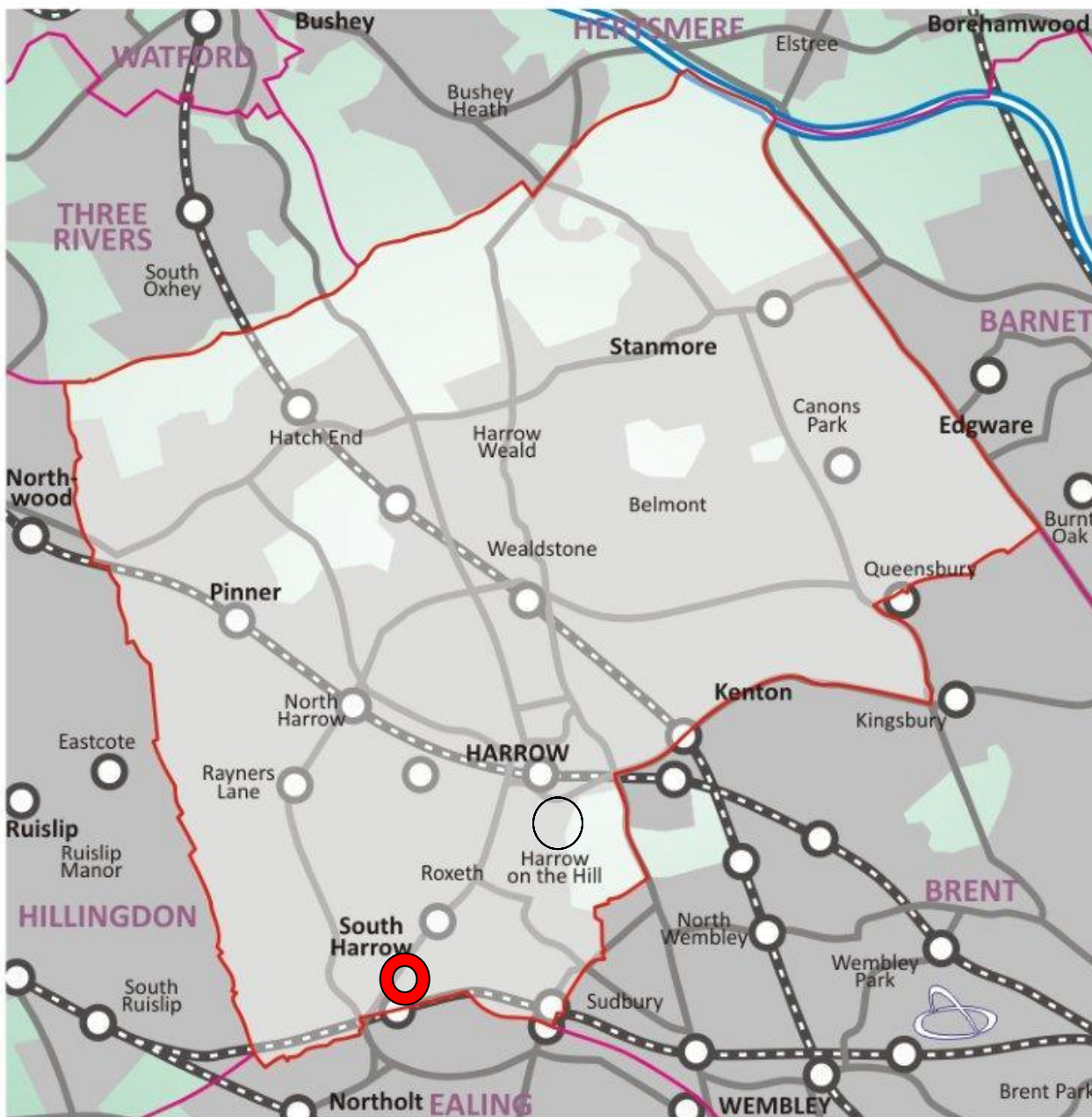
Ribbed Terracotta Cladding



Reconstituted Stone

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 = application site



32 Roxeth Grove, Harrow, HA2 8JG

P/0703/23

Location Plan



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/0703/23
VALID DATE: 18/05/2023
LOCATION: 32 ROXETH GROVE
WARD: ROXETH
POSTCODE: HA2 8JG
APPLICANT: MR RAJ THAKRAL
AGENT: -
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 13/07/2023
EXTENSION OF TIME: N/A

PROPOSAL

Rear conservatory and associated rear patio

RECOMMENDATION

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

The proposed development would not detract from the character and appearance of the host building, street scene and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is located too far away from the Designated Open Land to the rear of the site to unduly impact upon its openness. 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 Exception 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, CS1.F and CS1.W of the Harrow Core Strategy, Policies DM1, DM2, DM9, DM10 and DM18 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

INFORMATION

This application is reported to Planning Committee as the land is owned by an employee of the Council, and therefore falls within proviso C. (ii) of the Scheme of Delegation.

Statutory Return Type:	(E)21. Householder Development
Council Interest:	None
Net additional Floorspace:	Approximately 21.75 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

1.0 SITE DESCRIPTION

- 1.1 The application site relates to a two storey semi-detached dwelling located on the south eastern side of Roxeth Grove
- 1.2 The application site, along with the adjoining neighbour at No. 30 Roxeth Grove benefits from a part single part two storey side to rear extension.
- 1.3 The adjacent building at No. 34 Roxeth Grove benefits from a ground floor rear extension. Owing to the curvature of the road, there is a large separation gap between the flank wall of the application site and the flank wall of No. 34 Roxeth Grove, and the flank wall of the application site sits at an angle to the flank wall of No. 34 Roxeth Grove.
- 1.4 The host dwelling is not listed, is not within a Conservation Area, but is located within a Critical Drainage Area.
- 1.5 The Welldon Park Primary School grounds to the south east of the site form Designated Open Space.

2.0 PROPOSAL

- 2.1 The erection of a single storey rear conservatory beyond the rear of the existing part single part two storey side to rear extension. The proposed conservatory would be 3 metres in depth and would project approximately 6.8 metres beyond the rear wall of the original dwellinghouse. The proposed conservatory would feature a mono-pitched roof form with an eaves height of approximately 2.1 metre and a maximum height of approximately 2.57 metres. The applicant is proposing an associated patio area to the rear of the extension which would be approximately 0.3 metres high, approximately 7.8 metre wide and approximately 6.25 metres deep.

3.0 RELEVANT PLANNING HISTORY

LBH/37999	SINGLE STOREY SIDE TO REAR EXTENSION	Granted 31/08/1989
P/1961/06	TWO STOREY SIDE AND REAR, AND SINGLE STOREY REAR EXTENSION	Refused: 14/09/2006
Reason for Refusal: The proposed two storey side and rear extensions, by reason of the roof design, would appear as an unduly bulky, discordant addition to the property when viewed from surrounding property to the detriment of the amenity of neighbouring occupiers and the character of the locality, contrary to Policies SD1 and D4 in the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance 'Extensions': A Householders Guide.		
P/2739/06	SINGLE AND TWO STOREY SIDE AND REAR EXTENSION (REVISED)	Granted 20/11/2006

4.0 CONSULTATION

4.1 A total of 6.no consultation letters were sent to neighbouring properties regarding this application on 19/05/2023. The overall public consultation period expired on 09/06/2023

4.2 No comments have been received.

4.3 Statutory and non-statutory consultation

4.4 The South Harrow and Roxeth Residents Association (SHARRA) – 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 sets out the Government’s planning policies for England and how these should be applied and is a material consideration in the determination of this application.

5.3 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP]. The relevant polices are referenced within the report below and a summary within Informative 1.

6.0 POLICIES

6.1 The main issues are:

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

6.2 Character and Appearance of the Area

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B, CS1.F
- Harrow Development Management Policies (2013): DM1, DM18

Relevant Supplementary Documents

- Residential Design Guide (2010)

- 6.2.2 In spite of the fact that the host building has already been extended through a part single part two storey side to rear extension, the erection of the proposed conservatory beyond the rear of this is still considered by officers to be acceptable on character and design grounds. The proposed conservatory, together with the existing extensions to the building are considered to remain proportionate and sympathetic in relation to the host building and are not considered to result in an overdevelopment of the plot. There are various examples of ground floor rear extensions within the area, and whilst the combined footprint, depth and massing of the proposed conservatory and existing extensions would exceed that of extensions to surrounding properties, the overall scale of the proposal is not considered excessive enough to unduly detract from the established pattern of development within the area.
- 6.7.3 The proposed conservatory would remain subordinate to the main building in terms of its overall height and is not considered to appear as an incongruous addition to the building. The application site benefits from a fairly sizeable rear garden, the resulting garden space following the erection of the proposed conservatory is not considered to be uncharacteristically small. The proposed conservatory would not be visible along the street scene as such no harm would be caused to this. The proposed conservatory would incorporate a large amount of glazing and therefore would not directly match the render finish applied to the main building, however this is typical for conservatories, and given that the conservatory is not visible from the street scene the impact is limited. The external walls of the proposed conservatory are indicated to be finished in brick, whilst this does not match the render finishes applied to the main dwelling and existing extensions, given that the conservatory is not visible from the streetscene, and the overall expanse of brickwork to be incorporated is limited, this variation in materials is considered on balance to be acceptable.
- 6.2.4 On the basis that the associated rear patio would not be excessive in terms of its height, would not be visible along the street scene, and would have a very low scale visibility from the site's surroundings, it is considered to be an acceptable addition on character and design grounds. It should be noted that the proposed raised patio would be achievable under permitted development, as such the applicant would have a fall-back position for this in any case.
- 6.2.5 The proposed development is considered to be too distant from the Designated Open Space to the south east of the site to unduly impact upon the openness and open character of this land.
- 6.2.5 In summary, the overall design of the proposed development is considered to be acceptable. The development remains sympathetic to the main dwelling and does not detract from the overall character and appearance of the host building, street scene and surrounding area, furthermore it would not unduly harm the Designated Open Space to the south east of the site.

