



Planning Committee Agenda

Date: Wednesday 27 September 2023

Time: 6.30 pm

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

The date and time for the 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: 07707 138582 E-mail: rita.magdani@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 19 September 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 - 12)
That the minutes of the meeting held on 6 September 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, 22 September 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.
11. **Planning Appeals** (Pages 13 - 46)

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.

12. **Section 1 - Major Applications - NIL**

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

(a)	2-01 Royal Mail Postal Delivery Office P/1980/22	GREENHILL	GRANT	(Pages 47 - 88)
(b)	2-02 12-22 Herga Road, HA3 5AS P/3539/22	WEALDSTONE SOUTH	GRANT - SUBJECT TO LEGAL AGREEMENT	(Pages 89 - 138)

14. **Any Other Urgent Business**

Which cannot otherwise be dealt with.

Agenda - Part II - NIL

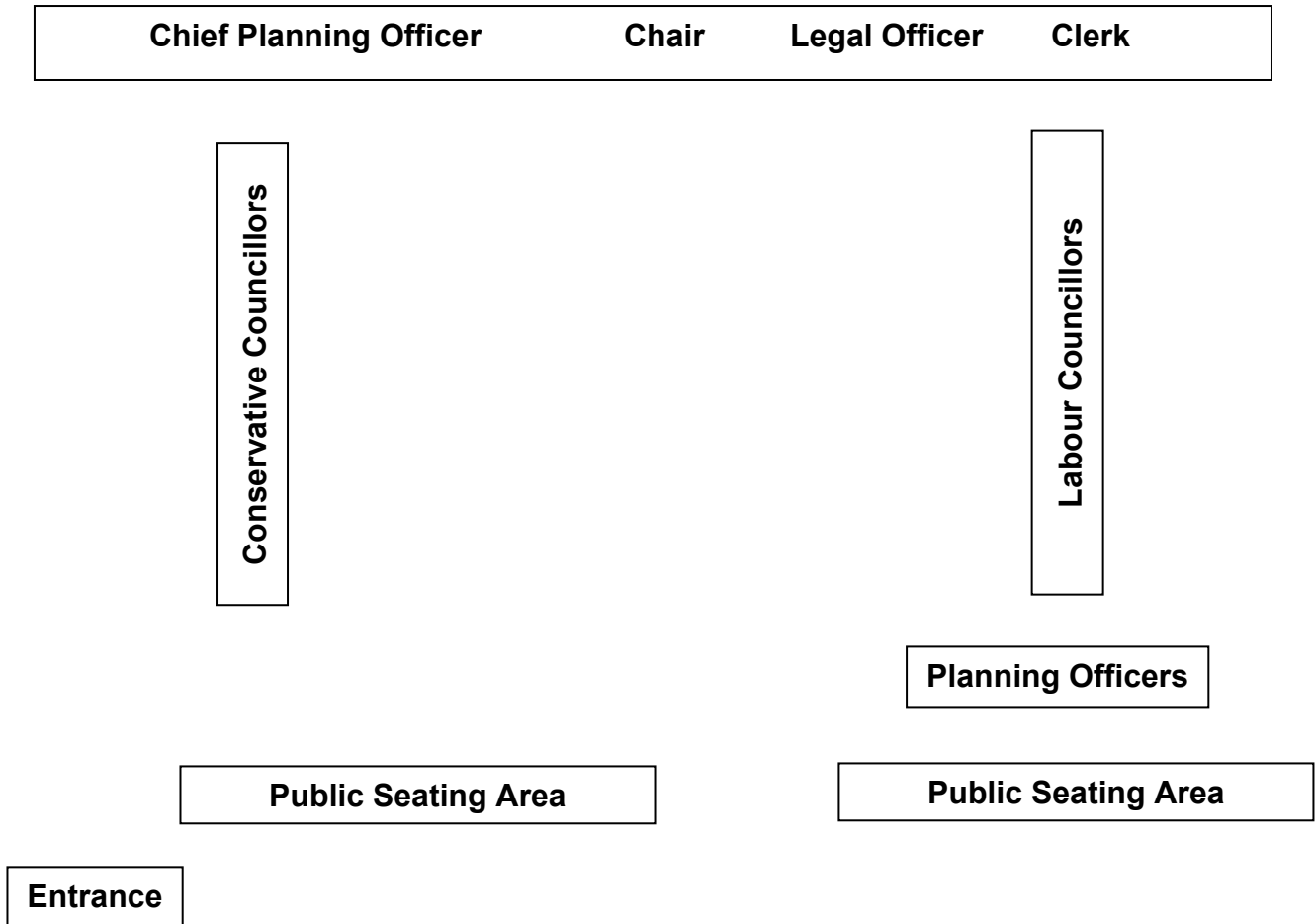
Data Protection Act Notice

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

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

Guidance Note for Members of the Public attending the Planning Committee

Typical Planning Committee layout for the 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 Chief Planning Officer, 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

6 September 2023

Present:

Chair: Councillor Marilyn Ashton

Councillors: Christopher Baxter
Rashmi Kalu
Nitin Parekh
Samir Sumaria
Zak Wagman

Absent: Councillor Peymana Assad

239. Attendance by Reserve Members

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

Ordinary Member

Reserve Member

Councillor Ghazanfar Ali

Councillor Rashmi Kalu

240. 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.

241. Declarations of Interest

RESOLVED: To note that there were none.

242. Minutes

RESOLVED: That the minutes of the meeting held on 19 July 2023 be taken as read and signed as a correct record.

243. Public Questions, Petitions and Deputations

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

244. References from Council and other Committees/Panels

RESOLVED: To note that there were none.

245. Addendum

RESOLVED: To accept the Addendum.

246. Representations on Planning Applications

RESOLVED: To note that there were none.

Resolved Items

247. 2/01 Gas Works, Marsh Lane, Stanmore , P/2536/22

PROPOSAL: To make an order under s14(2) of the Planning (Hazardous Substances) Act 1990 to revoke the Hazardous Substances Consent ref: East/266/00 for the continued storage of natural gas at the Gas Works Marsh Lane Stanmore.

The Committee voted and resolved to accept the officer recommendations.

RECOMMENDATION

The Committee was asked to revoke the Hazardous Substances Consent (HSC) at the site for the continued storage of natural gas at the Gas Works, Marsh Lane, Stanmore made under Section 14 (2) of the Planning (Hazardous Substances) Act 1990 and the revocation would be subject to confirmation by the Secretary of State for Levelling Up, Housing, and Communities.

DECISION: APPROVE

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

248. 2/02 Land R/O 67 Drummond Drive, Stanmore. HA7 3PH, P/3467/22

PROPOSAL: Three detached bungalows; Access Road; Enlargement of vehicle access between 65 and 67 Drummond Drive; Landscaping; Parking and Electric charging points; Refuse storage.

The Chairman expressed her view that the bungalows had been poorly designed. As a result, the Chairman proposed refusal for the following reason:

- 1) The proposed development is poorly designed by reason of its uninteresting and stark appearance, which is out of character in an area where the houses abutting the site have interesting design features such as bay windows and porches, to the detriment of the residential and visual amenity of the properties abutting the site and character of the area, contrary to policy CS1 Harrow Core Strategy (2012), DM1 Harrow Development Management Policy (2013) and D3 London Plan (2021) and NPPF Sept (2023).

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

The Committee voted and resolved to refuse officer recommendations.

RECOMMENDATION

The Planning Committee was asked to:

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

DECISION: REFUSED

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

The 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 7.03 pm).

(Signed) Councillor Marilyn Ashton
Chair

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Quarterly (Q2 Calendar Year) Appeals Report for September 27th, 2023, Planning Committee

Planning Inspectorate statistical release dated 18th May 2023 revealed that for the month of April, there were 1,225 written representations decisions and 15,997 in the last 12 months. Enforcement decisions made in April had a median decision time of 58 weeks, with the 12-month median being 55 weeks. The median decision time for Written Representations cases was 29 weeks, compared to the past 12 months which sat at 28 weeks. The Official Statistics for the month of April can be read by clicking [here](#).

Planning Inspectorate statistical release dated 22nd June 2023 revealed that for the month of May, there were 1,315 written representations decisions and 16,029 in the last 12 months. Enforcement decisions made in May had a median decision time of 58 weeks, with the 12-month median being 56 weeks. The median decision time for Written Representations cases was 30 weeks, compared to the past 12 months which sat at 28 weeks. The Official Statistics for the month of May can be read by clicking [here](#).

Planning Inspectorate statistical release dated 20th July 2023 revealed that for the month of June, there were 1,402 written representations decisions and 16,326 in the last 12 months. Enforcement decisions made in June had a median decision time of 53 weeks, with the 12-month median being 56 weeks. The median decision time for Written Representations cases was 31 weeks, compared to the past 12 months which sat at 29 weeks. The Official Statistics for the month of June can be read by clicking [here](#).

Harrow Councils Planning Service had received the following Appeal Decisions between April 1st, 2023 and June 30th, 2023 (in no particular date order).

Summary of Appeal Decisions:

Item	Site Address	Planning Reference	Description of Development	Decision Type	Status and Costs
1	31 Barrow Point Avenue, Pinner, Harrow, HA5 3HD	Appeal Ref: 3307100 LPA Ref: P/2287/22	Alterations and extensions to existing detached bungalow including changes to roof to form barn hip end roof extensions enclosing garage conversion and extended pitched roof at the rear, 3 front roof lights, one rear dormer, 2 roof lights in rear roof slope, single storey side and rear extension with skylights.	Non-Determination	Dismissed 11.05.2023
2	13 Harley Crescent, Harrow, HA1 4XQ	Appeal Ref: 3311563 LPA Ref: P/2776/22/PR IOR	Erection of a single storey rear extension.	Delegated Refusal on 07.09.2022	Dismissed 30.06.2023
3	29 Malpas Drive, Pinner, Harrow, HA5 1DQ	Appeal Ref: 3315624 LPA Ref: P/3246/22	First-floor front and rear extension, single storey front and rear extension, loft extension with rear dormer.	Delegated Refusal on 07.11.2022	Dismissed 20.04.2023



4	39 Curzon Avenue, Stanmore, Harrow, HA7 2AL	Appeal Ref: 3306772 LPA Ref: P/2041/21	Erection of a single storey and two storey rear extension.	Delegated Refusal on 02.08.2022	Dismissed 14.04.2023
5	81 Woodlands, North Harrow, Harrow, HA2 6EN	Appeal Ref: 3318455 LPA Ref: P/3830/22	Erection of two-storey side extension above existing single storey side extension.	Delegated Refusal on 21.12.2022	Allowed 29.06.2023
6	27 Elms Road, Harrow Weald, Harrow, HA3 6BB	Appeal Ref: 3315547 LPA Ref: P/3672/22	Erection of a single storey side garage extension, two-storey front extension, first-floor front extension with gable, first-floor rear extension, alterations, and extension to roof, rear dormer, rooflights in front, both side roof slopes and crown, external alterations.	Delegated Refusal on 22.12.2022	Dismissed 20.04.2023
7	203 Whitchurch Lane, Edgware, Harrow, HA8 6QT	Appeal Ref: 3316932 LPA Ref: P/3018/22	Double storey side and rear extensions and front porch.	Delegated Refusal on 28.11.2022	Dismissed 16.05.2023
8	203 Whitchurch Lane, Edgware, Harrow, HA8 6QT	Appeal Ref: 3318139 LPA Ref: P/4059/22	Erection of a front porch, single storey side extension, two storey side to rear extension, single storey rear extension and external alterations (demolition of rear extension and detached garage).	Delegated Refusal on 23.01.2023	Dismissed 17.05.2023
9	147 Eastcote Lane, Harrow, HA2 8RR	Appeal Ref: 3307397 LPA Ref: P/1366/22	Erection of a semi-detached house to No 147 Eastcote Lane and alterations to existing dwelling.	Delegated Refusal on 18.07.2022	Dismissed 31.05.2023
10	Pavement outside 34 Station Road, Harrow, HA2 7SE	Appeal A Ref: 3308485 LPA Ref: P/2439/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
11	Pavement outside 34 Station Road, Harrow, HA2 7SE	Appeal B Ref: 3308487 LPA Ref: P/2481/22	Display of freestanding LCD sign.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023



12	53 Wood End Avenue, Harrow, HA2 8NU	Appeal Ref: 3308413 LPA Ref: P/2272/22	Single storey side to rear extensions, front extension incorporating front porch and alterations to the boundary wall along with conversion into two flats.	Delegated Refusal on 24.08.2022	Dismissed 11.05.2023
13	31 Fairview Crescent, Harrow, HA2 9UB	Appeal Ref: 3314136 LPA Ref: P/3195/22	Erection of first floor wrap-around side/rear extension and ground floor infill rear extension with new rooflight.	Delegated Refusal on 02.11.2022	Split Decision 20.04.2023
14	12 Kelvin Crescent, Harrow, HA3 6DP	Appeal Ref: 3303177 LPA Ref: P/0530/22	First-floor extension over garage and alterations to porch.	Delegated Refusal on 12.05.2022	Dismissed 19.04.2023
15	97 Moss Lane, Pinner, Harrow, HA5 3AT	Appeal Ref: 3317461 LPA Ref: P/3118/22	Erection of single storey rear extension, demolition of existing extension.	Delegated Refusal on 22.12.2022	Allowed 16.05.2023
16	Pavement outside 43 Bridge Street, Harrow, HA5 3HR	Appeal Ref: 3308480 LPA Ref: P/2438/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 25.08.2022	Allowed 05.06.2023
17	Pavement outside 43 Bridge Street, Harrow, HA5 3HR	Appeal Ref: 3308483 LPA Ref: P/2474/22	Display of a freestanding LCD sign.	Delegated Refusal on 24.08.2022	Allowed 05.06.2023
18	12 Powell Close, Edgware, Harrow, HA8 7QU	Appeal Ref: 3315066 LPA Ref: P/2041/22	Roof alterations to create habitable roof space (bedroom), a side dormer, first floor rear extension, rooflights on side roof slope and external alterations to dwellinghouse.	Delegated Refusal on 10.11.2022	Dismissed 20.04.2023
19	Pavement outside Royal Oak, St Ann's Road, Harrow, HA1 1JP	Appeal Ref: 3308469 LPA Ref: P/2434/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
20	Pavement outside Royal Oak, St Ann's Road, Harrow, HA1 1JP	Appeal Ref: 3308470 LPA Ref: P/2466/22	Display of one freestanding LCD sign.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023



21	Pavement outside 309 Station Road, Harrow, HA1 2TA	Appeal Ref: 3308471 LPA Ref: P/2435/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
22	Pavement outside 309 Station Road, Harrow, HA1 2TA	Appeal Ref: 3308472 LPA Ref: P/2467/22	Display of one freestanding LCD sign.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
23	Pavement outside 341 Station Road, Harrow, HA1 2AA	Appeal Ref: 3308474 LPA Ref: P/2436/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 24.08.2022	Allowed 05.06.2023
24	Pavement outside 341 Station Road, Harrow, HA1 2AA	Appeal Ref: 3308475 LPA Ref: P/2468/22	Display of one freestanding LCD sign.	Delegated Refusal on 24.08.2022	Allowed 05.06.2023
25	Pavement outside 4 Red Lion Parade, Bridge Street, Harrow, HA5 3JD	Appeal Ref: 3308477 LPA Ref: P/2437/22	Installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
26	Pavement outside 4 Red Lion Parade, Bridge Street, Harrow, HA5 3JD	Appeal Ref: 3308479 LPA Ref: P/2471/22	Display of one freestanding LCD sign.	Delegated Refusal on 24.08.2022	Dismissed 05.06.2023
27	69 Yeading Avenue, Rayners Lane, Harrow, HA2 9RL	Appeal Ref: 3318133 LPA Ref: P/3678/22	Installation of decking over existing patio.	Delegated Refusal on 19.12.2022	Allowed 22.06.2023
28	89 Weston Drive, Stanmore, Harrow, HA7 2EW	Appeal Ref: 3293724 LPA Ref: P/2063/21	Conversion of dwellinghouse to 3 flats with refuse, cycle storage and landscaping/amenity space and a single and two storey side extension, single and two storey rear extension, two storey side infill extension, external alterations.	Non-Determination	Allowed 30.06.2023
29	179 Uxbridge Road, Harrow Weald, Harrow, HA3 6TP	Appeal Ref: 3315288 LPA Ref: P/3675/22	First-floor side extension plus first-floor rear extension plus loft conversion with rear dormer and minor internal and external alterations.	Delegated Refusal on 19.12.2022	Allowed 30.06.2023 15.05.2023



30	147 Eastcote Lane, South Harrow, Harrow, HA2 8RR	Appeal Ref: 3307386 LPA Ref: P/1367/22	Erection of a detached dwelling.	Delegated Refusal on 18.08.2022	Dismissed 19.06.2023
31	Bramber, Porlock Avenue, Harrow, HA2 0AP	Appeal Ref: 3295639 LPA Ref: P/0261/22	Certificate of lawful use or development is sought for 'building a single-storey side-extension that does not exceed half the width of the original dwelling'.	Delegated Refusal on 22.03.2022	Dismissed 20.04.2023
32	Blandings, Potter Street Hill, Pinner, Harrow, HA5 3YH	Appeal Ref: 3310969 LPA Ref: P/1772/22	Front ground floor side extension, side porch with new first-floor extension with pitch roof with associated internal changes.	Delegated Refusal on 08.11.2022	Dismissed 26.05.2023
33	Land at 11-13 Canterbury Road, Harrow, HA2 6AA	Appeal Ref: 3303368 LPA Ref: P/4525/21	Demolition of pair of semi-detached houses and erection of a 3-storey development with 7 self-contained flats, with 4 integral parking spaces to the rear of the building with a new crossover and 1 parking space to the front.	Delegated Refusal on 18.01.2022	Dismissed 15.05.2023
34	11 High View, Pinner, Harrow, HA5 3NZ	Appeal Ref: 3319196 LPA Ref: P/2539/22	Demolition of the existing house to be replaced with a new build 3 storey house.	Delegated Refusal on 26.09.2022	Dismissed 01.06.2023
35	27 Derwent Avenue, Pinner, Harrow, HA5 4QH	Appeal Ref: 3301234 LPA Ref: P/0126/22	Removal of existing roof, first-floor extension including front and rear dormers, part two-storey, part single storey side extension, facade changes and internal alterations.	Non- Determination	Allowed 25.05.2023
36	Land adjacent to Shandon, Poplar Close, Pinner, Harrow, HA5 3PZ	Appeal Ref: 3299024 LPA Ref: P/4433/21	Erection of bungalow with habitable rooms in roof space.	Delegated Refusal on 01.04.2022	Dismissed 13.04.2023
37	26 Merivale Road, Harrow, HA1 4BH	Appeal Ref: 3301565 LPA Ref: P/0523/22 Costs Ref: 3301565	Certificate of lawful use or development for the construction of a rear dormer and 2 velux windows.	Delegated Refusal on 13.04.2022	Allowed 01.06.2023 Costs Award Allowed 01.06.2023



38	Land at 24 Maricas Avenue, Weald, Harrow, HA3 6JA	Appeal Ref: 3291026 LPA Ref: ENF/0238/20/ P/6004	Enforcement Notice Appeal issued on 03.12.2021 by procedure type Written Representation by the landowner. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of a single-storey side to rear extension including raised decking area, and, unauthorised construction of first-floor side to rear extension.	Enforcement Notice	Withdrawal by Appellant 23.06.2023
39	Land at 187a Cannon Lane, Pinner, Harrow, HA5 1HY	Appeal Ref: 3310121 LPA Ref: ENF/0153/19/ P/6104	Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being issued on 30.09.2022. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of an outbuilding extension (part demolition of outbuilding).	Enforcement Notice	Withdrawal by Appellant 19.05.2023
40	Honeypot Medical Centre, 404 Honeypot Lane, Stanmore, Harrow, HA7 1JP	Appeal Ref: 3305556 LPA Ref: ENF/0239/19/ P/6069	Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being issued on 22.07.2022. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of a front ramp, an enclosed front canopy, first floor side to rear extension and rear dormer.	Enforcement Notice	Withdrawal by Appellant 03.05.2023
41	Land at 27 Silver Close, Harrow, HA3 6JT	Appeal Ref: 3299789 LPA Ref: ENF/0021/22/ P/6045	Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being served on 03.05.2022 with effective date being 03.07.2023. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of a single storey wooden and Perspex canopy structure to the rear of the dwellinghouse.	Enforcement Notice	Allowed and Notice Quashed 15.05.2023
42	208 Whitchurch Lane, Edgware, Harrow, HA8 6QH	Appeal Ref: 3295582 LPA Ref: ENF/0078/18/ P/6018	Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being served on 21.02.2022 with effective date being 21.08.2022. The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of a first-floor rear extension and roof alteration comprising hip to gable end and rear dormer.	Enforcement Notice	Allowed and Notice Quashed 17.04.2023

Summary of Appeal Decisions:

1. 31 Barrow Point Avenue, Pinner, HA5 3HD (Appeal Ref: 3307100)

- 1.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a failure to give notice within the prescribed period of a decision on an application for planning permission for alterations and extensions to existing detached bungalow including changes to roof to form barn hip end roof extensions enclosing garage conversion and extended pitched roof at the rear, 3 front roof lights, one rear dormer, 2 roof lights in rear roof slope, single storey side and rear extension with skylights
- 1.2. The Council had provided a reason for which they would have refused planning permission, the main concerns being the effect of the proposals on the character and appearance of the host dwelling and the area.
- 1.3. The inspectorate observed that extending the roof upwards and to the side to create barn hips would create additional mass at roof level which would result in a bulky and top-heavy appearance to the dwelling when viewed from the road, which would not reflect the proportions of the existing dwelling or others in the area. The inspectorate further commented that the design of the roof including the barn hips, combined with the wide front facing gable, would result in an alien and incongruous addition to the street scene, at odds with the existing character that comprises dwellings of conventional, domestic proportions.
- 1.4. The inspectorate came to the conclusion that the proposal would be harmful to the character and appearance of the host dwelling and the area, contrary to Policy D3 of 'The London Plan' (2021) and Policy CS1 of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Council Development Management Policies' (2013), Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which together, among other things, seek to ensure development proposals respond positively to local context and distinctiveness and are of a high quality design and harmonise with the scale/architectural style of the original building, and character of the area.

2. 13 Harley Crescent, HA1 4XQ (Appeal Ref: 3311563)

- 2.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("GPDO") for a single storey rear extension. The main concerns being whether the proposed extension would comply with the permitted development requirements set out at Class A of the GPDO.
- 2.2. The inspectorate observed that the proposed extension would not comply with the requirement under Class A.1(j)(iii) of the GPDO. The inspectorate took note of the case made by the appellant that the proposal would bring an important built feature within the locality, however expressed that this does not relate to the GPDO requirements.
- 2.3. The inspectorate came to the conclusion that the proposal is not permitted development under Schedule 2, Part 1, Class A of the GPDO, it is a development for which an application for planning permission would be required, and cannot be addressed through the prior approval provisions.



3. 29 Malpas Drive, Pinner, HA5 1DQ (Appeal Ref: 3315624)

- 3.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a first-floor front and rear extension, single storey front and rear extension, loft extension with rear dormer. The main concerns were impact on the character and appearance of the building and surrounding area.
- 3.2. The inspectorate observed that the proposal includes extending the ground floor projecting porch across the full frontage of the house and that its single pitched roof would be interrupted by a first floor extension would create a gable ended bay above the front door with a floor to ceiling window.
- 3.3. The inspectorate commented that both the above elements would appear incongruous and at odds with the design of similar houses nearby, that the floor to ceiling window would be out of proportion with existing windows and its offset position would interrupt the symmetry that he had identified as contributing to the character of the host property and similar buildings.
- 3.4. The inspectorate also highlighted that the roof would be raised higher than that of both neighbouring houses which further draws attention to the differences in scale and architectural style that would result from the proposed development, and its failure to harmonise with the existing building and those like it.
- 3.5. The inspectorate concluded that the proposal would conflict with the 'National Planning Policy Framework' (2021), Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and the SPD which require high quality design that positively responds to local distinctiveness and character.

4. 39 Curzon Avenue, Stanmore, HA7 2AL (Appeal Ref: 3306772)

- 4.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a single storey and two-storey rear extension. The main concerns were the effect of the development on the living conditions of adjoining users, with specific reference to 37 Curzon Avenue.
- 4.2. The inspectorate observed that by virtue of its position and cumulative impact, there would be an unacceptable enclosing effect upon the modest rear amenity space of No.37 due to the angled disposition of the two dwellings. Highlighting that the proposal would increase the bulk and mass of the building on the eastern boundary to No.37, thereby reducing access to sunlight/daylight and creating an overbearing effect.
- 4.3. The inspectorate took note of the case made by the appellant in that the proposal would not reduce access to sunlight for those neighbouring users, however, stressed that no solar path or other information had been provided to support this aspect of the appellant's case.
- 4.4. The inspectorate concluded that the proposal would, conflict with Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and the Design SPD which together seek to protect neighbouring users from unacceptable impacts arising from residential extensions.

5. 81 Woodlands, North Harrow, HA2 6EN (Appeal Ref: 3318455)

- 5.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a two-storey side extension above existing single storey side extension. The main concerns were the effect of the appeal proposal on the character and appearance of the host property and the wider street scene.
- 5.2. The inspectorate commented that the existing dormer extension is somewhat bulky, having a scale and mass that results in an unsympathetic and top-heavy form of development, emphasising that the property's appearance is already significantly different to the design of the neighbouring houses that form its immediate context.
- 5.3. The inspectorate observed that since the proposed extension would be set back from the front elevation of the property, this would help minimise its visual impact when viewed in the context of other buildings in the road. Moreover, the reintroduction of a hipped roof would improve the balance of the pair of semi-detached houses.
- 5.4. The inspectorate concluded that subject to conditions requiring the use of matching materials, the proposal would conform with the requirement for high quality design which respects local character as set out in the 'National Planning Policy Framework' (2021) and the similar requirements of Policy D3 sections D(1) and (11) of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010).

6. 27 Elms Road, Harrow Weald, HA3 6BB (Appeal Ref: 3315547)

- 6.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a single storey side garage extension, two-storey front extension, first-floor front extension with gable, first-floor rear extension, alterations and extension to roof, rear dormer, rooflights in front, both side roofslopes and crown, external alterations. The main concerns were the effect of the appeal proposal upon the character and appearance of the building and surrounding area.
- 6.2. The inspectorate observed that the proposed front pitched roof gable would be an incongruous addition with a roof pitch and design at odds with the rest of the building. Overall, the elements of symmetry and subordination that characterise the existing house would be lost and replaced with a top heavy and dominant roof which would harm the property's appearance. With regards to the proposed side garage, the inspectorate observed that this element would retain a gap between the host property and the neighbouring house, thus preventing a terracing effect, however, in combination with other existing extensions it would widen the frontage to a degree that, despite its single storey, would over elongate the frontage and appear excessive.
- 6.3. The inspectorate took note of the planning appeal decision referred to in the appellant's statement and commented that the building allowed by the appeal was substantial and included a crown roof, concluding that development comprised of flats rather than extensions to an existing house and as such it is not directly comparable to the scheme before him, and accorded it limited weight.



6.4. The inspectorate concluded that the proposed development would harm the character and appearance of the host property and wider street scene contrary to the 'National Planning Policy Framework' (2021), Policy D3 of 'The London Plan' (2021), Core policy CS1.B of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Council Development Management Policies' (2013) and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which require development to be of a high standard of design and that extensions should respect and not dominate the original building or surrounding street.

