

SECTION 1 – MAJOR APPLICATIONS

Item No. 1/01

Address: KRISHNA-AVANTI PRIMARY SCHOOL, CAMROSE AVENUE, EDGWARE

Reference: P/2640/12

Description: REMOVAL OF CONDITION 14 (THE LAND AND BUILDINGS, EXCEPT FOR THE MULTI USE PLAYING AREAS SHALL BE USED FOR THE PURPOSE SPECIFIED ON THE APPLICATION AND FOR NO OTHER PURPOSE OF FOR THE HIRE OF THE PREMISES FOR ANY PURPOSE, INCLUDING ANY OTHER PURPOSE IN CLASS D1) ATTACHED TO PLANNING PERMISSION REF: P/1282/07 DATED 8 APRIL 2008 FOR THE CONSTRUCTION OF ONE FORM PRIMARY SCHOOL, EXTERNAL WORKS, ACCESS & CAR PARKING.

REMOVAL OF CONDITION 19 (THE SCHOOL HEREBY PERMITTED SHALL BE USED SOLELY BY THE PUPILS AND STAFF AND SHALL NOT BE USED, HIRED OR MADE AVAILABLE FOR USE BY ANY OTHER PARTY) ATTACHED TO PLANNING PERMISSION REF: P/1282/07 DATED 8 APRIL 2008 FOR THE CONSTRUCTION OF ONE FORM PRIMARY SCHOOL, EXTERNAL WORKS, ACCESS & CAR PARKING.

Ward: EDGWARE

Applicant: The I-Foundation

Agent: ABT Planning & Highways Consultancy

Case Officer: Callum Sayers

Expiry Date: 21 January 2013

RECOMMENDATION

REFUSE planning permission for the removal of Conditions 14 and 19 of planning permission P/1282/07 dated 08 March 2008, as described in the application.

REASON

The proposed removal of conditions 14 and 19 would allow an unrestricted D1 use of the land and buildings, which would be capable of use by third parties. In the absence of any restriction on this use, including hours of use, or amount of people within the premises, and any management or operational strategy for the use, including a parking strategy and an event day management plan, the unrestricted D1 use of the land would be likely to give rise to unreasonable impacts on neighbouring residents amenity by way of an increase in noise and disturbance and harm to highway safety, which would be contrary to policies 6.3 and 6.13 of the London Plan 2011, saved policies D4, T6, T13, C7, R13, EP25 of the Harrow

Unitary Development Plan 2004.

National Planning Policy:

National Planning Policy Framework 2012 (NPPF)

Policy Statement – Planning for Schools Development (2011) (PSD)

The London Plan 2011:

3.16 – Protection and Enhancement of Social Infrastructure

6.3 – Assessing Effects of Development on Transport Capacity

6.13 – Parking

London Borough of Harrow Core Strategy 2012:

CS1 – Core Policy

CS8 – Edgware and Burnt Oak

London Borough of Harrow Unitary Development Plan 2004:

EP25 – Noise

D4 – The Standard of Design and Layout

T6 – The Transport Impact of Development Proposals

T13 – Parking Standards

C2 – Provision of Social and Community Facilities

C7 – New Education Facilities

R13 – Leisure Facilities

MAIN CONSIDERATIONS AND POLICIES (National Policy, The London Plan 2011, Harrow Core Strategy 2012 and saved policies of The London Borough of Harrow Unitary Development Plan 2004)

- 1) **Principle of the Removal of Conditions** (NPPF, PSD, C2, C7, R13)
- 2) **Character and Residential Amenity** (EP25, D4, C7)
- 3) **Traffic and Parking** (NPPF, 6.3, 6.13, T6, T13)
- 4) **S17 Crime & Disorder Act** (D4)
- 5) **Consultation Responses**

INFORMATION

This application is reported to Planning Committee as it proposes a removal of conditions on a development that, in the opinion of the Director of Planning, raises potentially substantial amenity issues and therefore falls outside Category 7 of the Scheme of Delegation.

Summary

Statutory Return Type: (E)12. Smallscale Major Development

Council Interest: None

Site Description

- The site comprises a single storey primary school sited on former playing field land to the south of Camrose Avenue, behind the residential dwellings Nos.89-123 (odd) Camrose Avenue.
- The site is accessed from Camrose Avenue via a vehicle access road, which also provides access to playing fields to the south, which are occupied by Belmont Youth Football Club.
- The school building is predominantly of timber construction and is angled diagonally in

its plot, so that it faces the main access road.

- The building comprises three wings arranged around a central courtyard, which is occupied by a temple structure.
- The site has been the subject of levels changes, but originally sloped up from north to south.
- Ancillary play areas, a multi-use games surface, parking, landscaping and flood alleviation structures occupy the rest of the site.
- The Belmont FC access road, to the east of the site, includes 10 'kiss and ride' parking spaces that are used by the school.
- The school is currently limited to one form entry (includes a nursery, reception and year 1 up to year 3) and the number of pupils attending the school is limited by condition to 236.
- The school was approved in 2008 on the basis that it would fill gradually over 6 years (30 pupils a year) and the school role is currently 116 pupils and 16 full time staff.
- However, planning permission was granted earlier this year for expansion to two forms of entry incorporating a single storey classroom extension (ref P/1929/11).
- Residential dwellings on Appledore/Bideford Close, Camrose Avenue and Broomgrove Gardens back onto the western, northern and eastern boundaries of the site respectively.

Proposal Details

- Condition 14 of planning permission P/1282/07 currently limits the use of the school land for the provision primary education.
- This application seeks to remove this condition to allow for the site to be used for other purposes within the D1 use class.
- Condition 19 of planning permission P/1282/07 currently limits the use of the land and buildings for primary education only, and for it not to be hired to a third party.
- This application seeks to remove this condition to allow people other than pupils and staff to use the school, and for the school to be hired to third parties.
- No replacement conditions have been suggested by the applicant.

Relevant History

P/1282/07

Construction of one form primary school, external works, access & car parking

Granted : 10-MAR-08

P/3434/08

Change of approved levels to planning permission ref: P/1282/07/CFU

Granted : 19-JAN-09

P/1314/11

Certificate of lawful proposed development: detached timber outdoor classroom

Granted : 06-JUL-11

P/1929/11

Expansion of school from one form to two form entry, comprising single storey extension to the west of the main building to create six additional classrooms and ancillary facilities; associated landscaping
Granted : 28-MAR-12

P/0046/12

Variation of condition 14 and 19 for permission P/1282/07 dated 10th March 2008 for the construction of one form primary school, external works, access & car parking

Subject to the following conditions;

Granted temporary (1 Year) consent : 10-SEP-12

1 The variation of conditions 14 and 19 is for a limited period of one year only from the date of this permission. At the end of the one year period, the original conditions 14 and 19 of planning permission P/1282/07 shall apply.

REASON: To retain control over the use of the site in the interests of highway safety and the amenities of neighbouring residents, in line with the requirements of saved UDP policies C7, T6 and T13.

2 The land and buildings, except for the multi use playing areas shall be used for primary education only and for no other purpose and shall not be used or hired for any purpose, including any other purpose in class D1 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

REASON: To retain control over the use of the site in the interests of highway safety and the amenities of neighbouring residents, in line with the requirements of saved UDP policies C7, T6 and T13.

3 The land and buildings hereby permitted shall be used for primary education only and shall not be used, hired or made available for use by any other party.

REASON: To retain control over the use of the site in the interests of highway safety and the amenities of neighbouring residents, in line with the requirements of saved UDP policies C7, T6 and T13

4 The permission hereby granted is supplemental to planning permission ref: P/1282/07 granted by the Council on the 8th April 2008. Save as modified by this permission the terms and conditions of the original permission are hereby ratified and remain in full force and effect, including in relation to future phases of the development where applicable, unless as otherwise agreed in writing by the Council.

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

Pre-Application Discussion

- N/A.

Applicant Statements

- Planning Statement

Consultations:

Highways Authority:

The highways authority has commented on the application and noted that the blanket removal of Conditions 14 and 19 would have implications in terms of amenity within the locality. A wholesale removal of Conditions 14 and 19 should not be accepted.

Site Notice: 21-NOV-12

Expiry: 12-DEC-12

Notification on Removal of Conditions:

Sent: 1195

Replies: 3

Expiry: 12 December 2012

Addresses Consulted:

The consultation covers properties on Raeburn Road, Westleigh Gardens, Rembrandt Road, Constable Gardens, Broomgrove Gardens, Hogarth Road, Greencourt Avenue, Millford Gardens, Dale Avenue, Cotman Gardens, Orchard Grove, Northolme Gardens, Collier Drive, Bacon Lane, Axholme Avenue, The Chase, Bideford Close, Methuen Road, Tavistock Road, Pembroke Place, Penylan Place, Camrose Avenue, Appledore Close and Haverford Way.

Summary of Responses:

Three responses have been received in objection. Following the second consultation on the current description any additional responses would be included in the addendum. Matters raised were as follows:

- Increase in traffic and parking congestion and noise;
- Description of proposal is not clear.
- Flooding matters are unresolved.
- Theft has increased in the area.