6.3 Residential Amenity

6.3.1 The relevant policies are:

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

Relevant Supplementary Documents

- Residential Design Guide (2010)

Impact on No. 30 Roxeth Grove

6.3.2 Applying the guidance set out within Paragraph 6.59 of the Residential Design Guide SPD, the Council would expect extensions on semi-detached properties to project no more than 3 metres beyond the neighbouring property (unless site circumstances allow for this) given that a semi-detached dwellinghouse would be allowed to extend 3 metres to the rear under permitted development. In this particular case the proposed conservatory would be compliant in respect to No. 30 Roxeth Grove as it would only project 3 metres beyond the extended rear façade of this neighbouring property. Taking into account the conservatory's acceptable rearward projection beyond the rear of No. 30 Roxeth Grove, together with the fact that it would not be excessive in terms of its overall height, it is not considered to unduly restrict outlook afforded to the rear garden and ground floor rear facing habitable room windows of this neighbouring property.

6.3.3 The rear of No. 30 Roxeth Grove is south facing and is located to the east of the application site so there could be a degree of overshadowing of this neighbouring property's rear garden and ground floor rear facing habitable room windows in the evening during summer months, and from the early afternoon to early evening during winter months, however based on the fact that the conservatory is located at ground floor level only, is not excessively high and does not project excessively rearward of No. 30 Roxeth Grove the degree of overshadowing is considered on balance not to be significant enough warrant a reason for refusal. It should be added that No. 30 Roxeth Grove benefits from a sizable rear garden and much of this would be unimpacted. The proposed conservatory would not feature flank fenestration facing towards No. 30 Roxeth Grove, as such it is not considered to enable harmful overlooking of this neighbouring property.

6.3.4 Although it would project beyond the rear of No. 30 Roxeth Grove's rear patio area, on the basis that the proposed rear patio would not be excessive in height, it is not considered to enable harmful overlooking of the rear garden of this neighbouring property. As set out previously within this report the proposed rear patio would be achievable under permitted development in any case.

Impact on No. 34 Roxeth Grove

6.3.2 The proposal would project over 3 metres beyond the rear of No. 34 Roxeth Grove's rear extension and is located to the south east of this neighbouring property. Given that the proposed conservatory is angled away from this neighbouring property and

is set a significant distance away from the flank wall and main rear garden space of this neighbouring property, it is not considered to unduly restrict light and outlook afforded to the rear garden and ground floor rear facing habitable room windows of this neighbouring property. Officers note that No. 34 Roxeth Grove's rear extension features clear glazed flank fenestration looking onto the side access way and the application site further beyond this, however the distance between the proposed conservatory and this fenestration is considered sufficient to mitigate any harm to this neighbour's flank habitable room fenestration. It should be noted that the flank fenestration to No. 34 Roxeth Grove's rear extension would be secondary in any case, with the room being served primarily by the rear facing habitable room fenestration. Officers note that the proposed conservatory would incorporate clear glazed flank fenestration facing towards the rear garden of No. 34 Roxeth Grove, however as a result of the significant separation gap provided between the proposed conservatory and the rear garden of No. 34 Roxeth Grove, together with boundary screening and tall boundary vegetation at No. 34 Roxeth Grove, harmful overlooking of No. 35 Roxeth Grove's garden is not anticipated. The flank fenestration associated with the proposed conservatory is angled away from the clear glazed flank fenestration applied to No. 34 Roxeth Grove's extension, as such harmful mutual overlooking is not anticipated.

- 6.3.3 On the basis that the proposed rear patio would not be excessive in height, and there would be a large separation gap between the patio and the garden of No. 34 Roxeth Grove, together with boundary screening and tall boundary vegetation at No. 34 Roxeth Grove, the proposed patio is not considered to enable harmful overlooking of this neighbouring property. As set out previously within this report the proposed rear patio would be achievable under permitted development in any case.

6.4 Drainage

- 6.4.1 The relevant policies are:

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

- 6.4.2 The development would result in an increase in the development footprint on the site and would therefore have an impact in terms of increased surface water flood risk. 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.

6.5 Fire Safety

- 6.5.1 The relevant policies are

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

6.5.2 Part A of Policy D12 of the London Plan (2021) requires the demonstration of suitably positioned and unobstructed space for fire appliances and evacuation assembly points, and that developments ensure robust strategies for evacuation are in place as well as confirmation of the fire-fighting water supply. The applicant has completed a Reasonable Exception 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 and area in a wider context, nor would it unduly impact upon the residential amenity of neighbouring occupants. The proposed development is located too far away from the Designated Open Land to the rear of the site to unduly impact upon its openness. 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 Exception 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, CS1.F and CS1.W of the Harrow Core Strategy, Policies DM1, DM2, DM9, DM10 and DM18 of the Harrow Development Management Policies Plan, and the Harrow Supplementary Planning Document: Residential Design Guide (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

CONDITIONS:

1. **Timing**

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

REASON: To comply with the provisions of Section 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:

Site Location Plan, 1620/PL/01 and Reasonable Exception Statement.

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

3. **Materials**

The external surfaces of the development hereby approved shall be constructed in accordance with the details provided within 1620/PL/01 and the submitted Application Form.

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

4. **Glazing 1**

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

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

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2021)

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

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

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM9, DM10, DM18

Supplementary Planning Documents: Residential Design Guide SPD (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. Grant without Pre-App Advice

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

This decision has been taken in accordance with paragraphs 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

CHECKED

 <p>Orla Murphy Head of Development Management 6th July 2023</p>	 <p>Viv Evans Chief Planning Officer 6th July 2023</p>
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APPENDIX 2: LOCATION PLAN



APPENDIX 3: SITE PHOTOGRAPHS



Rear Elevation



Side Accessway



Side Elevation of No. 34



Rear Elevation



Rear Garden

Side Garage of No. 32



Side Garage of No. 34

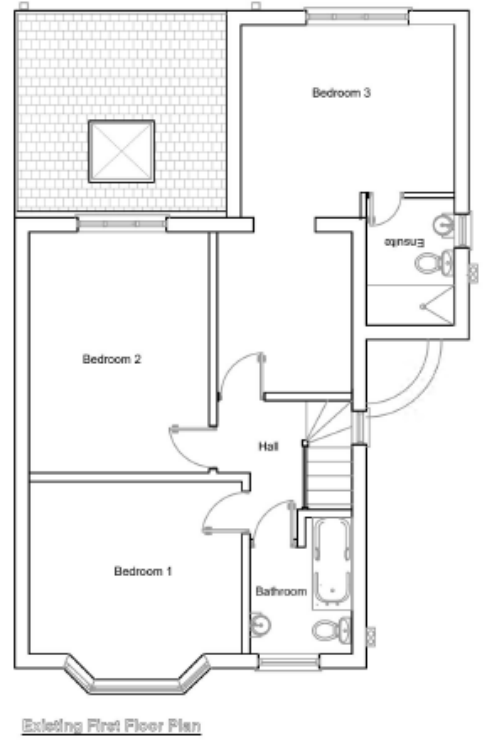
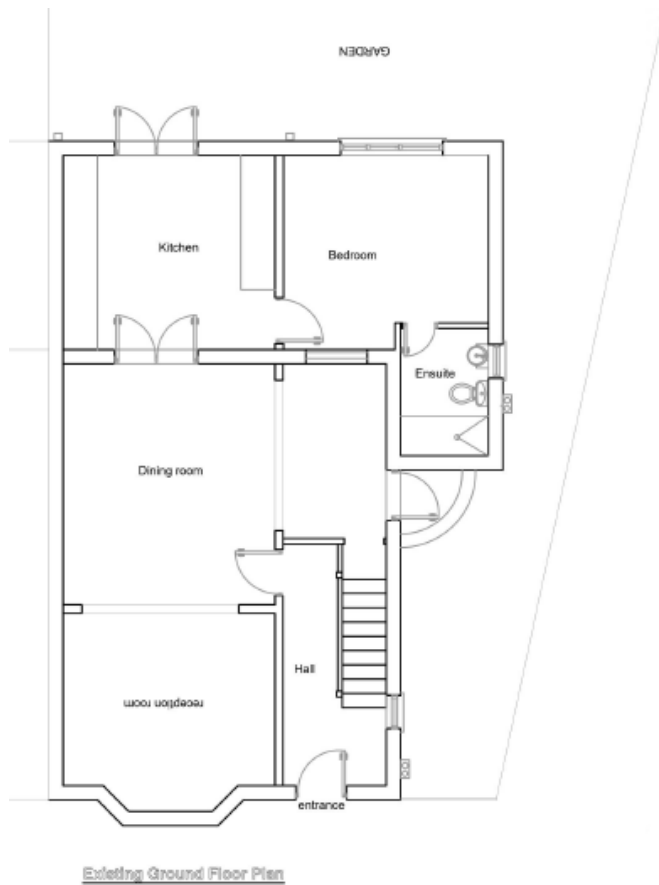