7. 203 Whitchurch Lane, Edgware, HA8 6QT (Appeal Ref: 3316932)

7.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a double storey side and rear extensions and front porch. The main concerns were the effect of the appeal proposal upon the character and appearance of the appeal property and the surrounding area.

7.2. The inspectorate observed that the streetscene has a spacious and verdant character and appearance, however, the proposed two-storey side extension would result in there being no gap between the resulting property and No. 205. The lack of a gap would preclude views towards Cannons Park and this would have a detrimental effect on the spacious and verdant streetscene.

7.3. The inspectorate took note of the Council's concerns regarding the design of the proposed alterations to the rear of the property and commented that those concerns were well founded since the hipped roof design of the proposed two-storey extension would not reflect the gable roof form of the main property. Furthermore, observed that there would also be an awkward visual and physical juxtaposition between the roof of the proposed extension and the rear dormer and that this element of the appeal scheme would not respect the character and appearance of the appeal property and would not represent a high quality of design.

7.4. The inspectorate concluded that the proposed development would cause unacceptable harm to the character and appearance of the appeal property and the streetscene and, as such, it would be contrary to Policy D3 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policy DM1 of the 'Harrow Development Management Policies' (2013) and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which require development to be of a high standard of design and that extensions should respect and not dominate the original building or surrounding street.

8. 203 Whitchurch Lane, Edgware, HA8 6QT (Appeal Ref: 3318139)

8.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a front porch, single storey side extension, two storey side to rear extension, single storey rear extension and external alterations (demolition of rear extension and detached garage). The main concerns were the effect of the appeal proposal upon the character and appearance of the appeal property and the surrounding area.

8.2. The inspectorate observed that by reason of siting, there would not be an obvious terracing effect created by the proposed single storey and two-storey side extensions. The inspectorate further commented that the two-storey side extension would result in there being no gap between the

resulting property and No. 205 and the lack of a gap would preclude views towards Cannons Park and this would have a detrimental effect on the spacious and verdant streetscene.

- 8.3. The inspectorate took note of the Council's concerns regarding the design of the proposed alterations to the rear of the property and commented that the proposed two-storey extension would echo the appearance of the original catslide roof and would also reflect the gable roof form of the main property and that there would not be an awkward visual and physical juxtaposition between the roof of the proposed extension. However, this matter does not outweigh the unacceptable harm to the streetscene which has already been identified.
- 8.4. The inspectorate concluded that the proposed development would cause unacceptable harm to the character and appearance of the streetscene and, as such, it would be contrary to Policy D3 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policy DM1 of the 'Harrow Council Development Management Policies' (2013) which amongst other matters seek to promote high quality design which respects and reflects the positive attributes and local distinctiveness of the local area.

9. 147 Eastcote Lane, HA2 8RR (Appeal Ref: 3307397)

- 9.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a semi-detached house to No 147 Eastcote Lane and alterations to existing dwelling. The main concerns were the effect of the appeal proposal upon the character and appearance of the area.
- 9.2. The inspectorate commented that the land described as unadopted highway land, when taken together with the existing verge, cycleway and pavement, created an important open area between Alexandra Avenue and the existing dwelling on the appeal site, resulting in a strong sense of spaciousness at this prominent location at the junction of Eastcote Lane and Alexandra Avenue. This feature is an important positive attribute of the character and appearance of the locality and complements the open character of Alexandra Avenue.
- 9.3. The inspectorate observed that the proposed development would nevertheless result in a significant part of the area to the side of the existing house being occupied by a semi-detached house with a substantial mass. As a result of its siting and overall scale, the proposed dwelling would harmfully erode the sense of spaciousness at this prominent location.
- 9.4. The inspectorate took note of the case made by the appellant in that the proposal would contribute to meeting the Council's target for new housing on small sites and therefore accord with the housing growth objectives as set out in Policies H1 and H2 of 'The London Plan' (2021). However, the inspectorate commented that the proposal would only add one dwelling and that any benefit is clearly outweighed by their finding that the proposal would harm the character and appearance of the area.
- 9.5. The inspectorate concluded that the proposed development would be harmful to the character and appearance of the area in conflict with Policy D3 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012), Policies DM1 and DM23 of the 'Harrow Council Development Management Policies' (2013) which amongst other matters seek to ensure new development comprises high quality design appropriate for its surroundings which responds positively to the local context and seeks to maintain grass verges on public and private streets.

10. Pavement outside 34 Station Road, HA2 7SE (Appeal A Ref: 3308485)

- 10.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issue in the appeals is the effect of the proposal on the character, appearance, and visual amenity of the locality.
- 10.2. The inspectorate observed that between the junction and end of the bays are a range of street furniture items including a CCTV pole, streetlights, litter bins, bollards, cycle stands, parking meter, parking signage, electronics cabinet, a community partnership notice board, a combined communications hub/advertising unit and a freestanding doublesided internally illuminated advertising unit. The inspectorate went onto comment that the introduction of another sizeable structure and display within the existing line of street furniture would create a sense of visual clutter that would reduce the quality of this part of the streetscene.
- 10.3. The inspectorate concluded that the proposal under Appeal A would conflict with Policies D3 and D8 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5 and DM49 of the 'Harrow Council Development Management Policies' (2013) as they require development to respond positively to the local context, provide an attractive public realm, minimise effects on amenity and avoid detrimental impacts on the character and appearance of locations.

11. Pavement outside 34 Station Road, HA2 7SE (Appeal A Ref: 3308485) (Appeal B Ref: 3308487)

- 11.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issue in the appeals is the effect of the proposal on the character, appearance, and visual amenity of the locality. The inspectorate commented that the proposal under Appeal A and Appeal B should be read in conjunction with one another.
- 11.2. The inspectorate observed that between the junction and end of the bays are a range of street furniture items including a CCTV pole, streetlights, litter bins, bollards, cycle stands, parking meter, parking signage, electronics cabinet, a community partnership notice board, a combined communications hub/advertising unit and a freestanding doublesided internally illuminated advertising unit. The inspectorate went onto comment that the introduction of another sizeable structure and display within the existing line of street furniture would create a sense of visual clutter that would reduce the quality of this part of the streetscene.
- 11.3. The inspectorate concluded that the freestanding LCD sign, when seen in conjunction with existing building mounted adverts, signage attached to lamp posts, forecourt 'A' boards, street signage and the existing information and advertisement displays, the cumulative effect of advertising would appear excessive and would compound the cluttering effect to become a detracting aspect of the visual amenity of the area.
- 11.4. The inspectorate concluded that the proposal under Appeal B would similarly conflict with the development plan read as a whole and the requirement to control advertisements in the interests of amenity.



12. 53 Wood End Avenue, HA2 8NU (Appeal A Ref: 3308413)

- 12.1. Appeal made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a single storey side to rear extensions, front extension incorporating front porch and alterations to the boundary wall along with conversion into two flats. The main issue is the effect of the proposal on the living conditions of the future occupiers of the first floor flat with particular reference to the provision of private outdoor open space.
- 12.2. The inspectorate took note of the appellant's case in that occupants of the property could access the front garden where there is an area of soft landscaping, and that this area would meet the relevant space requirements. The inspectorate commented that this area would not be sufficiently private and as it would be close to the proposed parking area and refuse bins it would not provide a desirable outside space. I am also not persuaded that additional landscaping would sufficiently ameliorate the situation.
- 12.3. The inspectorate took note of the appellant's case in that the appeal site is within an easy walk of several public open spaces, including Wood End East, Wood End West and Roxeth Recreation Grounds and Alexandra Park. The inspectorate commented that these are public areas and would not adequately overcome the harm that would result from the fact that future occupants of the first floor flat would not be able to access appropriate private outdoor open space.
- 12.4. The inspectorate considers the proposed extensions and other alterations would be acceptable in planning terms, although, that alone would not justify harmful development at the appeal site.
- 12.5. The inspectorate concluded that the proposed development would harm the living conditions of future occupiers of the first floor flat due to the lack of access to a private outdoor open space and therefore conflicts with Policies D3 and D6 of 'The London Plan' (2021) and Policies CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1 and DM26 of the 'Harrow Council Development Management Policies' (2013) which amongst other matters seek to ensure that development is of a high standard that delivers appropriate privacy and amenity and sets minimum standards for the provision of private outdoor space which should be practical in terms of its shape and utility, should be useable and offer good amenity.

13. 31 Fairview Crescent, HA2 9UB (Appeal A Ref: 3314136)

- 13.1. Appeal made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of first floor wrap-around side/rear extension and ground floor infill rear extension with new rooflight. The main issue is the effect of the proposed development upon the character and appearance of the building and surrounding area.
- 13.2. The inspectorate observed that several houses, including the appeal property, have hip to gable extensions which give an unbalanced appearance that is particularly noticeable on semi-detached houses, such as the appeal property, where the adjoining house retains its original hipped roof. The inspectorate commented that the proposed two-storey pitched roof side extension would add to the visual imbalance that currently exists and would conflict with Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which advises that further side extensions are inappropriate where a property has already had a hip to gable roof extension. Concluding that these elements of the proposal would not therefore accord with the

‘National Planning Policy Framework’ (2021), Policy D3 of ‘The London Plan’ (2021), Core Policy CS1.B of the ‘Harrow Core Strategy’ (2012), Policy DM1 of the ‘Harrow Council Development Management Policies’ (2013) and the SPD which require a high standard of design that respects the host dwelling and responds to local character.

- 13.3. The inspectorate agrees with the assessment in the Council’s Officer Report that the ground floor infill rear extension with new rooflight would be an acceptable form of development since this element of the proposal respects the proportion, scale and form of the host property and that of its neighbour. As such, the inspectorate observed that, since this element is physically and functionally severable from the first-floor extensions, a split decision would be appropriate to allow planning permission for this element of the proposal.
- 13.4. The inspectorate concluded that the appeal is dismissed insofar as it relates to the first-floor wrap-around side/rear extension. However, the appeal is allowed insofar as it relates to the ground floor infill rear extension with new rooflight and planning permission is granted for ground floor infill rear extension with new rooflight (subject to three conditions).

14. 12 Kelvin Crescent, HA3 6DP (Appeal Ref: 3303177)

- 14.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a first-floor extension over garage and alterations to porch. The main issue in this case is the effect of the proposed development on the character and appearance of the area.
- 14.2. As a procedural matter, the description of development is taken from the application form since the Council’s decision notice describes the proposed development as “single storey front infill extension and First floor side extension.”
- 14.3. The inspectorate commented that the proposed development, when combined with the existing first floor extension to the other side of the dwelling, the proposal would result in additions of such scale and volume as to overwhelm and subsume the original appearance of the host dwelling.
- 14.4. The inspectorate further commented that the proposed extension would, due to its height, scale and minimal set back from the front elevation, add considerable bulk to the appeal property. I find that it would result in the creation of an overly wide dwelling that would unduly dominate its plot and appear out of keeping with neighbouring dwellings that do not appear unduly dominant in their surroundings.
- 14.5. The inspectorate concluded that the proposed development would harm the character and appearance of the area, contrary to the ‘National Planning Policy Framework’ (2021), Policy D3 of ‘The London Plan’ (2021), and Policy CS1 of the ‘Harrow Core Strategy’ (2012), Policies DM1 of the ‘Harrow Council Development Management Policies’ (2013), together with Harrow Council’s adopted Supplementary Planning Documents entitled ‘Residential Design Guide’ (2010), which together amongst other things, seek to ensure that development proposals have regard to any impact on neighbouring occupiers, delivering appropriate outlook, privacy, and amenity.



15. 97 Moss Lane, Pinner, HA5 3AT (Appeal Ref: 3317461)

- 15.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a single storey rear extension, demolition of existing extension. The main issues are the effect of the proposal upon the character and appearance of the area and upon the amenity of neighbouring users.
- 15.2. As a preliminary matter, the inspectorate highlights that their attention has been drawn to a previously submitted appeal for a one and two-storey rear extension at this property and that their decision is consistent with the approach taken in that matter.
- 15.3. The inspectorate observed that the proposal would be located within an established plot with good screening and out of view from the public realm. The inspectorate observed that he did not consider the proposed ground floor extension to increase the potential for overlooking or cause any further loss of privacy from what currently exists due to the spacious setting and orientation of windows proposed.
- 15.4. The inspectorate noted the comments of the Council's Conservation Officer, expressing that the proposal would have little impact, if any, as to the contribution of the host dwelling to the character and appearance of the Conservation Area due to its well screened location at the rear of the host dwelling.
- 15.5. The inspectorate concluded the proposal to be a well-considered design solution that accords with Policies D3.D(1) and (11) of the 'Harrow Core Strategy' (2012) and HC1.C of 'The London Plan' (2021) which seek to ensure development proposals complement local distinctiveness. Therefore, the appeal is allowed and planning permission is granted for erection of single storey rear extension, demolition of existing extension in accordance with the terms of the application Ref: P/2118/22 dated 31st August 2022 and the plans submitted with it, subject to the schedule of conditions attached within the Appeals Decision.

16. Pavement outside 43 Bridge Street, HA5 3HR (Appeal Ref: 3308480)

- 16.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issues are the effect of the proposal on the character, appearance and visual amenity of the locality.
- 16.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 16.3. The inspectorate observed that in its context, the scale of the hub and display would be moderated by the space about it. Although it would be viewed as a notable feature, as it is intended to be, it would respect the human scale of the streetscape and not be unduly prominent or obtrusive within it. The inspectorate acknowledges that it would be set within a cluster of street furniture, including a lamp stand, parking meter, cycle stands and a zebra crossing, however, concludes that in the broad scale of the footway, the group would not appear overly cluttered.

- 16.4. The inspectorate noted the concerns of the Council's highway advisor in respect of a potential conflict with the Pinner Fair, however, concluded that there was little before him to demonstrate how the proposal would be incompatible with that use of the highway, according to its limited weight in the appeal.
- 16.5. The inspectorate concluded the proposal would preserve the character, appearance and visual amenity of the locality, that it would align with Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5 and DM49 of the 'Harrow Council Development Management Policies' (2013) which require well designed development to positively respond to the character of their locations.
- 16.6. Appeal A is allowed and planning permission is granted for the installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator on the pavement outside 43 Bridge Street, Harrow HA5 3HR, in accordance with the terms of application Ref P/2438/22, dated 29 June 2022, subject to the conditions set out in a Schedule attached to this Decision.
- 17. Pavement outside 43 Bridge Street, HA5 3HR (Appeal Ref: 3308483)**
- 17.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issues are the effect of the proposal on the character, appearance and visual amenity of the locality.
- 17.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 17.3. The inspectorate observed that during darkness hours, it would appear more pronounced on account of the internal illumination. However, subject to controlled lighting intensity, which could be controlled by condition, he found there is little reason to consider it might appear incongruous or overtly imposing in the commercial setting. The inspectorate noted the concerns of the Council's highway advisor in respect of a potential conflict with the Pinner Fair, however, concluded that there was little before him to demonstrate how the proposal would be incompatible with that use of the highway, according to its limited weight in the appeal.
- 17.4. The inspectorate concluded the proposal would preserve the character, appearance and visual amenity of the locality, that it would align with Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5 and DM49 of the 'Harrow Council Development Management Policies' (2013) which require well designed development to positively respond to the character of their locations.
- 17.5. Appeal B is allowed, and express consent is granted for the display of a freestanding LCD sign as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the Schedule attached to this Decision.

18. 12 Powell Close, Edgware, HA8 7QU (Appeal Ref: 3315066)

- 18.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a roof alteration to create habitable roof space (bedroom), a side dormer, first floor rear extension, rooflights on side roof slope and external alterations to dwellinghouse. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Canons Park Conservation Area (CA).
- 18.2. The inspectorate observed that the pitched roofs differ in height and the proposed crowned roof between them would be an awkward and incongruous addition. The inspectorate further commented that proposed side rooflights are shown on the plans projecting out from the roof plane, rather than flush with it, and as such would be conspicuous and visible from the street.
- 18.3. The inspectorate observed that the design of the gable loft windows would appear at odds with that of the first-floor windows and would be larger and more obtrusive than the gable windows on neighbouring houses.
- 18.4. The inspectorate concluded the harm would be localised, limited and less than substantial but would nevertheless be contrary to the 'National Planning Policy Framework' (2021), Policies D3 and HC1 of 'The London Plan' (2021), Core Policy CS1 of the 'Harrow Core Strategy' (2012), Policies DM 1 and DM 7 of the 'Harrow Council Development Management Policies' (2013), the SPD and the CAAMP which require high quality design that positively responds to local distinctiveness and conserves or enhances heritage assets.

19. Pavement outside Royal Oak, St Ann's Road, HA1 1JP (Appeal Ref: 3308469)

- 19.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issue in the appeal is the effect of the proposal on local amenity including the area's character and appearance, the setting of the locally listed Royal Oak Public House, and the use of the area as designated public open space.
- 19.2. The inspectorate observed that the commercial area has a high degree of advertising. Shop fascias, projecting signage, freestanding shop 'A' boards and digital display units are present. That the proposal, in conjunction with the existing displays, the scale and appearance of the unit would appear overly imposing and intrusive within the open space. It would result in a cluttered appearance to the detriment of the visual amenity of the locality.
- 19.3. The inspectorate concluded the proposal would cause significant harm to local amenity through an adverse effect on the character and appearance of the area, an indirect effect on the Royal Oak Public House non-designated heritage asset, and the use of the area as a designated public open space. It would conflict with Policies D3 (D(1) and D(11)) and HC1 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5, DM7, DM18 and DM49 of the 'Harrow Council Development Management Policies' (2013) as together they seek to protect the amenity of locations, respond positively to their character and appearance, conserve the historic environment and avoid adverse impacts on designated open spaces.



20. Pavement outside Royal Oak, St Ann's Road, HA1 1JP (Appeal Ref: 3308470)

- 20.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issue in the appeal is the effect of the proposal on local amenity including the area's character and appearance, the setting of the locally listed Royal Oak Public House, and the use of the area as designated public open space.
- 20.2. The inspectorate observed that while 'amenity' is not defined exhaustively in the Regulations, it indicates that relevant factors include the general characteristic of the locality, including the presence of any features of historic, architectural, cultural or similar interest. Planning Practice Guidance provides similar advice on this matter, with the 'National Planning Policy Framework' (2021) highlighting that the quality and character of places can suffer when advertisements are poorly sited and designed.
- 20.3. The inspectorate observed that the introduction of the large unit with illuminated changing images would be a detracting element in the visual appreciation of the heritage asset.
- 20.4. The inspectorate concluded the proposal would cause significant harm to local amenity through an adverse effect on the character and appearance of the area, an indirect effect on the Royal Oak Public House non-designated heritage asset, conflicting with Policies D3 (D(1) and D(11)) and HC1 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policies DM1, DM5, DM7, DM18 and DM49 of the 'Harrow Council Development Management Policies' (2013) as together they seek to protect the amenity of locations, respond positively to their character and appearance, conserve the historic environment, and avoid adverse impacts on designated open spaces.

21. Pavement outside 309 Station Road, HA1 2TA (Appeal Ref: 3308471)

- 21.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issue in the appeal is the effect of the proposal on pedestrian movement and safety and the character, appearance and visual amenity of the area.
- 21.2. The inspectorate observed that the introduction of the hub in this location would create a new obstruction to pedestrian flows. In addition, it would act as a visual block to those moving along the pavement and fail to strengthen the pedestrian route and conflict with the aim of providing inclusive and accessible environments for all.
- 21.3. The inspectorate concluded the proposal under Appeal A would conflict with Policies D3.(D(1) and D(11)) and D8 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012) and Policies DM1, DM2 and DM49 of the 'Harrow Council Development Management Policies' (2013), as they require development to respond positively to the local context, provide an attractive public realm, minimise effects on amenity and avoid detrimental impacts on the character and appearance of locations. For similar reasons, it would conflict with the 'National Planning Policy Framework' (2021).

22. Pavement outside 309 Station Road, HA1 2TA (Appeal Ref: 3308472)

- 22.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issue in the appeal is the effect of the proposal on pedestrian movement and safety and the character, appearance, and visual amenity of the area.
- 22.2. The inspectorate concluded that the proposal under Appeal B would impede the pavement to a degree that would prejudice the safety of public users, therefore conflicting with the aim of Policy DM5 of the 'Harrow Council Development Management Policies' (2013) which seeks to protect the safety of the environment for pedestrians. The inspectorate further commented that the display would appear imposing due to its dimensions and intended highly visible presence.

23. Pavement outside 341 Station Road, HA1 2AA (Appeal Ref: 3308474)

- 23.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issues in the appeals are the effect of the proposal on the character, appearance and visual amenity of the locality and highway safety.
- 23.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 23.3. The inspectorate observed that the proposed modern hub design would be comparable to existing examples of integrated communication facilities and free-standing electronic advertisements visible in the area. Although it would have a greater visual presence than much of the street furniture, as is intended, it would not appear overtly prominent or incongruous in this location. Furthermore, it would appear distinct from the more slender forms of nearby street furniture to avoid a collective appearance of clutter.
- 23.4. The inspectorate added that the hub would also be sited distant from other units and have sufficient separation to the shop advertising and similarly scaled bus shelter displays to avoid an excessive clutter of advertising in the locality.
- 23.5. The inspectorate concluded the proposal under Appeal A would preserve the character, appearance and visual amenity of the locality and align with requirements of Policies D3 and D8 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1, DM2 and DM49 of the 'Harrow Council Development Management Policies' (2013) since they require well designed development to positively respond to the character of their locations.
- 23.6. Appeal A is allowed and planning permission is granted for the installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator in accordance with the terms of application Ref P/2436/22, dated 29 June 2022, subject to the conditions set out in a Schedule attached to this Decision.

24. Pavement outside 341 Station Road, HA1 2AA (Appeal Ref: 3308475)

- 24.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issues in the appeals are the effect of the proposal on the character, appearance and visual amenity of the locality and highway safety.
- 24.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 24.3. The inspectorate concluded that the advertisement proposal under Appeal B, subject to 5.No of standard conditions would preserve the amenity of the locality and fall consistent with requirements of Policy DM5 of the 'Harrow Council Development Management Policies' (2013) and Paragraph 136 of the 'National Planning Policy Framework' (2021). Accordingly, the inspectorate found the proposal would not materially affect highway safety or movement in the locality. It would be consistent with the requirements of Policies D3 and D8 of the LP, Policy CS1 of the 'Harrow Core Strategy' and Policies DM1, DM2 and DM5 of the 'Harrow Development Management Policies' (2013) as, amongst other things, they seek new development and advertisements to achieve safe, secure and inclusive environments.

25. Pavement outside 4 Red Lion Parade, Bridge Street, HA5 3JD (Appeal Ref: 3308477)

- 25.1. Appeal A was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator. The main issues in both appeals are the effect of the proposal on the character, appearance and visual amenity of the locality and pedestrian safety.
- 25.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. and shall deal with the relevant issues concurrently.
- 25.3. The inspectorate observed that the position and scale of the hub would limit views to those wishing to cross close to the junction, due to its height and siting, the hub would restrict views to an existing road sign announcing the pedestrian crossing a short distance beyond the bus stop. It would not therefore be conducive to protecting the best interests of pedestrians on the southern arm of Bridge Street.
- 25.4. The inspectorate concluded the proposal under Appeal A would conflict with Policies D3 and D8 of 'The London Plan' (2021), Policy CS1.B of the 'Harrow Core Strategy' (2012), Policies DM1, DM2 and DM49 of the 'Harrow Development Management Policies' (2013), as they require development to respond positively to the local context, provide an attractive public realm, minimise effects on amenity and avoid detrimental impacts on the character and appearance of locations. For similar reasons, it would conflict with the 'National Planning Policy Framework' (2021).



26. Pavement outside 4 Red Lion Parade, Bridge Street, HA5 3JD (Appeal Ref: 3308479)

- 26.1. Appeal B was made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent for the display of a freestanding LCD sign. The main issues in both appeals are the effect of the proposal on the character, appearance and visual amenity of the locality and pedestrian safety.
- 26.2. As a preliminary matter, the inspectorate highlights that he has considered both Appeal A and B on their individual merits, however, Appeal B would be an integral part of the proposed hub sought under Appeal A. Therefore, to avoid repetition, the inspectorate has dealt with the relevant issues concurrently.
- 26.3. The inspectorate observed that the sign, due to its size and illumination would cause it to appear unduly intrusive and impose significantly on the vista to the highly prominent corner and seen in conjunction with the immediate street furniture and backed by the visually successive bus stop and call boxes, it would appear overly dominant in its setting.
- 26.4. Furthermore, the inspectorate emphasised that the proposed siting near to the existing bench would mean that people sitting there would be faced with the large display in close proximity, in addition to reducing outward views, the changing illuminated images would be substantially unavoidable and impose on users of that existing facility.
- 26.5. The inspectorate concluded that the proposal under Appeal B would impede the pavement to a degree that would prejudice the safety of public users, therefore conflicting with the aim of Policy DM5 of the 'Harrow Development Management Policies' (2013) which seeks to protect the safety of the environment for pedestrians.

27. 69 Yeading Avenue, Rayners Lane, HA2 9RL (Appeal Ref: 3318133)

- 27.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the installation of decking over existing patio. The main concerns were the effect of the development on the living conditions of the occupiers of Nos.71 and 67 Yeading Avenue in respect of privacy and outlook.
- 27.2. As a preliminary matter, the inspectorate highlights that he has determined this appeal based on the Council's description of development as "installation of raised decking with balustrade and steps to rear; external alterations".
- 27.3. The inspectorate commented that the rear extension at the appeal building was granted permission in 2015, as part of a joint application for rear extensions and raised patios for Nos.67, 69 and 71 Yeading Avenue.
- 27.4. The inspectorate observed that gardens at either side of the appeal site would already be capable of being overlooked from the windows in the rear elevation of No.69, therefore considers that there would be no significant increased loss of privacy for neighbours from the raised patio at No.69.
- 27.5. The inspectorate commented that No.71 also has a raised patio and an extension with glazed patio doors, the principle of an extension and raised patio has been previously established through the grant

of permissions and he found that the appeal development has no significant increased harm on the outlook from No.71, also No.67 has a rear extension and a rear patio.

- 27.6. The inspectorate concluded that perceived sense of enclosure for Nos.67 and 71 from the development has a limited impact because they are both end properties of the short terrace with a slightly more spacious setting than the appeal building. Concluding that the appeal development has no significant increased harmful effect the on the living conditions of the occupiers of Nos.71 and 67 Yeading Avenue in respect of privacy and outlook. The development therefore does not conflict with policy D3.D(7) of 'The London Plan' (2021) or Policy DM1 of the 'Harrow Development Management Policies' (2013), both of which seek to protect residential amenity.
- 27.7. The appeal is allowed and planning permission is granted for raised decking with balustrade and steps to rear, external alterations in accordance with the terms of the application, Ref: P/3678/22, dated 24th October 2022 and the plans submitted with it, subject to condition to be carried out in accordance with the approved plans: Location plan, Block plan, Drawing No. YA101 - Existing and proposed plans and elevations.