APPRAISAL

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.'

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by a Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004) some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Before this, a 4 week consultation was held between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a result of responses received to the Pre-submission Consultation.

1) Principle of the Removal of the Conditions

Saved UDP policy C7 supports the expansion of existing educational facilities, subject to consideration of the need for new facilities in the area, the accessibility of the site and the availability of safe setting down and picking up points within the site. Access and traffic considerations are addressed in more detail below. Furthermore saved policy R.13 encourages dual and multi-purpose use of new and existing public and private recreation facilities, and goes on to state that recreational and cultural facilities in new school developments should be designed to enable dual use of facilities and community access. Again, whilst this is encouraged it must also be provided without causing unacceptable impact on the environment or residential amenity.

Conditions 14 and 19 allow the school to operate and provide the facilities required by these policies, but with restrictions on wider non-school uses in order to protect the amenities of local residents.

The Department for Communities and Local Government, in their statement 'Planning for Schools Development', dated August 2011, states that 'the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools' and requires that local authorities make full use of their planning powers to support state-funded schools applications. This is a strong steer from central government that the answer to development proposals for state-funded schools should wherever possible be "yes", subject to no adverse impacts on the amenities of the locality.

Paragraph 72 of the NPPF states that 'the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities', requiring local planning authorities to take a proactive, positive and collaborative approach in this regard.

Specifically, condition 14 , restricts the use of the land and buildings for the purpose specified on the application (a one form entry primary school) and for no other purpose or for the hire of the premises for any purpose including other D1 class uses. The application seeks to remove this condition, which would allow other uses within the D1 use class to use the school, and for the school to be hired out to external parties. This would include activities such as non-residential education and training centres, consulting rooms, museums, public halls, libraries, art galleries, exhibition halls, clinics, health centres, crèches, day nurseries, day centres, places of worship and church halls.

Condition 19 restricts the use of the school to use by staff and pupils only and not let out to a third party. The proposal seeks to remove this condition. This would effectively allow a third party to hire the land and building outside of normal school hours for any events such as those outlined in the paragraph above. Furthermore it is noted that there is no specific safeguarding conditions to restrict hours of operation of any use on planning permission P/1282/07.

Whilst it is recognised that the a wider use of the land and buildings by the school and local community may, in principle, be consistent with the policies contained with the development plan, given the unrestricted D1 use and the associated range of potential uses that the removal of these conditions would enable, in the absence of any management details, or controls over the hours of use and numbers of people attending, consideration must be given below to the potential impact of such an unrestricted use to determine if there is unreasonable harm caused to the environment or residential amenity.

2) Character and Residential Amenity

Condition 14 was imposed on planning permission (P1282/07) in order to safeguard the amenity of neighbouring residents and the character of the locality, and also in the interests of highway safety.

In the absence of an on site management strategy in place to provide assurance restrictions or mitigation measures to maintain the amenity of neighbouring residents, the Council are unable to ensure that the amenity of neighbouring residents would continue to be protected. Furthermore the absence of any restrictions over the scale and intensity of the use, give rise to concern over the safe and efficient running of the highway. It is therefore considered that the proposed removal of Condition 14 to allow an open D1 use of the site would likely lead to an increase in noise and general disturbance whereby harming neighbouring amenity. Furthermore, with no control over the intensity and frequency of events, may give rise to traffic implications within the locality.

Condition 19 was imposed on planning permission P/1282/07 to safeguard the amenities of neighbouring residents and also in the interest of highway safety.

The proposed removal of condition 19 would allow the school to run events and activities on the site that involves people other than staff and pupils. The applicant has not stated specifically what events could be held at the school, but likely to be *'extra curricular educational activities, school-related social events, and the hire of the premises on and occasional basis to other community groups'*.

It is considered that without specific detail of uses, frequency of events, or hours of operation the Council are unable to determine the potential impact on neighbouring residential amenities or traffic implications. In any case, the Council would not be able to support a blanket removal of such a condition as in the absence of controls, the premises would be able to be used far beyond the use, scale and intensity for which planning permission was granted.

Conclusion

The submitted Planning Statement states that the amenity of neighbouring residents would continue to be maintained by Condition 11. However the Council notes that this would only be specific to music or amplified sound from the site, and would not cover loss of amenity by way of an increase in noise and disturbance as a result of the potential increase in people and vehicles to the site.

The blanket removal of Conditions 14 and 19 would allow an unrestricted use of the site (within the D1 use class), with no planning conditions in place to safeguard the amenity of neighbouring residential properties. Furthermore, no control over the use and intensity of the site, may potentially give rise to traffic implications within the area.

3) Traffic and Parking

The Highways Authority has commented on the application and noted that a blanket removal of Conditions 14 and 19 would have implications in terms of amenity within the locality. A wholesale removal of Conditions 14 and 19 should not be accepted.

The proposed removal of Conditions 14 and 19 would allow unrestricted D1 use of the site, and enable it for hire by external parties outside of the staff and pupils of the school. The applicant has not submitted information relating to any potential traffic generation that may arise from any other uses that may hire the premise. It is therefore considered that the unrestricted D1 use of the site and the ability to hire the premise to external parties, may potentially give rise to traffic and parking implications within the area. The proposal would therefore be contrary to saved UDP policies T6 and T13 in this regard.

4) S17 Crime & Disorder Act

The proposed amendments to the scheme would not give rise to any additional concerns relating to secure by design considerations and the proposal is therefore considered to be acceptable in this regard.

5) Consultation Responses

Apart from the points raised in the above sections, other issues raised are:

- *Theft; The removal of Condition 14 and 19 is considered to not exacerbate this matter any further, and no evidence has been submitted to validate this claim.*
- *Flooding; A condition was imposed on planning permission P/1282/07 regarding surface run-off, however is triggered by a requirement within the existing S.106 agreement. The proposed removal of Condition 14 and 19 is considered not to exacerbate this matter further.*

CONCLUSION

In summary, the proposal is considered to enable the school to be operated in an unrestricted (D1 use) manner, potentially outside of its primary planning function or ancillary uses. As such that unrestricted nature of the site would likely give rise to potentially unreasonable impacts on neighbouring residents' amenity by way of an increase in noise and disturbance and harm on highway safety.

The proposed removal of conditions 14 and 19 would allow an unrestricted D1 use of the land and buildings, which would be capable of use by third parties. In the absence of any restriction on this use, including hours of use, or amount of people within the premises, and any management or operational strategy for the use, including a parking strategy and an event day management plan, the unrestricted D1 use of the land would be likely to give rise to unreasonable impacts on neighbouring residents amenity by way of an increase in noise and disturbance and harm to highway safety, which would be contrary to policies 6.3 and 6.13 of the London Plan 2011, saved policies D4, T6, T13, C7, R13, EP25 of the Harrow Unitary Development Plan 2004.

INFORMATIVES

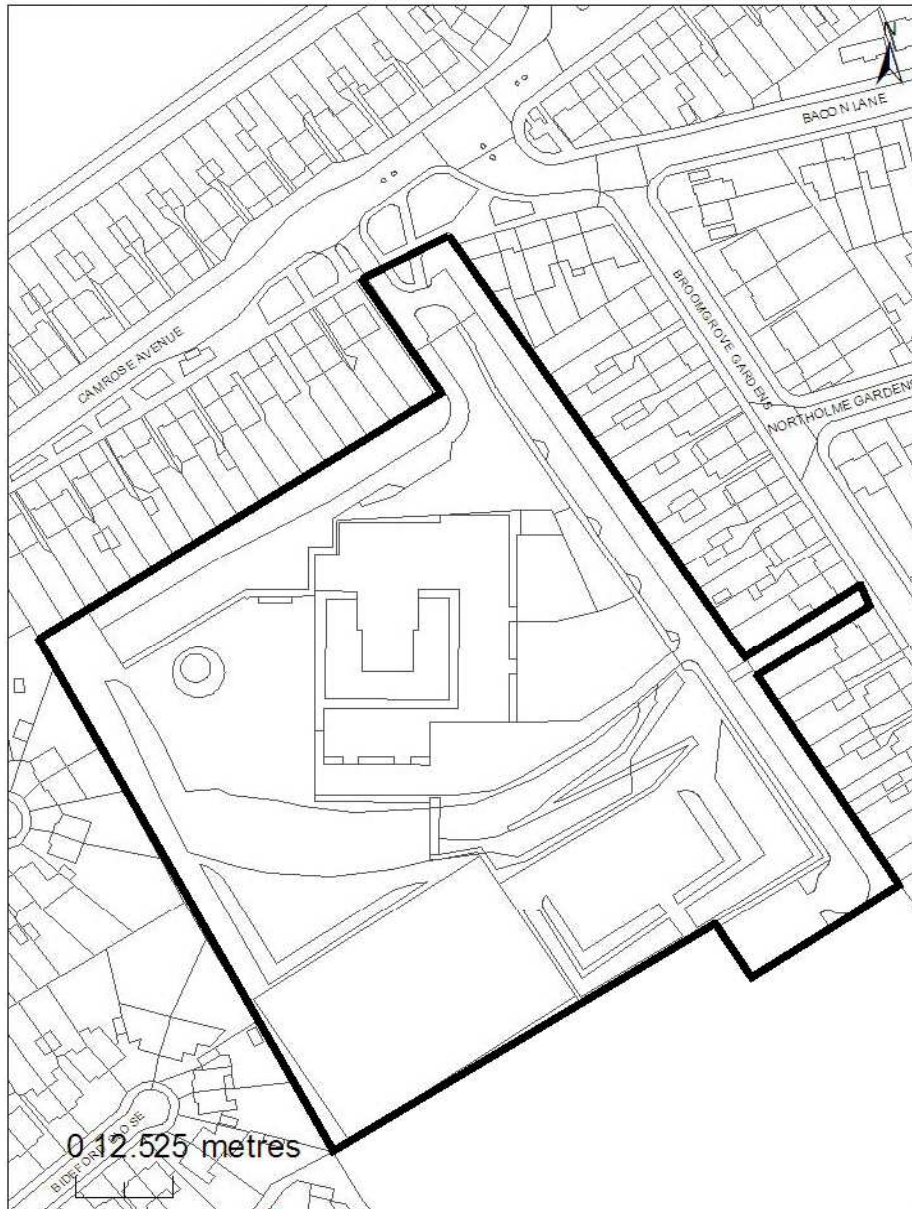
The following policies in the London Plan and-or the Harrow Unitary Development Plan are relevant to this decision:

National Policy: NPPF, Policy Statement – Planning for Schools Development (2011)
The London Plan 2011: 3.16, 6.3, 6.13

London Borough of Harrow Core Strategy 2012: CS1, CS8
London Borough of Harrow Unitary Development Plan 2004: EP25, D4, T6, T13, C2, C7,
R13
Emerging Development Plan Document: Development Management Policy 1, 57

Plan Nos: Planning Statement; Location Plan.

KRISHNA-AVANTI PRIMARY SCHOOL, CAMROSE AVENUE, EDGWARE



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SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No. 2/01

Address: NOWER HILL HIGH SCHOOL, GEORGE V AVENUE, PINNER

Reference: P/2824/12

Description: VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2156/09 DATED 06-NOV-2009 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF TWO TWO-STOREY TEMPORARY BUILDINGS TO PROVIDE CLASSROOMS.

Ward: HEADSTONE NORTH

Applicant: DR JACKIE GEORGIU

Agent: PEARSON ASSOCIATES

Case Officer: GERARD LIVETT

Expiry Date: 21 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions:

REASON

The decision to vary condition 2 of planning permission P/2156/09 dated 06-Nov-2009 to allow the retention for an additional three years of two two-storey temporary buildings to provide classrooms has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the two two-storey temporary buildings to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other

Council Interest: Freehold owned by LB Harrow

Net additional Floorspace: 0sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- The application site is at the junction of Pinner Road and George V Avenue
- The southern part of the site has boundaries with residential properties on Pinner Road and also Fire Brigade Cottages, associated with the Harrow Fire Station
- The main school buildings are at the south of the site and comprise a mix of two and three-storey buildings
- There are a number of single and two-storey temporary buildings interspersed with the permanent buildings at the southern end of the site
- The northern part of the site is occupied by a playing field which has recently been resurfaced with artificial turf.
- There are also three single-storey classroom buildings on the northern part of the site near the boundary with George V Avenue

Proposal Details

- The proposal seeks the retention of a two-storey modular building at the southern end of the playing field, between a car park area and the sports hall and a further two-storey modular building near the boundary between the school site and Fire Brigade Cottages

Revisions to Previous Application

- Retention of temporary classrooms for an additional three years requested

Relevant History

P/0512/07 – Two temporary modular teaching units for two years, one to the north of the school and one to the south-west (adjacent to Fire Brigade Cottages to the west)

Granted – 03-Apr-2007

P/1438/08 – One temporary building for two classrooms (two years) in courtyard at southern end of school

Granted – 05-Jun-2008

P/1179/08 – Three-storey extension to school to provide post-16 education facility and associated works

Granted – 09-Jun-2008

P/2491/08 – Two-storey extension to provide additional teaching facilities

Granted – 20-Oct-2008

P/2645/08 – Retention of two temporary classrooms for two years to northern side of school

Granted – 21-Nov-2008

P/0015/09 – Details pursuant to renewable energy condition attached to planning permission P/1179/08

Approved – 16-Apr-2009

P/0186/09 – Details pursuant to access, landscaping and tree conditions attached to

planning permission P/1179/08
Approved – 30-Apr-2009

P/0551/09 – Details pursuant to materials condition attached to planning permission P/1179/08
Approved – 10-Jun-2009

P/0979/09 – Details pursuant to condition 12 attached to planning permission P/1179/08
Approved – 08-Jul-2009

P/1030/09 – Details pursuant to condition 2 attached to planning permission P/1179/08
Approved – 24-Jun-2009

P/1199/09 – Details pursuant to drainage conditions attached to planning permission P/1179/08
Approved – 10-Jul-2009

P/2156/09 – Two No. x two-storey temporary modular buildings to provide classrooms as part of Harrow's Year 7 transfer programme and single-storey extension to the dining room
Granted – 06-Nov-2009

P/0846/10 – Installation of 8 air conditioning units to existing science block and 16 air conditioning units to general teaching block
Granted – 13-Jul-2010

P/0372/10 – Details pursuant to drainage conditions attached to planning permission P/2156/09
Approved – 24-May-2010

P/0576/10 – Details pursuant to materials condition attached to planning permission P/2156/09
Approved – 20-May-2010

P/1615/12 – Replacement of natural turf playing field with tiger turf grass playing field and related external alterations
Granted – 09-Aug-2012

Other non-relevant planning history omitted

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High

School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:
- Temporary buildings were in place before Academy was created.
- Classrooms are required to be able to offer sufficient places for its Year 7 Published Admission Number in the medium term
- Three-year extension of temporary permission would allow the academies to secure funding and implementation proposals for permanent new buildings to replace the temporary accommodation.

Consultations

Thames Water: No objection

The Pinner Association: To be reported

Landscape Architect: To be reported

Highways Authority: No objection

Planning Arboricultural Officer: To be reported

Advertisement

Major Development

Expiry: 6-Dec-2012

Notifications

Sent: 149

Replies: To be reported

Expiry: 28-Nov-2012

Addresses Consulted

Pinner Road: 583-627 (odd) 470-472 (even)

Fire Brigade Cottages: 1-18

George V Avenue: 2-22 (even)

Headstone Lane: 2-14 (even)

South Way: 30

Station Road: 36a

Summary of Responses

- These are some of the facilities required by this outstanding school. They can be seen from the public highway but blend into the other buildings on the site

APPRAISAL

BACKGROUND INFORMATION

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years. However, each of the applications is assessed on its merits, and suitable recommendations on the appropriate periods for retention have been made on a case by case basis.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Amenity and Transport Impacts
- 3) S17 Crime & Disorder Act
- 4) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the school is currently operating close to its maximum capacity and is constrained within its site, and it is considered that this particular school would benefit from a comprehensive programme of permanent extensions or new buildings to ensure that it is capable of meeting the challenges of increasing pupil numbers.

One of the existing two-storey temporary buildings is in relatively close proximity to the residential boundary with Fire Brigade Cottages. However, it is also acknowledged that the planning harm this particular building causes, discussed below, is not so significant that permission for its retention for the three-year period requested should be refused.

On balance, it is considered that the benefit of the provision of necessary classroom provision outweighs the planning harm.

It is also considered that, given the extent of rebuilding that would be required to provide permanent facilities for pupils and staff, a three-year period would be more appropriate to allow the school to secure the necessary funding and associated consents to facilitate that redevelopment.

2) Design, Amenity and Transport Impacts

The two-storey classroom buildings are of a high quality construction and are also accessible. As such, the temporary buildings complies with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

One of the modular buildings (the one between the car parking area and the sports hall) is not sited near any residential boundaries, and as such would have no significant impact

on the residential amenities of neighbouring occupiers.

The other building, further towards the south and west of the site is sited approximately 18m at its closest point from the rear façade of the residential properties at Fire Brigade Cottages. The upper floor windows in this building are obscure glazed and it is considered that no significant overlooking of Fire Brigade Cottages arises as a result of the development. Although the separation between the temporary building and the rear of the cottages is, in part, slightly less than the normally recommended 22m, the separation between the temporary building and the cottages is sufficient that an unacceptable level of harm, in terms of obtrusive impact or overshadowing of the cottages occurs. Furthermore, given that the building is of a temporary nature, it is considered that the benefit of the proposal, in terms of providing sufficient classroom accommodation at the school, outweighs any temporary harm to the occupiers of Fire Brigade Cottages.

Given that the proposal would not result in additional pupil or staff numbers at the school, it is considered that proposal would have no additional impact with regard to transport and road safety.

3) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

4) Consultation Responses

Consultation response supports the proposal

CONCLUSION

The retention of the two two-storey temporary buildings to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The two two-storey temporary modular buildings to provide classrooms shall be removed and the land restored to its former condition within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 3.18, and 7.4 of The London Plan (2011), policy CS1.B of the Harrow Core Strategy (2012) and saved policies D4 and C7 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/2156/09 granted by the Council on 6 November 2009. Save as modified by this permission the terms and conditions of planning permission ref: P/2156/09 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/2156/09.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation. The retention of the two-storey temporary building to provide nine classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or to the adjacent open space and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

3.18 – Education Facilities

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.6B – Architecture

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, AA)

Harrow Unitary Development Plan (2004)

D4 – The Standard of Design and Layout

T6 – The Transport Impacts of Development Proposals

C7 – New Education Facilities

C16 – Access to Buildings and Public Spaces

Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)

Policy 1 – Achieving a High Standard of Development

Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 100C-21-GE-01 Rev A; Supporting Statement

NOWER HILL HIGH SCHOOL, GEORGE V AVENUE, PINNER



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Item No. 2/02
Address: BENTLEY WOOD HIGH SCHOOL, BINYON CRESCENT, STANMORE
Reference: P/2823/12
Description: VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2157/09 DATED 06-NOV-2009 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF A SINGLE-STOREY TEMPORARY BUILDING TO PROVIDE 3 CLASSROOMS.
Ward: STANMORE PARK
Applicant: MR NICK ALWYN
Agent: PEARSON ASSOCIATES
Case Officer: GERARD LIVETT
Expiry Date: 26 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions

REASON

The decision to vary condition 2 of planning permission P/2157/09 dated 06-Nov-2009 to allow the retention for an additional three years of a temporary single-storey modular building has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of the openness of the Green Belt, the Area of Special Character or residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other
Green Belt
Area of Special Character: Harrow Weald Ridge
Council Interest: Freehold owned by LB Harrow
Net additional Floorspace: 0 sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- Bentley Wood High School is sited within the Green Belt, north of Uxbridge Road, Stanmore
- Access to the site is gained at the junction of Binyon Crescent and Sitwell Grove. The entrance drive runs along the south of the site towards the main school building
- The main school building is a low-rise brick built structure which has two wings extending westwards at the northern and southern ends of the structure. It also features a part three / part four storey extension to the north wing of the school, which was granted under P/3803/07
- There are currently five buildings providing temporary classroom units sited on a hardsurfaced play area on the eastern side of the main building
- Planning permission was granted for the three units closest to the main school building, under P/2737/08, for a period of two years
- The easternmost unit received planning permission on 26-July-2007, under P/1510/07, for a period of two years
- The unit providing the classrooms that are the subject of this application is further from the main school building and is to the south and east of the previously-approved mobile classrooms, but within the general spread of what is known as the 'Maths Village'.
- A number of mature trees are sited to the east and within close proximity of the proposed siting of the structure
- Residential properties of Binyon Crescent and Bridges Road are sited south of the application site.

Proposal Details

- The application proposes to vary the wording of Condition 2 attached to planning permission P/2157/09 dated 06-Nov-2009 to allow for the retention for a further three years of single-storey modular building
- The original condition required this modular building to be removed and the land restored to its former condition within three years of the date of that permission (i.e. by 5 November 2012)

Revisions to Previous Application

- Retention of temporary classrooms for an additional three years requested.

Relevant History

P/1002/06 – Replacement temporary double mobile classroom unit and temporary triple classroom unit (2 years)

Granted – 04-Jul-2006

P/1510/07 – Single-storey double classroom teaching unit for temporary two year period

Granted – 26-Jul-2007

P/3887/07 – One single-storey and one two-storey Portacabin to provide temporary classrooms and one two-storey Portacabin building to provide a temporary science block

Granted – 17-Jan-2008

P/2737/08 – Retention of 3 temporary mobile classrooms (2 years)
Granted – 16-Oct-2008

P/2157/09 – Single-storey temporary building to provide 3 classrooms (3 years)
Granted – 06-Nov-2009

P/0281/10 – Details pursuant to conditions attached to planning permission P/2157/09
dated 06-Nov-2009
Approved – 06-May-2010

P/0855/10 – Single-storey temporary building to provide two additional classrooms (3
years); new walkway link to existing walkway; retention of temporary single storey double
classroom unit (3 years)
Granted – 15-Jul-2010

P/0924/10 – Retention of three air conditioning units to temporary classroom building
Granted – 09-Jul-2010

P/2828/12 – Variation of Condition 2 of planning permission P/0855/10 dated 15-Jul-2010
to allow the retention for an additional three years of a single storey temporary building to
provide two additional classrooms and a temporary single storey double classroom unit.
Current application – expires 21-Dec-2012

Other non-relevant planning history omitted

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:
- Temporary buildings were in place before Academy was created.
- Classrooms are required to be able to offer sufficient places for its Year 7 Published Admission Number in the medium term
- Three-year extension of temporary permission would allow the academies to secure funding and implementation proposals for permanent new buildings to replace the temporary accommodation.

Consultations

Highways Authority: No objection

Planning Arboricultural Officer: To be reported

Advertisement

None

Notifications

Sent: 68

Replies: To be reported

Expiry: 05-Dec-2012

Addresses Consulted

1, 2 Hermitage Cottages, Clamp Hill

Hermitage Gate, Clamp Hill

Binyon Crescent – 47-57 (inclusive), 59-87 (odd)

Woodlands Community Hall, Binyon Crescent

1-10 The Bungalows, 43 Binyon Crescent

Kemble House, Bridges Road – Flats 1-8

Bridges Road – 2-12 (even)

Maesfield Avenue – 43-57 (odd)

Summary of Responses

- To be reported

APPRAISAL

BACKGROUND INFORMATION

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years.

This period is considered appropriate to allow each of the academies to prepare suitable strategies for a permanent solution to increasing pupil numbers in the medium term.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Amenity, Green Belt, Area of Special Character and Transport Impacts
- 3) S17 Crime & Disorder Act
- 4) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the school is currently operating close to its maximum capacity and is constrained by its location within the Green Belt. It is considered that this particular school would benefit from a comprehensive programme of permanent extensions or new buildings to ensure that it is capable of meeting the challenges of increasing pupil numbers.

The existing temporary buildings at the front of the school result in the loss of hard surfaced play area, and, by reason of site coverage by single-storey buildings, represent a form of inappropriate development in the Green Belt.

However, it is noted that the retention of all the temporary classrooms, including that which is the subject of his permission, is required to provide adequate facilities at the school.

It is therefore acknowledged that although this particular building results in planning harm, which is discussed in the following section of the appraisal, the need to provide classroom space is considered sufficient justification to allow the retention for a further temporary period of the building for the three-year period requested.

On balance, it is considered that the benefit of the provision of necessary classroom provision outweighs the planning harm.

It is also considered that, given the current challenges surrounding funding for new permanent buildings on the site, a three-year period would be appropriate to allow the school to secure the necessary funding and associated consents to facilitate that development.

2) Design, Amenity, Green Belt, Area of Special Character and Transport Impacts

The single-storey classroom building is of a high quality construction and is also accessible. As such, the temporary building complies with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

The building, along with the other temporary buildings in the 'Maths Village', occupies a hard surfaced netball court. Although the retention of the temporary classrooms would result in the continued loss of this netball court, there are other sports facilities at the school which are adequate to provide a mix of activities for the pupils.

The school site is located in the Metropolitan Green Belt and an Area of Special Character. The National Planning Policy Framework seeks to safeguard the openness of the Green Belt and recommends that local planning authorities should only approve new buildings in the Green Belt in very special circumstances. This guidance is reflected in

policy 7.16 of The London Plan, policy CS1.F of the Harrow Core Strategy and emerging policy 23 of the Harrow Development Management Policies DPD.

With regards to the Area of Special Character, similar protection is offered by policy 7.8 of The London Plan, policy CS1.D of the Harrow Core Strategy, saved policy EP31 of the Harrow Unitary Development Plan and emerging policy 6 of the Harrow Development Management Policies DPD.

The permanent retention of the temporary buildings at the site would be inappropriate development in the Green Belt and the Area of Special Character. However, in this case, the limited period of retention of the temporary buildings allows for a more suitable permanent solution to be achieved. In this case, it is considered that the need to continue to provide classroom accommodation amounts to very special circumstances which are sufficient to outweigh the temporary harm to the Green Belt and Area of Special Character.

Similarly, the temporary classroom building is sited within close proximity to a number of mature trees, one of which has been pruned to accommodate the structure. However, having regard to the fact that a temporary permission is sought for the retention of the building, this would not prejudice the long term viability of the tree, as required by saved policy D10 of the Harrow UDP. It is considered that the proposal is acceptable, and conditions to protect the tree are not required in this case.

The temporary classroom is visible from the rear gardens of residential properties of Binyon Crescent. However, it is considered that the distance between these properties and the classroom structure, which would be similar to that of the main school building and other existing temporary structures, would ameliorate any potential harm to the amenity of these properties.

Given these site circumstances, it is considered that the retention of this temporary building would have no significant impact on the residential amenities of neighbouring occupiers.

Given that the proposal would not result in additional pupil or staff numbers at the school, it is considered that proposal would have no additional impact with regard to transport and road safety.

3) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

4) Consultation Responses

To be reported.

CONCLUSION

The retention of the modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of the openness of the Green Belt, the Area of Special Character or residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The single-storey modular building shall be removed and the land restored to its former within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 2.18, 7.4, 7.8, 7.16 and 7.18 of The London Plan (2011), policy CS1.B/D/F of the Harrow Core Strategy (2012) and saved policies D4, D10, EP31 and C7 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/2157/09 granted by the Council on 6 November 2009. Save as modified by this permission the terms and conditions of planning permission ref: P/2157/09 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/2157/09.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The retention of the modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of the openness of the Green Belt, the Area of Special Character or residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

3.18 – Education Facilities

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.6B – Architecture

7.8 – Heritage Assets

7.16 – Green Belt

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, D, F, AA)

Harrow Unitary Development Plan (2004)

D4 – The Standard of Design and Layout

D10 – Trees and New Development

T6 – The Transport Impacts of Development Proposals
C7 – New Education Facilities
C16 – Access to Buildings and Public Spaces
EP31 – Areas of Special Character

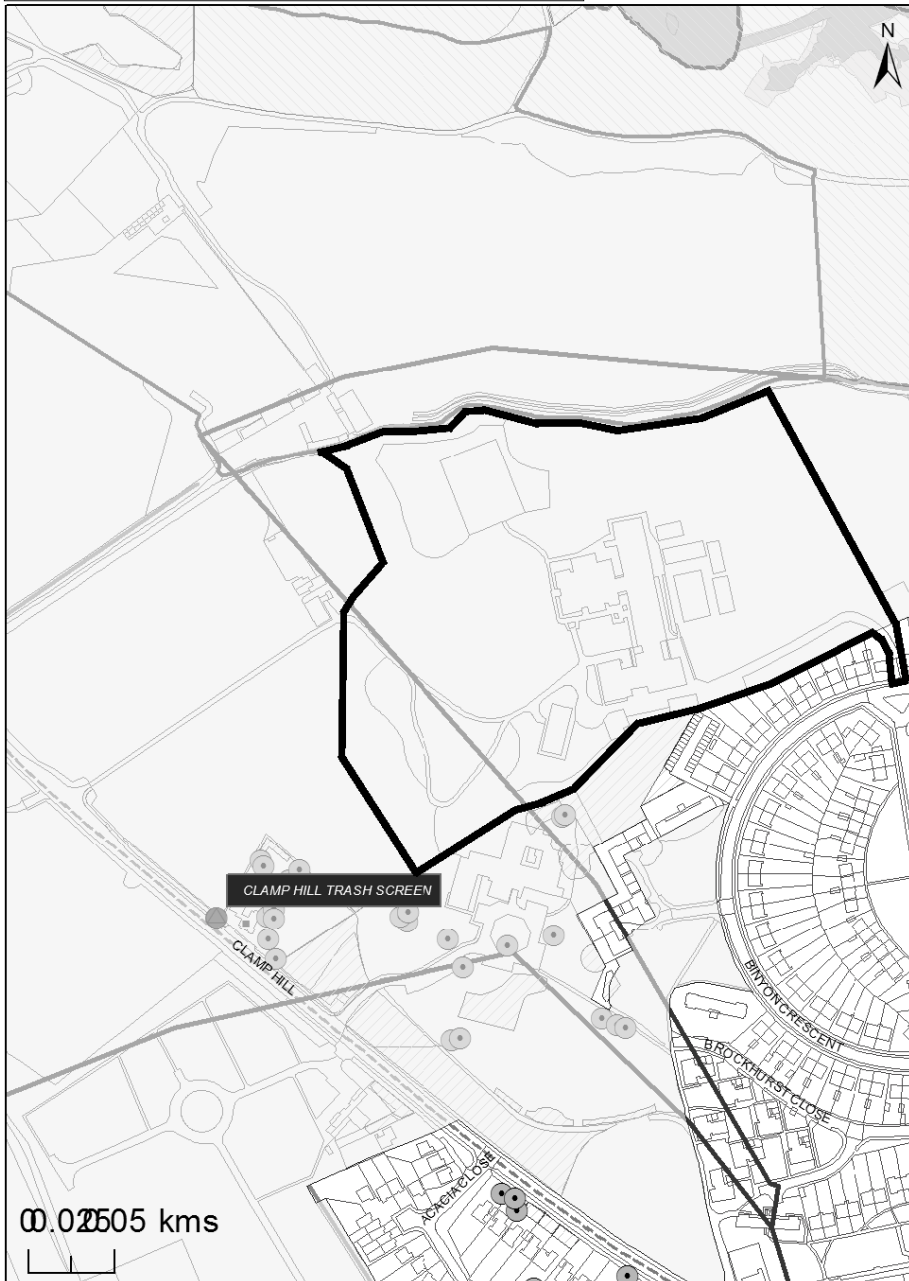
Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)

Policy 1 – Achieving a High Standard of Development
Policy 6 – Areas of Special Character
Policy 23 – Redevelopment of previously-developed sites within Green Belt and Metropolitan Open Land
Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 1000E-21-GE-02 Rev C; Supporting Statement

BENTLEY WOOD HIGH SCHOOL, BINYON CRESCENT, STANMORE



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Item No. 2/03
Address: BENTLEY WOOD HIGH SCHOOL, BINYON CRESCENT, STANMORE
Reference: P/2828/12
Description: VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/0855/10 DATED 15-JUL-2010 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF A SINGLE STOREY TEMPORARY BUILDING TO PROVIDE TWO ADDITIONAL CLASSROOMS AND A TEMPORARY SINGLE STOREY DOUBLE CLASSROOM UNIT.
Ward: STANMORE PARK
Applicant: MR NICK ALWYN
Agent: PEARSON ASSOCIATES
Case Officer: GERARD LIVETT
Expiry Date: 26 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions.

REASON

The decision to vary condition 2 of planning permission P/0855/10 dated 15-Jul-2010 to allow the retention for an additional three years of a temporary single-storey modular building has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of the openness of the Green Belt, the Area of Special Character or residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other

Green Belt

Area of Special Character: Harrow Weald Ridge

Council Interest: Freehold owned by LB Harrow

Net additional Floorspace: 0sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- Bentley Wood High School is sited within the Green Belt, north of Uxbridge Road, Stanmore
- Access to the site is gained at the junction of Binyon Crescent and Sitwell Grove. The entrance drive runs along the south of the site towards the main school building
- The main school building is a low-rise brick built structure which has two wings extending westwards at the northern and southern ends of the structure. It also features a part three / part four storey extension to the north wing of the school, which was granted under P/3803/07
- There are currently five buildings providing temporary classroom units sited on a hardsurfaced play area on the eastern side of the main building
- Planning permission was granted for the three units closest to the main school building, under P/2737/08, for a period of two years
- The easternmost unit received planning permission on 26-July-2007, under P/1510/07, for a period of two years
- The unit providing the classrooms that are the subject of this application is further from the main school building and is to the east of previously-approved mobile classrooms, and forms the eastern edge of the general spread of what is known as the 'Maths Village'.
- A number of mature trees are sited to the east and within close proximity of the proposed siting of the structure
- Residential properties of Binyon Crescent and Bridges Road are sited south of the application site.

Proposal Details

- The application proposes to vary the wording of Condition 2 attached to planning permission P/0855/10 dated 15-Jul-2010 to allow for the retention for a further three years of single-storey modular building
- The original condition required this modular building to be removed and the land restored to its former condition within three years of the date of that permission (i.e. by 5 November 2012)

Revisions to Previous Application

- Retention of temporary classrooms for an additional three years requested.

Relevant History

P/1002/06 – Replacement temporary double mobile classroom unit and temporary triple classroom unit (2 years)

Granted – 04-Jul-2006

P/1510/07 – Single-storey double classroom teaching unit for temporary two year period

Granted – 26-Jul-2007

P/3887/07 – One single-storey and one two-storey Portacabin to provide temporary classrooms and one two-storey Portacabin building to provide a temporary science block

Granted – 17-Jan-2008

P/2737/08 – Retention of 3 temporary mobile classrooms (2 years)
Granted – 16-Oct-2008

P/2157/09 – Single-storey temporary building to provide 3 classrooms (3 years)
Granted – 06-Nov-2009

P/0281/10 – Details pursuant to conditions attached to planning permission P/2157/09
dated 06-Nov-2009
Approved – 06-May-2010

P/0855/10 – Single-storey temporary building to provide two additional classrooms (3
years); new walkway link to existing walkway; retention of temporary single storey double
classroom unit (3 years)
Granted – 15-Jul-2010

P/0924/10 – Retention of three air conditioning units to temporary classroom building
Granted – 09-Jul-2010

Variation of Condition 2 of planning permission P/2157/09 dated 06-Nov-2009 to allow the
retention for an additional three years of a single-storey temporary building to provide 3
classrooms.

Current application – expires 26-Dec-2012

Other non-relevant planning history omitted

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:
- Temporary buildings were in place before Academy was created.
- Classrooms are required to be able to offer sufficient places for its Year 7 Published Admission Number in the medium term
- Three-year extension of temporary permission would allow the academies to secure funding and implementation proposals for permanent new buildings to replace the temporary accommodation.