Front Elevation

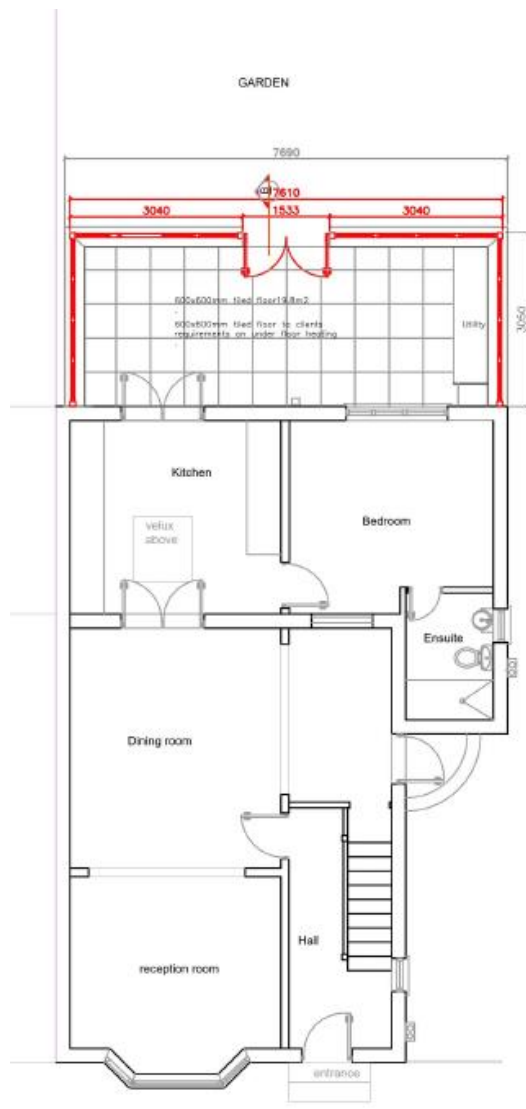


APPENDIX 4: PLANS AND ELEVATIONS

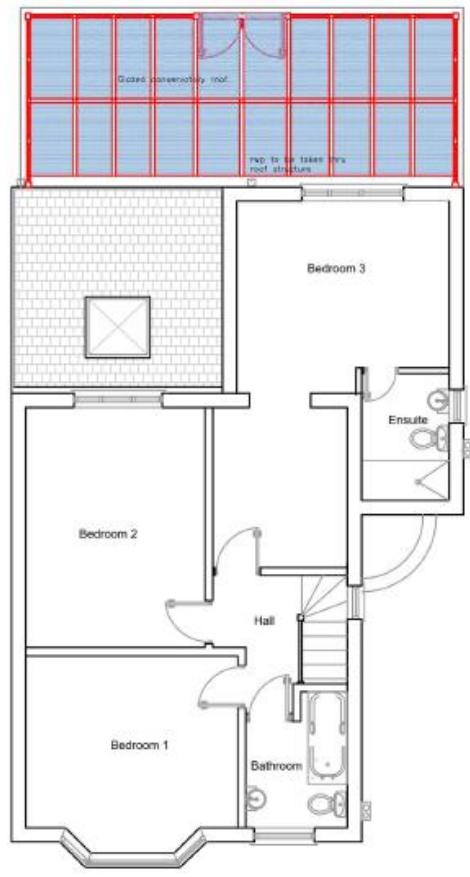
Existing Floor Plans



Proposed Floor Plans



Proposed Ground Floor Plan

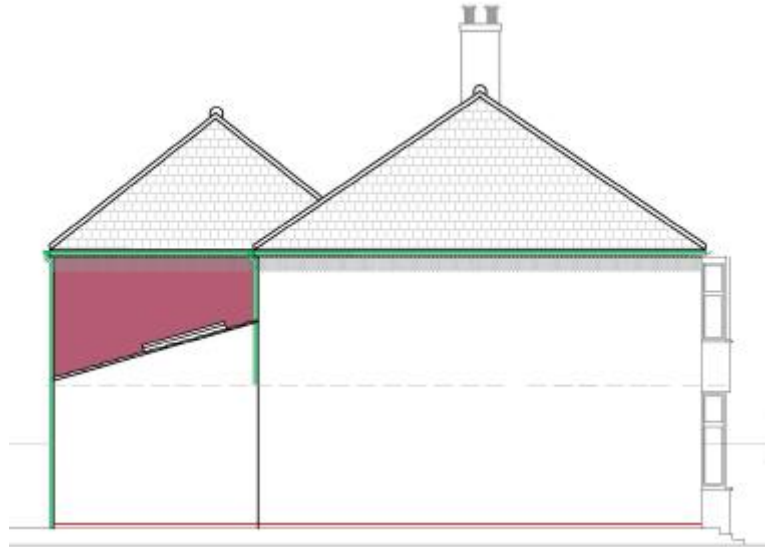


Existing First Floor/roof Plan

Existing Elevations



Existing Rear Elevation



Proposed Elevations



PROPOSED REAR ELEVATION

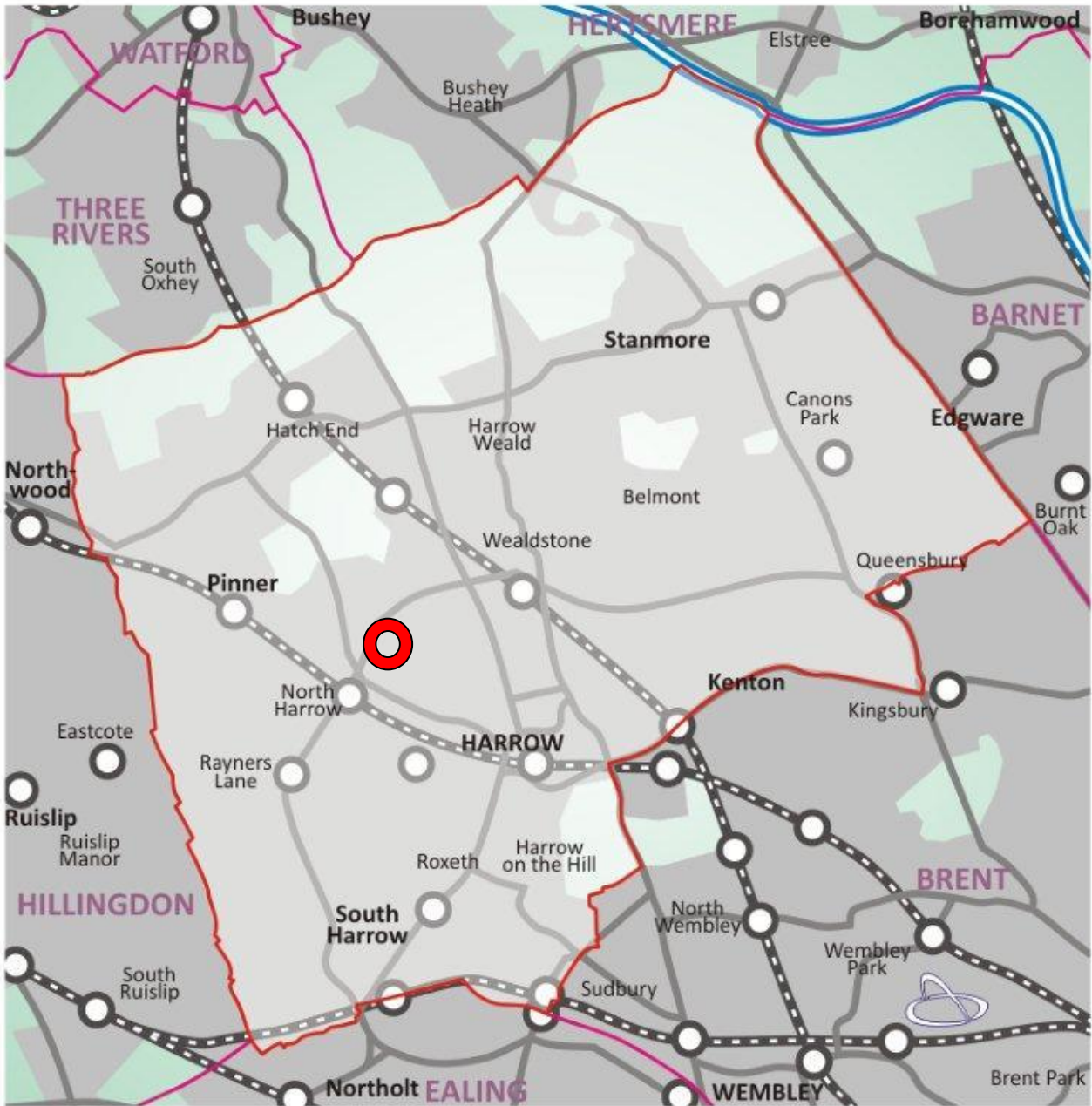


PROPOSED SIDE ELEVATION (RIGHT)



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 = application site



34 Kingsfield Avenue, Harrow, HA2 6AT

P/0720/23

Location Plan



1 LOCATION PLAN
Scale 1:1250

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

19th July 2023

APPLICATION NUMBER: P/0720/23
VALIDATION DATE: 29/03/2023
LOCATION: 34 KINGSFIELD AVENUE, HARROW
WARD: HEADSTONE
POSTCODE: HA2 6AT
APPLICANT: MR VISHANG SHAH
AGENT: ANUJ BHATT
CASE OFFICER: KIMRY SCHLACTER
EXTENDED EXPIRY DATE: 31/05/2023

PROPOSAL

Change of use from dwelling-house (C3) to respite care home (C2); single storey front extension incorporating front porch; single and two storey side extension; single storey rear extension, rear dormer (demolition of garage); outbuilding in rear garden; new vehicle access.

The Planning Committee is asked to consider the following recommendation:

RECOMMENDATION A

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

REASON FOR THE RECOMMENDATIONS

The change of use to a C2 facility would meet an identified need in the Borough, is sited in a sustainable location, and would provide a good quality of accommodation for future occupiers. The proposed extensions have an acceptable design and external appearance and would not unduly impact on neighbouring amenities, and, given the level of occupancy and the nature of use of the site, would not result in an undue level of noise or disturbance. Given its location and the proposed intensity of use, the proposal would not result in significant impacts on the local highways. Accordingly, the development would accord with development plan policies and is recommended for approval.

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:	Change of Use
Council Interest:	None
Net additional Floorspace:	83.55sqm
GLA Community Infrastructure Levy (CIL) Contribution:	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

Policy D11 of the London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 The application site is a two-storey semi-detached dwellinghouse located on the northern side of Kingsfield Avenue.
- 1.2 The attached semi is no. 32 (to the west). This property benefits from a larger single storey rear extension. To the east is no. 36, a semi-detached property which does not benefit from extensions at the rear but does have a garage and sheds at the side along the boundary with the subject site.
- 1.3 The application site is not listed, is not located within a Conservation Area but is located within a Critical Drainage Area.
- 1.4 The application site is located within an area with a Public Transport Accessibility Level (PTAL) of 3 and is located 12 min away by foot from the nearest train station (North Harrow) and 8 min walk to the nearest bus stop. Local shops and service are located near the train station (North Harrow centre).