28. 89 Weston Drive, Stanmore, HA7 2EW (Appeal Ref: 3293724)

- 28.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a failure to give notice within the prescribed period of a decision on an application for planning permission for the conversion of dwellinghouse to 3 flats with refuse, cycle storage and landscaping/amenity space and a single and two storey side extension, single and two storey rear extension, two storey side infill extension, external alterations.
- 28.2. As a preliminary matter, the inspectorate highlights that amended plans were submitted with the application, the inspectorate remains satisfied that no prejudice would occur to any party as a result of the consideration of their content, accordingly he has determined the appeal on the basis of the most recent version of the plans.
- 28.3. The inspectorate comments that the Council has not stated whether it would have approved or refused planning permission for the proposed development. The main issues are the effect of the development on the character and appearance of the area, and/or whether future occupiers of the proposed flats would have satisfactory living conditions with particular regard to garden space.
- 28.4. The inspectorate observed that the sub-division of the garden would not impact on the pattern of built development experienced from the public realm and would only be visible from the rear windows of adjacent houses. That the two-storey element of the proposed extensions would be lower than the main roof and subservient to the original design and materials which are proposed shall match the original house.
- 28.5. On the topic of character and appearance, the inspectorate concluded that the proposed development would not harm the character or appearance of the surrounding area, since there is no conflict with Policy CS1B of the 'Harrow Core Strategy' (2012), Policies DM1, DM26 and DM27 of the 'Harrow Development Management Policies' (2013), and guidance provided in the SPD. These policies and this guidance seek, amongst other things, that all development and change of use proposals must achieve a high standard of design and layout.



28.6. On the topic of living conditions, the inspectorate concluded that the proposed garden layouts and sizes would provide satisfactory living conditions for future occupants. As such there was no conflict with Policy CS1B of the of the 'Harrow Core Strategy' (2012), Policies DM1, DM26 and DM27 of the 'Harrow Development Management Policies' (2013), and guidance provided in the SPD. These policies and this guidance seek, amongst other things, to ensure the provision of appropriate space to secure privacy and amenity.

29. 179 Uxbridge Road, Harrow Weald, HA3 6TP (Appeal Ref: 3315288)

29.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a first-floor side extension plus first floor rear extension plus loft conversion with rear dormer and minor internal and external alterations.

29.2. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or loss of sunlight or daylight).

29.3. On the topic of character and appearance, the inspectorate observes that the proposed extensions and alterations would have only a limited effect on the streetscene, that the new flat roofed section, at the apex of pitched roof slopes that imitate the existing structure would not be unduly dominant or intrusive and would be in keeping with the existing design. The inspectorate concludes that the proposed development would not cause undue harm to the character and appearance of the host building or its surroundings.

29.4. On the topic of neighbour amenities, the inspectorate comments that they have noted reference to the to "the 45-degree code" but observes this is a matter of design guidance rather than a strict rule since each proposal must be considered on its merits and in this case. The inspectorate concludes that the additional depth that is proposed for the side section of the house would have an effect on the outlook from the rear part of the neighbouring property, but it would not be so intrusive, in his view, as to justify a refusal of planning permission, nor would it overshadow the neighbouring property (or reduce sunlight generally) to an unacceptable degree.

29.5. The appeal is allowed and planning permission is granted for a first-floor side extension plus first floor rear extension plus loft conversion with rear dormer and minor internal and external alterations, in accordance with the terms of the application ref: P/3675/22, dated 24 October 2022, subject to the three standard conditions set out in the Schedule of Conditions.

30. 147 Eastcote Lane, South Harrow, HA2 8RR (Appeal Ref: 3307386)

30.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of a detached dwelling.

30.2. As a preliminary matter, the inspectorate highlights that they have dealt with another appeal (Ref: APP/M5450/W/22/3307397) on this site which is subject of a separate decision.

- 30.3. The main issues are whether or not the proposal would accord with the Council's spatial strategy for growth, the effect of the proposal on the living conditions of future residents of the dwelling with particular reference to defensible space in front of the proposed ground floor bay window, and the effect of the proposal on highway safety and pedestrian and cyclist convenience.
- 30.4. On the topic of spatial strategy for growth, the inspectorate observes that the proposal would involve the development of the end of the garden requiring the existing garage to be removed, and the new dwelling to be sited partially on the footprint of the garage and partially on the existing garden area.
- 30.5. The inspectorate highlights the Council has also adopted the Harrow Garden Land Development Supplementary Planning Document (GL SPD) which explains that the presumption against garden land development exists to ensure that the Borough's housing growth is delivered in accordance with the spatial strategy by preventing incremental residential growth on garden land leading to a harmful degree of dispersal. Including Policy CS1 of the 'Harrow Core Strategy' (2012) which sets out a strategy to manage housing growth in Harrow, including resisting development on gardens.
- 30.6. The inspectorate concludes that the proposal would undermine the Council's spatial strategy for growth and is at odds with Policy CS1 of the 'Harrow Core Strategy' (2012) and the guidance provided in the GL SPD and the 'National Planning Policy Framework' (2021) in so far as these policies and guidance seek to ensure that growth will be managed in accordance with the Council's spatial strategy and that in support of that strategy development of garden land will be resisted.
- 30.7. On the topic of living conditions, the inspectorate concludes that the proposal would not have an adverse impact on the living conditions of future occupants with particular reference to defensible space in front of the proposed ground floor bay window since they allow surveillance of this area. This aspect of the proposed development would therefore in his opinion accord with Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012) and Policies DM1 and DM23 of the 'Harrow Development Management Policies' (2013), which amongst other things seek to ensure that development is of a high standard that delivers appropriate privacy and amenity.
- 30.8. On the topic of highway safety, the inspectorate concludes that the proposal would not have an adverse impact on highway safety, nor would it unacceptably diminish the convenience of pedestrians or cyclists. This aspect of the proposed development would therefore in his opinion accord with Policies T4, T6 and T6.1 of 'The London Plan' (2021) or with Policy DM42 of the 'Harrow Development Management Policies' (2013), which amongst other things resist proposals that result in inappropriate on-site parking provision, that prejudice highway safety, increase road danger and diminish the convenience of pedestrians and cyclists.

31. Bramber, Porlock Avenue, HA2 0AP (Appeal Ref: 3295639)

- 31.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("GPDO") for a single-storey side-extension that does not exceed half the width of the original dwelling.
- 31.2. As a preliminary matter, the inspectorate highlights that the description of the proposed development set out on the Council's decision notice differs to that provided on the application form, and a different form of words is provided by the appellant on the appeal form. The inspectorate has therefore

adopted the description set out by the appellant on the application form, as this was the basis upon which a LDC was sought.

- 31.3. The main issue is whether the Council's refusal to grant a certificate of lawfulness was well-founded. This turns on whether the proposed extension would be permitted development, having regard to the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
- 31.4. The inspectorate highlights that under Section 192 of the Town & Country Planning Act 1990 (as amended), the onus is on the appellant to demonstrate, on the balance of probabilities, that the development would have been lawful on the date of application.
- 31.5. The inspectorate commented that the appellant had not demonstrated, on the balance of probabilities, that the proposed extension would be permitted development, having regard to the provisions of GPDO. Therefore, it had not been demonstrated that express planning permission would not be required.
- 31.6. The inspectorate concluded that the Council's refusal to grant a certificate of lawful use or development in respect of building a single-storey side-extension that does not exceed half the width of the original dwelling was well-founded and that the appeal should fail. The inspectorate has exercised accordingly the powers transferred to him under Section 195(3) of the Town and Country Planning Act 1990 (as amended).

32. Blandings, Potter Street Hill, Pinner, HA5 3YH (Appeal Ref: 3310969)

- 32.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for a front ground floor side extension, side porch with new first-floor extension with pitch roof with associated internal changes.
- 32.2. As a preliminary matter, the inspectorate highlights that the site address on the application form is slightly out of order and that the site is in Pinner, thus he has used the correctly ordered address on the Council's Decision Notice in the banner heading of the Notice.
- 32.3. The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the 'National Planning Policy Framework' (2021) and relevant development plan policies. The effect of the proposal on the openness of the Green Belt. The effect of the proposal on the character and appearance of the Pinner Hill Estate Conservation Area. If the development is inappropriate, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.
- 32.4. On the topic of inappropriate development in the Green Belt, the inspectorate observed that the proposed development would increase the footprint of the dwelling by some 6m² and would add a first floor thereby increasing the total floorspace to some 274m². This would be an increase of some 107.3m², or more than 64%, over the floorspace of the original building. In the inspectorate's opinion, this would be a very significant increase and would result in a very substantial change to the appearance of the building. In my view, the scale and massing of the proposal would mean it would be a disproportionate addition to the original building. The inspectorate concludes that for these

reasons, the proposal would be inappropriate development in the Green Belt and would, therefore, conflict with Policy G2 of 'The London Plan' (2021) and with the 'National Planning Policy Framework' (2021) in this regard.

- 32.5. On the topic of openness of the Green Belt, for the reasons mentioned above the inspectorate concludes that the proposal would adversely affect the openness of the Green Belt and conflicts with Policy CS1(F) of the 'Harrow Core Strategy' (2012), which concerns Open Space, Sport and Recreation, with Policy DM16 of the 'Harrow Development Management Policies' (2013), and with the 'National Planning Policy Framework' (2021) in this regard.
- 32.6. On the topic of character and appearance, the inspectorate commented that the appeal site is located within the PHECA, the significance of which stems from its historic development, acknowledging the Council's Conservation Area Appraisal and Management Strategy 2009 (CAAMS) which further identifies the existing dwelling as one that preserves the Conservation Area, which he agrees with.
- 32.7. The inspector observes the proposal would increase the scale and massing of the dwelling significantly and so the comparatively lacklustre design would be more visually prominent and obtrusive in the streetscene. Concluding that the proposal would adversely affect the character and appearance of the PHECA, therefore, conflicting with Policy CS1(D) of the 'Harrow Core Strategy' (2012), which concerns local character including harm to the significance of heritage assets, Policy DM1 of the 'Harrow Development Management Policies' (2013), and with the 'National Planning Policy Framework' (2021), in this regard.

33. Land at 11-13 Canterbury Road, HA2 6AA (Appeal Ref: 3303368)

- 33.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the demolition of pair of semi-detached houses and erection of a 3-storey development with 7 self-contained flats, with 4 integral parking spaces to the rear of the building with a new crossover and 1 parking space to the front.
- 33.2. The main issues to be determined in this appeal include the effect of the proposed development on the character and appearance of the surroundings. Whether the scheme would provide satisfactory living conditions for occupiers of the proposed new residential accommodation. Whether the proposed development would be susceptible to an unacceptable risk to people or to property in the event of flooding.
- 33.3. The inspectorate commented that it is now proposed to demolish the existing houses and to redevelop the site as a whole, to create a new three-storey building providing seven flats, together with ancillary parking spaces, refuse and cycle stores and landscaping.
- 33.4. The inspectorate observed that the proposed new building would create a large block on the corner site at Canterbury Road and Hooking Green, accepting that a three-storey building could be appropriate for this site. However, the inspectorate observes that the proposed design suffers from a lack of articulation to relieve the basic mass of the structure. The inspectorate further observes the proposed "amenity space" at the rear would be limited in size and somewhat unattractive, due to its proximity to car parking areas, reducing its value as a residential amenity.

33.5. The inspector concludes that all the above-mentioned factors indicate that the scheme would create an overly dense development as a whole, with an unduly cramped character on its site, and he has thus formed the opinion that the proposed development would have a harmful effect on the character and appearance of the surroundings, due to its excessive impact on the streetscene and its poor detailed design.

33.6. The inspectorate has drawn reference to guidance within the 'National Planning Policy Framework' (2021), the 'Technical housing standards - nationally described space standard' (2015), Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012), Policies DM1 and DM9 of the 'Harrow Council Development Management Policies' (2013), Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010).

34. 11 High View, Pinner, HA5 3NZ (Appeal Ref: 3319196)

34.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the demolition of the existing house to be replaced with a new build 3 storey house. The main issues are the effect of the proposal on the character and appearance of the area, the living conditions of nearby occupiers, with particular regard to privacy and the living conditions of nearby occupiers at No 15 High View, with particular regard to natural light and outlook.

34.2. As a preliminary matter, the inspectorate highlights that the Council's second reason for refusal concerns '...neighbouring properties at Nos. 9 and 11 High View'. However, 11 High View is the appeal site. The inspectorate concludes by stating that he has considered the effects of the proposal on the privacy of the occupiers of both next-door properties, Nos 9 and 15 High View.

34.3. The inspectorate highlights that the Council has not submitted a Statement of Case in accordance with the timetable set out in the Appeal Start Letter dated 6th April 2023. The inspectorate concludes by expressing that he has determined this appeal on the basis of the evidence before him, and his observations on site.

34.4. On the topic of character and appearance, the inspectorate commented that the flat-roofed, tiered design of the proposal, with the second-floor weathered steel cladding, would be greatly out of keeping with the predominant 'Arts and Crafts' style of the dwellings on High View, with their pitched, tiled roofs. Concluding that the proposal would adversely affect the character and appearance of the area, conflicting with Policy D3 of 'The London Plan' (2021), with Policy CS1B of the 'Harrow Core Strategy' (2012), with Policy DM1 of the 'Harrow Development Management Policies' (2013), and with the 'National Planning Policy Framework' (2021).

34.5. The inspectorate notes the appellant's rationale for the proposal in that High View is not in a Conservation Area. However, the inspectorate observes that he does not consider the design to be innovative or outstanding, simply very different in appearance to nearby dwellings and the prevailing architecture of High View and thus would be an incongruous feature in the streetscene.

34.6. The inspectorate also noted the appellant's concerns that various policies referenced by the Council are not fully consistent with the 'National Planning Policy Framework' (2021). However, the inspectorate concluded that he did not find the appellant's arguments to be compelling, that consistency does not mean replicating the words contained in the Framework in development plan

policies, but ensuring the policies are capable of delivering a comparable outcome to that sought by the Framework, whilst reflecting local circumstances.

- 34.7. On the topic of living conditions of nearby occupiers (privacy), the inspectorate commented that on balance, he found that the scale and position of the proposed rear fenestration at first and second floor levels, and the position of the proposed second floor terrace would lead to a harmful increase in overlooking of the next-door properties which would not be adequately offset by reciprocal overlooking. Concluding that these elements of the proposal would adversely affect the living conditions of nearby occupiers, with particular regard to privacy, conflicting with Policy D3 of 'The London Plan' (2021), with Policy CS1B of the 'Harrow Core Strategy' (2012), with Policy DM1 of the 'Harrow Development Management Policies' (2013), and with the 'National Planning Policy Framework' (2021).
- 34.8. On the topic of living conditions of nearby occupiers (natural light and outlook), the inspectorate commented that the proposed development would have an acceptable effect on the living conditions of the occupiers of 15 High View, with particular regard to natural light and outlook. It would, therefore, accord with Policy D3 of 'The London Plan' (2021), with Policy CS1B of the 'Harrow Core Strategy' (2012), with Policy DM1 of the 'Harrow Development Management Policies' (2013), and with and with the 'National Planning Policy Framework' (2021), in this regard.
- 34.9. The inspectorate also noted the appellant's comments regarding what they consider to be the benefits of the proposal, including the stated environmental benefits. The inspectorate commented that although there may be some benefits, he did not consider those to outweigh the harm that he had identified, as set out above.

35. 27 Derwent Avenue, Pinner, HA5 4QH (Appeal Ref: 3301234)

- 35.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a failure to give notice within the prescribed period of a decision on an application for planning permission for the removal of existing roof, first-floor extension including front and rear dormers, part two-storey, part single storey side extension, facade changes and internal alterations.
- 35.2. As a preliminary matter, the inspectorate highlights that the Council had not issued a refusal notice, however, additional evidence was sought as to the reasons why the Council would have refused planning permission had it been able to do so. The inspectorate has had regard to the Council's response and subsequent appeal statement, in so far that it provides clarity in terms of the reasons why the Council would have refused planning permission. In the interests of natural justice, the appellant has had the opportunity to make representation on this additional evidence and the inspectorate has claimed to have dealt with the appeal on this basis.
- 35.3. The main issues are the effect of the proposed development on the character and appearance of the host building and the surrounding area, the effect of the proposed development on the living conditions of the occupants of No. 29 Derwent Avenue (No.29), with particular reference to outlook, sunlight and daylight.
- 35.4. The inspectorate observed that the new front dormer would be less than half of the overall front width of the bungalow and lower than the ridge height of the main roof, so it would not appear disproportionate or overly large in scale in relation to the main roof and house when viewed as a

whole. Highlighting further that the proposed dormer gable design would also reflect the architectural style of the original host building with its single feature gable. The inspectorate took into account that the additions were limited to views from neighbouring gardens, with similar alterations at neighbouring houses which are of a similar depth to that proposed by this appeal. Concluding that the proposed development would not harm the character and appearance of the host building and surrounding area.

- 35.5. On the topic of living conditions, the inspectorate commented that the Council has not made an assessment on the effect of the proposal on outlook, sunlight or daylight experienced by occupiers of No.29, but have expressed concern on the impact on existing occupiers living conditions. Concluding that the proposed development by virtue of its design would not have an unacceptable effect on the living conditions of the occupants of No. 29, with particular reference to outlook, sunlight and daylight.
- 35.6. As such considers there to be no conflict with Policy CS1 of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Development Management Policies' (2013), Policy D3 of 'The London Plan' (2021), and guidance within Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010), which, amongst other things, seek that new development should not result in any significant loss of privacy to neighbouring houses and not cause any unreasonable loss of light or overshadowing to any habitable rooms.
- 35.7. The appeal is allowed and planning permission is granted for the removal of existing roof, first-floor extension including front and rear dormers, part two storey, part single storey side extension, facade changes and internal alterations, in accordance with the terms of the application Ref: P/0126/22, dated 16th January 2022, subject to three standard conditions outlined within the Appeals Decision.

36. Land adjacent to Shandon, Poplar Close, Pinner, HA5 3PZ (Appeal Ref: 3299024)

- 36.1. The appeal was made under section 78 of the Town and Country Planning Act 1990, against a refusal to grant planning permission for the erection of bungalow with habitable rooms in roof space.
- 36.2. The main issues in this appeal were whether the appeal site was an appropriate location for new residential development having regard to the development plan. The effect of the proposed development on the character and appearance of the area. The effect of the proposed development on the living conditions of the occupiers of the neighbouring residential property, Shandon, with particular regard to sunlight, daylight, and outlook.
- 36.3. The inspectorate observes that the appeal site is an area of approximately 600m² that currently forms part of the garden area of a bungalow property known as Shandon. That the appeal site is adjacent to the boundary of the Pinnerwood Park Estate Conservation Area, albeit there would be equally restricted opportunities for the proposal to be seen in context to the Conservation Area.
- 36.4. The appellant contends that the development does not fall within any of the categories identified as examples in the SPD, the inspectorate acknowledges that although the Core Strategy pre-dates the 'National Planning Policy Framework' (2021) ("NPPF") and the SPD is now some ten years old, the NPPF does allow local planning authorities to set out policies to restrict inappropriate development of residential gardens and in this respect the Core Strategy and SPD are consistent with the NPPF.



- 36.5. The inspectorate draws attention to Core Policy CS1 the 'Harrow Core Strategy' (2012) which sets out at part A the growth strategy for the Borough which seeks to focus development in the Harrow and Wealdstone Intensification Area, in town centres and on strategic, previously developed, sites. Policy Highlighting that CS1.B states that garden development will be resisted, although it does not preclude all development within garden areas. Concluding that the appeal site is not an appropriate location for new residential development having regard to the provisions of the development plan, that it would not comply with the relevant requirements of Core Strategy Policy CS1.A and CS1.B, the SPD, or the NPPF.
- 36.6. On the topic of character and appearance, the inspectorate commented that the Council had not raised any fundamental objections regarding the design and appearance of the proposed new dwelling apart from a concern in respect of the overall height. The inspectorate concluded that the proposed development would not cause harm to the character and appearance of the area. It would comply with the relevant requirements of Policy D3 of 'The London Plan' (2021), Policy CS1 of the 'Harrow Core Strategy' (2012), Policy DM1 of the 'Harrow Development Management Policies' (2013), and guidance within Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which, when read together, seek a high standard of design in new developments that has regard to its context and local character.
- 36.7. On the topic of living conditions of the occupiers of the neighbouring residential property, the inspectorate commented with regards to the 45-degree rule, observing the guidance within Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) to be convoluted, and not entirely clear how it is to be applied to the situation in this case. In this context, the inspectorate concludes that the proposed development would not cause harm to the living conditions of the occupiers of the neighbouring property, with particular regards to sunlight, daylight, and outlook. It would not conflict with the relevant requirements of London Plan Policy D3, Policy DM1 of the 'Harrow Development Management Policies' (2013), or the Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010), it would also be consistent with the policies in the 'National Planning Policy Framework' (2021) which seek to ensure a good standard of amenity for all occupiers of land and buildings.
- 36.8. The inspectorate concluded that the appeal site is not an appropriate location for new residential development and as such would conflict with policies in the development plan which are most important for determining the appeal.

37. 26 Merivale Road, HA1 4BH (Appeal Ref: 3301565, Costs Ref: 3301565)

- 37.1. The appellant sought a Certificate of lawful use or development for the construction of a rear dormer and 2 velux windows. The main issue is whether the Council's refusal to grant a Certificate of Lawfulness was well-founded, having regard to the relevant provisions (Schedule 2, Part 1, Class B and C) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
- 37.2. The inspectorate observed the Council's views in that the proposed rear dormer would not be wholly contained within the roof slope of the dwellinghouse and effectively creates a second storey extension that will sit above the outrigger. As a result, the Council was of the view that the proposal should be assessed against the limitations and conditions set out in Class A (for the enlargement, improvement or other alteration of a dwellinghouse). Having done so, considered that the proposal failed to meet

the limitations set out at paragraphs A.1 (i) and A.1(k)(iv), and on that basis the proposal would not be permitted development.

- 37.3. The inspectorate commented that there is nothing within the limitations or conditions set out in Class B to suggest that an enlargement cannot extend over the flat roof of an existing rear outrigger or that such an enlargement must be wholly contained within a roof slope, opposed to that of a flat roof. Furthermore, he cited that paragraph A.1(k)(iv) states that development is not permitted by Class A if it would consist of or include an alteration to any part of the roof of the dwellinghouse. Therefore, the application of the limitations and conditions set out in Class A are irrelevant to the proposed development, which amounts to an addition and alteration to the roof of a dwellinghouse.
- 37.4. The inspectorate concluded that in this case, non-compliance with paragraph A.1(k)(iv) of Class A does not prevent the proposal from being permitted development, it merely means that the Class A provisions do not apply to this type of development. Therefore, given the type of development proposed, it is clear to him that the proposal should be assessed under the criteria set out in Classes B and C of Schedule 2, Part 1 of the GPDO. Commenting further that, the appellant had demonstrated, on the balance of probabilities, that the proposed operations would have been permitted development having regard to the relevant provisions of the GPDO, and the inspectorate will exercise the powers transferred to him under section 195(2) of the Town and Country Planning Act 1990 (as amended).
- 37.5. On the application for award of costs, the applicant's case is that the Council incorrectly assessed the proposal against the provisions of Schedule 2, Part 1, Class A of GPDO. That they consider the Council have ignored the fact that Schedule 2, Part 1, Class B of the GPDO is the only class under which roof alterations and extensions are permitted, thus consider the Council's refusal is based on stipulations that are not included within the relevant provisions of the GPDO, and that the Council had failed to determine similar cases along the same street in a consistent manner.
- 37.6. The inspectorate commented that they found the Council's justification for assessing the proposed development under the criteria set out in Class A to be unclear and incoherent. Therefore, was not satisfied that the Council has been able to clearly substantiate its reason for refusal and instead has relied on vague and inaccurate assertions, and the misapplication of relevant legislative provisions as set out in the GPDO. Concluding that, in doing so, the Council's refusal has prevented development which should clearly have been permitted.
- 37.7. The inspectorate concluded that, the application for award of costs against the Council was allowed in exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 (as amended).

38. Land at 24 Maricas Avenue, Weald, HA3 6JA (Appeal Ref: 3291026)

- 38.1. Enforcement Notice Appeal served on 03.12.2021 by procedure type Written Representation was withdrawn by the landowner for the unauthorised construction of a single-storey side to rear extension including raised decking area, and, unauthorised construction of first-floor side to rear extension.
- 38.2. Appeal withdrawal by appellant on 23.06.2023, case is ongoing and the Enforcement Notice stands.



39. Land at 187a Cannon Lane, Pinner, HA5 1HY (Appeal Ref: 3310121)

- 39.1. Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being issued on 30.09.2022 for the unauthorised construction of an outbuilding extension.
- 39.2. Appeal withdrawal by appellant on 19.05.2023 following attempt to regularise the works under planning submission: P/4185/22 for the “reduction to depth of outbuilding extension (part demolition of outbuilding)” which was approved on 01.02.2023.

40. Honeypot Medical Centre, 404 Honeypot Lane, Stanmore,, HA7 1JP (Appeal Ref: 3305556)

- 40.1. Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being issued on 22.07.2022 for the unauthorised construction of a front ramp, an enclosed front canopy, first floor side to rear extension and rear dormer.
- 40.2. Appeal withdrawal by appellant on 03.05.2023 following attempt to regularise the works under planning submission: P/4072/22 for retrospective submission for first-floor side to rear extension, single storey rear extension, removal of the existing central covered porch and chimney new part enclosed canopy installation of front ramps alterations to front facade and windows inside and rear elevations alteration, which were approved on 14.04.2023.

41. Land at 27 Silver Close, Harrow, HA3 6JT (Appeal Ref: 3299789)

- 41.1. Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being served on 03.05.2022 for the unauthorised construction of a single storey wooden and Perspex canopy structure to the rear of the dwellinghouse.
- 41.2. The main issues for consideration in this Appeal is the effect of the development on the character and appearance of the surrounding area, and the living conditions of neighbouring residents, with particular regard to outlook.
- 41.3. On ground (a), the subject of character and appearance, the inspectorate observed that there are limited views of the development, which are confined to views from the rear gardens of adjacent neighbouring properties and that the site is not visible from the street nor were there any wider public views. The inspectorate also commented that he did not find it to have a makeshift or incongruous appearance within this domestic setting the development since it had been constructed to a high standard with professional joinery and the discreet use of Perspex sheets. Concluding that this aspect of the development accords with Policy DM1 of the ‘Harrow Development Management Policies’ (2013), and Policy D3 of ‘The London Plan’ (2021) in so far as these policies seek to achieve a high standard of design that responds to the character of its surroundings.
- 41.4. On ground (a), the subject of living conditions of neighbouring residents, with particular regard to outlook, the inspectorate acknowledged that the development is visible from the rear gardens of neighbouring properties and, its sizable scale and footprint. However, the inspectorate observed that

the development is set well back from the shared boundaries with neighbouring properties with the lack of full height solid elevations that further reduces its visual presence.

- 41.5. The inspectorate also commented that he did not find it to appear as an overly assertive or oppressive form of development, nor did he consider it to dominate the view from any neighbouring property or adversely affect the living conditions of neighbouring residents. Concluding that there is no conflict Policy DM1 of the 'Harrow Development Management Policies' (2013), and Policy D3 of 'The London Plan' (2021) which together, among other things, seek to ensure that development proposals have regard to any impact on neighbouring occupiers, delivering appropriate outlook, privacy, and amenity.
- 41.6. The appeal on ground (a) is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Town and Country Planning Act 1990.