Consultations

Highways Authority: No objection

Planning Arboricultural Officer: To be reported

Advertisement

None

Notifications

Sent: 68

Replies: To be reported

Expiry: 05-Dec-2012

Addresses Consulted

1, 2 Hermitage Cottages, Clamp Hill

Hermitage Gate, Clamp Hill

Binyon Crescent – 47-57 (inclusive), 59-87 (odd)

Woodlands Community Hall, Binyon Crescent

1-10 The Bungalows, 43 Binyon Crescent

Kemble House, Bridges Road – Flats 1-8

Bridges Road – 2-12 (even)

Maesfield Avenue – 43-57 (odd)

Summary of Responses

- To be reported.

APPRAISAL

BACKGROUND INFORMATION

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years.

This period is considered appropriate to allow each of the academies to prepare suitable strategies for a permanent solution to increasing pupil numbers in the medium term.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Amenity, Green Belt, Area of Special Character and Transport Impacts
- 3) S17 Crime & Disorder Act
- 4) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the school is currently operating close to its maximum capacity and is constrained by its location within the Green Belt. It is considered that this particular school would benefit from a comprehensive programme of permanent extensions or new buildings to ensure that it is capable of meeting the challenges of increasing pupil numbers.

The existing temporary buildings at the front of the school result in the loss of hard surfaced play area, and, by reason of site coverage by single-storey buildings, represent a form of inappropriate development in the Green Belt.

However, it is noted that the retention of all the temporary classrooms, including that which is the subject of his permission, is required to provide adequate facilities at the school.

It is therefore acknowledged that although this particular building results in planning harm, which is discussed in the following section of the appraisal, the need to provide classroom space is considered sufficient justification to allow the retention for a further temporary period of the building for the three-year period requested.

On balance, it is considered that the benefit of the provision of necessary classroom provision outweighs the planning harm.

It is also considered that, given the current challenges surrounding funding for new permanent buildings on the site, a three-year period would be appropriate to allow the school to secure the necessary funding and associated consents to facilitate that development.

2) Design, Amenity, Green Belt, Area of Special Character and Transport Impacts

The single-storey classroom building is of a high quality construction and is also accessible. As such, the temporary building complies with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

The building, along with the other temporary buildings in the 'Maths Village', occupies a hard surfaced netball court. Although the retention of the temporary classrooms would result in the continued loss of this netball court, there are other sports facilities at the school which are adequate to provide a mix of activities for the pupils.

The school site is located in the Metropolitan Green Belt and an Area of Special Character. The National Planning Policy Framework seeks to safeguard the openness of the Green Belt and recommends that local planning authorities should only approve new

buildings in the Green Belt in very special circumstances. This guidance is reflected in policy 7.16 of The London Plan, policy CS1.F of the Harrow Core Strategy and emerging policy 23 of the Harrow Development Management Policies DPD.

With regards to the Area of Special Character, similar protection is offered by policy 7.8 of The London Plan, policy CS1.D of the Harrow Core Strategy, saved policy EP31 of the Harrow Unitary Development Plan and emerging policy 6 of the Harrow Development Management Policies DPD.

The permanent retention of the temporary buildings at the site would be inappropriate development in the Green Belt and the Area of Special Character. However, in this case, the limited period of retention of the temporary buildings allows for a more suitable permanent solution to be achieved. In this case, it is considered that the need to continue to provide classroom accommodation amounts to very special circumstances which are sufficient to outweigh the temporary harm to the Green Belt and Area of Special Character.

Similarly, the temporary classroom building is sited within close proximity to a number of mature trees, one of which has been pruned to accommodate the structure. However, having regard to the fact that a temporary permission is sought for the retention of the building, this would not prejudice the long term viability of the tree, as required by saved policy D10 of the Harrow UDP. It is considered that the proposal is acceptable, and conditions to protect the tree are not required in this case.

The temporary classroom is visible from the rear gardens of residential properties of Binyon Crescent. However, it is considered that the distance between these properties and the classroom structure, which would be similar to that of the main school building and other existing temporary structures, would ameliorate any potential harm to the amenity of these properties.

Given these site circumstances, it is considered that the retention of this temporary building would have no significant impact on the residential amenities of neighbouring occupiers.

Given that the proposal would not result in additional pupil or staff numbers at the school, it is considered that proposal would have no additional impact with regard to transport and road safety.

3) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

4) Consultation Responses

To be reported.

CONCLUSION

The retention of the modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of the openness of the Green Belt, the Area of Special Character or residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The single-storey modular building shall be removed and the land restored to its former within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 2.18, 7.4, 7.8, 7.16 and 7.18 of The London Plan (2011), policy CS1.B/D/F of the Harrow Core Strategy (2012) and saved policies D4, D10, EP31 and C7 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/0855/10 granted by the Council on 15 July 2010. Save as modified by this permission the terms and conditions of planning permission ref: P/0855/10 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/0855/10.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The retention of the modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of the openness of the Green Belt, the Area of Special Character or residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

3.18 – Education Facilities

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.6B – Architecture

7.8 – Heritage Assets

7.16 – Green Belt

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, D, F, AA)

Harrow Unitary Development Plan (2004)

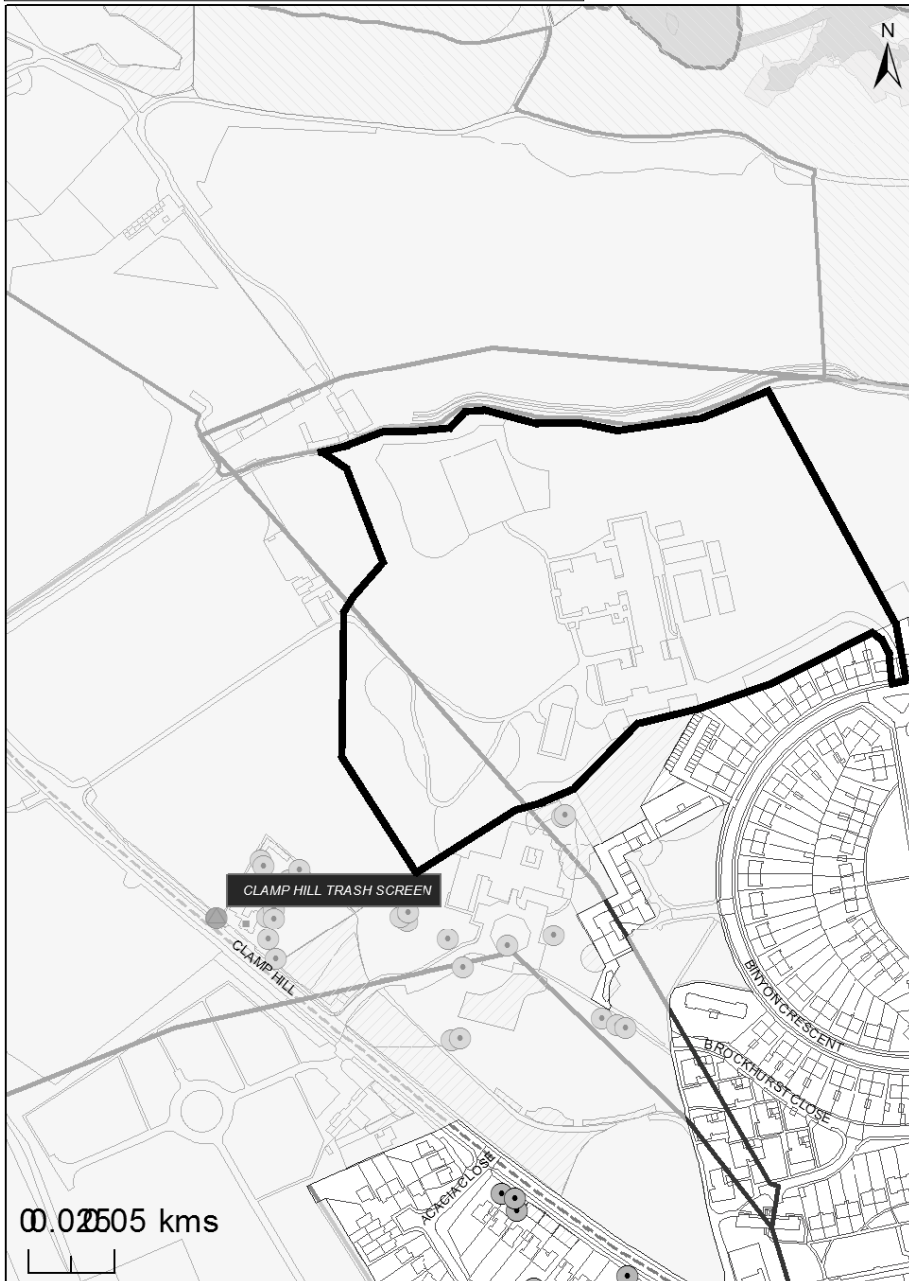
D4 – The Standard of Design and Layout
D10 – Trees and New Development
T6 – The Transport Impacts of Development Proposals
C7 – New Education Facilities
C16 – Access to Buildings and Public Spaces
EP31 – Areas of Special Character

Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)
Policy 1 – Achieving a High Standard of Development
Policy 6 – Areas of Special Character
Policy 23 – Redevelopment of previously-developed sites within Green Belt and Metropolitan Open Land
Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 1000E-21-GE-05; Supporting Statement

BENTLEY WOOD HIGH SCHOOL, BINYON CRESCENT, STANMORE



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Item No. 2/04
Address: ROOKS HEATH COLLEGE, EASTCOTE LANE, SOUTH HARROW
Reference: P/2822/12
Description: VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/1678/08 DATED 24-JUL-2008 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF A TWO-STOREY TEMPORARY BUILDING ADJACENT TO THE EASTERLY SITE BOUNDARY.
Ward: ROXBOURNE
Applicant: MRS JACQUI WRIGHT
Agent: PEARSON ASSOCIATES
Case Officer: GERARD LIVETT
Expiry Date: 26 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions.