2.0 PROPOSAL

- 2.1 It is proposed to construct a single storey extension to the front (incorporating a porch), single and two storey side to rear extensions, and a rear dormer, with the existing garage to be demolished. An outbuilding would be constructed in the rear garden.
- 2.2 The proposal would also involve a change of use from C3 to C2, as a respite care home for up to 4 children, with a maximum of 5 staff.
- 2.3 2 existing car parking spaces in the forecourt would be retained, with a reformed vehicle access to better accommodate the parking. Cycle parking would also be provided in the rear of the site. The vehicular access would be retained.
- 2.4 Refuse storage would be sited in the rear garden.
- 2.5 Amended documents have been submitted to change the design of the roof alterations and include the proposed outbuilding as part of the development; as well as additional information on the operations of the proposed use.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status and date of decision
P/2981/19	Conversion of dwelling into two flats (2 X 2 bed); two storey side extension; single storey rear extension; front porch; proposed vehicle crossover; parking; separate amenity space; bin store (demolition of attached garage and stores)	Granted: 27/08/2019
P/2687/22	Certificate of lawful development (proposed): Alterations to roof to form	Granted: 14/09/2022

	end gable and rear dormer; installation of new window in gable end	
P/0712/23	Outbuilding at rear for use incidental to main dwelling	Granted: 03/05/2023

4.0 **CONSULTATION**

- 4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application. A site notice was also displayed. The overall expiry date of the first consultation was 3 May 2023.
- 4.2 A total of 3 responses were received.
- 4.3 After the receipt of amended details, a 14-day re-consultation was carried out, expiring on 03 July 2023. A total of 1 additional comments were received (being add-on comments to previous responses.)
- 4.4 A summary of the responses received along with the Officer comments are set out below:

- Proposal does not take account of ethos of family homes on this street; do not want flats or any type of development other than single family dwellinghouses on this street. Object to commercial property on the street.
- The area will become non-residential.
Officer comment: See Section 6.3
- There is no pressing need for respite care in Harrow; another care home was recently closed.
Officer comment: The operations of other facilities are not a material planning consideration and whether or why another facility has closed, or if it is comparable to the proposed facility, is not known. In terms of need, please see consultation response from Harrow's Assistant Director - Specialist Learning Disabilities Care, Mental health, CYAD Services and Provider Services
- Concern regarding overlooking by care home staff or residents.
Officer comment: See Section 6.4
- Would increase traffic and parking congestion, including ambulances and visitors. This would lead to decreased road safety.
- Increased pollution from combustion engines.
- Local residents should not have to see or hear regular/constant noise from ambulances / taxis which would affect their focus, concentration and general mental well-being.
Officer comment: See Section 6.5
- Baths drain into a soakaway instead of a proper drain.
- Proposal would adversely impact drainage to soil, sewage and water.
Officer comment: See Section 6.6

- Is likely motivated by business reasons.
Officer comment: *This is not a material planning consideration.*
- Existing premises appears to be an HMO but is not registered.
Officer comment: *The applicant has confirmed the property is not in use as an HMO. In addition, were the site in use and an HMO, this would not negate the acceptability of the planning proposal and implementation of it would remedy any potential breach of planning.*
- Object to noise pollution during construction.
Officer comment: *Noise nuisance during construction would fall under the purview of the Environmental health team. Any noise complaints should be referred to this service.*

4.5 Statutory and Non-Statutory Consultation

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

<p><u>Planning Policy</u></p> <ul style="list-style-type: none"> • No objections provided the proposal adequately addresses the care needs of vulnerable children.
<p><u>Assistant Director - Specialist Learning Disabilities Care, Mental health, CYAD Services and Provider Services</u></p> <ul style="list-style-type: none"> • There is always a need for specialist care accommodation for our vulnerable children but all development needs to fit into our agreed market position statement and in line with our commissioning intentions.
<p><u>Harrow Strategic Commissioning Manager (Learning Disabilities, Autism and Adult Mental Health)</u></p> <ul style="list-style-type: none"> • Thank you for forwarding the planning application, which is not that unusual, as many companies/providers convert properties. • Care4ocus Homes have other properties/services in Harrow and their latest CQC rating was good. If they succeed with their planning application, they will be required to register the new service at Kingsfield Avenue and our QA and Contracts Team will also carry out visits and due diligence. • Matters relating to quality of care for the children will be addressed through the processes in place; and no young people will be placed in the property by Harrow until all the necessary registrations and checks have been done. • Harrow Council Commissioning or Social Care will not endorse the provider's claim that there is a need/demand for a specialist care facility for children and young people, as we can't be seen to support the

commissioning a new building or service in advance of the due process and diligence being completed. The conversion of the property will have to be approved on the merits of the fabrication and the change of use alone.

LBH Highways

Observations:

- The site is located in North Harrow; the site has a Public Transport Accessibility Level (PTAL) of 3 (good). The nearest underground station is North Harrow Underground station, approximately 0.5 miles to the South and bus services are accessible locally, therefore the site is considered to be at a sustainable location. Pedestrian access to the local area is provided by a footway. The services and facilities within Harrow Town centre are located via a short journey from site.

Access and Parking:

- At present there is an existing crossover serving the property from the public highway. The proposed site plan (Drawing no: AA-2301-KA-PL-0004) shows the existing vehicle crossover to be reinstated as footpath and a new proposed vehicle crossover. The length of new proposed crossover is shown as 5400mm which exceeds the permitted maximum of 4500mm as per Harrow specification. A separate application is required for adjustment to the crossover to Highways.
- The loss of the garage will have minimum impact as parking is available on the hardstanding driveway within the site.

Cycle Storage:

- The proposal has provision for 2no. cycle spaces via a cycle storage unit observed within the rear garden of the submitted plans. The proposal meets the standard set out in The London Plan 2021 – chapter 10 transport – Table 10.2 – Minimum cycle parking standards for a C2 Class building.

Trip Generation:

- The nature of the proposed development is unlikely to result in a material increase in additional vehicle trips to and from site. No significant or severe impact on the transport network is identified.

Conclusion:

- Harrow Highway Authority has considered the proposal and does not wish to restrict the granting of planning permission. The proposal is unlikely to result in a severe or harmful impact for the surrounding highway network, therefore, Highways have no objection.

Comments to revised plans:

The revised proposed crossover meets the Harrow's specification, but will require formal approval by the vehicle crossing team.

<p><u>Drainage</u></p> <ul style="list-style-type: none"> • No objection subject to conditions <ul style="list-style-type: none"> ○ The applicant should submit drainage layout drawing showing two separate surface & foul water connections and outfall details. Combined drainage system are not acceptable. If a soakaway is provided, full construction details of the soakaway with its location, size, storage volume and calculations should also be provided. ○ Please request the applicant to submit a cross section of permeable paving construction with full details and their maintenance plan for our approval <p>Officer Comment: <i>Informatives will be added to this effect</i></p>
<p><u>Waste Management Policy Officer</u></p> <ul style="list-style-type: none"> • No comments received
<p><u>Thames Water</u></p> <ul style="list-style-type: none"> • No comments received
<p><u>EHO Team Leader</u></p> <ul style="list-style-type: none"> • No comments received
<p><u>Landscape Architect</u></p> <ul style="list-style-type: none"> • No comments received

5 **POLICIES**

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

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

5.2 The Government has issued the National Planning Policy Framework [NPPF 2021] sets out the Government’s planning policies for England and how these should be applied and is a material consideration in the determination of this application.

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

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

6.0 ASSESSMENT

6.1 The main issues are:

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

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- London Plan Policies H8, H12
- Harrow Development Management Policies (2013): DM29

6.2.2 Policy H8 of the London Plan relates to the loss of existing housing, with Part A noting that the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floor space.

6.2.3 Policy H12 of the London Plan relates to supported and specialist accommodation. It is noted that “the delivery, retention and refurbishment of supported and specialised housing which meets an identified need should be supported. The form this takes will vary, and it should be designed to satisfy the requirements of the specific use or group it is intended for, whilst providing options within the accommodation offer for the diversity of London’s population, including disabled Londoners (see Policy D7 Accessible housing) within a wider inclusive community setting.” This type of accommodation could include accommodation for young people with support needs.

6.2.4 Policy DM29 of the DMP relates to Sheltered Housing, Care Homes and Extra Care Housing. Part A of the policy notes that “the Council will support proposals on previously-developed land for sheltered housing, care homes and extra care housing (across all tenures) for older people and those who may be vulnerable, provided that the proposal is accessible by public transport with good access to local amenities including shops and community facilities”.

6.2.5 The proposal is for the change of use of the property to C2 (respite care home) for children, as well as external alterations. Concerns have been raised with regard to a commercial use being introduced into a residential neighbourhood. However, as the proposed use is a residential one, and not a commercial use, it is considered that the proposed use would be suitable and appropriate for the site.

6.2.6 Although the property would no longer be in C3 use, the proposed C2 use is still a residential use, and so there would be no loss of housing. The proposal would therefore not conflict with Policy H8 of the London Plan. It should be added that the internal configuration of the building retains that of a conventional dwellinghouse

and can be easily converted back into a conventional dwellinghouse if and when the uses cease.

- 6.2.7 The site will provide respite care for children with complex care needs, for temporary stays away from their usual setting, typically up to 4 weeks.
- 6.2.8 Depending on the needs of the residents at the time, 2-4 carers would be on site at a time. The maximum number of staff on site would therefore be 5, comprising up to 4 carers and 1 resident manager. Care would be provided 24-hours a day, and a sample staff rota was provided by the applicant.
- 6.2.9 The provision of a new residential care home for children with Special Educational Needs and Disabilities (SEND) is encouraged under Policy H12 A (2), (4) and (5) of the London Plan and Policy DM29.A of the DMP subject to the site being accessible by public transport with good access to local amenities including shops and community facilities. In this case, the site has a good PTAL (Public Transportation Accessibility Level) rating and is sited within 12 minutes' walk of a London Underground station and the North Harrow local town centre, as well as being within an 8-minutes' walk of local bus stops. The site is therefore considered to have a good level of sustainability. The proposed facilities would serve a community in need, and Harrow's Assistant Director for specialist Youth Services has confirmed is a need for this type of service in the borough. There are no objections from the Council's planning policy team.
- 6.2.10 In light of all of the above, the proposed change of use is supported.