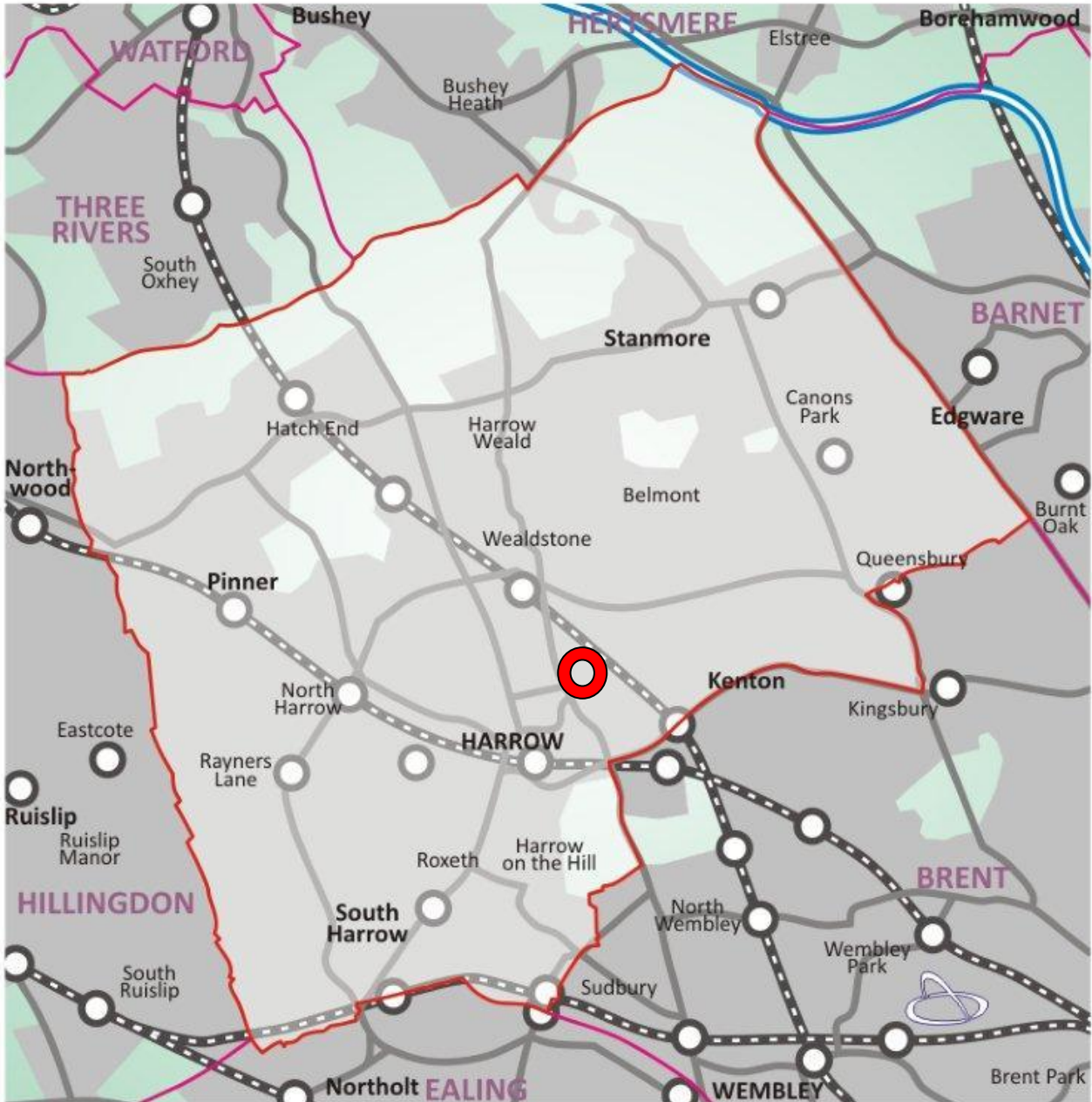
42. 208 Whitchurch Lane, Edgware, HA8 6QH (Appeal Ref: 3295582)

- 42.1. Enforcement Notice Appeal by procedure type Written Representation from landowner following Enforcement Notice being served on 21.02.2022 for the unauthorised construction of a first-floor rear extension and roof alteration comprising hip to gable end and rear dormer. The main issues for consideration in this Appeal is the date by which the operations were substantially completed and/or the effect of the development on the character and appearance of the surrounding area.
- 42.2. On ground (d), the subject of substantial completion date and evidence submitted, the inspectorate commented that the appellant has not demonstrated, on the balance of probabilities, that the unauthorised development subject of the notice was substantially completed for at least four years before the notice was issued. Concluding that the appeal on ground (d) fails against Section 171B(1) of the Town and Country Planning Act 1990.
- 42.3. On ground (a), the subject of character and appearance, the inspectorate observed that although the hip to gable extension has altered the appeal property's roof form, it respects the scale, massing and design of the host property, and the wider street scene since there are numerous examples of similar extensions. The dormer window, having regard to the locality, appeared to reflect the numerous large dormer windows which occupy the rear roof planes of neighbouring properties on the southern side of the road near to the site. It had therefore responded to this existing character.
- 42.4. The inspectorate further commented that the first-floor extension projects away from the property's rear elevation, projects no further than the ground floor extensions, together with its straightforward design and scale and massing, the first-floor extension responds to the host property and the surrounding area. Concluding that there is no conflict Policy DM1 of the 'Harrow Development Management Policies' (2013), and Policy D3.D(1) and D3.D(11) of 'The London Plan' (2021), and Harrow Council's adopted Supplementary Planning Documents entitled 'Residential Design Guide' (2010) which Jointly seek, among other things, a high standard of design and layout, and an appropriate shape, scale/appearance with due regard to the character and appearance of the area.
- 42.5. The appeal on ground (a) is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Town and Country Planning Act 1990.

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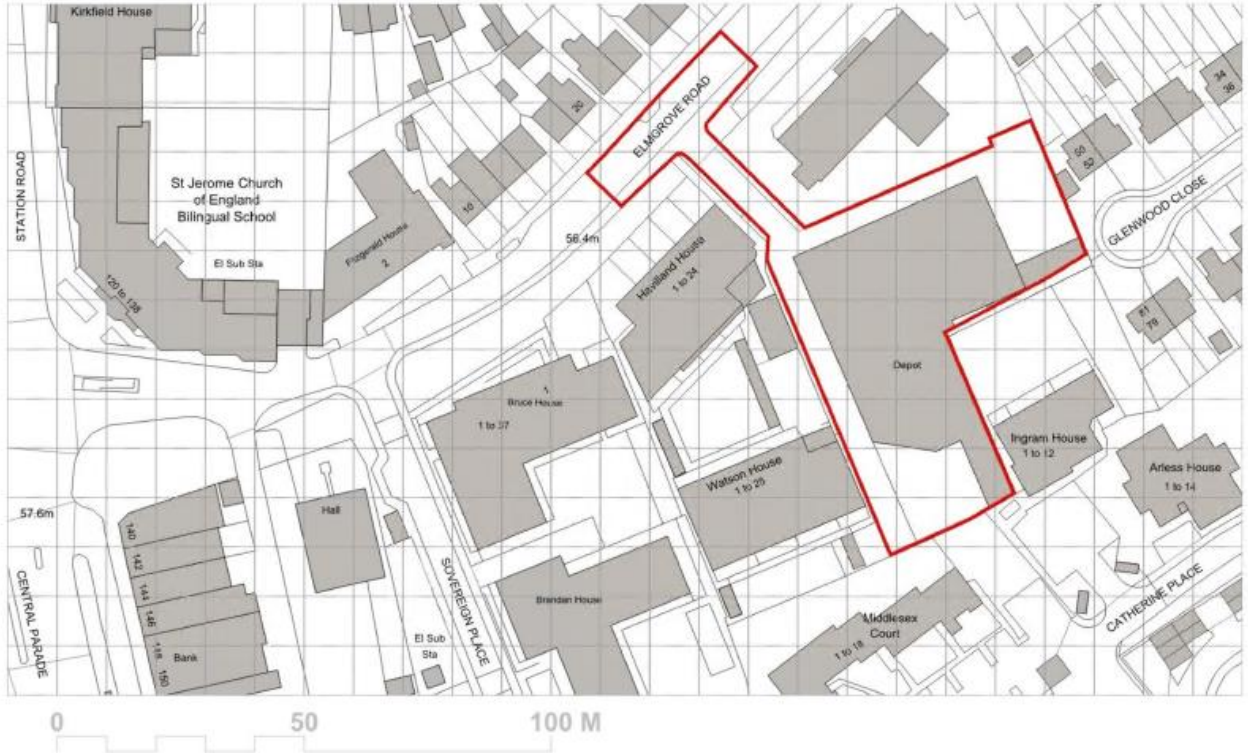
Agenda Item : 2/01

 = application site



Royal Mail Postal Delivery Office, Elmgrove Road, Harrow, HA1 2ED	P/1980/22
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Location Plan



Site Application Boundary

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

27th September 2023

APPLICATION NUMBER: P/1980/22
VALID DATE: 27/05/2022
LOCATION: ROYAL MAIL POSTAL DELIVERY OFFICE,
ELMGROVE ROAD, HARROW
WARD: GREENHILL
POSTCODE: HA1 2ED
APPLICANT: HARROW TROY LIMITED
AGENT: SPRING PLANNING LTD
CASE OFFICER: AKSHAY SISODIA
EXPIRY DATE: 2/09/2023 (EOT)

PROPOSAL

Change of use from Sorting Office (Sui Generis) to Flexible use for Storage and Distribution (Class B8) and Commercial floorspace (Class E(g) ii and E(g) iii) with ancillary offices.

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 complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety and car parking, furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. 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. Further details on delivery and servicing arrangements, cycle parking, and a Parking Management Plan are requested by way of conditions. As such the development accords with the NPPF (2023), Policies D3, D11, D12, D13, D14, E2, E4, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), and Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013).

INFORMATION

This application is reported to Planning Committee due to the amount of floor space changing use, as per Part 1 (f) of the Scheme of delegation 2018.

Statutory Return Type:	E(20) Change of Use
Council Interest:	None
Net additional Floorspace:	N/A
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 vacant part two storey part single storey building located on the south western side of Elmgrove Road. The building was previously occupied by Royal Mail as a Postal delivery office (Sui Generis).
- 1.2 The site is accessible via a small access road off Elmgrove Road between KAP House (to the east) and Havilland House (to the west).
- 1.3 There are a total of 19 existing car parking spaces on site.
- 1.4 KAP House is 4-6 storeys in height and Havilland House is 4 storeys in height. Watson House is located to the rear of Havilland House and flanks the rear end of the application site, this building is 3 storeys in height.
- 1.5 To the rear of the site is a 3-storey block in Catherine Close (Ingram House), and other 2-3 storey residential buildings. To the east are two-storey houses.
- 1.6 All of the aforementioned buildings provide residential accommodation.
- 1.7 The opposite (northern) side of Elmgrove Road is comprised of 2-storey semi-detached houses.
- 1.8 The site is not located within the Harrow Town Centre boundary but is located approximately 100 metres from the town centre and boundary.
- 1.9 The application site is located within the Harrow and Wealdstone Opportunity Area.
- 1.10 The site is not listed and is not located within a Conservation Area.
- 1.11 The site is not a Strategic Industrial Location and is not indicated to be within an Industrial and Business Use Area.
- 1.12 The site is not located within a Flood Zone but is within a Critical Drainage Area.

2.0 PROPOSAL

- 2.1 A change of use of the site from a Royal Mail Sorting Office (Sui Generis) into a flexible use for Storage and Distribution (Class B8); and Commercial floorspace (Class E(g) ii (Research and Development of produces or processes – which can be carried out in a residential area without detriment to its amenity) and E(g) iii (Industrial Processes – which can be carried out in a residential area without detriment to its amenity). Within the applicant's submitted covering letter, it is indicated that 1,590.78m² of the building at ground floor level is to be used for warehousing, and 547.11m² of the building at first floor level is to be used for E(g) uses.
- 2.2 No external or internal alterations are proposed as part of this application. The applicant is simply applying for permission for the principle of the change of use.

2.3 Parking, delivery and servicing arrangements are to remain unchanged from existing arrangements.

3.0 **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status & date of decision
HAR/8403/E	INDUSTRIAL BUILDINGS REPLACEMENT	Granted 15/02/1960
HAR/8403/G	DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF NEW JOINERY WORKS (AMENDED)	Granted: 07/06/1961
HAR/8403/I	REDEVELOPMENT OF JOINERY WORKS	Granted: 24/04/1962
HAR/8403/N	ERECT 2 STOREY EXTENSION TO JOINERY WORKS	Granted: 30/07/1964
LBH/18407	CHANGE OF USE FROM INDUSTRIAL/ANCILLARY OFFICES TO POSTMANS DELIVERY OFFICE	Granted: 08/01/1981
LBH/21114	EXTENSION OF CYCLE STORE AND CREATION OF VEHICLE OFF-LOADING AREA	Granted: 19/04/1982
LBH/27136	OFFICE BUILDING	Refused: 06/06/1985
LBH/34094	ALTERATIONS AND EXTERNAL STAIRCASE AND COVERED WAY	Granted: 12/01/1988
P/0153/08	EXTERNAL ALTERATIONS INCLUDING NEW RAMP WITH RAILINGS, REPLACEMENT OF DOOR WITH AUTOMATED ROLLER SHUTTER AND DOOR SET	Granted: 19/03/2008
P/5049/19	Outline application for access only: Redevelopment to create 3-6 storey building for up to sixty flats and commercial floorspace at ground floor; Refuse and Cycle Storage; Vehicle and pedestrian access	Refused 05/03/2020 Appeal and Public Inquiry – Dismissed 27/04/2021 (APP/M5450/W/20/3258864)

Refusal Reason (1): The proposal, by reason of the loss of protected employment floor space which has not been sufficiently justified, or sufficient justification for the proposed D1 Use Class floorspace, would result in an unacceptable reduction in industrial and employment space within the London Borough of Harrow, which would be considered unacceptable in principle. The proposal is therefore considered to be contrary to 4.4 The London Plan (2016), policies E4 and E7 of The Draft London Plan (2019), policy CS1.O of the Harrow Core Strategy (2012), policies AAP15 of the Harrow & Wealdstone Area Action Plan (2013), policies DM31 and DM46 of the Harrow Development Management Policies (2013).

Refusal Reason (2): The proposal, fails to demonstrate that 60 units, alongside the required level of Affordable Housing at the required unit mix can be satisfactorily accommodated on this site and in the absence of a viability assessment to demonstrate a satisfactory provision of Affordable Housing which can meet the relevant policy criteria for either a viability-tested route or a threshold approach, cannot be considered to be in compliance with policy 3.11 and 3.12 of The London Plan (2016), policies H4, H5 and H6 of The Draft London Plan (2019), policies CS1.I and CS1.J of the Harrow Core Strategy (2012), policy AAP13 of the Harrow & Wealdstone Area Action Plan (2013), policy DM24 of the Harrow Development Management Policies (2013), and the Greater London Authority's Affordable Housing and Viability Supplementary Planning Guidance (2017).

Refusal Reason (3): The proposed development, by reason of its indicative height and building footprint, would result in a development that is cramped within its plot and has a poor relationship to its surroundings including neighbouring buildings, and is considered inappropriate for the site and its context. The proposal would therefore be contrary to policies 7.4 and 7.6 The London Plan (2016), policies D3 and D4 of The Draft London Plan (2019), policy CS1.B of the Harrow Core Strategy (2012), The London Plan Housing Supplementary Planning Guidance (2016), policies AAP4, AAP5 and AAP6 of the Harrow & Wealdstone Area Action Plan (2013), policies DM1 and DM2 of Harrow's Development Management Policies Local Plan document (2013), and the Council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Refusal Reason (4): The proposed development fails to demonstrate that up to 60 units can be satisfactorily accommodated on the site to provide adequate levels of daylight and sunlight to the proposed residential units, contrary to policy 3.5 The London Plan (2016), policies D3 and D6 of The Draft London Plan (2019), policy CS1.K of the Harrow Core Strategy (2012), The London Plan Housing Supplementary Planning Guidance (2016), , policies AAP4 and AAP13 of the Harrow & Wealdstone Area Action Plan (2013) and the Council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Refusal Reason (5): The proposal by reason of a failure to adequately demonstrate acceptable levels of daylight and sunlight to neighbouring properties and gardens, would result in an unacceptable degree of

overshadowing and/or visual impacts and a heightened sense of enclosure, as well as an unacceptable degree of overlooking and loss of privacy, to the occupiers of the neighbouring properties Kap House, Havilland House, Watson House, nos. 50-52 and 79-81 Glenwood Close, and Ingram House. The proposal is therefore contrary to policy 7.6 of The London Plan (2106), policy CS1.B of the Harrow Core Strategy (2012), policy AAP4 of the Harrow & Wealdstone Area Action Plan (2013), and policy DM1 of Harrow's Development Management Policies Local Plan document (2013), and the adopted Supplementary Planning Document: Residential Design Guide 2010.

Refusal Reason (6): The proposal, by reason of its internal road layout and turning space, has failed to demonstrate satisfactory, safe and practical traffic and servicing arrangements, and would therefore be likely to result in unacceptable impacts on traffic flow and vehicular and pedestrian safety, contrary to policy 6.3 and 6.12 of The London Plan (2106), policies T1 and T4 of the Draft New London Plan (2019), policy AAP19 of the Harrow & Wealdstone Area Action Plan (2013), and policies DM1, DM43 and DM44 of Harrow's Development Management Policies Local Plan document (2013).

P/4238/20	Outline application with details of access only (all other matters reserved): Demolition of existing building and the erection of a mixed-use building including commercial floorspace (for non-residential community uses) at ground floor and residential development above, with access from Elmgrove Road, parking, landscaping and associated infrastructure	Refused 19/05/2021
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Refusal Reason (1): The proposal, by reason of the loss of protected employment floor space which has not been sufficiently justified, and failure to sufficiently justify the proposed F1 Use Class floorspace, would result in an unacceptable loss of industrial and employment space within the London Borough of Harrow, which would be considered unacceptable in principle. The proposal is therefore considered to be contrary to policies E4 and E7 of The London Plan (2021), policy CS1.O of the Harrow Core Strategy (2012), policies DM31 and DM46 of the Harrow Development Management Policies (2013).

Refusal Reason (2): The proposed development, by reason of its indicative height and building footprint, would result in a development that is cramped within its plot and has a poor relationship to its surroundings including neighbouring buildings, and is considered inappropriate for the site and its context. The proposal would therefore be contrary to policies D3D (1) and D4 of The London Plan (2021), policy CS1.B of the Harrow Core Strategy (2012),

The London Plan Housing Supplementary Planning Guidance (2016), policies AAP4, AAP5 and AAP6 of the Harrow & Wealdstone Area Action Plan (2013), policies DM1 and DM2 of Harrow's Development Management Policies Local Plan document (2013), and the Council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Refusal Reason (3): The proposed development fails to demonstrate that up to 60 units can be satisfactorily accommodated on the site to provide adequate levels of daylight and sunlight to the proposed residential units, contrary policies D3D (7) and D6 of The London Plan (2021), policy CS1.K of the Harrow Core Strategy (2012), The London Plan Housing Supplementary Planning Guidance (2016), policies AAP4 and AAP13 of the Harrow & Wealdstone Area Action Plan (2013), policy DM1 of Harrow's Development Management Policies Local Plan document (2013), and the Council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Refusal Reason (4): The proposal by reason of a failure to adequately demonstrate acceptable levels of daylight and sunlight to neighbouring properties and gardens, would result in an unacceptable degree of overshadowing and/or visual impacts and a heightened sense of enclosure, as well as an unacceptable degree of overlooking and loss of privacy, to the occupiers of the neighbouring properties Kap House, Havilland House, Watson House, nos. 50-52 and 79-81 Glenwood Close, and Ingram House. The proposal is therefore contrary to policy D6 of the London Plan (2021), policy CS1.B of the Harrow Core Strategy (2012), policy AAP4 of the Harrow & Wealdstone Area Action Plan (2013), policy DM1 of Harrow's Development Management Policies Local Plan document (2013), and the adopted Supplementary Planning Document: Residential Design Guide 2010.

P/4527/20	Outline application for access and scale only: Demolition of existing building and the erection of a mixed-use building, up to five storeys, including commercial floorspace (for non-residential community uses) at ground floor level and up to 41 dwellings above, with associated access from Elmgrove Road, parking, landscaping and associated infrastructure. Reserved matters: appearance, layout, and landscaping.	Refused 19/05/2021
Refusal Reason (1): The proposal, by reason of the loss of protected employment floor space which has not been sufficiently justified, and failure to sufficiently justify the proposed F1 Use Class floorspace, would result in an unacceptable loss of industrial and employment space within the London		

Borough of Harrow, which would be considered unacceptable in principle. The proposal is therefore considered to be contrary to policies E4 and E7 of The London Plan (2021), policy CS1.O of the Harrow Core Strategy (2012), policies DM31 and DM46 of the Harrow Development Management Policies (2013).

Refusal Reason (2): The proposed development, by reason of its scale, massing, bulk, height and building footprint, would result in a development that is cramped within its plot and has a poor and dominating relationship to its surroundings including neighbouring buildings, would be overbearing, bulky and intrusive in relation to its context, and is considered inappropriate for the site and its context. The proposal would therefore be contrary to policies D3D (1) and D4 of The London Plan (2021), policy CS1.B of the Harrow Core Strategy (2012), The London Plan Housing Supplementary Planning Guidance (2016), policies AAP4, AAP5 and AAP6 of the Harrow & Wealdstone Area Action Plan (2013), policies DM1 and DM2 of Harrow's Development Management Policies Local Plan document (2013), and the Council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Refusal Reason (3): The proposed development fails to demonstrate that up to 60 units can be satisfactorily accommodated on the site to provide adequate levels of daylight and sunlight to the proposed residential units, contrary policies D3D(7) and D6 of The London Plan (2021), policy CS1.K of the Harrow Core Strategy (2012), The London Plan Housing Supplementary Planning Guidance (2016), policies AAP4 and AAP13 of the Harrow & Wealdstone Area Action Plan (2013), policy DM1 of Harrow's Development Management Policies Local Plan document (2013), and the Council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Refusal Reason (4): The proposal by reason of a failure to adequately demonstrate acceptable levels of daylight and sunlight to neighbouring properties and gardens, would result in an unacceptable degree of overshadowing and/or visual impacts and a heightened sense of enclosure, as well as an unacceptable degree of overlooking and loss of privacy, to the occupiers of the neighbouring properties Kap House, Havilland House, Watson House, nos. 50-52 and 79-81 Glenwood Close, and Ingram House. The proposal is therefore contrary to policy D6 of the London Plan (2021), policy CS1.B of the Harrow Core Strategy (2012), policy AAP4 of the Harrow & Wealdstone Area Action Plan (2013), policy DM1 of Harrow's Development Management Policies Local Plan document (2013), and the adopted Supplementary Planning Document: Residential Design Guide 2010.

P/0425/22/PREAPP	Demolition of existing buildings and construction of mixed use of development ranging between 2 & 5 storeys, comprising 759sqm of light industrial floorspace and 408sqm industrial yard	Pre-application Advice Issued 09/03/2022
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	space at part of the ground level and 45 dwellings across part of the ground floor and the storeys above with associated works	
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4.0 **CONSULTATION**

- 4.1 A total of 167 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation expired on 21/06/2022.
- 4.2 A site notice was posted on 20/06/2022 and this expired on 11/07/2022.
- 4.3 One letter of support has been received, however within this letter it is questioned whether or not the proposal will have restricted working hours, and if not, they are concerned that late working noise from vehicles loading/unloading would seriously affect those sleeping within close proximity to the site.
- 4.4 Officer Response: As addressed within the Residential Amenity section (6.4) of this Committee Report below.
- 4.5 Statutory Consultation
- 4.6 A summary of the consultation responses received along with the Officer comments (where relevant) are set out in the Table below.

Consultee and Summary of Comments
<p><u>Policy Officer</u></p> <p>Policy E4 of the London Plan (2021) seeks to ensure that London has a sufficient supply of land and premises to meet current and future needs for industrial and related functions being provided and maintained. In determining this, strategic and local employment land reviews should inform this. The relevant evidence base is the London Industrial Land Demand (2017) which underpins the London Plan (2021), and locally the West London Alliance Economic Land Review (2019) and its addendum 2022. In ensuring appropriate uses, Policy E4A (1 – 10) sets out what are considered to be the varied operational requirements.</p> <p>Turning to the application itself, the proposal would not result in the loss of employment floorspace. However, it is unclear as to what the actual uses would be in terms of the E Use Class specified, and what the make up between the E Use Class and B8 Use Class would be on the ground floor. In terms of the use, the development description refers to the use being flexible B8/E Use Class, but is not specific in terms of the E Use Class. The E Use Class is very wide, with numerous uses that would not constitute appropriate industrial typologies as set out within Policy E4A (1-10) of the London Plan (2021) – whereby not contributing to the sufficient supply of industrial floorspace. E Use classes would</p>

only be appropriate where they correspond to the relevant B use classes as set out in Policy E4A 91-10). Use Class B8 is appropriate at this site.

If officers are minded to approve planning permission, conditions must be attached to restrict to the appropriate E Use Class E(g)(ii) & E(g)(iii) and removal of any PD rights out of the permitted use classes.

Highways – (1st Comments):

Further information is required in relation to delivery and servicing – frequency, where? parking – how many spaces? How many disabled parking spaces and how many EV charge points? Cycle parking – how many spaces are proposed. I understand that they are not proposing physical changes but these are still elements that need to be reconsidered based on the new proposed use. Whilst only 10-15 staff are anticipated, the site is actually quite large so could potentially accommodate further staff in the future.

Normally, this type of proposal is accompanied by a Transport Statement or some form of transport technical note showing the existing situation and the proposed.

Officer Comment: Following the Highways Officer's above comments, the applicant provided a Transport Technical Note which was produced in attempt to address the above.

Highways – (2nd Comments):

I don't foresee issues with highway impacts. Road safety may be an issue for delivery and servicing.

The applicant claims there are 19 car parking spaces but the reality is the land owner is not enforcing any parking management controls. Looking at Streetview, most vehicles are parked on double yellow lines. It is however a private access road and the arrangement seems to work but I wonder how many of these parked vehicles are from the neighbouring residential units.

It is also worth noting that the access road does not appear to offer any space to turn around. Anyone entering in forward gear will be forced to exit in reverse and vice versa.

Without an indication of the proposed use of the site, I cannot comment on how delivery and servicing can be managed. Additionally, I have no information on how the site operated when as Royal Mail – I suspect large HGVs reversed in to be unloaded. This may not work if the site is subdivided.

A TRICS report has been provided but it has little relevance other than to show what could happen. Again, without more detail, I cannot comment.

If permission were to be given, a parking management plan, travel plan and a delivery and servicing plan would be essential.

Officer Comment: Following the Highways Officer's above comments, the applicant provided a Provisional Delivery and Servicing Management Plan as well as a Parking Plan including swept path drawings detailing how cars are able to safely access car parking spaces on site.

Highways – (3rd Comments):

Comments:

The applicant has submitted a Provisional Delivery and Servicing Management Plan dated August 2023 by Ardent Consulting Engineers.

The Applicant has submitted measures to mitigate the impacts of Delivery & servicing Activity at the site, which include:

- Using delivery companies that are committed to following best practice such as the Freight Operator Recognition Scheme (FORS).
- Suppliers that utilise low or no emission vehicles.
- Drivers of delivery vehicles for regular deliveries will be informed of the appropriate routing which they should use when travelling to and from the site.
- Deliveries to be arranged to occur outside of peak times (weekdays 07:30am – 09:30am and 16:30pm – 18:30pm).

Access to the site is via a vehicle crossover from the public highway leading into a private access road. Access to the site can be achieved for cars and 4.6t light vans as shown on swept path analysis drawings submitted by the applicant.