REASON

The decision to vary condition 3 of planning permission P/1678/08 dated 24-Jul-2008 to allow the retention for an additional three years of the temporary two-storey modular building has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the temporary two-storey modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other

Council Interest: Freehold owned by LB Harrow

Net additional Floorspace: 0sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- Rooks Heath College is located on the northern side of Eastcote Lane and is in a predominately residential area
- The original campus has been extended with additional two-storey buildings at the front of the site.
- The school has three single-storey temporary classroom buildings at the rear of the site between the main school building, the car parking area and the adjoining nursery school campus
- The school also has a two-storey temporary building at the east of the site between the main school building and the rear gardens of Hamilton Crescent.

Proposal Details

- The application proposes to vary the wording of Condition 3 attached to planning permission P/1678/08 dated 24-Jul-2008 to allow for the retention for a further three years of a two-storey modular building
- The original condition required these modular buildings to be removed and the land restored to its former condition within five years of the date of that permission (i.e. by 23 July 2013).

Revisions to Previous Application

- Retention of temporary classrooms for an additional three years requested.

Relevant History

WEST/45836/92/FUL – Two-storey block to provide classroom accommodation with covered link
Granted – 24-May-1993

WEST/482/94/LA3 – Enclosure of two covered walkways, new wall and railings and disabled access facilities
Granted – 10-Oct-1994

WEST/50/00/FUL – Single-storey rear extension to provide toilet facilities
Granted – 08-Mar-2000

P/1930/03/DFU – Entrance porch and replacement gates
Granted – 17-Nov-2003

P/1589/05/CLA – Part single- / part two-storey building with glazed link at Eastcote Lane frontage of site
Granted – 12-Oct-2005

P/4052/07 – Single and two-storey extension fronting Eastcote Lane and external alterations to provide sixth form educational facilities
Granted – 28-Jan-2008

P/1678/08/DFU – Single-storey unit adjacent to front site for temporary two-year period and two-storey unit adjacent to easterly site boundary for temporary five-year period
Granted – 24-Jul-2008

P/0385/09 – Details of materials pursuant to condition 2 of P/0452/07/DFY relating to a single and two-storey extension fronting Eastcote Lane and external alterations to provide sixth form educational facilities granted 28.01.2008
Approved – 17-Apr-2009

P/2158/09 – Two temporary single-storey modular buildings (total internal floor area of 297 square metres)
Granted – 06-Nov-2009

P/0118/10 – Submission of details pursuant to condition 2 (water disposal and attenuation /storage) of planning permission P/2158/09 dated 06/11/2009 for two temporary single-storey modular buildings (total internal floor area of 297 square metres)
Approved – 31-Mar-2010

P/2821/12 – Variation of Condition 1 of planning permission P/2158/09 dated 06-Nov-2009 to allow the retention for an additional three years of two temporary single-storey modular buildings.
Current application – expires 26-Dec-2012

Other non-relevant planning history omitted.

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings. We considered that a maximum extension of two years would be appropriate given the circumstances that are outlined below.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:
- Temporary buildings were in place before Academy was created.
- Classrooms are required to be able to offer sufficient places for its Year 7 Published Admission Number in the medium term
- Three-year extension of temporary permission would allow the academies to secure funding and implementation proposals for permanent new buildings to replace the temporary accommodation.

Consultations

Highways Authority: No objection

Advertisement

None

Notifications

Sent: 98

Replies: To be reported

Expiry: 04-Dec-2012

Addresses Consulted

Merlins Avenue: 42-58 (even)

Minehead Road: 39-79 (odd)

24-38 Hamilton Crescent (even)

Summary of Responses

- To be reported.

APPRAISAL**BACKGROUND INFORMATION**

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years.

This period is considered appropriate to allow each of the academies to prepare suitable strategies for a permanent solution to increasing pupil numbers in the medium term.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be

the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Amenity and Transport Impacts
- 3) S17 Crime & Disorder Act
- 4) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those

relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the school is currently operating close to its maximum capacity and is constrained within its site, and it is considered that this particular school would benefit from a comprehensive programme of permanent extensions or new buildings to ensure that it is capable of meeting the challenges of increasing pupil numbers.

The existing temporary building does not result in the loss of any play area and is located in an area that would have no other real utility to the school.

It is therefore acknowledged that the planning harm this particular building causes, which is discussed in the following section of the appraisal, is not so significant that permission for its retention for the three-year period requested should be refused.

On balance, it is considered that the benefit of the provision of necessary classroom provision outweighs the planning harm.

It is also considered that, given the current challenges surrounding funding for new permanent buildings on the site, a three-year period would be appropriate to allow the school to secure the necessary funding and associated consents to facilitate that development.

2) Design, Amenity and Transport Impacts

The two-storey classroom building is of a high quality construction and is also accessible. As such, the temporary building complies with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

The modular building is sited close to the rear boundaries of the gardens of properties in Hamilton Crescent. However, the modular building is more than 30m from the nearest residential façade. The modular building has no windows facing these rear gardens. As such, it is considered that the modular building results in no additional overshadowing beyond that of the main school building and does not result in overlooking of residential properties or gardens.

Given these site circumstances, it is considered that the retention of this temporary building would have no significant impact on the residential amenities of neighbouring occupiers.

Given that the proposal would not result in additional pupil or staff numbers at the school, it is considered that proposal would have no additional impact with regard to transport and road safety.

3) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

4) Consultation Responses

To be reported.

CONCLUSION

The retention of the two-storey modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The two-storey modular building shall be removed and the land restored to its former within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 2.18, 7.4 and 7.18 of The London Plan (2011), policy CS1.B/F of the Harrow Core Strategy (2012) and saved policies D4 and C7 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/1678/08 granted by the Council on 24 July 2008. Save as modified by this permission the terms and conditions of planning permission ref: P/1678/08 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/1678/08.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The retention of the two-storey modular building for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

3.18 – Education Facilities

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.6B – Architecture

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, AA)

Harrow Unitary Development Plan (2004)
D4 – The Standard of Design and Layout
T6 – The Transport Impacts of Development Proposals
C7 – New Education Facilities
C16 – Access to Buildings and Public Spaces

Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)
Policy 1 – Achieving a High Standard of Development
Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 2549-01 Rev A; Supporting Statement

ROOKS HEATH SCHOOL, EASTCOTE LANE, SOUTH HARROW



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Item No. 2/05
Address: ROOKS HEATH COLLEGE, EASTCOTE LANE, SOUTH HARROW
Reference: P/2821/12
Description: VARIATION OF CONDITION 1 OF PLANNING PERMISSION P/2158/09 DATED 06-NOV-2009 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF TWO TEMPORARY SINGLE-STOREY MODULAR BUILDINGS.
Ward: ROXBOURNE
Applicant: MRS JACQUI WRIGHT
Agent: PEARSON ASSOCIATES
Case Officer: GERARD LIVETT
Expiry Date: 26 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions.

REASON

The decision to vary condition 1 of planning permission P/2158/09 dated 06-Nov-2009 to allow the retention for an additional three years of two temporary single-storey modular buildings has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the two temporary single-storey modular buildings for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or result in the loss of playground space and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other

Council Interest: Freehold owned by LB Harrow

Net additional Floorspace: 0sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- Rooks Heath College is located on the northern side of Eastcote Lane and is in a predominately residential area
- The original campus has been extended with additional two-storey buildings at the front of the site.
- The school has three single-storey temporary classroom buildings at the rear of the site between the main school building, the car parking area and the adjoining nursery school campus
- The school also has a two-storey temporary building at the east of the site between the main school building and the rear gardens of Hamilton Crescent.

Proposal Details

- The application proposes to vary the wording of Condition 1 attached to planning permission P/2158/09 dated 06-Nov-2009 to allow for the retention for a further three years of two temporary single-storey modular buildings
- The original condition required these modular buildings to be removed and the land restored to its former condition within three years of the date of that permission (i.e. by 6 November 2012).

Revisions to Previous Application

- Retention of temporary classrooms for an additional three years requested.