6.3 Character of the Area and Design

- 6.3.1 The relevant policies are:
- The National Planning Policy Framework (2021)
 - London Plan Policies D3, D5, H12
 - Policy CS1.B of Harrow's Core Strategy (2012)
 - Harrow Development Management Policies (2013): DM1, DM29
 - Supplementary Planning Document Residential Design Guide (2010)

Change of Use

- 6.3.2 The change of use is considered to be acceptable on character and design grounds, as it still forms a type of residential development. The occupancy numbers for both staff and children are not too significant and would be comparable to that of a large or extended family living within the building. Whilst officers note that the area is predominantly characterised by single family dwellinghouses, given the above, the change of use is not considered to result in a significant change to the general setting of the area.

External Alterations

- 6.3.3 The proposal includes extensions to the dwelling at the front, side and rear, as well as a dormer and outbuilding. The single storey front extension including porch would comply with the Residential Design Guide SPD. The proposal initially included an alteration to create a gabled roof end in combination with the two-storey side extension. This would not have been considered unacceptable due to bulk and poor

design, and it was subsequently amended to include a fully hipped roof in combination with the two-storey side extension. The side extension is subservient and set back from the front to prevent a terracing effect. It would also be set 1.1m away from the side boundary, retaining good access to the rear garden.

- 6.3.4 The proposed rear dormer is appropriately sized and would retain good visual containment within the roof slope.
- 6.3.5 The single storey rear extension would have a height consistent with the standards set out in the Residential Design Guide SPD. However, it would exceed the standard depth. As such, it must be considered on the basis of site specific circumstances. In this case, the deeper part of the extension would be set against the existing deeper rear extension of the attached no. 32 and would not project past it. The proposed extension would step to then be less deep in proximity to the other adjacent neighbour no. 36 and would be set 1.1m away from this boundary. The extension would therefore appear proportionate to the dwelling and its contextual surroundings and would maintain space with the side boundary. It would therefore be acceptable.
- 6.3.6 The proposed outbuilding would be identical in size and location to the one recently approved under ref: P/0712/23 and so would be acceptable in terms of size and appearance. It would be sited adjacent no. 23's outbuilding. The use would be different to that of ref: P/0712/23. The proposed use is as a sensory room for the children. The applicant has provided detailed information on the type of activity that would be carried out, which would have therapeutic benefit for the children. The proposed use would remain incidental to the main dwelling, and would be comparable to a play room typically seen in outbuildings of families with children. It would therefore be acceptable.
- 6.3.7 The changes to the front forecourt would include the re-locating of the access, a new access ramp and retention of existing parking, which would have no impact on the appearance of the property, and the introduction of soft landscaping, which would be beneficial to the character and appearance of the dwelling and the area.
- 6.3.8 The proposal would site bin storage in the rear of the property, which would protect the appearance of the streetscene; and staff would move bins to the front on collection days. The details submitted for the bin storage enclosures is a considered acceptable and appropriate for the suburban context.
- 6.3.9 On the basis of the above, the proposed development is considered to be acceptable in terms of the character and appearance of the dwelling and the area. A condition is recommended to ensure the external materials used in the construction of the proposed extensions matches that of the existing house.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): D14, D5, H12
- Harrow Development Management Policies (2013): DM1, DM29
- Supplementary Planning Document Residential Design Guide (2010)

Change of Use – Neighbouring Occupiers

- 6.4.2 The proposed extensions would result in a 4/5-bedroom house, able to accommodate up to 4 children, with 2-5 staff. The occupancy of the site, when the maximum number of children are present would therefore be 6-9. For comparison, as a C3 dwellinghouse, the maximum occupancy of the extended building would be 6-8. It should be noted that it would be expected for the occupancy to vary at different times and would not necessarily be at maximum capacity at all times. Given the maximum occupancy numbers for both staff and children are not too significant and would be comparable to that of a large or extended family living within the building, the development is not considered to be significantly more intensive in terms of noise and disturbance than the existing use. Similarly, the siting of noise sensitive C3 dwellinghouses within the surrounds of the site does not compromise the use and operation of the building as a Residential Care Home.
- 6.4.3 It should be added that the applicant would be able to use the dwellinghouse in a C3(b) use without the need for planning permission in any case. C3(b) covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems. The new use is slightly less intensive than what can be achieved under permitted development.
- 6.4.4 In order to prevent excessive occupation of the building, officers have applied conditions to restrict proposed occupancy for both children and staff to those indicated within the submitted supporting documents. A condition has also been applied limiting the use of building to use as a Residential Care Home and no other C2 uses which may be inappropriate within the suburban residential setting.

External Alterations – Neighbouring Occupiers

- 6.4.5 The proposed front extension and changes to the forecourt would not impact upon the residential amenities of neighbouring properties. Similarly, the rear dormer, which would be contained within the existing roof slope, would not result in significant changes in terms of amenity impacts.
- 6.4.6 The single storey rear extension would have a height consistent with the standards set out in the Residential Design Guide SPD. However, as noted above, it would exceed the standard depth. As the deeper part of the extension would be set against the existing deeper rear extension of the attached no. 32 and would not project past it, it would not impact the amenities of this neighbouring property. The proposed extension would be stepped in to then be less deep in proximity to the other adjacent neighbour no. 36 and would be set 1.1m away from this boundary. Given the reduced depth along this side and the separation distance from the shared boundary, this would not be considered to result in adverse impacts on the amenities of this neighbouring occupier.
- 6.4.7 The two-storey side extension would not project past the existing rear or front building lines and would be set 1.1m from the boundary with no. 36. One window would be included on the ground floor of the facing flank, which would serve the clinic, but given as this faces onto a side path along the flank of no. 36 and not onto any amenity areas, it is considered this would not compromise the amenities of the neighbouring property. Given these factors, it would not be considered to result in undue impacts upon no. 36.

- 6.4.8 A concern regarding overlooking by staff or residents to neighbouring properties has been raised. The proposed development would not differ from typical household extensions in terms of numbers or placement of windows, and so would not result in any difference in overlooking compared to a C3 dwellinghouse in terms of overlooking by residents/occupiers.
- 6.4.9 The proposed outbuilding would be identical in size and location to the one recently approved under ref: P/0712/23 and so would be acceptable in terms of visual and overshadowing impacts. The use would be different to that of ref; P/0712/23. The proposed use is as a sensory room for the children. As noted above, the use would not be considered to be significantly different from that of a playroom typically seen in outbuildings of families with children. Given this and given the number of proposed occupiers of the site, the level of noise and activity would not be considered to differ materially from that of a family with multiple children. To ensure the amenity of the neighbouring occupiers is maintained in future, conditions have been attached ensuring the outbuilding is used for incidental purposes to the main dwelling, and for the use of the occupiers of the home.
- 6.4.10 In addition, conditions ensuring that windows are not placed in the flank elevation facing no. 36 (eastern flank) or that the roof of the rear extension is not used as a balcony to ensure the privacy of neighbouring occupiers is maintained. Subject to the recommended conditions, the development would therefore accord with development plan policies in respect of amenity.

Future Occupiers – Internal Configuration and Quality of Accommodation

- 6.4.11 The future occupiers of the site would be children with complex needs, who would stay for short periods of time. As such, some specialised accommodations are made on site. This includes a lift to the first floor, accessible ramp at the entrance, and an on-site clinic room.
- 6.4.12 The proposal would also provide reasonably spacious communal area including a kitchen and dining area, with a good layout and direct access to the rear garden. The bedroom would all be in excess of the Nationally Described Space Standards (7.5sqm minimum) Each bedroom would have an en-suite bathroom and closet space. and they are reasonably sized. The proposal otherwise meets a good level of quality of accommodation and accessibility. Children would also have access to outdoor space and the sensory room in the outbuilding at rear. It is furthermore noted that the facilities and quality of care provided would be overseen by the existing regulatory bodies to ensure the safety and well-being of the children.
- 6.4.13 One of the bedrooms would be on the ground floor and so would require defensive planting to the front to protect the privacy and quality of living for that occupier. This has been shown on the submitted plans. A condition ensuring this is implemented has been attached.
- 6.4.14 Given the above, it is considered that the proposal would accord with London Plan policies D5 and H12 and the DMP policy DM29 in terms of the accessibility and quality of accommodation provided.

Summary

6.4.15 In summary, subject to the conditions noted above the proposal would be satisfactory in terms of amenity and quality of living standards for both neighbouring and future occupiers.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): T5, T6, T6.1
- Harrow's Core Strategy (2012): CS1.R/S
- Harrow Development Management Policies (2013): DM1, DM29, DM42, DM44, DM45

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

6.5.3 This proposal is within a Public Transportation Accessibility Level (PTAL) 3 location, meaning access to public transportation is good. The nearest bus stops is an 8-minute walk away, and North Harrow Underground station is a 12 minute walk away. The local North Harrow town centre within a 10 minute walk.

6.5.4 In applying London Plan maximum residential parking standards, a maximum of 0.75 car parking spaces per bed spaces would be allowed. Given that the bed spaces in this case would be allocated to children under 18, the parking would be utilised by staff. The applicant has clarified that due to the nature of the care provided on site, i.e. short term breaks from regular care settings, the number of visitors to the site would be very low. Given the site's sustainable location and provision of cycle parking, staff would be able to take advantage of public transportation and cycling options. The retention of the existing 2. no car parking spaces to the forecourt is therefore considered acceptable.

6.5.5 The proposed reformed vehicle access meets the width requirement of the Council and would be acceptable in terms of planning requirements. The depth of the driveway retained after the implementation of defensive planting and the access ramp would be sufficient to allow parking. It is noted this will require further, separate permission from the Highways department and an informative is attached to this effect.