Concerns were previously raised regarding entering/exiting in forward gear, vehicles will be forced to exit in reverse due to restricted spaces within the site. Section 2.7 states deliveries and servicing will utilise the existing access road via Elmgrove Road, mirroring existing arrangements for the site. This will result in vehicles reversing into the large shutters at the Southern end of the site and exiting in a forward gear.

The Plan states the site will employ a Management Company that will help maintain the operation of the building including facilitating servicing and deliveries, as well as refuse collection. The surrounding area has changed in recent years with nearby office buildings having been converted to residential uses and a school.

3.2 – The delivery strategy states

- Delivery and servicing vehicles are expected to remain the same as per existing arrangement.

5.2. Daily service vehicle trip rates have been generated for the existing site from a traffic survey with the results outlined within the previous Transport Assessment

(Reference BH/ITB15156-007A). The survey included both the Delivery Centre and existing apartments which share the access road.

- There will be no articulated vehicles expected to the site. Small vehicles will carry out the stationery, postal and courier trips.

Figures have been submitted in Section 5 – Trip Rates & Targets, Table 5.1 & 5.2.

Weekday 12-hour (07:00-19:00) suggest 87 vehicles arriving and 84 departures. This is a significant reduction from the existing figures of 215 vehicles arriving and 209 departures.

LBH would encourage monitoring of the site. Section 6.3 states an initial baseline survey could be undertaken within the first 3 months to address any concerns. Contact details of the DSP manager would be vital.

Concerns:

- The submitted plan is provisional and not final with no input from the Site Management Company.
- Conflict between vehicles using the proposed site and nearby housing developments.
- Larger vehicles accessing the site.
- Enforcement measures to be undertaken for any vehicles parking in restricted areas as the yellow lines are not enforceable by LBH.
- Congestion, Noise Pollution & harmful emissions. The development will operate between hours of 08:00 – 18:00, seven days a week.

Suggested Condition:

After the initial baseline survey and within the first 6 months a detailed delivery and servicing plan shall be submitted. Full details of the operation of the site, number and timing of delivery and servicing movements shall be included. It would be expected that numbers of trips would go up or down and the baseline would be used to demonstrate whether associated targets are being met and managed.

Waste Management Policy Officer – No response.

Drainage Team Leader – No response.

Drainage Engineer – No response.

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 2023] which sets out the Government's planning policies for England and how these should be applied, and is a material consideration in the determination of this application.
- 5.4 In this instance, the Development Plan comprises The London Plan 2021 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP]. The relevant policies are referenced within the report below and a summary within Informative 1

6.0 ASSESSMENT

6.1 The main issues are;

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

6.2 Principle of Development

6.2.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D13, E2, E4, SD1
- Harrow Core Strategy (2012): CS1.O, CS1.P
- Harrow Development Management Policies Local Plan (2013): DM31

6.2.2 Policy E2 of the London Plan relates to the provision of suitable business space. Part B of the policy notes that the development of Class B uses should ensure that the space is fit for purpose having regard to the type and use of the space.

6.2.3 Policy E4 of the London Plan relates to land for industry, logistics, and services to support London's economic function. Within Part A of the policy it is noted that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, taking into account strategic and local employment land reviews, industrial land audits and the potential for intensification, colocation and substitution. This policy specifically notes (E4 A (8)) that industrial provision should take into account the varied operational requirements of flexible B1c/B2/B8 hybrid space to accommodate services that support the wider London economy and population. E4 A (10) notes that industrial provision should take into account research and

development of industrial and related products or processes (falling within Use Class B1b). It should be noted that Use Class B1 was revoked from 01/09/2020 and was replaced by Class E(g) with B1(b) being replaced by E(g)(ii) and B1(c) being replaced by E(g)(iii).

- 6.2.4 Policy CS1.O notes that the Borough's stock of business and industrial premises will be monitored and managed to meet economic needs. Any release of surplus stock for other uses, having regard to the most up-to-date monitoring of the demand and supply balance will be considered in accordance with a sequential approach (further outlined within the policy).
- 6.2.5 Policy CS1.P relates to mixed use development. It is noted that mixed use development will be supported, where this secures employment generating development and diversification of Harrow's economy. The Development Management Policies DPD or the Area Action Plan, as appropriate, will set out criteria for the managed release of surplus employment land.
- 6.2.6 Policy DM31 of the Council's Development Management Policies document relates to 'Supporting Economic Activity and Development'. Part A of the policy states that proposals for the intensification, renewal and modernisation of existing industrial and business floorspace will be supported where the development complies with other relevant policy considerations and the new industrial or business floorspace allows for future flexibility, including future subdivision and / or amalgamation to provide for a range of accommodation, particularly for small businesses.
- 6.2.7 There is no objection to the principle of the change of use from a Royal Mail Sorting Office (Sui Generis) to a flexible use of classes B8, E(g)(ii) and E(g)(iii). All of the proposed uses would be industrial and employment generating uses which would not result in unacceptable harm on the vitality and viability of the unit. Policy E4 of the London Plan clearly emphasises that industrial provision should take into account varied operational requirements of flexible E(g)(iii)/B2/B8 hybrid space, and the development of industrial and related products or processes (E(g)(ii)). The proposed hybrid use is expected to generate greater interest from small industrial occupiers, allowing for the unit to be more easily occupied. The proposed change of use would not conflict with the interests of Policy DM31 of the Council's Development Management Plan, the proposal would allow for a more flexible occupation of the premises in line with more modern needs, and as previously suggested, this flexible form of accommodation would be particularly enticing for small businesses.
- 6.2.8 It should be noted that that the applicant initially sought permission for a flexible use including all of Use Class E, however Officers confirmed to the applicant that only sub classes E(g)(ii) and E(g)(iii) would be appropriate for this site as they would not result in a loss of industrial floorspace. The agent agreed to limit the proposed E Class uses to E(g)(ii) and E(g)(iii) only and submitted a revised Covering Letter reflecting this, the initial application description was amended in light of this. For the avoidance of doubt, a condition has applied restricting the use of the building to only those that have been agreed and approved as part of this application.

- 6.2.9 As per the Agent of Change principles outlined within Policy D13 B of the London Plan, development should be designed to ensure that established noise and other nuisances-generating uses remain viable and can continue or grow without unreasonable restrictions being placed on them.
- 6.2.10 The site was previously in use as a sorting office with a high number of deliveries and vehicular movements in and out of the site. Whilst officers acknowledge that the application site is surrounded by numerous residential dwellings, noise exposure from the proposed uses(s) is likely to be comparable to pre-existing noise levels when the site was last occupied, Given the fact that the former Royal Mail Postal Delivery Office (a former industrial type use) was able to viably operate within this residential setting, officers are satisfied that the operation of the proposed development would not be unduly compromised as a result of surrounding residential properties.

6.3 Character, Appearance and Design

6.3.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D3
- Harrow Core Strategy (2012): CS1.B
- Harrow Development Management Policies Local Plan (2013): DM1

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

6.3.3 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.

6.3.4 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.

6.3.5 The proposed development is considered to be acceptable on character and design grounds, no external or internal alterations are proposed as part of the application, the applicant is simply seeking permission for the principle of the change of use. It should be noted that separate planning permission would be required if the occupier

or future occupiers are to incorporate any external plant works, this has been made clear through an informative.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- National Planning Policy Framework (2023)
- London Plan (2021) Policy: D3, D13, D14
- Harrow Development Management Policies Local Plan (2013): DM1

6.4.2 Policy D3 D (7) of the London Plan notes that development proposals should deliver appropriate outlook, privacy and amenity, meanwhile Policy D3 D (9) notes that development proposals should help prevent or mitigate the impacts of noise and poor air quality.

6.4.3 Part C of Policy D13 of the London Plan notes that new noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

6.4.4 Policy D14 of the London Plan relates to Policy D14 of the London Plan relates to noise. It sets out that development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials – in preference to sole reliance on sound insulation
- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

6.4.5 Policy DM1 of the Development Management Policies Local Plan notes 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".

- 6.4.6 As mentioned previously within this Committee Report, noise exposure from the proposed use(s) are likely to be comparable to pre-existing noise levels when the site was last occupied. As indicated within an email from the agent (Dated 02/08/2022) approximately 10-15 staff are expected to be employed within the premises, details have not been provided on the number of employees for the former Royal Mail Sorting Office however based on the size of the site and the number of parking spaces provided on-site (19), officers are satisfied that the site can sufficiently accommodate the expected number of employees without causing significant noise and disturbance in respect to surrounding residential properties.
- 6.4.7 Within the applicant's submitted Provisional Delivery and Servicing Management Plan, the proposed hours of operation are indicated as 08:00am – 18:00pm from Monday to Sunday, including Bank Holidays. Details have not been provided on the hours of operation for the Former Royal Mail Postal Delivery Office. Proposed operation hours for the site during weekdays would be in keeping with standard business hours and would not operate late into the night. The site would be in operation on Saturday and Sunday with the hours being the same as those for weekdays. Even with the site being in operation on the weekend, given that it is not to be occupied excessively early or excessively late, the proposed hours of occupation are considered to be acceptable. A condition has been recommended to ensure that the site is occupied in accordance with the hours of operation specified within the submitted Provisional Delivery and Servicing Management Plan.
- 6.4.8 Within the applicant's submitted Provisional Delivery and Servicing Management Plan it is indicated that the majority of delivery / servicing movements associated with the site will comprise of postal deliveries on a daily basis with the majority of the deliveries typically undertaken by a smaller transit van. It is indicated that ad hoc deliveries will also be undertake by car and/or motorcycle. The exact hours for deliveries and servicing have not been provided, however it is indicated that wherever possible, deliveries are to be arranged to occur outside of peak times (weekdays 7:30am to 9:30am, and 4:30pm to 6:30pm) to minimise the impact on the surrounding area. Furthermore, it is indicated that wherever possible, arrangements will be made so that suppliers will be able to leave deliveries out of hours within a secure location. Officers do not have any preliminary concerns in relation to deliveries and servicing adversely impacting upon the residential amenities of surrounding neighbouring occupants however as indicated within the Highway Officer's comments, after an initial baseline survey, and within the first 6 months of occupation a detailed delivery and servicing plan is required (via a condition) which shall provide further details on the number and timings of delivery and servicing movements.
- 6.4.9 Given the fact that no external alterations are proposed to the building, there would be no harmful neighbouring amenity impacts relating to loss of light, outlook and visual amenity.

6.5 Traffic, Parking and Servicing

6.5.1 The relevant policies are:

- National Planning Policy Framework (2023)

- London Plan (2021) Policy T5, T6, T6.2, T7
- Harrow Core Strategy (2012): CS1.Q, CS1.R, CS1.S
- Harrow Development Management Policies Local Plan (2013): DM42, DM44 DM45

- 6.5.2 London Plan maximum car parking standards are outlined within Policies T6 and T6.2 of the London Plan. Policy T5 outlines minimum cycle parking standards.
- 6.5.3 Policy T7 of the London Plan relates to deliveries servicing and construction. Part G of this policy notes that development proposals should facilitate safe, clean and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street parking bays used only when this is not possible.
- 6.5.4 Policy DM42 of the Development Management Plan relates to the Council's parking standards. Criterion (F) of this Policy notes that proposals that would result in inappropriate on-site parking provision and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists will be resisted.
- 6.5.5 Policy DM44 of the Council's Development Management Plan relates to servicing. Within Part C, it is emphasised that proposals that will be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted.
- 6.5.6 Policy DM45 relates to Waste Management. Part A of the policy notes that all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic materials for composting.
- 6.5.7 The application site is located within an area with a Public Transport Accessibility Level of 2, meaning that the site has a poor access to public transport, however the application site is only a short walk away from Harrow Town Centre which accommodates a wide range of amenities and train and bus services.
- 6.5.8 The development proposes to utilise the existing 19 car parking spaces on site. None of the car parking spaces on site are to be disabled parking spaces and none of the spaces are to be provided with EV charging ports, however based on the fact that the proposed development simply relates to a change of use of an industrial building into a flexible use of various industrial uses with no external alterations and no increase in car parking, this is not considered necessary in this instance. As per London Plan maximum car parking standards, the site would be able to provide a maximum of 21 car parking spaces for a development of this scale. Taking into account the 19 car parking spaces provided on-site alongside the fact that the site is located only a short distance away from Harrow Town Centre which has excellent transport links, officers are satisfied that employees would be provided with suitable access to the site, and this would not result in overspill parking along the Highway. It should be noted that the roads immediately surrounding the site are within a Controlled Parking Zone, and this would naturally restrict employees from parking along the street. The Council's Highways Officer did raise concerns over the landowner not-enforcing any parking management controls on site with a number of

parked vehicles on site appearing to be serving occupants of surrounding residential units, it is expected that vehicles would disperse once the proposed use(s) come into effect, however in order to ensure that the landowner is suitably enforcing parking management controls a condition has been applied requesting a Parking Management Plan.

- 6.5.9 As per London Plan minimum cycle parking standards, the applicant would be required to provide a total of 4 no long stay cycle parking spaces and 4 no short stay cycle parking spaces. It is indicated within the applicant's submitted Transport Technical Note that cycle parking is to be provided in accordance with the above requirements and that cycles are to be located at ground floor level within Sheffield stands. The exact location of the cycle parking has not been specified, furthermore details have not been provided on the appearance of cycle storage, and it has not been indicated if the proposed cycle parking spaces are secure or not, this would be expected for long-stay cycle parking. Based on the above, officers have applied a condition requiring further details on proposed cycle parking.
- 6.5.10 The Council's Highways Officer initially raised concerns over the vehicles being able to access the site and turn, the applicant consequently submitted a Parking Plan to demonstrate that vehicles would be able to safely access the site, parking spaces and would be able to safely exit. The Council's Highways Officer has raised no highways safety concerns in relation to the main highway network.
- 6.5.11 Whilst the Council's Highways Officer acknowledges that only 10-15 staff are anticipated, they note that the site is large and could potentially be occupied by more staff in the future. They have advised officers to request a Travel Plan by condition. Whilst officers note that the total number of employees cannot be controlled by way of planning restrictions, taking into account the fact that there is a fairly high provision of car parking spaces on site alongside the fact that the site is within close proximity to Harrow Town Centre, officers are satisfied that the site can be suitably accessed without the need for a Travel Plan. It should be added that the proposed development simply relates to a change of use of an industrial building into a flexible use of various industrial uses with no external alterations and extensions. Based on this, it is anticipated that modes of travel for employees would not be too dissimilar to those of former employees for the Royal Mail Postal Delivery Office.
- 6.5.12 Following comments made by the Council's Highways Officer, the applicant has provided a Provisional Delivery and Servicing Management Plan. This document has been reviewed by the Council's Highways Officer. They have raised concerns over:
- The submitted plan being provisional and not final with there being no input from the site management company.
 - There being a conflict between vehicles using the proposed site and nearby housing developments.
 - Larger Vehicles accessing the site.
 - Enforcement measures for the control of any unauthorised parking on site not be being enforceable by the London Borough of Harrow.
 - Congestion noise pollution and harmful emissions given operation hours.

Given their issues with the Provisional Delivery and Servicing Management Plan, the Council's Highways Officer ultimately requested that officers apply a condition requiring a Detailed Delivery and Servicing Plan after an initial baseline survey and within 6 months of the use(s) hereby approved coming into effect. Officers have subsequently applied this condition.

6.5.13 It is indicated within the submitted Provisional Delivery and Servicing Management Plan that a refuse storage area is to be provided internally within the basement, and an on-site management company will be involved in moving bins and supporting collection from Elmgrove Road. It is not anticipated that collection measures will adversely impact upon highways safety and the movement of traffic along the highway.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- National Planning Policy Framework (2023)
- Harrow Core Strategy 2012: CS1.U, CS1.W
- Harrow Development Management Policies Local Plan (2013): DM10
- London Plan Policy: SI 12, SI 13

6.6.2 Policy SI 12 C of the London Plan notes that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.

6.6.3 Policy SI 13 relates to Sustainable Drainage and encourages the use of Sustainable Urban Drainage systems where appropriate.

6.6.4 Policy DM10 A of the Council's Development Management Policies document notes that proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water runoff.

6.6.5 The site is located within a Critical Drainage Area, however the development relates only to a change of use of the premises with no external changes and no increase in development footprint on site, and is therefore not considered to result in any worsened flood risk and is not considered to exacerbate flood risk to the site's surroundings.

6.7 Fire Safety

6.7.1 The relevant policies are:

- National Planning Policy Framework (2023)
- London Plan Policy: D12

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 that the proposed development will not adversely affect the appropriate fire safety measures of the site.

7.0 CONCLUSION AND REASONS FOR RECOMMENDING APPROVAL

- 7.1 The proposed development complies with all relevant land use policies by providing a flexible and suitable mixed-use site to support and sustain the existing industrial and employment use. The proposed development is also considered to be acceptable on grounds of character and design, it is considered to have an acceptable residential amenity impact, it is considered acceptable on grounds of highways safety and car parking, furthermore the site is not considered to be susceptible to harmful flooding and would not unduly exacerbate flood risk elsewhere. 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. Further details on delivery and servicing arrangements, cycle parking, and a Parking Management Plan are requested by way of conditions.
- 7.2 In light of all of the above, the proposed development would be in accordance with the NPPF (2023), Policies D3, D11, D12, D13, D14, E2, E4, SD 1, SI 12, SI 13, T3, T5, T6, T6.2 and T7 of the London Plan (2021), Policies CS1.B, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U and CS1.W of the Harrow Core Strategy (2012), and Policies DM1, DM2, DM10, DM31, DM42, DM44 and DM45 of the Harrow Development Management Policies Plan (2013).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Conditions

1. Timing

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

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

2. Approved Plans and Documents

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

E1-01 REV: B (Existing Plans), E1-02 REV: B (Depot Existing Plans-Elevations), E1-03 REV: B (Depot Existing Sections), E1-04 REV: B (Existing Site Elevations), P1-01 REV: D (Site Location Plan), 10100.02 (Mezzanine Plan), 10100.03 (First Floor Plan), 2206761-D001 (Parking Plan), Transport Technical Note (Report Ref. 2206760-1 Dated December 2022), Provisional Delivery and Servicing Management Plan (Report Ref. 2206761-R01 Dated August 2023), Covering Letter, Reasonable Exception Statement.

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

3. Access Parking and Servicing Space

The unit's existing access, parking and servicing spaces, shall be permanently retained for such uses and shall not be used for any other purposes.

REASON: To ensure that adequate provision for parking and servicing is retained at the site in accordance with Policy T7 of the London Plan (2021) and Policies DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013)

4. No Storage within Parking Areas and Soft Landscaped Areas

No goods, materials, plant or machinery shall be stored within the site's designated parking areas without the prior written permission of the Local Planning Authority.

REASON: In the interests of amenity and to ensure that the areas dedicated for parking and servicing are retained, in accordance with Policies D3 and T7 of the London Plan, and Policies DM1, DM42 and DM44 of the Harrow Development Management Policies Local Plan (2013).

5. Restricted Use

The premises shall be used only as flexible E(g)(ii) and/or E(g)(iii) and/or B8 uses as defined within the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020 (or any order revoking and re-enacting that order with or without modification) and for no other purposes, unless an alternative use is agreed in writing by the local planning authority and no development otherwise permitted under Part 3 or Part 20 of Schedule 2 of the General Permitted Development Order (2015) as amended (or any order revoking and re-enacting that order with or without modification) shall be carried out on the site without the prior written permission of the local planning authority .

REASON: To safeguard the borough's stock of industrial floorspace in accordance with Policies E2 and E4 of The London Plan (2021), Policy DM31 of the Harrow Development Management Policies Plan (2013) and Policies CS1.O and CS1.P of the Harrow Core Strategy (2012)

6. Operation Hours

The proposed use(s) hereby permitted shall not be in operation outside of the hours specified within the Provisional Delivery and Servicing Management Plan (07:30am – 18:30pm from Monday to Sunday, including Bank Holidays).

REASON: To safeguard the character of the area and to protect the amenity of surrounding residential properties in accordance with Polices D3, D13 and D14 of The London Plan (2021) and Policy DM1of the Harrow Development Management Policies Plan (2013).

7. No Music

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 ensure that the proposed development does not give rise to noise nuisance to neighbouring residents in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

8. Delivery and Service Plan

Notwithstanding the details provided within the Provisional Delivery and Servicing Management Plan, following an initial baseline survey, and within 6 months (or any other such period that is agreed in writing by the local planning authority) of the proposed use(s) hereby permitted coming into operation, a detailed Delivery and Servicing Plan shall be submitted to, and approved in writing by the Local Planning Authority.

The Delivery and Servicing Plan shall include full details of the operation of the site, and the number and timings of delivery and servicing movements. The Delivery and Service Plan shall confirm if Large Goods Vehicles (trucks and fixed wheelbase lorries or articulated lorries) will be used to service the site. If so, the Local Planning Authority requires that such vehicles can enter and exit the site and manoeuvre around the site safely as demonstrated in relevant SWEPT path analysis drawings, to be approved in writing.

Delivery and servicing arrangements shall thereafter be carried out in accordance with the details as so agreed, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the proposed development can be sufficiently serviced without adversely impacting upon the local highway network in accordance with Policy T7 of the London Plan (2021) and Policies DM44 and DM45 of the Harrow Development Management Policies Plan (2013).

9. Parking Management Plan

Prior to the proposed use(s) hereby permitted coming into operation, the applicant shall provide a Parking Management Plan to demonstrate how unauthorised parking on site is to be restricted. The Parking Management Plan shall thereafter be maintained in accordance with the details as so approved, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that there is a satisfactory provision of parking on-site and to prevent overspill parking to the surrounding highway network in accordance with Policies T6 and T6.2 of the London Plan (2021), and Policy DM42 of the Harrow Development Management Policies Plan (2013).

10. Cycle Parking

Prior to the proposed use(s) hereby permitted coming into operation, details of proposed cycle parking shall be submitted to, and approved and writing by the Local Planning Authority.

The submitted details shall indicate the exact siting of proposed cycle storage, elevation drawings shall be provided detailing the full proportions and appearance of the cycle store(s), proposed long stay cycle parking shall be indicated to be securely enclosed.

The development shall be carried out in accordance with the details as so agreed prior to the first occupation of the development and shall be retained thereafter.

Other than when in use, cycles shall be stored at all times within the designated storage areas indicated within the submitted details.

REASON: To ensure that the proposed cycles storage provision is acceptable, to safeguard the character and appearance of the site and area, and to prevent

theft and anti-social behaviour in accordance with Policies D3, D11 and T5 of the London Plan (2021) and Policies DM1, DM2 and DM42 of the Harrow Development Management Policies Plan (2013).

INFORMATIVES:

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2023)

London Plan 2021: D3, D11, D12, D13, D14, E2, E4, SD 1, SI 12, SI 13, T3, T5, T6, T6.2, T7

The Harrow Core Strategy 2012: CS1.B, CS1.O, CS1.P, CS1.Q, CS1.R, CS1.S, CS1.U, CS1.W

Harrow Development Management Policies Local Plan 2013:

DM1, DM2, DM10, DM31, DM42, DM44, DM45

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 Council has no remit regarding this Act and you are advised to seek independent professional advice from a party wall surveyor.

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

www.gov.uk search "The Party Wall Act 1996 explanatory booklet"

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. No External Changes.

The applicant is reminded that this planning permission does not grant any external mechanical plant, cooling ventilation equipment, or any other similar equipment. Any external works, including those for external plant and similar works will require planning permission.

CHECKED

 <p>Orla Murphy Head of Development Management 14th September 2023</p>	 <p>Viv Evans Chief Planning Officer 14th September 2023</p>
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APPENDIX 2: SITE PLAN



0 50 100 M



Site Application Boundary

APPENDIX 3: SITE PHOTOS

View of Approach into the Site:



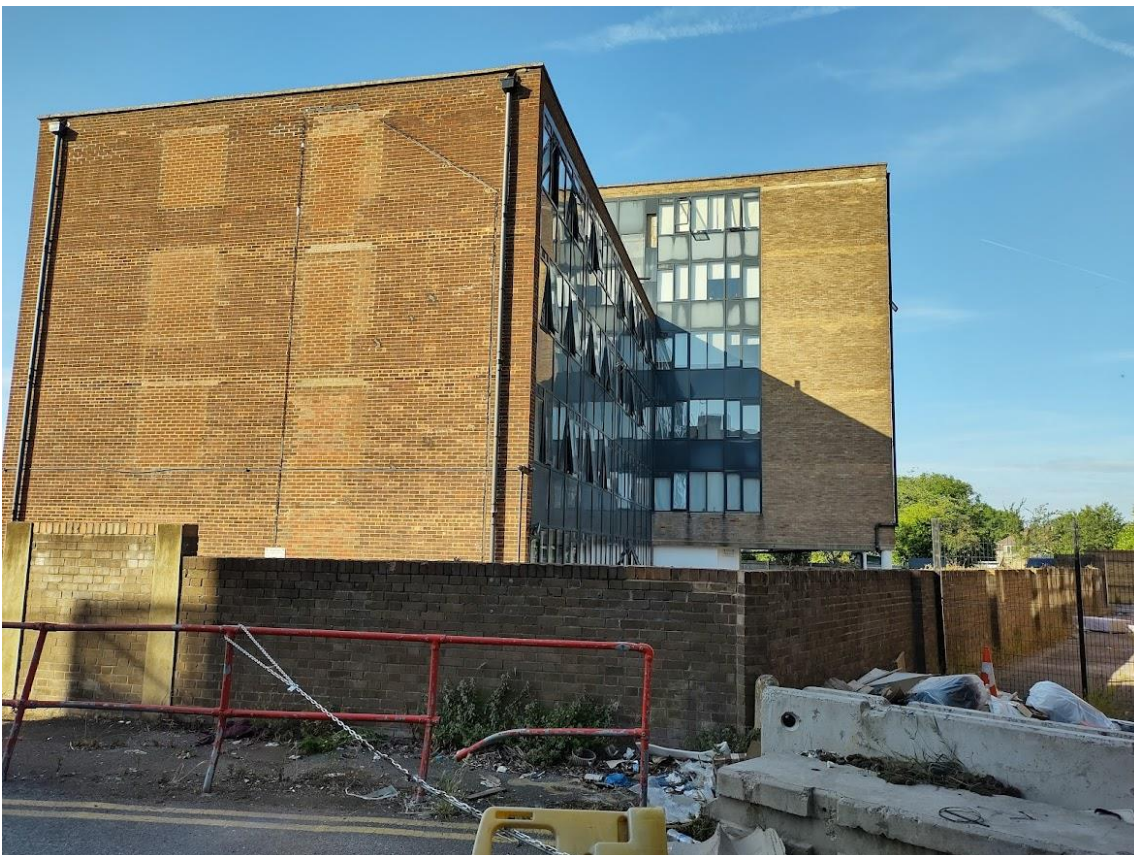
View of Front Elevation:



View of Flank Elevation



View of KAP House from the Site



Side Elevation and Siting in Relation to Havilland House



Side Elevation and Siting in Relation to Watson House



Side Elevation and Siting in Relation to Watson House



South Western Corner of Application Site



View of Havilland House from Application Site

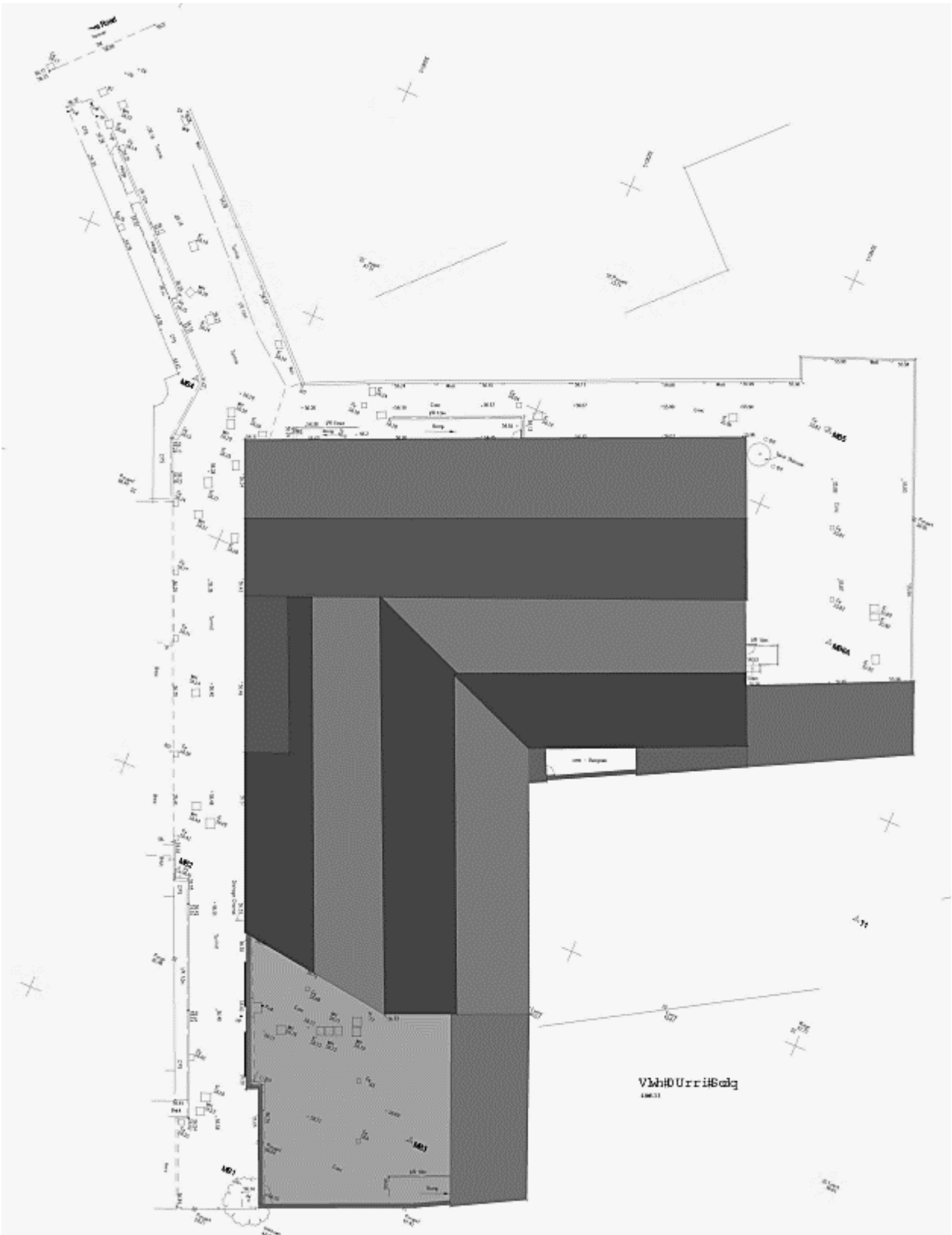


APPENDIX 4: PLANS

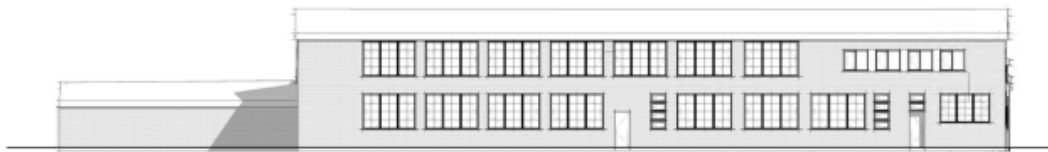
Existing and Proposed Ground Floor Plan:



Existing and Proposed Roof Plan:



Existing and Proposed Elevations:



Q rwb
48033



Vrxwk
48033

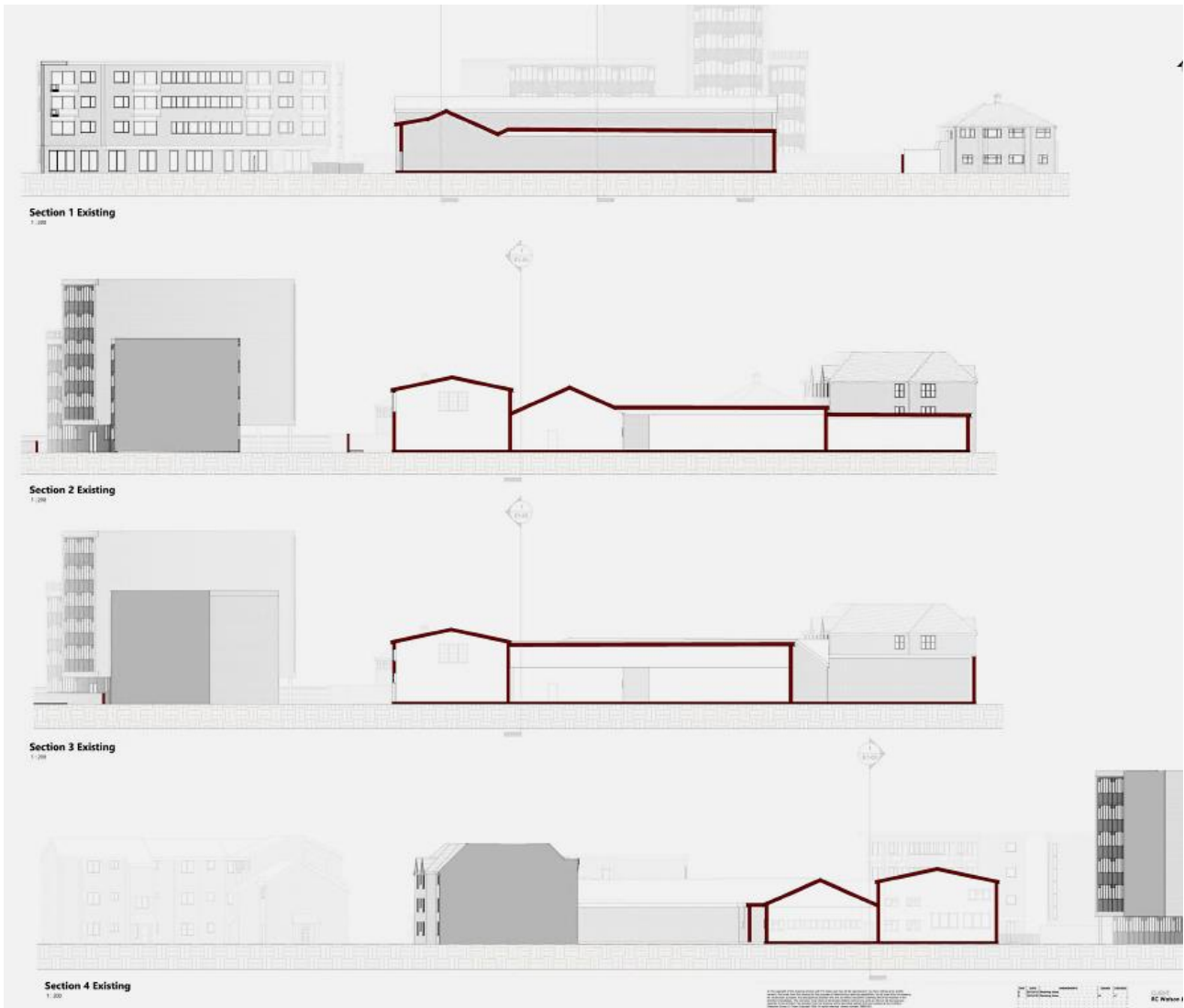


Hdvw
48033

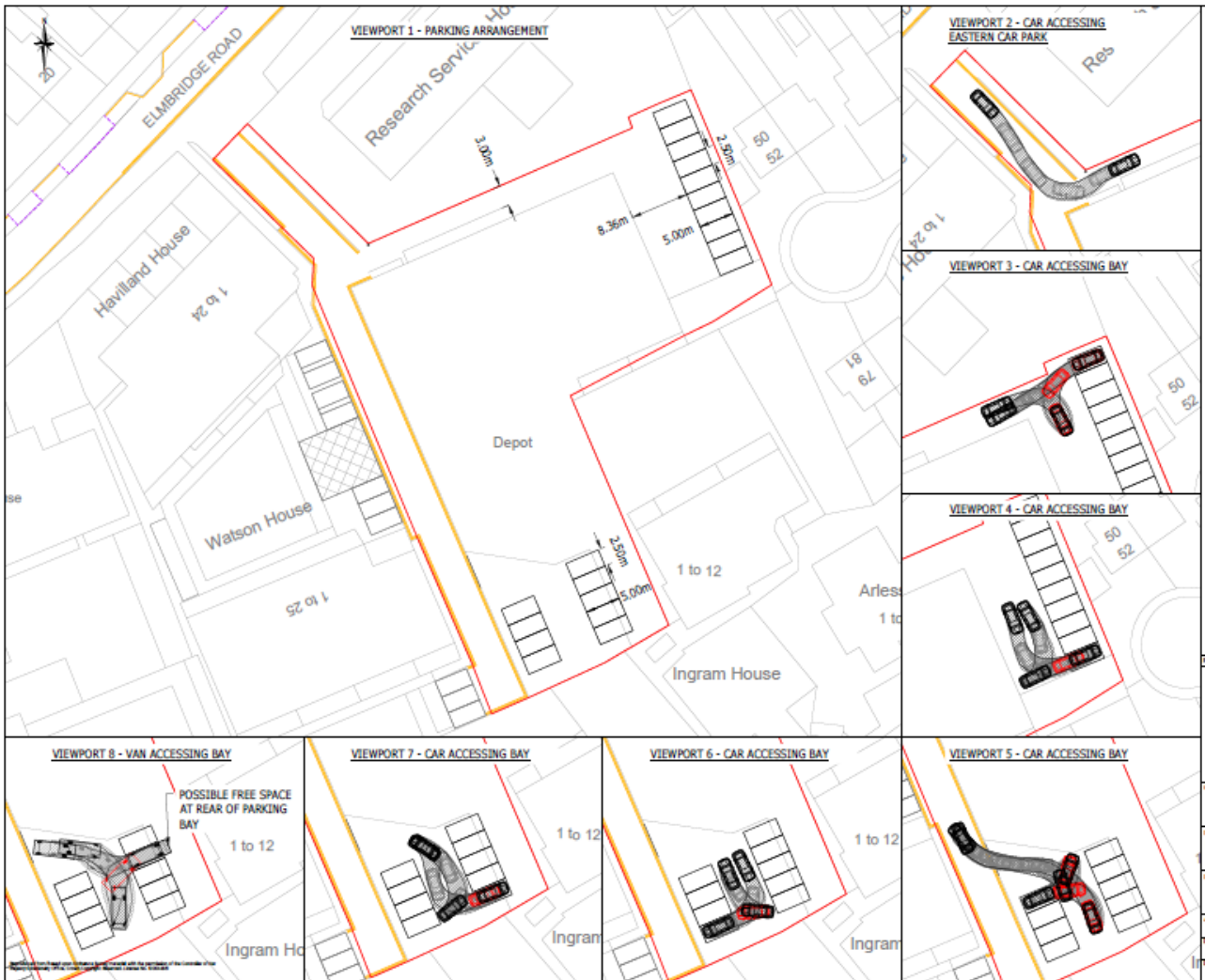


Z hvw
48033

Existing and Proposed Sections:



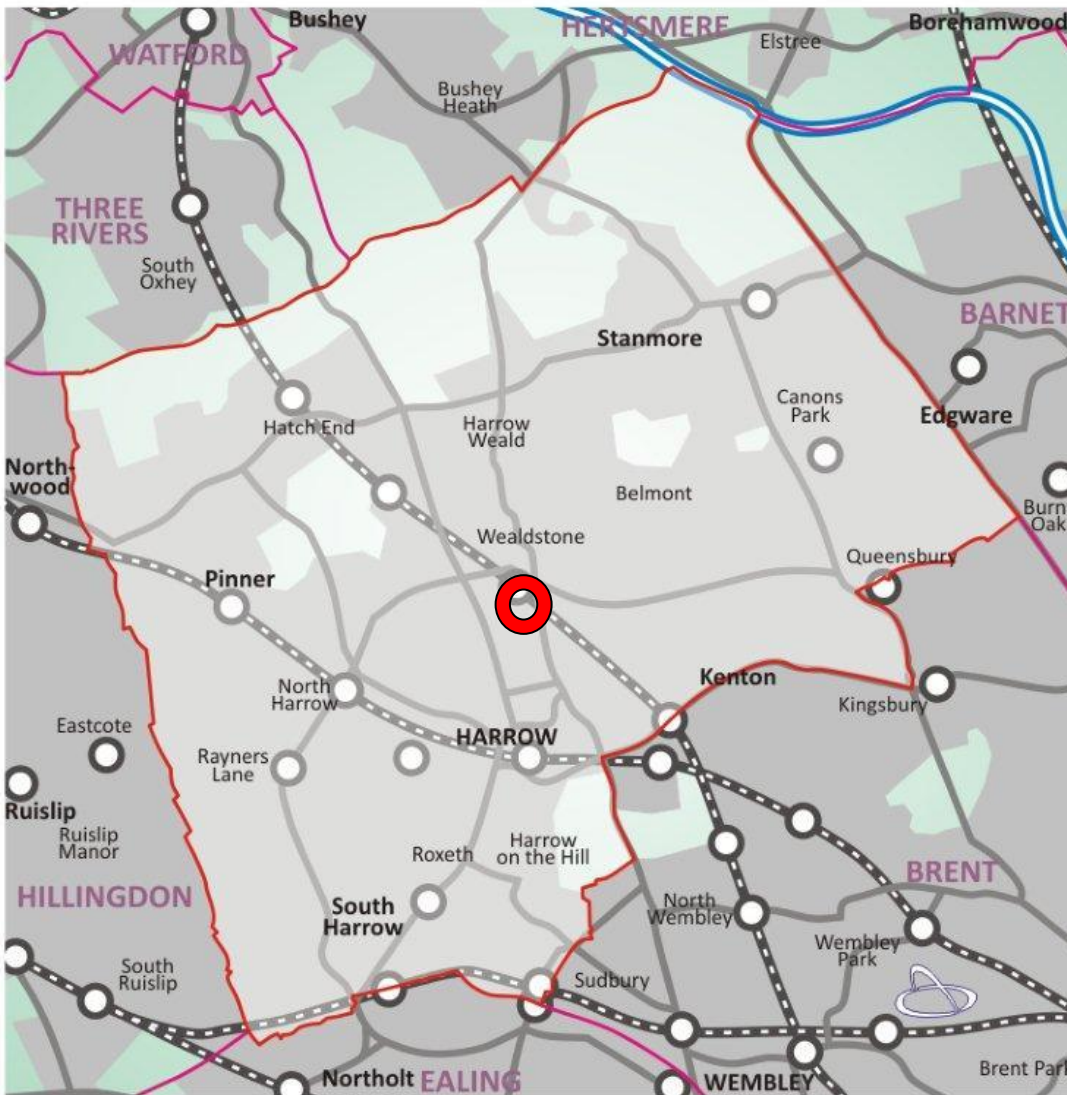
Existing and Proposed Parking Plan and Swept Path Drawings:



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 = application site



Interphone House, 12 – 22 Herga Road Harrow HA3 5AS	P/3539/22
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12 – 22 HERGA ROAD HARROW HA3 5AS



**LONDON BOROUGH OF HARROW
PLANNING COMMITTEE**

27th September 2023

APPLICATION NUMBER: P/3539/22
VALID DATE: 25/10/2022
LOCATION: 12 – 22 HERGA ROAD HARROW
WARD: WEALDSTONE SOUTH
POSTCODE: HA3 5AS
APPLICANT: Mr J GREEN
AGENT: JMS PLANNING AND DEVELOPMENT LTD
CASE OFFICER: MUHAMMAD SALEEM
EXTENDED EXPIRY DATE: 30/11/2023

PROPOSAL

Creation of additional two storeys (third and fourth floor levels to existing building) comprising of eight self-contained flats (4x1 person studios, 2x1bed and 2x2bed) and cycle stores and associated external alterations.

RECOMMENDATION A

The Planning Committee is asked to:

- 1) Agree the reasons for approval subject to conditions 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 the Section 106 legal agreement and other enabling development and issue of the planning permission, subject to amendments to the conditions, including the insertion or deletion of conditions as deemed fit and appropriate to the development or the amendments to the legal agreement as required. The S106 agreement Heads of Terms would cover the following matters:

PARKING PERMIT RESTRICTION

- i. Parking Permit Restrictions – The development to be “resident permit restricted” in accordance with section 16 of the GLC (Gen Powers) Act 1974 and the developer to ensure that 1) all marketing/advertising material makes reference to this fact and 2) all agreements contain a covenant to the effect that future occupiers and tenants (other than those who are registered disabled) will not be entitled to apply for a residents parking permit or a visitor permit.
- ii. A contribution in accordance with the adopted fees and charges is required to amend the Traffic Management Order.

LEGAL COSTS, ADMINISTRATION AND MONITORING

- (a) Legal agreement monitoring fee (TBC)
- (b) Legal fees: Payment of the Council's reasonable costs in the preparation of the legal agreement.

RECOMMENDATION B

That if, by 30th November 2023, or such extended period as may be agreed in writing by the Chief Planning Officer, then delegate the decision to the Chief Planning Officer to **REFUSE** planning permission for the following reason.

1. The proposed development, in the absence of a Legal Agreement to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the National Planning Policy Framework (2023), policies T6 and T6.1 of The London Plan (2021), policy CS1 of the Core Strategy (2012), AAP9 of the Harrow and Wealdstone Area Action Plan (2013), policies DM42 and DM50 of the Harrow Development Management Polices Local Plan.

REASON FOR THE RECOMMENDATIONS

The existing building is considered to have architectural merit and the proposed third and fourth floor additions are considered to appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.

In addition, given the siting and scale of the proposed development the proposal would maintain an appropriate quality of residential amenity for the adjoining occupiers. The proposal would enhance biodiversity on the site, provide sustainable urban drainage measures with adequate access routes and provide high-quality hard and soft landscaping. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.

Accordingly, weighing up the development plan policies and proposals along with the recent prior approval for the change of use from offices to 29 residential flats, and 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 and completion of the S106 Agreement, 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, Officers recommend that the application is approved.

INFORMATION

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

Statutory Return Type:	Minor Dwellings
Council Interest:	N/A
Net Additional Floorspace:	131m ²
GLA Community Infrastructure Levy (CIL):	£7,860.00
Local CIL requirement:	£21,004.54

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 Crime & Disorder Act

Policy D11 of The London Plan (2021) and Policy DM1 of the Development Management Policies Local Plan (2013) require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

1.0 SITE DESCRIPTION

- 1.1 The application site comprises of a three storey detached office building on south-west side of Herga Road, Wealdstone; within the Harrow and Wealdstone Intensification Area and part of a designated business use area. Within the building, access to the upper floors is by stairs and a lift.
- 1.2 The site has a public transport accessibility level (PTAL) of 5.
- 1.3 The site is within Flood Zone 1 (but there is an area of Flood Zone 3 associated with the culverted section of the Wealdstone brook along Mason's Avenue, to the north-east of the site).

2.0 PROPOSAL

- 2.1 The application proposes two additional storeys at third and fourth floor levels to accommodate eight new flats.
- 2.2 The proposal would provide a mix of studio, 1bed and 2bed flats at third and fourth floor level accessed from a communal entrance at ground floor. There would be a stair/lift core at ground floor level for the residential use and maintain a separate entrance for the office use of the existing building. The proposed flats would have access to private amenity space in the form of terraces. The shared front hard surfaced forecourt of the building, would provide 3x accessible parking bays with vehicle charging points and secured cycle storage along the northern site boundary with 12x cycles for the residential use and 30x spaces for the commercial use (or the prior approval residential scheme). There would also be Sheffield stands for 2x cycles to the northern and southern boundaries.
- 2.3 The flats would meet or exceed the minimum gross floorspace requirements outlined within the Technical Housing Standards and six of the eight flats would be dual aspect with access to appropriate light levels and outlook.
- 2.4 The site would feature a waste storage area within the curtilage of the building at ground floor level adjacent to the residential lobby area and accommodate 5x large bins for the residential and commercial use. The front of the building would have an element of soft landscaping.
- 2.5 The site is accessed from Herga Road with two vehicular accesses fronting Herga Road.

3.0 RELEVANT PLANNING HISTORY

Ref no.	Description	Status & date of decision
LBH/37516	Change of Use from Warehouse to Class B1	Granted 06/06/1989

P/3518/13	Conversion of offices (class B1a) to thirty one self-contained flats (class C3) (prior approval of transport & highways impacts of the development and of contamination risks and flooding risks on the site)	Granted 23/12/2013
P/3792/18/PRIOR	Conversion of offices (class B1a) to 31 self contained flats (class C3) (prior approval of transport & highways impact of the development contamination and flooding risks on the site and impact of noise from commercial premises on the intended occupiers)	Granted 17/10/2018
P/3801/22/PRIOR	Change of use from office (Class B1a (new class e)) to 29 no. self contained flats (class C3); (prior approval of transport & highways impacts of the development contamination risks and flooding risk on the site and impacts of noise from commercial premises	Granted 31/05/2023
P/2396/21	External alterations to include window and door openings; cycle storage; three electric vehicle charging points; landscaping	Granted 18/02/2022

4.0 **CONSULTATION**

- 4.1 A total of 35 consultation letters were sent to neighbouring properties regarding this application on 25th October 2022.
- 4.2 A site notice was placed outside the application site on 29th March 2023.
- 4.3 A total of one objection was received. It is instructive to note that the summary of the responses received, and these are set out below (with officer comments in Italics).

Summary of Comments on original consultation

Character and Appearance:

A five storey building is not compatible within a residential road

This has been addressed within the report.

Residential Amenity:

The proposed two storeys would block sunlight in the afternoon to numbers 6, 8 and 10 Herga Road.

This comment has been addressed within the report.

Trees/Landscaping and Environment:

The proposal would require the trees to the rear of the site to be cut back and trimmed and in order to facilitate the extension it would destroy wildlife in the area.

Trees addressed in assessment section of report.

As noted within the report, conditions are required for biodiversity enhancements.

Traffic and Parking:

There are existing parking problems in the area and the additional flats would create more problems for the residents.

The Council's Highways Officer is satisfied with regard to the impact of the proposal on parking stress on adjacent roads and parking/cycle provision on site. A legal agreement would be required to restrict residents from obtaining parking permits for the new flats.

4.4 Statutory and Non-Statutory Consultation

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

Consultee and Summary of Comments

LBH Highways

First set of comments

This site is located in an area with a PTAL of 6a meaning access to public transport is considered to be excellent. Harrow & Wealdstone Station is within a three minute walk giving access to national rail, London Underground and London Overground services and five regular, frequent bus routes.

Wealdstone town centre is also within a three minute walk; there are various shops, supermarkets, library, gym etc.

Access and Parking:

Residential developments within PTAL 5 and 6 locations should be car free in line with Policy T6 and T6.1 of the London Plan 2021 and the Harrow Transport Local Implementation Plan 2019/20-2021/22 (section 2.5.122 and Borough Transport Policy R16 and 17). On the basis that this development has excellent access to public transport and local amenities and to safeguard the local highway network, it would be appropriate to restrict residents from being able to obtain parking permits for the surrounding CPZ. A legal undertaking and contribution of £1500 is required to amend the relevant traffic management order.

The proposal does not include car parking for residents although the ground floor plan does show three disabled person's parking spaces; it isn't clear whether these spaces are available for residents to use.

Cycle parking:

The proposal requires a minimum of 11 secure and sheltered cycle parking spaces for the 8 new flats. The proposals include 42 cycle parking spaces, but it isn't clear why there are so many as this application is only for 8 flats and retention of existing office space. If this provision is to cater for both the residential and commercial uses, it will be necessary to split them into two separate stores for security reasons. If the additional cycle parking is being provided for further residential accommodation, the number of units and their size are needed to calculate the minimum required provision.

Details of the actual stores and stands are required; if stackers are proposed, these must have 500mm minimum centres, and ideally be fitted with springs or gas struts to aid lifting of the top tier; there also needs to be 2500mm clear aisle width beyond the lowered frame – the proposed store doesn't appear to meet these requirements. The applicant is advised to review TfL London Cycle Design Standards and the West London Cycle Parking Design Guide 2017 produced by WestTrans and then provide revised plans showing appropriate cycle storage including dimensions.

Delivery and Servicing:

No information has been provided.

Summary:

The proposed cycle storage is not acceptable at present and will need to be revised to ensure that appropriate provision can be made.

A detailed construction logistics plan is required prior to commencement; this must be written in accordance with TfL guidance.

In isolation, 8 flats are not likely to result in much of an impact for the surrounding highway network, particularly as the development is car free. It will be quite difficult for future residents to own cars as the surrounding roads are within a CPZ operating Monday to Sunday, 7am to Midnight and without being able to obtain parking permits, there are no options for parking in the immediate vicinity of the development. The wider intentions for the site relating to conversion of the offices to 29 flats would result in more of an impact with more person trips and delivery and servicing activity however, this will be reviewed

separately. As the cycle parking proposed as part of this application appears to be intended to cater for an increase in residential accommodation, it will be essential to make sure that there is adequate space on-site to provide good quality storage at the required level.

Second Set of comments

The cycle storage dimensions do not meet the minimum requirements of the London Cycle Design Standards, Chapter 8; clearance of 2.5m is required from the bike when the top rack is lowered. At present, it would not be possible to lower the bike from the top tier and manoeuvre it off the rack as there is insufficient space. There should be a minimum of 500mm between racks to ensure that handlebars do not become entangled.

These changes will be required to make sure that the cycle parking can actually be used.

LBH Urban Design Officer

- The site is within the Harrow and Wealdstone Opportunity Area and an increased density in this area is supported from an urban design position as this is a highly sustainable location with good access to transport links
- The increased density which can sensitively address surrounding dwellings and residential amenity is supported.
- The retention of the existing building which is not notable architectural character is welcomed. Additional storeys should serve to enhance this property.
- The proposed cycle storage arrangement is not supported and must be revised. An external unenclosed store presents a significant risk of cycle theft and/or vandalism and this store must be revised to be fully enclosed. Dashed door openings are indicated on plan however it is unclear what these indicate. The DAS provided indicates that the cycle store is covered and secured, but without further details this cannot be assessed. In any case, the plans do not show this as a fully enclosed store and further detail is required.
- Accessible surface parking spaces are supported.
- The proposed two additional storeys are considered to be of an appropriate scale and are supported. This is largely due to the testing of key views on Herga Road to determine the degree of overbearing the additional storeys would cause. As a result of the setback of the proposed third floor from the streetscene and a reduced footprint of the proposed fourth floor to create an additional offset, massing impacts have been sufficiently minimised in terms of its harm to the character of Herga Road or to neighbouring residential properties.