6.5.6 As per London Plan minimum cycle parking requirements, C2 cares homes/secure accommodation are required to provide 1.no long stay space per 5 full-time employees, and 1.no short stay space per 20 bedrooms. The development provides secure and sheltered cycle parking in the rear of the site, which would accommodate 2 no. cycles, which it would be anticipated would be used primarily by staff. Given the side access to the rear garden and the relatively small scale and low level of occupation of the site, it is anticipated that visitor cycles could reasonably be accommodated in the rear garden as well and managed by on-site staff. The submitted details for the storage enclosures would not be unsuitable for a single household, but as this may be used by two staff members, the dimensions of the enclosure are tight and would make it difficult to manoeuvre two cycles around each

other when getting in and out of the storage. The proposal would therefore be considered satisfactory with regard to cycle parking provision, subject to a condition requiring revised details and for the cycle parking to be implemented prior to the occupation of the site.

- 6.5.7 Given the above factors, in particular the sustainable location and relatively low level of occupancy, as well as the confirmation from the Highways officer that the proposal would be acceptable in terms of highways impacts, it is considered that the proposal would not result in significant increases in impacts on the local highway network. In addition, this would not result in a material increase in pollution from cars compared to existing multi-car households in the vicinity.
- 6.5.8 Concerns have been raised regarding frequent use of ambulances, and the noise and disturbance they would cause. As confirmed by the applicant, given the nature and type of care provided, ambulances would not normally be required, except in emergency situations. Visitors, as noted above, would be relatively limited in numbers, as would the number of residents. It is therefore considered that the activity generated by taxis and ambulances would not be likely to be significantly higher than that of a C3 dwelling with a family member/s experiencing health difficulties on the premises.
- 6.5.9 Based on the above, it is considered that the proposal would not cause significant impacts on the highways and would therefore be acceptable.

6.6 Flood Risk and Drainage

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2021)
- The London Plan (2021): SI 13
- Harrow Development Management Policies (2013): DM10

6.6.2 Policy DM9 B of the Development Management Policies Local Plan (2013) states, “proposals that would fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.”

6.6.3 The site is located within a Critical Drainage Area but not within any Flood Zones. The development would result in an addition to the development footprint on site and would therefore have an impact in terms of increased surface water flood risk. Permeable paving is considered necessary and appropriate to mitigate the impact of the development, and a condition is duly attached to this permission.

6.6.4 The Drainage Authority have requested a condition for surface and foul water connection details. However, given the scope and scale of the development, it is considered that imposing such a condition would be unduly onerous. However, an informative advising the developer of the requirements for any new drainage connections has been included.

6.6.5 A concern has been raised that baths would drain into a soakaway rather than a conventional drain, however this is incorrect – internal wastewater would be disposed of in a conventional manner, while external surface run-off (from rain, etc.) would be dealt with via permeable paving and a soakaway, which should improve

the rate of surface water run-off in the forecourt from the existing situation. Further concern has been raised that the development would adversely impact drainage to soil, sewage and water. In addition to the improvement to the forecourt, it should be noted that the proposal would not result in a significantly different level of maximum occupation from that of a C3 single family dwelling, and thus the foul and wastewater discharge would not be significantly different from that of a large family.

6.6.6 Subject to a condition for permeable paving details, it is considered that the proposal would be acceptable in terms of surface water run-off and flood risk.

6.7 Fire Safety

6.7.1 The relevant policies are:

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

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

6.7.3 The applicant has completed a Reasonable Exemption Statement to confirm appropriate details of how the fire safety measures will be altered with the proposed development. The proposal thereby complied with Policy D12.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

7.1 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation and on the basis that the proposed development provides an acceptable and policy compliant residential scheme for future occupiers and does not unduly impact on the character of the area or the amenities of the residential occupiers of the adjoining or nearby properties, subject to the attached conditions. The proposed development would therefore accord with the National Planning Policy Framework (NPPF, 2021) Policies D3, D5, D11, D12, D14, H8, H12, SI 12, SI 13, T5, T6, T6.1 of the London Plan (2021), Policy CS1 of the Harrow Core Strategy (2012) and policies DM1, DM9, DM10, DM29, DM42, DM44, DM45 of the Harrow Development Management Policies Local Plan (2013), along with the relevant supplementary guidance.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Drawing and Documents

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 document Schedule of application documents:

Reasonable Exemption Statement; Document titled "34 Kingsfield Avenue, HA2 6AT"; Letter dated 4th may 2023 (updated 16 June, 2023 to correct errors); Untitled document re: additional information; Sensory Room Information; AA-PL-RC-A009-001 Rev P1; AA-PL-RC-A009-0002 Rev P1; AA-PL-RC-A009-0003 Rev P1; AA-PL-RC-A009-004 Rev P1; AA-PL-RC-A009-005 Rev P2; AA-PL-RC-A009-006 Rev P3; AA-PL-RC-A009-007 Rev P2; AA-PL-RC-A009-008 Rev P2; AA-PL-RC-A009-009 Rev P2; Email from AA8 Design confirming children numbers (dated 27/6/2023).

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

4. Permeable Paving

Notwithstanding the approved details, the proposal shall not progress past damp proof course level until full details including cross-sections 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. The development shall be carried out in accordance with the details as so agreed and 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.

5. Cycle Parking

Notwithstanding the approved details, the proposal shall not progress past damp proof course level until revised details of the proposed cycle storage are submitted to and approved in writing by, the Local Planning Authority. The details shall provide for secure and sheltered cycle storage of suitable dimensions and arrangement to allow function and practical use by two or more users.

The approved details shall be implemented on site prior to the occupation of the development, and retained as such thereafter.

REASON: To ensure the satisfactory provision of safe and satisfactory cycle storage facilities for all the users of the site and in the interests of highway safety and sustainable transport.

6. Forecourt Landscaping and Defensive Planting

Notwithstanding the approved details, the proposal shall not progress past damp proof course level until details of the proposed soft landscaping to the forecourt and defensive planting for Bedroom 1 are submitted to, and approved in writing by, the Local Planning Authority. The planting shall be implemented on site prior to the first occupation of the development, and the development shall be retained in accordance with the approved details.

REASON: To safeguard the amenity and privacy of future occupiers, and to protect the character and appearance of the area.

7. Future Glazing (eastern flank)

No window(s)/door(s), other than those shown on the approved plans shall be installed in the eastern flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

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

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

9. Refuse Storage

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

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

10. Occupancy

The new Residential Care Home hereby permitted shall not be occupied by more than 4.no children and 5.no members of staff at any given time.

REASON: To safeguard the amenity of neighbouring residents, the character of the locality and in the interests of highway safety in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

11. Permitted Use

The site shall only be used as a Residential Care Home and not for any other uses falling within Use Class (C2), or for any other purposes, unless an alternative use is agreed in writing by the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, the character of the locality and in the interests of highway safety in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

12. Outbuilding

The detached outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the C2 residential use of the occupiers of the 34 Kingsfield Avenue, Harrow, HA2 6AT and shall at no point be used as primary living accommodation or any other similar use.

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

13. Hours of use – outbuilding

The detached outbuilding hereby permitted shall not be occupied at any time outside of the following hours:-

8am-8pm Monday – Sunday

REASON: To safeguard the amenity of neighbouring residents.

14. Amplified sound restriction

No music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To safeguard the amenity of neighbouring residents.

Informatives

1. Policies

The following policies are relevant to this decision:

- **National Planning Policy Framework (2021)**
- **The London Plan (2021):**
D3, D5, D11, D12, D14, H8, H12, SI 13, T5, T6, T6.1
- **Harrow Core Strategy (2012):** CS1
- **Harrow Development Management Policies Local Plan (2013):**
DM1, DM9, DM10, DM29, DM42, DM44, DM45
- **Supplementary Planning Documents:**
Supplementary Planning Document Residential Design Guide (2010)

2. Pre-application engagement

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

3. Considerate Contractor Code of Practice

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

4. Party Wall Act

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering. Also available for download from the CLG website:

Tel: 0870 1226 236 Fax: 0870 1226 237
Textphone: 0870 1207 405
E-mail: communities@twoten.com

5. Liability for Damage to Highway

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

6. Surface and foul water connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

7. Fire Safety

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

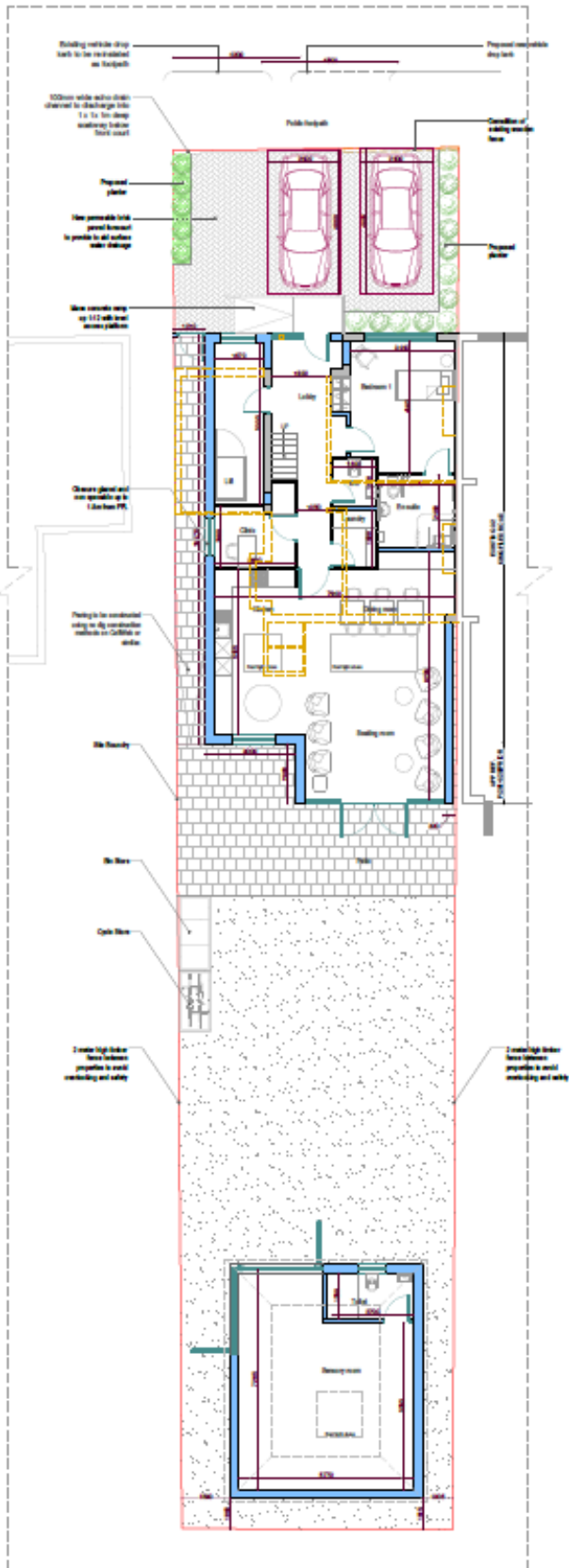
8. Vehicle Crossover

The applicant is advised that, notwithstanding the planning permission herein granted, the proposed vehicle crossing will require separate permission and approval from the Harrow Highway Authority.