- Further detail is required on the proposed external cladding materials for the upper storeys. This was previously mentioned as grey standing seam material, clarification is required.
- The south elevation is well-resolved, with two window openings limiting actual and perceived overlooking, and angled fin metal balustrading to screen amenity spaces from view from ground level.
- The north elevation similarly features window openings at third floor which are partially concealed by a raised brick parapet and by angled fin balustrading.
- The proposed east (Front) elevation is successful in grouping and centring window openings on window bays of the existing building. The grouping of window openings into threes is successful in providing a regular rhythm in the fenestration to the upper two storeys. This strategy equally works for the south-eastern projecting bay. The angled roof for the stair core is also successful and helps to reduce overall massing.
- The provision of PV panels to the main roof is positive and welcomed.
- The west elevation features limited window openings at third floor level, closer to the elevated roadway of George Grange Way and larger openings at fourth floor level

Second set of comments

1. Materials

- *Material specification noted. Support for VM Zinc Pigmento Green cladding.*

2. Amenity Space

- *Revisions and reductions made are noted and supported.*

3. As above

4. West Elevation

- *Changes to fenestration are noted and the west elevation is now supported in its entirety.*

5. Cycle Store

- *The robustness of the enclosure and material choice for the cycle store continue to be questioned. Square grid mesh is not considered to provide a sufficiently secure enclosure and would not provide a suitably attractive appearance to create betterment within the street scene. An opaque enclosure may reduce the risk of theft or trespass as cycles would not be visible. Unless the mesh specification can be provided and determined as sufficiently robust and visually attractive, the Applicant should consider continuing the material language from the rest of the building by making use of Zinc cladding or an alternate opaque material for the cycle store.*

Third Set of comments

Regarding Cycle Storage revisions:

This is sufficient detail, and I am happy for this to proceed, it is sufficiently secure. The choice of final perforation pattern is at the architect's discretion.

LBH Drainage

- a) Thames Water/LLFA consent for connections to the public sewers/watercourse is required.
- b) The development is subject to a limitation on a discharge to no more than 5 l/s/ha from all impermeable areas, consequently there will be a storage implication and the system should be checked for no flooding for a storm of critical duration and period of 1 in 100 years. These storage calculations should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio "r" should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 of The Wallingford Procedure) or a figure of 0.95 should be used for winter and summer. Please note that a value for UCWI of 150 is appropriate when calculating Percentage Runoff (PR) for storage purposes. Please include 40% allowance for climate change.
- c) Full details of drainage layout including details of the outlet and cross section of proposed storage are required.
- d) Full details of any flow restrictions (hydrobrake, pumping station) that are proposed for this scheme need to be submitted together with the relevant graphs.
- e) Full details of SuDS including permeable paving, with construction details and Maintenance Plan should also be provided.
- f) Management Plan for disposal of ground water during construction phase is also required.
- g) Drainage proposals should comply with the council Local Flood Risk Management Strategy.

Should you wish to discuss the drainage requirements further, please contact Drainage Team on infrastructure@harrow.gov.uk

Environmental Health

Air Quality

DM Officers to advise whether we can condition air quality due to elevated road to the rear of the site.

Noise

As far as noise is concerned, they have identified that the development falls into the medium to high risk category particularly at night and they mentioned mitigation measures in a number of sections of the noise report including within the conclusion- I can't see that they have listed them separately or provided a detailed schedule of noise mitigation measures so I would want to require a report outlining in detail the proposed mitigation measures

Construction Phase:

It's a complex site under pressure because of the existing developments, its also getting much more built up with residential property, I would definitely want to see a construction management plan.

NRMM

The site is in the development zone for NRMM so we will also need to add a condition about meeting emission standards for all non-road machinery.

Concerned about mechanical ventilation at the expense of openable windows, perhaps there is a condition we can do about showing that there is access to fresh air.

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 2023] 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].

6.0 **ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Design, Character and Appearance of the Area
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage
- Accessibility
- Biodiversity and Sustainability
- Fire Safety

6.2 **Principle of Development**

6.2.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): GG2, H1

- Harrow Core Strategy (2012): CS1A
- Harrow Development Management Policies (2013): DM24

- 6.2.2 Policy GG2 (Making the best use of land) of the London Plan (2021), creates a list of requirements to create successful sustainable mixed-use places that make the best use of land, this includes (but not limited to):
- Enable the development of brownfield land, particularly in Opportunity Areas, on surplus public sector land, and sites within and on the edge of town centres, as well as utilising small sites.
 - Proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking, and cycling.
 - Applying a design-led approach to determine the optimum development capacity of sites.
- 6.2.3 The Harrow and Wealdstone Area Action Plan states the redevelopment of sites across the Heart of Harrow (Intensification Area) offers the potential to provide a range of housing types, sizes and tenures, from flatted development within the town centres to a mix of family housing (terraced and semi-detached) as part of the mixed-use redevelopment of industrial estates.
- 6.2.4 The intensification of an existing office use to provide the co-location of residential units on this site is acceptable in principle, to facilitate the efficient use of land, and to support the additional residential units for the intensification area set out in the Development Plan.
- 6.2.5 It is noted that the existing ground floor office floorspace would be reduced to accommodate the required residential access core and supporting servicing, and a reduction on the first and second floor for the stairwell and lift to the proposed residential floor levels. Given the necessary access for the upper floor residential use, the layout is considered acceptable and the loss of office floorspace is considered reasonable.
- 6.2.6 In addition, the property benefits from prior approval under planning ref: P/3792/18/PRIOR and P/3801/22/PRIOR as a fallback position for the change of use of the offices into residential flats which also includes the entire conversion of the ground floor level.
- 6.2.7 In summary, the principle of the intensification of the use of the site, and co-location of office and residential uses or just residential uses, is considered acceptable, subject to all other relevant planning considerations being supported.

Housing

6.2.8 Policy H1 of The London Plan (2021) requires boroughs to optimise the potential for housing delivery on all suitable and available brownfield sites with particular focus on sites with existing access levels (PTALs) 3-6 that are located within 800m distance of a station, and redevelopment of car parks and low-density retail parks and supermarkets as a source of capacity.

6.2.9 It is therefore considered the principle of residential use on the site is considered acceptable.

Housing Mix

6.2.10 The proposed unit mix provides a range of unit sizes, with the majority being smaller one-bed or studio flats within the proposed third and fourth floor level. Given the high PTAL of the site, and close proximity to Wealdstone town centre, officers consider the proposed development is more appropriate for the transient population. The unit mix is therefore considered acceptable.

6.2.11 As the proposal does not meet or exceed the provision of 10 units or more, there is no policy requirement for affordable housing.

6.2.12 As mentioned above, the principle of development for residential use has also been approved under planning ref: P/3792/18/PRIOR for the change of use of the office building into 31 residential flats. There is also a recent prior approval approved under planning ref: P/3801/22/PRIOR for the change of use of the office into 29 residential flats.

6.2.13 For these reasons, the proposal would accord with the relevant policies in this regard.

6.3 Design, Character and Appearance of the Area

6.3.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D1, D3.D (1 and 11)
- Harrow Core Strategy (2012): CS1,
- Harrow Development Management Policies (2013): DM1, DM22

6.3.2 Policy D3 of the London Plan states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site whilst the design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, including existing and planned supporting infrastructure capacity. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling, in accordance with Policy D2 of the London Plan.

- 6.3.3 Core Policy CS1(B) states that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’
- 6.3.4 Policy DM1.C of the Harrow Development Management Policies Local Plan (2013) states that all proposals should have regard to the context provided by neighbouring buildings and the local character and pattern of development in terms of their design.

Site context

- 6.3.5 The existing building is considered to have architectural merit and sits within a predominantly residential setting of two storey Edwardian terraces with rear gardens, However, there are a number of non-residential uses closer to the junction with Masons Avenue, of which the existing building is an example.
- 6.3.6 To the west of site is the elevated roadway of George Gange Way, which sits above the level of the existing building and is a constraint in terms of traffic noise and pollution.
- 6.3.7 The site is situated within the Harrow and Wealdstone Opportunity Area, and increased density in this area is generally supported as this is a highly sustainable location with good access transport links which include the tube, train and over ground station and local bus services. The increased height and massing of the building given the setbacks of the additional third and fourth floors would also be considered to sensitively address the surrounding context of two storey houses and their amenities which is discussed further in the amenity impact section of this report. The proposal is finely balanced in relation to the upward extensions and the site context.

Massing, Scale and Built Form

- 6.3.8 The proposed additional floors to the host building are considered acceptable given their scale, form and the set back of the third floor from the street scene and a reduced footprint at fourth floor level to create an additional off set from the front wall of the detached host building. The proposed additional storeys with the setbacks are considered to have a minimal harmful impact to the character of Herga Road when viewed from the streetscene. The increased scale is also considered acceptable in relation to the context of the wider area with larger and taller buildings close to the junction with Masons Avenue.
- 6.3.9 The proposed roof would match the flat roof design of the existing building and the additional floor levels would also be set in from the outer edges of the existing built form which would ensure the extensions act in a more subservient manner and assists in reducing the bulk and massing when viewed from the streetscene. The building height proposed would be acceptable given the context along this section of Herga Road in relation to the terrace dwellings and other uses close to

the junction with Masons Avenue. The angled roof section of the fourth floor addition would help further reduce the massing and add visual interest to the building.

External Appearance and Materiality

- 6.3.10 The fenestration would generally be in alignment with the openings within the front and rear elevation of the host building which are both visually prominent elevations given the setting of the building with the flyover to the rear of the site allowing public views. Furthermore, a coherent design is achieved which seeks to ensure a positive relationship with the adjacent buildings and land uses. The additional floors would take on a more contemporary appearance than the original building making use of zinc, green colour cladding with metal framed windows.
- 6.3.11 The use of an alternative finish for the proposed additional storeys of the building would allow the additional floors to present a more sympathetic and subordinate appearance with the use of contrasting materials allowing for differentiation between the rooftop level and the original host building. The development is considered to have a high quality contemporary design which would add interest to the streetscene whilst enhancing the local character. The changes in articulation and architectural treatment would reinforce the contemporary design with a strong vertical and horizontal rhythm emphasised by the cladding, windows and other architectural elements. The development would provide a suitable transition in height and scale from the neighbouring development.
- 6.3.12 The building would be finished in a zinc cladding panels with the main body of the building to be retained as the original brickwork on the lower floors to link the original façade with the new floor. The variation of window sizes and detail would also be utilised, all of which are considered to provide sufficient interest in design terms of the development. The building benefits from planning approval for new openings. However, these differ from the current proposed openings based on the Council's Urban Design Officer recommendation where the windows should have a warehouse style design and the proposed windows are now longer crittal style windows.
- 6.3.13 The success would be very much dependant on the exact materials and therefore a condition is recommended requiring a physical sample board / palette of materials to be submitted for approval prior to the commencement of the development.
- 6.3.14 The proposed railings to the terrace areas with landscaping is considered appropriate and given the sections of railings they would not result in visual clutter and would add visual interest.

Landscaping

- 6.3.15 The ground floor area would maintain majority of the hard surfaced with the introduction of soft landscaping to the front of the building. The majority of the hard surface is allocated for vehicle access, servicing, disabled parking, and Sheffield cycle stands. It is noted that the hard surfacing materials are to be permeable.

- 6.3.16 With reference to the roof terrace, they would provide planting along the terrace railings and timber decking. It is noted that the planting is to enhance the biodiversity and contribute to the urban greening and contribute to the adaptation to and reduction of the effects of climate change. Further details of planting shall be conditioned.

Refuse and Servicing

- 6.3.17 A refuse store is proposed at ground floor level within the building adjacent to the plant room at ground floor level and the stair core for both the office and residential uses.
- 6.3.18 The bins can be wheeled and placed outside for collection day through the door leading to the hard surfacing. These services both the industrial and residential use. A condition shall be imposed for a waste management plan.

Summary

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

6.4 Residential Amenity

- 6.4.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D3, D5, D6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM1, DM27
- Housing Design Standards LPG (2023)

Impact on Amenities of Neighbouring Occupiers

- 6.4.2 Part C (Privacy and Amenity Considerations) of Policy DM1 of the Harrow Development Management Policies (2013) all development proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted.
- 6.4.3 An assessment of neighbouring amenity impacts has been undertaken on the south-east and north-west elevations due to the adjoining neighbours. Given the location of the A409 flyover to the west, and the spatial buffer of Herga Road no assessment has been made relating to the other elevations.

Outlook and Visual Amenities

- 6.4.4 To the southeast of the site is No. 24 Herga Road which adjoins onto the existing side (south eastern) elevation which forms part of a terrace with Nos. 26 and 28 continuing to the south east of Herga Road.
- 6.4.5 Given the proposed third and fourth floor additions would provide a set back from the edge of this elevation, ranging from 2m to 2.5m along with a difference in height with the angled roof, it is considered that the proposed additions would not have any harmful impact on this property at no. 24 Herga Road, in terms of outlook or visual amenities of this property.
- 6.4.6 As you move east and south-east, the additional stories would appear in view to the west from the rear gardens of the properties along this section of Herga Road (from no. 24 onwards) However, the spatial distance from the proposed development would offset any impact in terms of their visibility and outlook from these properties along this section of Herga Road.
- 6.4.7 The north western flank of the host building fronts a public footpath which provides a separation from the adjacent property at No. 10 Herga Road.
- 6.4.8 This property at No. 10 Herga Road is separated from the application site by the public footpath and features three windows within the side elevation facing the public footpath and all other windows face away from the application site. The rear garden of this property is in full view of the north western side elevation of the application building. However, the generous setbacks from the roof edges ranging from 1.37 and 2.6m of the third and fourth floor additions. It is considered that the proposal would not result in any harmful impact on this property and its rear garden in terms of an increased sense of enclosure or loss of outlook. Out of the three windows within the side elevation of this property, only one appears to serve a habitable room and given their existing relationship, and the set back of the proposed two additional storeys to the host building, the views and outlook from these windows is not considered to have any greater impact than currently experienced and the proposed additions would not be visible from these windows.

Daylight and Sunlight

- 6.4.9 The assessment uses a widely recognised methodology to assess the proposal's impact upon neighbouring property against British Research Establishment (BRE) guidelines, which is considered to be more appropriate for the assessment of the proposal's amenity impacts, pursuant to Policy DM1 of the Harrow Development Management Policies. The report assesses the potential impact on windows within adjacent properties. The report concluded that all windows would achieve the recommended daylight targets. Officers are satisfied that the proposal would not have a detrimental impact on the daylight or sunlight of adjoining occupiers at nos. 24, 26 and 28 Herga Road, and to the north, no. 10 and west no. 13 Herga Road which is a purpose built flatted development opposite the site.
- 6.4.10 In terms of overshadowing of rear gardens, the main gardens which is most sensitive, is the property at no. 10 Herga Road to the north of the site adjacent to

the public footpath and nos. 8 and 23-24 Herga Road to the south. The overshadowing results, in the submitted Daylight and Sunlight report outline that garden would be well lit and Officers are satisfied that the proposal would not have any significant harmful impact on these properties in terms of overshadowing.

- 6.4.11 In summary, it has been assessed that the proposed development in relation to the adjacent residential buildings would not result in any adverse impact on the surrounding by of overshadowing to a degree that would warrant refusal.

Overlooking and Privacy

- 6.4.12 In terms of actual and perceived overlooking and loss of privacy, the northern and southern side elevations of the proposed third and fourth floors addition would serve bedrooms of flats labelled as 3.3, 4.1 and 4.3 along with the open plan units 3.1 and 3.5. Given the set back of the proposed additions from the edge of the building, it is considered that the windows would not allow views into rear gardens of the neighbouring properties at nos. 10 to the north and nos. 24, 26 and 28 to the south. The proposed railing with obscure glazing and railings measuring 1.7m in height to the outdoor amenity spaces of the proposed flats would provide further screening of these openings of the proposed flats from obtaining views of the neighbouring rear gardens and the openings within the neighbouring properties.
- 6.4.13 It is also noted that no. 13 opposite the site, given the separation distance of approximately 17m from the host building, would not result in any impact in terms of loss of privacy and overlooking. The roof terraces are also set in by 1m from the roof edge to the southern side and 500mm from the northern roof edge with railings restricting full access to the flat roofed areas at third and fourth floor levels, which restrict views into the rear gardens of these neighbouring properties.

Noise and Disturbance

- 6.4.14 The noise and disturbances that may be experienced as a result of the residential use, is considered to be acceptable given the location of the site. It is considered that the proposed comings and goings from the site would be similar to that experienced within the site of this size, and would be expected within a location such as this. On this basis, officers are satisfied that the proposed development would not have an unduly harmful impact on the residential amenities of the adjoining occupiers in this regard.
- 6.4.15 A Noise Impact Assessment has been submitted as part of the planning application, and the Environmental Health Officer has confirmed the assessment appropriately identifies internal and external noise issues and mentions mitigation measures to ensure that occupiers are protected from noise intrusion and transmission. However, the submitted report does not provide a detailed schedule of noise mitigation measures. On this basis, in order to safeguard neighbouring residential properties, and the potential residents of the development, conditions shall be recommended in terms of the individual and cumulative rating level of noise emitted from plant and/or machinery which is approved at the development shall be at least be 10dB below the existing background noise level along with

sound insulation details and mitigation measures outlined in order to safeguard both existing surrounding residents and future occupiers of the development.

Residential Quality of Proposed Development

- 6.4.16 All the proposed 8 flats would either meet or exceed the minimum space standards, and 6 of them would be dual aspect. The proposed flats would therefore benefit from acceptable levels of light and outlook and would feature the minimum quantum of private amenity space. Due to the height of the proposed upper floors, the orientation of the building, and the use of obscured privacy screening, it is considered that the outlook and privacy levels from the proposed units would be acceptable. The stacking relationship is also considered appropriate with bedrooms and living spaces stacked directly above or below each other. It is also noted by Officers that there could be disturbances from the office use on the second floor to the proposed residential floor above. Therefore, a suitable sound mitigation strategy would be conditioned to ensure the upper floor residential uses are safeguarded.
- 6.4.17 Officers consider that the proposed flats would provide a high quality of accommodation for the future occupiers and would accord with the relevant policies in this regard.

Floor to Ceiling Height

- 6.4.18 The Mayor of London Housing Design Standards LPG requires a floor to ceiling height of 2.5m for 75% of the Gross Internal Floor Area of each unit and it states that rooms with sloping ceilings should have minimum heights, i.e. 2.5m in 60% of the room. The proposed sectional drawings show the floor heights for the third and fourth floor would be above 2.5m. It is therefore considered that the floor heights are acceptable.

Daylight and Sunlight

- 6.4.19 The submitted information includes a daylight and sunlight assessment for proposed units. proposed units being higher than the neighbouring buildings, it is considered that the proposed units are likely to fall in line with the BRE requirements. Furthermore, the results demonstrate that the units would receive adequate light.

Private Amenity Space

- 6.4.20 Standard 26 of the Mayor of London's LPG states that a minimum of 5m² of private outdoor space should be provided for 1-2 person dwellings and an extra 1m² should be provided for each additional occupant. Standard 27 states that the minimum depth and width for all balconies and other private external spaces should be 1500mm.

6.4.21 It is considered that the balconies to the units are acceptable in size and depth.

Accessible Homes

6.4.22 Policy DM2 of the DMP seeks to ensure that all new housing is built to 'Lifetime Homes' standards.

6.4.23 Policy CS1.K of the Harrow Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes.

6.4.24 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. Accordingly, a condition of approval is required to ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all. Level access would be provided to the units and a condition is recommended to ensure that the development complies with Part M of Building Regulations.

6.5 Traffic and Parking

6.5.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2020): T4, T5, T6, T6.1
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM42, DM44, DM45

6.5.2 The site has a PTAL of 5 which means the access to public transport is considered excellent. The site is within a short walking distance to Harrow & Wealdstone Tube Station with access to national rail, London Underground and Overground services along with five regular bus routes. The Wealdstone town centre is also within a short walk which includes various shops, supermarkets and library.

Car Parking Provision

6.5.3 The proposal provides three accessible bays within the forecourt of the site. Residential developments within PTAL 5 and 6 locations should be car free in accordance with Policy T6 and T6.1 of the London Plan 2021 and the Harrow Transport Local Implementation Plan 2019/20-2021/22 (section 2.5.122 and Borough Transport Policy R16 and 17). On the basis that this development has excellent access to public transport and local amenities and in order to safeguard the local highway network, it is considered that it would be appropriate to restrict residents from being able to obtain parking permits for the surrounding Controlled Parking Zone (CPZ). A legal undertaking and contribution of £1500 is also required to amend the relevant traffic management order.

- 6.5.4 The applicant has confirmed that the proposed three electric vehicle charging Blue Badge parking spaces will be for use by the existing building and they are therefore excluded from this application. The spaces are annotated on the drawing as these have been approved by the Council in relation to planning application reference: P/2396/21. The bays would be accessed from the existing crossover fronting Herga Road.

Cycle Parking Provision

- 6.5.5 The proposal includes a cycle store to the northern side of the site for up to 42 cycles for the offices and residential uses and two Sheffield stands for visitors. This level exceeds the minimum requirements of Policy T5 of the London Plan 2021 which requires at least two spaces per dwelling and two visitor spaces.
- 6.5.6 Details of the actual stores and stands are required and if stackers are proposed, these must have 500mm minimum centres, and should be fitted with springs or gas struts to aid lifting of the top tier; there also needs to be 2500mm clear aisle width beyond the lowered frame. The proposed store does not appear to meet these requirements. The applicant is advised to review TfL London Cycle Design Standards and the West London Cycle Parking Design Guide 2017 produced by WestTrans and then provide revised plans showing appropriate cycle storage including dimensions. A condition has been imposed to ensure cycle storage details which meet these requirements is submitted to and approved in writing by the Council prior to first occupation.

Waste Storage

- 6.5.7 As mentioned above, the provision of an internal storage of waste along with refuse bins being provided within the floor plans. In order for the approach towards waste storage and collection to be satisfactory, a suitably worded condition would be imposed to ensure that adequate arrangements are made. On this basis the Council recommend a waste management plan.

6.6 Flood Risk and Drainage

- 6.6.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): SI12, SI13
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM9, DM10

- 6.6.2 The site is within Flood Zone 1. The site is within a critical drainage area as shown on maps produced as part of Harrow's Surface Water Management Plan (2012) but, for the purposes of the regulations, this is not a critical drainage problem as notified to the Council by the Environment Agency (EA). Therefore, in accordance with the regulations, the EA has not been consulted about this proposal. However, further information is required in regards to a drainage strategy. The outstanding information can be controlled by condition and is therefore would be unreasonable to warrant refusal of the application on this basis.

6.7 Biodiversity

6.7.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): G6
- Harrow Core Strategy (2012): CS1
- Harrow Development Management Policies (2013): DM20, DM21, DM22

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

Sustainability

6.7.3 Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. It states that development will need to “utilise natural systems such as passive solar design and, wherever possible incorporate high performing energy retention materials”...“Proposals should make provision for natural ventilation and shading to prevent internal overheating and incorporate techniques that enhance biodiversity”. Policy DM 14 highlights that development proposals should incorporate renewable energy technology where feasible.

6.7.4 Whilst the proposal includes 14 Solar Panels the application does not provide a sustainability statement which would require analyses of sustainability issues including energy, water consumption, materials, surface water run off, waste, pollution and transport. Whilst a scheme of this size would not be expected for to incorporate such features as green roofs and/or solar panels to contribute to the sustainability credentials it is recommended a carefully worded condition to ensure that sustainability measures are undertaken.

Environmental Considerations –Air Quality

Air Quality

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

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

“Development proposals should not:

- a) lead to further deterioration of existing poor air quality

- b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits
- c) create unacceptable risk of high levels of exposure to poor air quality.”

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

6.7.6 The application is accompanied by an Air Quality Assessment (AQA). The Environmental Health Officer has acknowledged that site is adjacent to an elevated road, George Gange Way, which is situated to the rear of the site and is recognised as an issue for future occupiers of the development in terms of air quality. A detailed assessment should be provided in regards to the impact of the elevated road on the development. This can be added as a pre-commencement condition.

Lighting

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

6.8 Fire Safety

6.8.1 The relevant policies are:

- National Planning Policy Framework (2023)
- The London Plan (2021): D12 (Part A)

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

6.8.3 A detailed fire strategy, which details robust safety measures to ensure that the proposed building would be amenable to achieving full compliance with Part B (Fire Safety) of the Building Regulations (2010) and Building (Amendment) Regulations (2020) should be provided. A condition shall be imposed to ensure these details of a fire safety strategy would be consistent with the relevant policies.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal is a finely balanced assessment given the site constraints outlined, and it is considered that the proposal would respond to the strategic objective of optimising the potential for growth on sustainable brownfield sites within close proximity to Town Centre locations. The proposed development would appropriately relate to the site, local context, massing and architectural appearance and would bring forward housing provision of a satisfactory layout and

design to ensure that the future occupiers would benefit from an acceptable standard of living accommodation.

- 7.2 Given the location of the application site, officers are satisfied that the proposal would maintain an appropriate quality of residential amenity for the adjoining occupiers. The proposal would enhance biodiversity on the site, provide sustainable urban drainage measures, improve access routes and provide high-quality hard and soft landscaping. Furthermore, the transport aspects of this proposal are considered to be in accordance with strategic and local transport policies.
- 7.3 For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, this application is recommended for grant subject to conditions and legal agreement.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Plans and documents

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

Covering letter dated 5th Oct 2022, Daylight and Sunlight Report dated Oct 2022, IHH-E1, IHH-E2, IHH-E3, IHH-E4, IHH-E5, IHH-E6, IHH-E7, IHH-E8, IHH-E9, IHH-MX11, IHH-MX3A, IHH-MX6 E, IHH-MX7 E, IHH-MX9 E, IHH-MX50 Rev A, Environmental Noise Impact Assessment Report for Planning - report reference: 20444.ENIA.RPT.01, Air Quality Assessment dated May 2023, Fire Safety Statement, 3D images.

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

3. Construction Logistics Plan

No development shall take place until a construction logistics plan has first been submitted to the Local Planning Authority in writing to be agreed. The plan shall detail the arrangements for (but not limited to):

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

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

REASON: To ensure that the transport network impact of construction work associated with the development is managed, measures are put in place to manage and reduce noise and vibration impacts during construction and to safeguard the amenity of

neighbouring occupiers. Details are required prior to commencement of development to ensure the construction of the development would not have an unacceptable impact on surrounding residents and road network.

4. Surface Water Attenuation and Disposal

No development shall take place until surface water attenuation and storage works and the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. The applicant should contact the Harrow Infrastructure Team at the earliest opportunity.

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

5. Foul Water Disposal

The development hereby permitted shall not commence until works for the disposal of sewage have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter. (The applicant should contact Thames Water Utilities Limited and the Harrow Infrastructure Team at the earliest opportunity).

REASON: To ensure that adequate drainage facilities are provided. Details are required prior to commencement of development to ensure a satisfactory form of development.

6. Drainage Maintenance and Permeable Paving

No development shall take place until full details of permeable paving and details relating to the long-term maintenance and management of the on-site drainage has first been submitted to the Local Planning Authority, for approval in writing. The development shall be carried out and thereafter be managed and maintained in accordance with the plans so agreed.

REASON: To ensure that the development achieves an appropriate surface water run-off rate in this critical drainage area and to ensure that opportunities, drainage measures that contribute to biodiversity and the efficient use of mains water are exploited. Details are required prior to commencement of development to ensure a satisfactory form of development.

7. Landscaping and surface materials

Notwithstanding the details shown on the approved plans, the development hereby approved shall not commence until a scheme for the hard and soft landscaping of the development, to include details of the planting and hard surfacing material within the site boundary including the access routes proposed within the application site, has 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. The scheme shall also include details of the boundary treatment. The development shall be carried out in accordance with the approved scheme or any amendment or variation to it as may be agreed in writing by the local planning authority, and maintained in accordance with the approved scheme.

REASON: To ensure that the development makes 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. Details are required prior to commencement of development to ensure a satisfactory form of development.

8. Landscape management and maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the soft and hard landscaping within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has first been submitted to the Local Planning Authority in writing to be agreed. 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 with the Heart of Harrow.

9. Landscape implementation

All hard landscaping shall be carried out prior to the occupation of any part of the development or in accordance with a programme that has been submitted to the Local Planning Authority in writing to be agreed. 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 final occupation of the residential parts of the buildings, 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

10. Materials

Notwithstanding the details shown on the approved drawings, the development hereby approved shall not commence until:

- details and samples of the materials to be used in the external surfaces of the building (facing materials for the building, windows/ doors/ cladding, balconies including privacy screens and balustrades, entrance canopies), hard surfaces, and any means of enclosure;
- drawings to a 1:20 metric scale to show typical details of the elevations from all sides
- boundary treatment
- has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the details, samples and drawings so agreed and shall be retained as such thereafter.

REASON: To ensure that the development provides a high-quality finish and enhances the character and appearance of the area. Details are required prior to commencement of development to ensure a satisfactory form of development.

11. Lighting Strategy

The development hereby approved shall not progress above the new third floor level, until details of the lighting of all public realm and other external areas (including buildings) within the site has first been submitted to the Local Planning Authority in writing to be agreed. The details shall include details of the intensity of light emissions (including the surface area to be illuminated), detailed drawings of the proposed lighting columns and fittings and any measures for mitigating the effects of light pollution. 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, and achieves a high standard of residential quality

12. Biodiversity Enhancement

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

- the type and location of bat and bird boxes to be built into the additional floors
- full details of the proposed green roof treatment, including roof build up, plant species mix(es) which should include twenty plus native flower species offering pollen and nectar from early spring to late autumn, together with an assessment of the sustainability of the roof to ensure adequate water provision/retention.
- Full details of measures to be taken to provide shelter and foraging for invertebrate species at ground level, in the external building walls, and within the green walls and green roof areas.

REASON: To enhance the ecology and biodiversity of the area

13. 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 to be agreed in writing. 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

14. Cycle Provision

The development hereby permitted shall not be occupied until details of cycle parking, including full specification of the type of stand and dimensions of storage unit/s 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 and shall be retained as such thereafter.

REASON: To ensure appropriate, secure and safe cycle storage is provided for the residents

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 safeguard the appearance and character of the surrounding area.

16. Use Class C3 Restriction

The residential units 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.

17. Sound Insulation

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

REASON: To ensure that the Council may be satisfied that the development is in

compliance with Policy D14 of the London Plan (2021), and Policy DM1 of the Development Management Policies (2013). This is a pre-commencement condition because it necessary for the details to be approved, in order for them to be implemented as the construction of the development commences on site.

18. Noise Levels

Unless otherwise agreed in writing by the Local Planning Authority, the individual and cumulative rating level of noise emitted from plant and/or machinery at the development hereby approved shall be at least 10dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 Method for rating industrial noise affecting mixed residential and industrial areas.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings.

19. Air Extraction system

No air extraction system shall be used on the premises until a scheme for the control of noise, fumes and odours emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON: To ensure that the development achieves a high standard of amenity for future occupiers of this and the neighbouring buildings

20. Accessible Units

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

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

21. Waste Management Strategy

Notwithstanding the submitted details, The development hereby permitted shall not be occupied until a waste management plan, including plans and information demonstrating details of waste storage including number of bins and adequate screening, have been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall therefore be implemented in accordance with the approved plans prior to the occupation of the development and retained as such thereafter.

REASON: To ensure the provision of a sufficient volume of waste storage and adequate management of waste has been provided on site, and satisfactory arrangements for storage which would preserve the character and appearance of the area and the amenity of future occupiers of the site, in accord with policies DM1 and DM45 of the Harrow

22. Air Quality Assessment

The development hereby permitted shall not commence until an air quality assessment, including an air quality neutral assessment, has been submitted to and approved in writing by the local planning authority. If the development hereby permitted is not air quality neutral, and the air quality assessment shows that there are adverse impacts, details of proportionate mitigation measures shall be submitted to the Local Planning Authority in writing for approval. The development shall be carried out in accordance with the approved details, including, if relevant, maintenance of any installed pollution control device.

Reason: To ensure that the proposal does not result in adverse air pollution impacts, in accordance with Policy SI 1 of The London Plan (2021). Details are required prior to commencement of development to ensure a satisfactory form of development.

23. Energy Strategy

The development shall be undertaken in accordance with the approved Domestic Energy Assessment (October 2021). 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 Domestic Energy Assessment (October 2021) which thereafter shall be submitted to the Local Planning Authority in writing to be agreed the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with the National Planning Policy Framework (2023) and policies DM12, DM13 and DM14 of the Harrow Development Management Policies Local Plan (2013).

Informatives

1. Planning Policies

The following policies are relevant to this decision:

The London Plan (2021): GG1, GG2, GG3, SD6, D1, D2, D3, D4, D5, D6, D7, D12, H10, E1, HC3, G6, SI13, T3, T4, T5, T6, T6.1, T6.2, SI 1, SI 2

Harrow Core Strategy (2012): CS1

Development Management Policies DPD (2012): DM1, DM2, DM9, DM10, DM12, DM14, DM22, DM24, DM27, DM32, DM42, DM44, DM45

Supplementary Planning Document: Residential Design Guide (2010)

Mayor of London, Housing Design Standards, London Plan Guidance (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. The Party Wall etc. Act 1996

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

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

Procedures under this Act are quite separate from the need for planning permission or building regulations approval. The Council has no remit regarding this Act and you are advised to seek independent professional advice from a party wall surveyor.

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

4. Mayoral Community Infrastructure Levy (provisional)

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

The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £160,260.

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

5. Harrow Community Infrastructure Levy (provisional)

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

Harrow's Charges are:

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

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

Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £423,664

This amount includes indexation which is 323/224. The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the [planningportal](https://ecab.planningportal.co.uk) website where you can download the relevant CIL Forms.

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

https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

https://ecab.planningportal.co.uk/uploads/1app/forms/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

6 Pre-application engagement

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

7. Thames Water

The applicant is advised to contact Thames Water regarding confirmation of capacity within their system to receive the proposed discharge from the new development

8. Sustainable Urban Drainage

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

9. Compliance with conditions

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

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

10. Highways Interference

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

11. Naming and Numbering

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

CHECKED

 <p>Orla Murphy Head of Development Management 14th September 2023</p>	 <p>Viv Evans Chief Planning Officer 14th September 2023</p>
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APPENDIX 2: SITE PHOTOGRAPHS



Front elevation

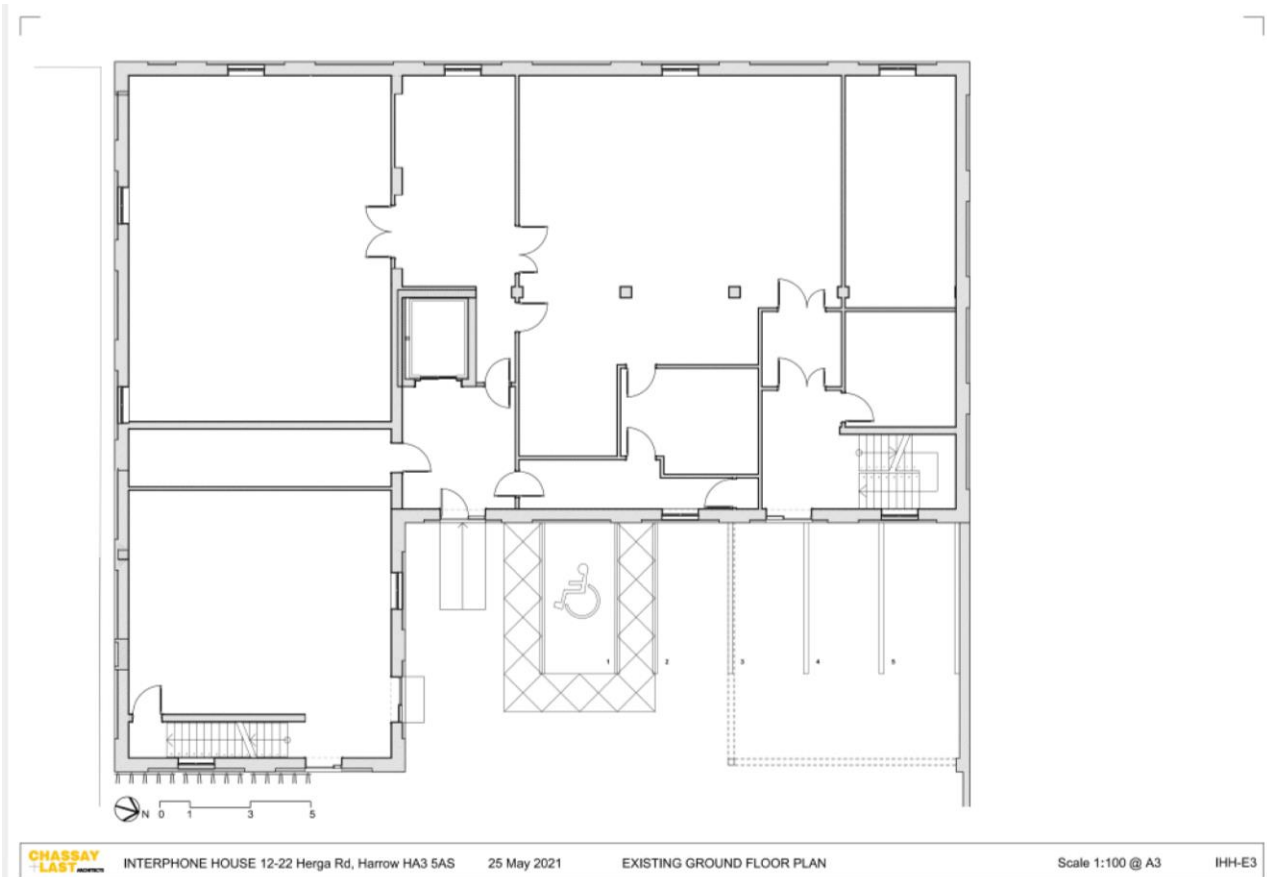






View looking towards the rear of the site from George Gange Way

APPENDIX 3: FLOOR & ELEVATION PLANS





**CHASSAY
+ LAST**

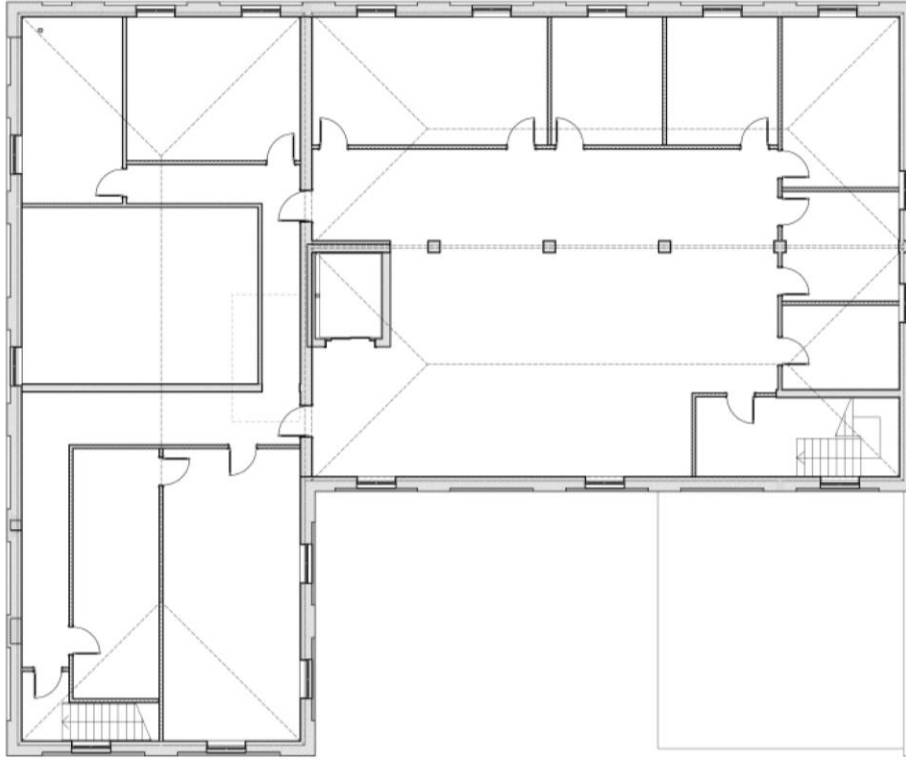
INTERPHONE HOUSE 12-22 Herga Rd, Harrow HA3 5AS

25 May 2021

EXISTING FIRST FLOOR PLAN

Scale 1:100 @ A3

IHH-E4



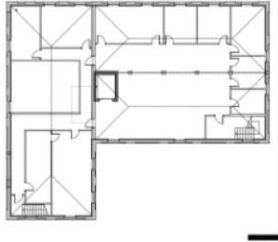
INTERPHONE HOUSE 12-22 Herga Rd, Harrow HA3 5AS

25 May 2021

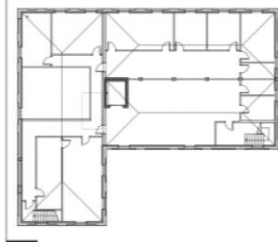
EXISTING SECOND FLOOR PLAN

Scale 1:100 @ A3

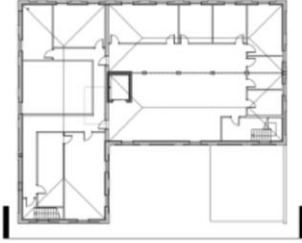
IHH-E5



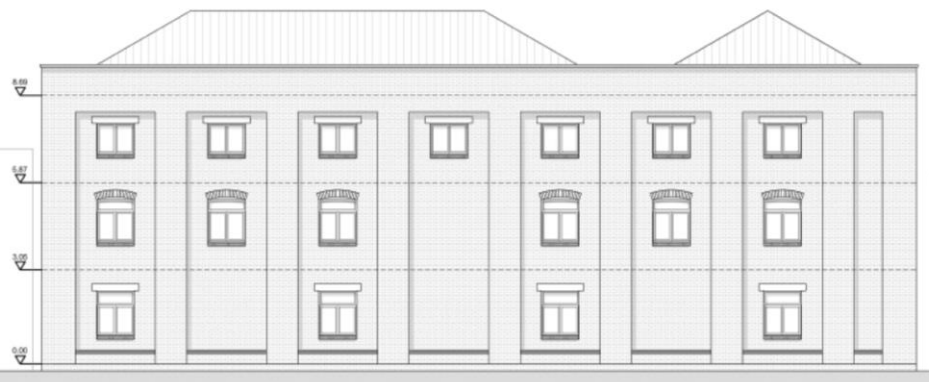
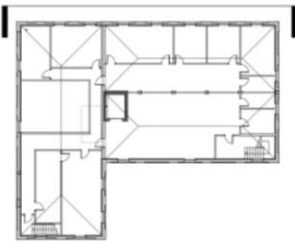
CHASSAY + LAST INTERPHONE HOUSE 12-22 Herga Rd, Harrow HA3 5AS 25 May 2021 EXISTING NORTH ELEVATION Scale 1:100 @ A3 IHH-E6



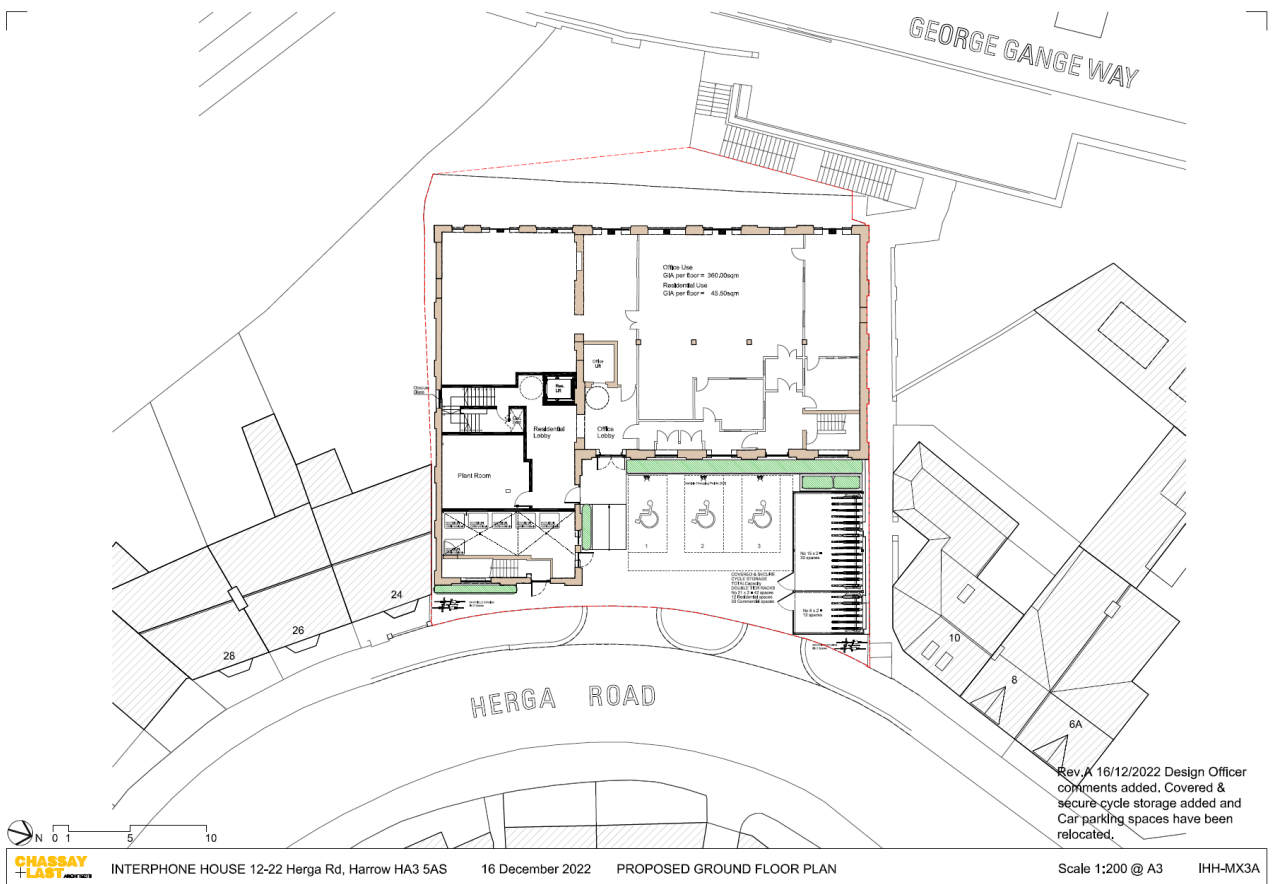
CHASSAY + LAST INTERPHONE HOUSE 12-22 Herga Rd, Harrow HA3 5AS 25 May 2021 EXISTING SOUTH ELEVATION Scale 1:100 @ A3 IHH-E7

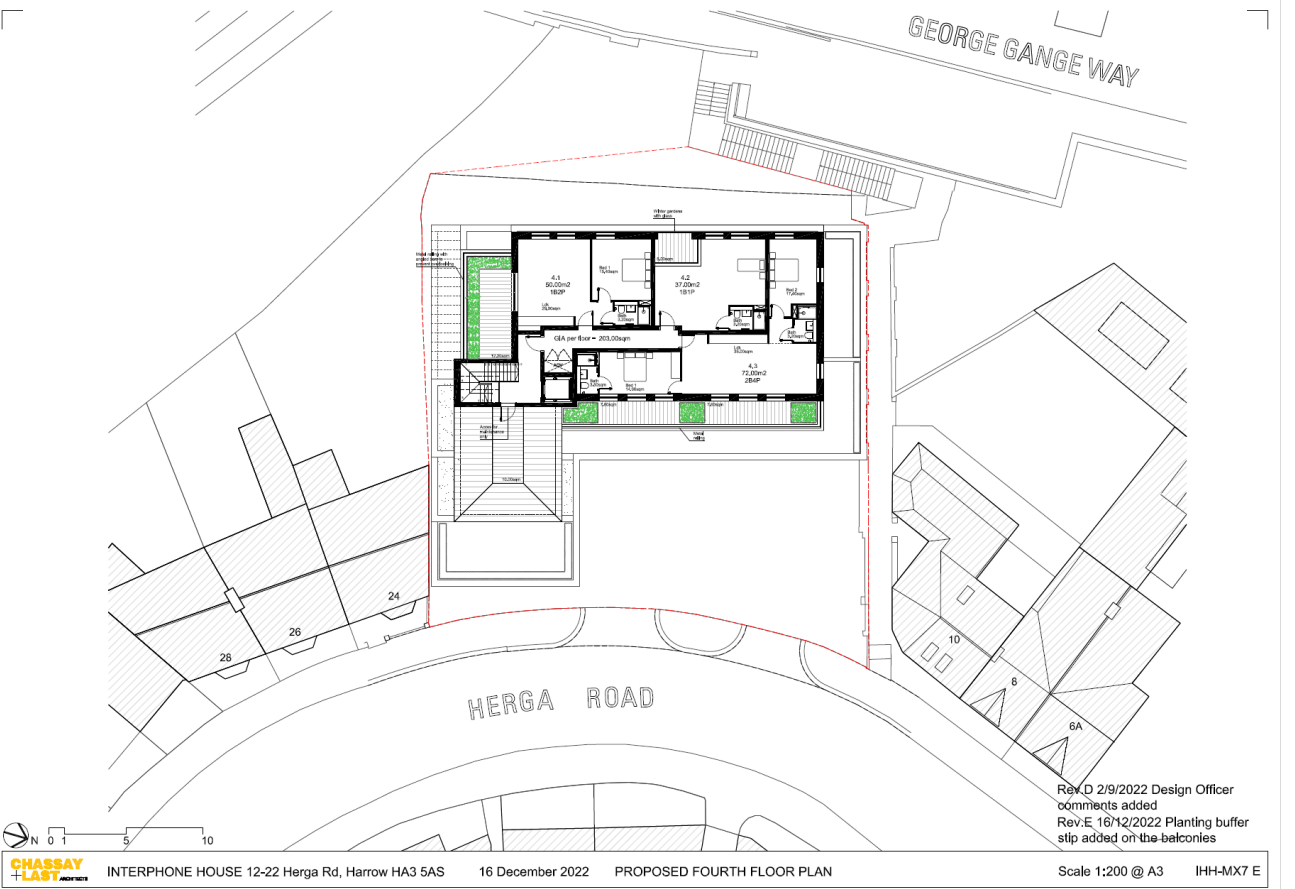
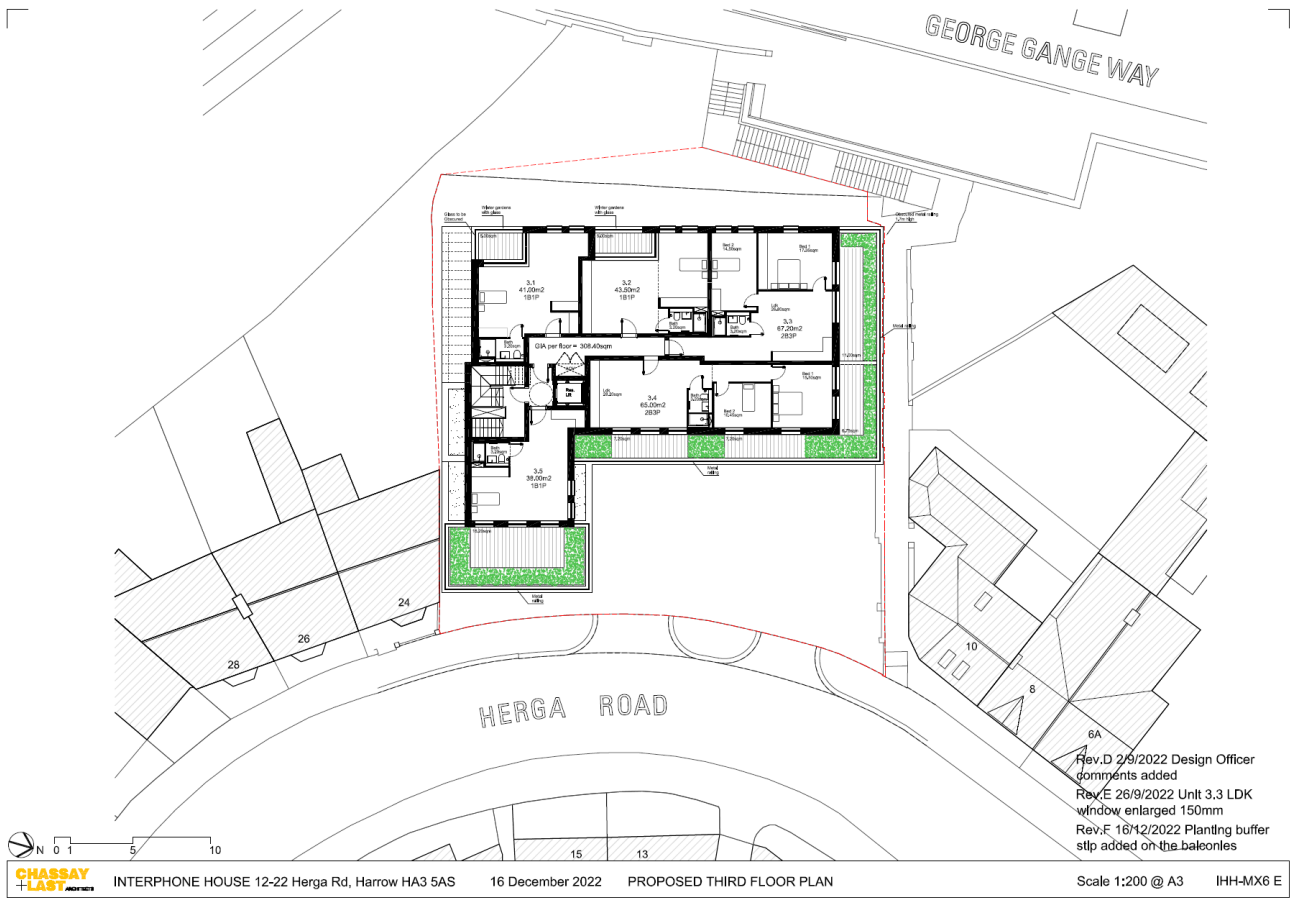


CHASSAY + LAST INTERPHONE HOUSE 12-22 Herga Rd, Harrow HA3 5AS 25 May 2021 EXISTING EAST ELEVATION Scale 1:100 @ A3 IHH-E8



CHASSAY + LAST INTERPHONE HOUSE 12-22 Herga Rd, Harrow HA3 5AS 25 May 2021 EXISTING WEST ELEVATION Scale 1:100 @ A3 IHH-E9



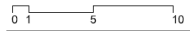




WEST ELEVATION

EAST ELEVATION

Rev.D 2/9/2022 Design Officer comments added
 Rev.E 16/12/2022 Design Officer comments added.



CGI Views



Longview from elevated road looking towards site - George Gang Way

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