CHECKED

 Orla Murphy Head of Development Management 6 th July 2023	 Viv Evans Chief Planning Officer 6 th July 2023
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APPENDIX 2: SITE PLAN



Propose site plan

APPENDIX 3: SITE PHOTOGRAPHS



Proposal site on right, with no. 32 on the left



No 36, with proposal site in the background



Rear garden



Rear elevation, with no. 32 to the right



Rear of no. 32



Rear of no. 36

APPENDIX 4: PLANS AND ELEVATIONS



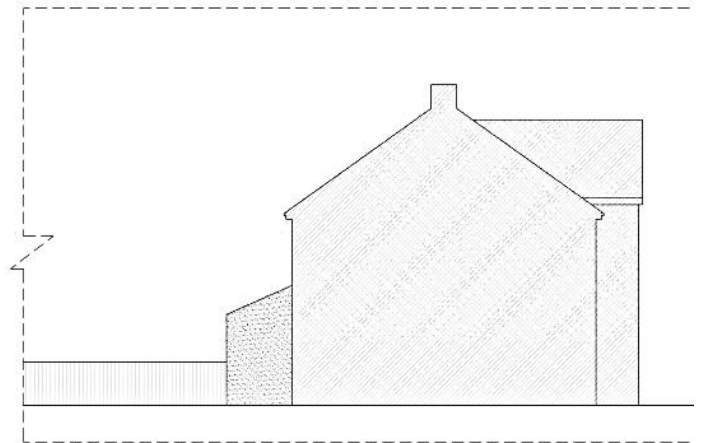
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3 EXISTING SIDE ELEVATION

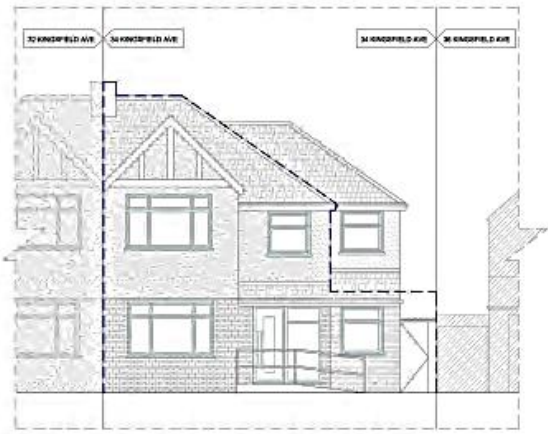


2 EXISTING REAR ELEVATION



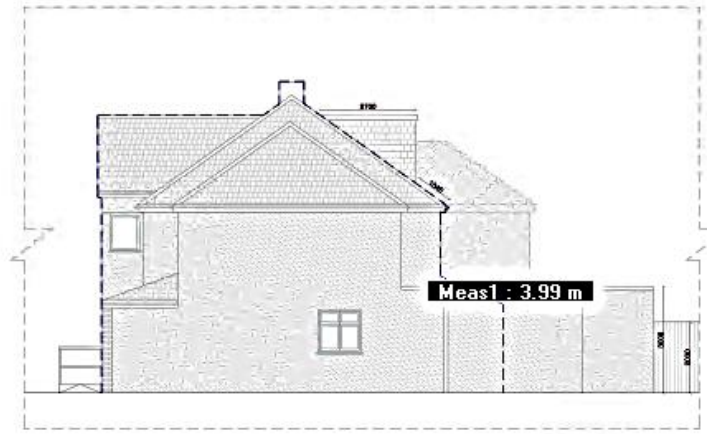
4 EXISTING SIDE ELEVATION

Existing Elevations



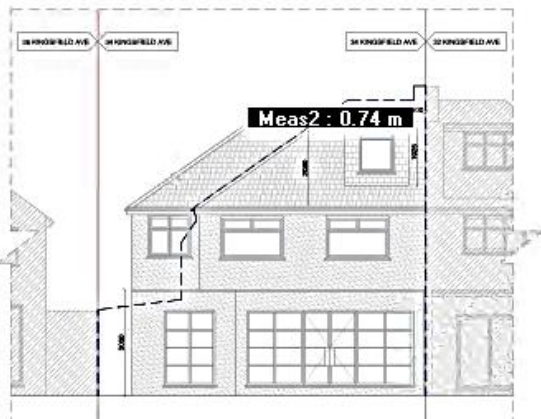
1 PROPOSED FRONT ELEVATION

- HIP TO GABLE EXTENSION OMITTED



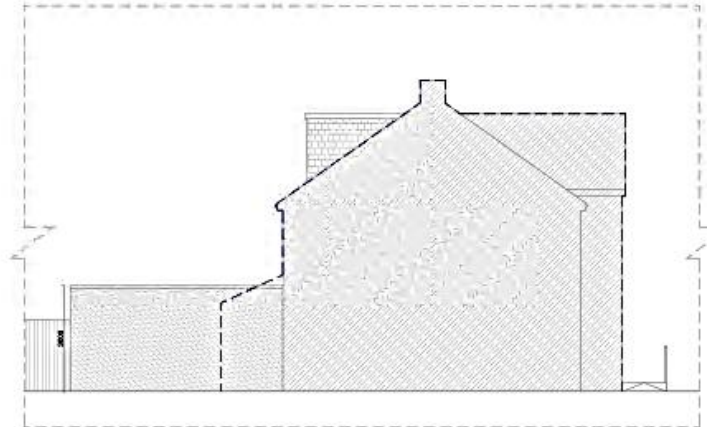
3 PROPOSED SIDE ELEVATION

- HIP TO GABLE EXTENSION OMITTED



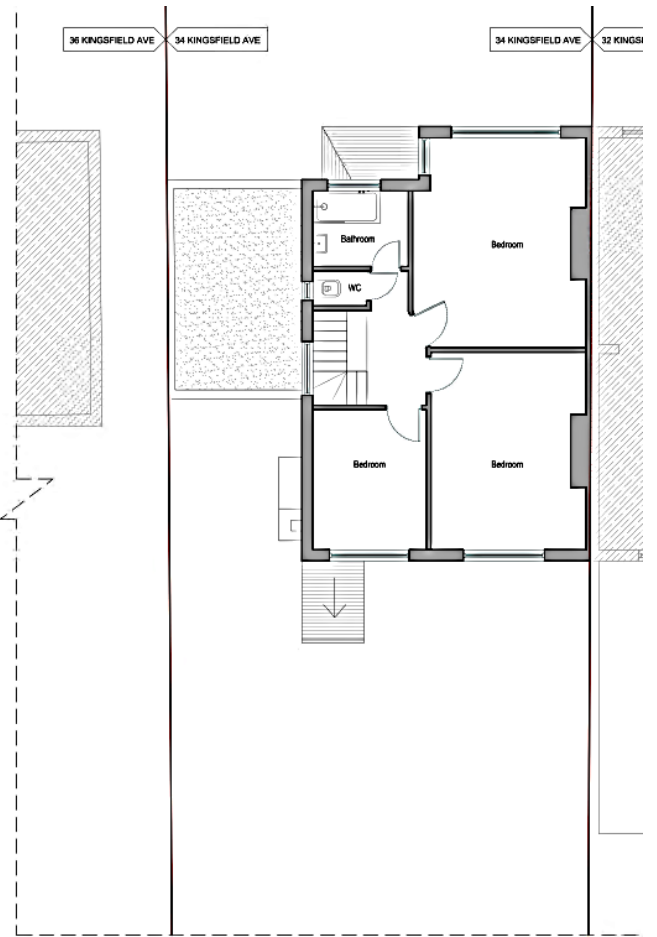
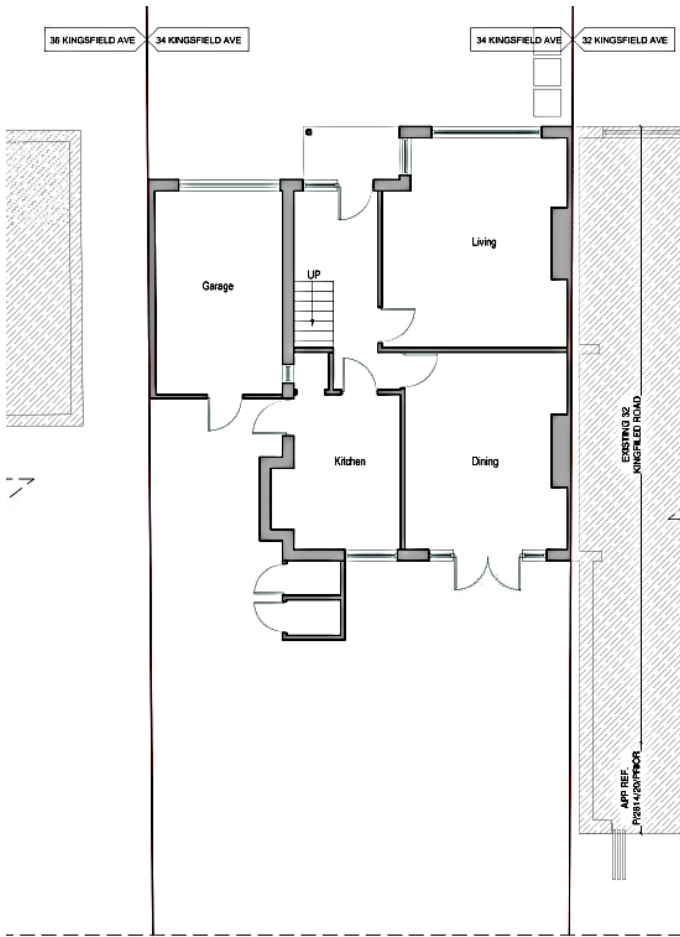
2 PROPOSED REAR ELEVATION

- HIP TO GABLE EXTENSION OMITTED
- ONLY 1 REAR DORMER PROPOSED INSTEAD OF 2



4 PROPOSED SIDE ELEVATION

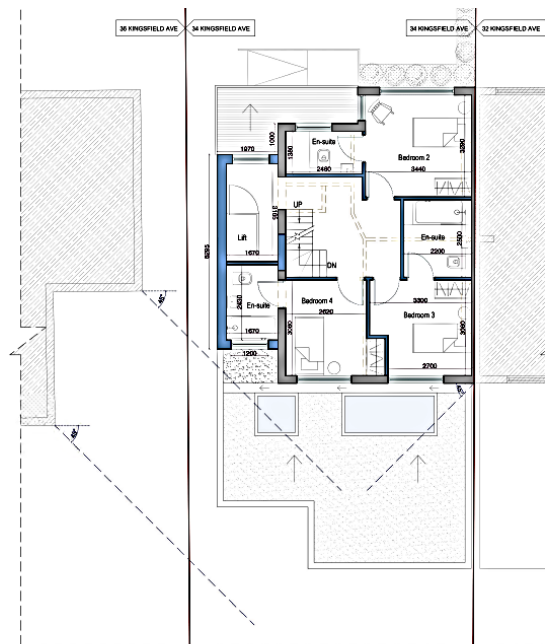
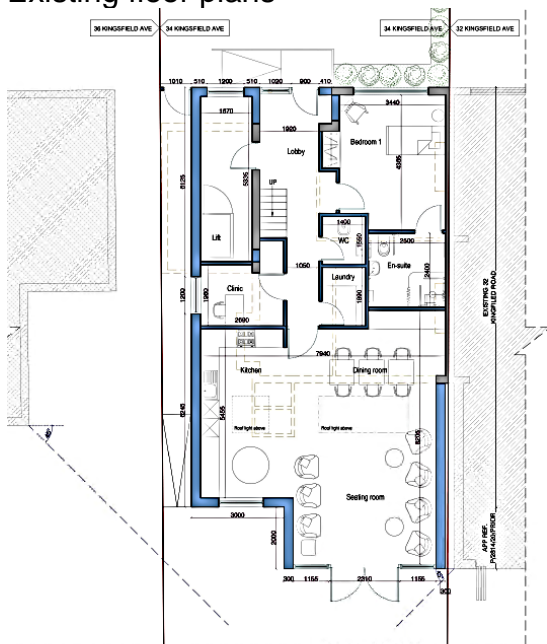
Proposed Elevations



1 EXISTING GROUND FLOOR PLAN

2 EXISTING FIRST FLOOR PLAN

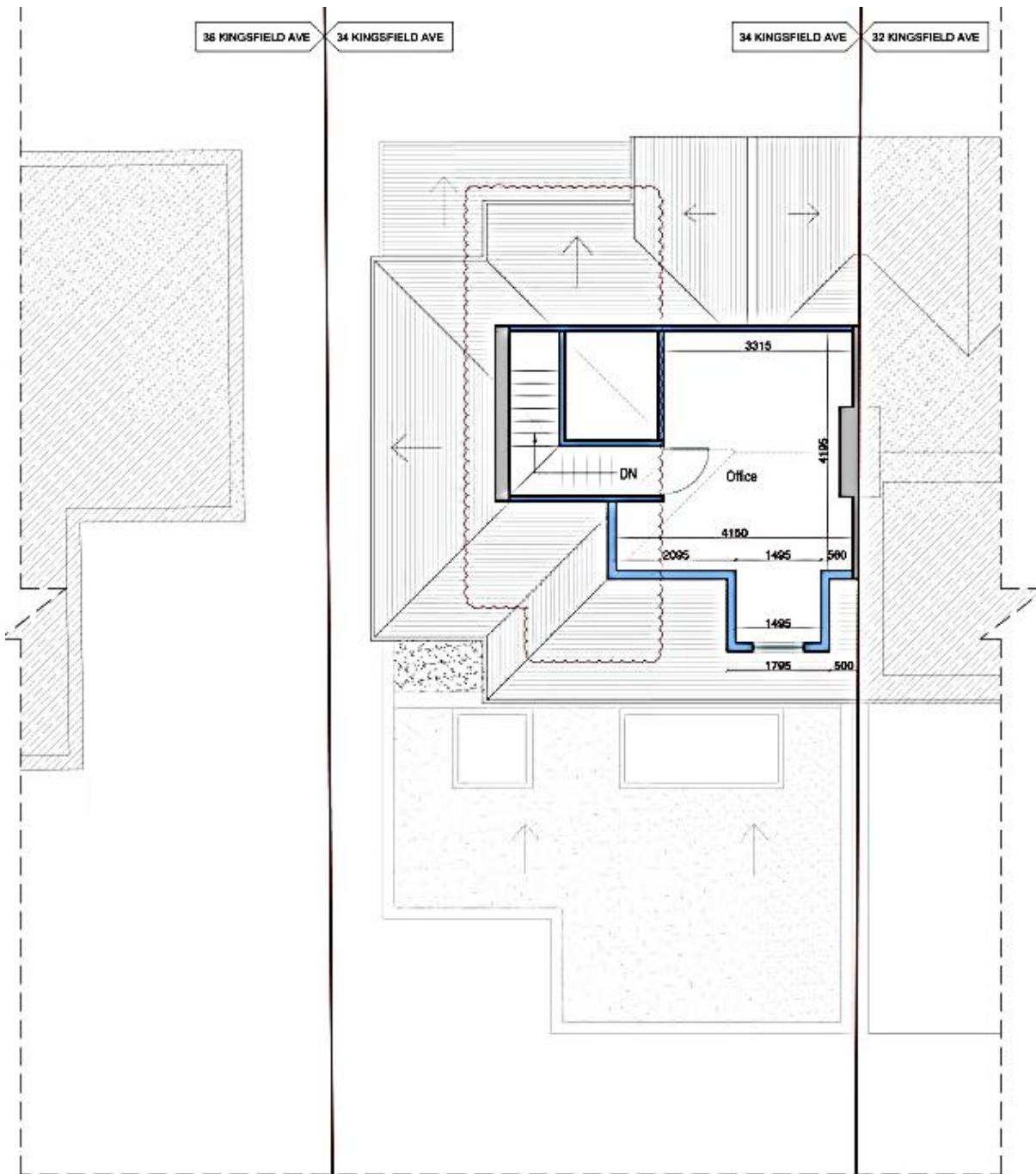
Existing floor plans



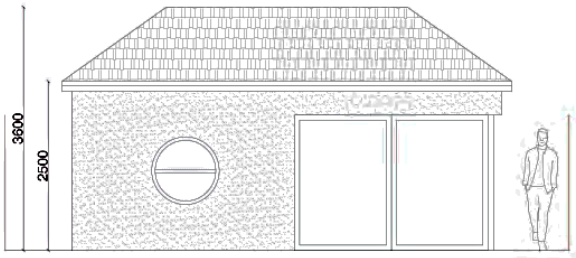
1 PROPOSED GROUND FLOOR PLAN

2 PROPOSED FIRST FLOOR PLAN

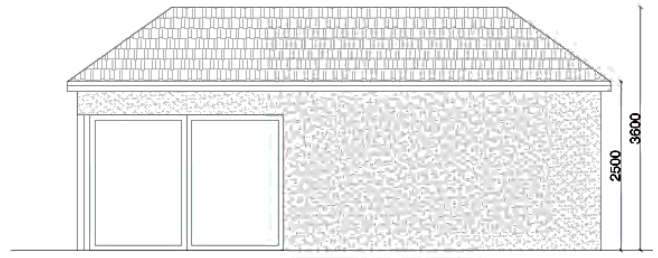
Proposed floor plans



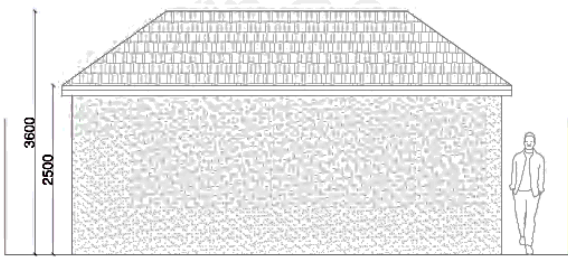
1 PROPOSED LOFT FLOOR PLAN



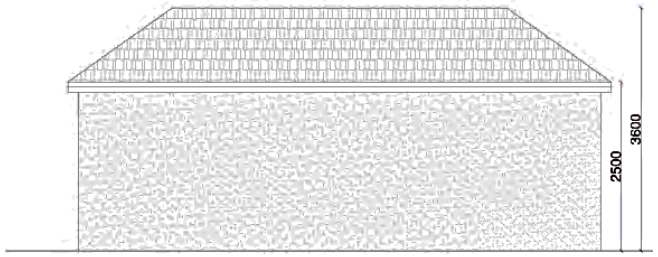
1 PROPOSED FRONT ELEVATION



3 PROPOSED SIDE ELEVATION



2 PROPOSED REAR ELEVATION



4 PROPOSED SIDE ELEVATION

Outbuilding

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