Relevant History

WEST/45836/92/FUL – Two-storey block to provide classroom accommodation with covered link

Granted – 24-May-1993

WEST/482/94/LA3 – Enclosure of two covered walkways, new wall and railings and disabled access facilities

Granted – 10-Oct-1994

WEST/50/00/FUL – Single-storey rear extension to provide toilet facilities

Granted – 08-Mar-2000

P/1930/03/DFU – Entrance porch and replacement gates

Granted – 17-Nov-2003

P/1589/05/CLA – Part single- / part two-storey building with glazed link at Eastcote Lane frontage of site

Granted – 12-Oct-2005

P/4052/07 – Single and two-storey extension fronting Eastcote Lane and external alterations to provide sixth form educational facilities

Granted – 28-Jan-2008

P/1678/08/DFU – Single-storey unit adjacent to front site for temporary two-year period and two-storey unit adjacent to easterly site boundary for temporary five-year period

Granted – 24-Jul-2008

P/0385/09 – Details of materials pursuant to condition 2 of P/0452/07/DFY relating to a

single and two-storey extension fronting Eastcote Lane and external alterations to provide sixth form educational facilities granted 28.01.2008

Approved – 17-Apr-2009

P/2158/09 – Two temporary single-storey modular buildings (total internal floor area of 297 square metres)

Granted – 06-Nov-2009

P/0118/10 – Submission of details pursuant to condition 2 (water disposal and attenuation / storage) of planning permission P/2158/09 dated 06/11/2009 for two temporary single-storey modular buildings (total internal floor area of 297 square metres)

Approved – 31-Mar-2010

P/2822/12 – Variation of Condition 3 of planning permission P/1678/08 dated 24-Jul-2008 to allow the retention for an additional three years of a two-storey temporary building adjacent to the easterly site boundary.

Current application – expires 26-Dec-2012

Other non-relevant planning history omitted

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:
- Temporary buildings were in place before Academy was created.
- Classrooms are required to be able to offer sufficient places for its Year 7 Published Admission Number in the medium term
- Three-year extension of temporary permission would allow the academies to secure funding and implementation proposals for permanent new buildings to replace the temporary accommodation.

Consultations

Highways Authority: No objection

Advertisement

None

Notifications

Sent: 29
Replies: To be reported
Expiry: 04-Dec-2012

Addresses Consulted

Merlins Avenue: 42-58 (even)
Minehead Road: 39-79 (odd)

Summary of Responses

- To be reported.

APPRAISAL

BACKGROUND INFORMATION

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years.

This period is considered appropriate to allow each of the academies to prepare suitable strategies for a permanent solution to increasing pupil numbers in the medium term.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the

Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Amenity and Transport Impacts
- 3) S17 Crime & Disorder Act
- 4) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the school is currently operating close to its maximum capacity and is constrained within its site, and it is considered that this particular school would benefit from a comprehensive programme of permanent extensions or new buildings to ensure

that it is capable of meeting the challenges of increasing pupil numbers.

The existing temporary buildings result in the loss of part of a hard surfaced play area.

However, there are sufficient hard surfaced play areas, including ball game courts, available at the school to provide sufficient recreation areas for the pupils. The school also has access to playing fields off site, which meet the requirements of the school to provide sports education.

It is therefore acknowledged that the planning harm these particular buildings cause, in terms of the loss of a hard surfaced play area, is not so significant that permission for its retention for the three-year period requested should be refused.

On balance, it is considered that the benefit of the provision of necessary classroom provision outweighs the planning harm.

It is also considered that, given the current challenges surrounding funding for new permanent buildings on the site, a three-year period would be appropriate to allow the school to secure the necessary funding and associated consents to facilitate that development.

2) Design, Amenity and Transport Impacts

The single-storey classroom buildings are of a reasonable quality construction and are also accessible. As such, the temporary buildings comply with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

The modular building is not sited near any residential boundaries, and as such would have no significant impact on the residential amenities of neighbouring occupiers.

Given that the proposal would not result in additional pupil or staff numbers at the school, it is considered that proposal would have no additional impact with regard to transport and road safety.

3) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

4) Consultation Responses

To be reported.

CONCLUSION

The retention of the two temporary single-storey modular buildings for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or result in the loss of playground space and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The two temporary single-storey modular buildings shall be removed and the land restored to its former within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 2.18, 7.4 and 7.18 of The London Plan (2011), policy CS1.B/F of the Harrow Core Strategy (2012) and saved policies D4 and C7 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/2158/09 granted by the Council on 6 November 2009. Save as modified by this permission the terms and conditions of planning permission ref: P/2158/09 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/2158/09.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The retention of the two temporary single-storey modular buildings for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or result in the loss of playground space and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

3.18 – Education Facilities

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.6B – Architecture

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, AA)

Harrow Unitary Development Plan (2004)

D4 – The Standard of Design and Layout

T6 – The Transport Impacts of Development Proposals

C7 – New Education Facilities

C16 – Access to Buildings and Public Spaces

Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)
Policy 1 – Achieving a High Standard of Development
Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 1000A-21-GE-01 Rev A; Supporting Statement

ROOKS HEATH SCHOOL, EASTCOTE LANE, SOUTH HARROW



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Item No. 2/06
Address: PARK HIGH SCHOOL, THISTLECROFT GARDENS, STANMORE
Reference: P/2820/12
Description: VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2161/09 DATED 08-DEC-2009 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF TWO-STOREY TEMPORARY BUILDING TO PROVIDE 9 CLASSROOMS.
Ward: BELMONT
Applicant: MRS JACKIE WILLIS
Agent: PEARSON ASSOCIATES
Case Officer: GERARD LIVETT
Expiry Date: 21 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions.

REASON

The decision to vary condition 2 of planning permission P/2161/09 dated 08-Dec-2009 to allow the retention for an additional three years of a two-storey temporary building to provide nine classrooms has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the two-storey temporary building to provide nine classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or to the adjacent open space and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other

Council Interest: Freehold owned by LB Harrow

Net additional Floorspace: 0sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- Park High School is located at the southern end of Thistlecroft Gardens, with a secondary access from Burnell Avenue
- The main school building is a two-storey brick building and was opened on 3 September 1939.
- The school has been extended with two-storey classroom additions at the east and west, and a new sports hall, which occupied part of Centenary Park, on the west side.
- The school has a hard surfaced playing area at the south of the main buildings, with additional classrooms beyond this.
- The site has a park on the west side, and a golf course on the southern side, with residential gardens on the north and east sides.
- During the summer of 2012, internal works were undertaken to provide improved kitchen and dining facilities.

Proposal Details

- The application proposes to vary the wording of Condition 2 attached to planning permission P/2161/09 dated 08-Dec-2009 to allow for the retention for a further three years of a two-storey modular building at the south of the site to provide nine classrooms
- The original condition required these modular buildings to be removed and the land restored to its former condition within three years of the date of that permission (i.e. by 7 December 2012).

Revisions to Previous Application

- Retention of temporary classrooms for an additional three years requested.

Relevant History

LBH/1358/2 – Erection of two-storied extension (laboratories) and single-storey extension (kitchen)

Granted – 25-Feb-1975

EAST/45063/92/OUT – Single and two-storey extensions and two-storey sports hall

Granted – 03-Sep-1992

EAST/454/93/DET – Details pursuant to EAST/45063/92/OUT

Approved – 11-Nov-1993

P/0186/08 – Extension of existing school to provide new two-storey sixth form centre and additional playground area

Granted – 18-Apr-2008

P/2565/08 – Discharge of conditions 4 (materials) & 8 (sustainability) pursuant to permission P/0186/08

Approved – 14-Oct-2008

P/3107/08 – Variation of conditions No. 5, 6, 7, & 8 pursuant to permission P/0186/08

Granted – 16-Oct-2008

P/4034/08 – Discharge of condition 9 (travel plan) of planning permission P/0186/08

Approved – 16-Mar-2009

P/1250/09 – Approval of details pursuant to conditions 5, 6 & 7 of P/0186/08 dated 18/04/2008 for ‘extension of existing school to provide new two-storey sixth form centre and additional playground area’
Approved – 15-Jul-2009

P/0886/09 – Approval of details pursuant to condition 2 (landscaping) of planning permission ref: P/0186/08

P/2161/09 – Two-storey temporary building to provide nine classrooms and ancillary accommodation, single-storey detached building to provide sports changing accommodation and new sub-station
Granted – 08-Dec-2009

P/0374/10 – Approval of details pursuant to conditions 4 (sewage), 5 (surface water) and 6 (water attenuation/storage works) attached to planning permission P/2161/09 dated 08/12/2009 for ‘two-storey temporary building to provide nine classrooms and ancillary accommodation, single-storey detached building to provide sports changing accommodation and new sub-station’
Approved – 04-May-2010

P/0577/10 – Submission of details pursuant to condition 3 (materials) attached to planning permission P/2161/09 dated 08/12/2009 for ‘two-storey temporary building to provide nine classrooms and ancillary accommodation, single-storey detached building to provide sports changing accommodation and new sub-station’
Approved – 14-May-2010

P/0850/10 – Installation of a lift and ventilation ducts; extension incorporating a cold room; store rooms and refuse to east of dining room
Granted – 19-Jul-2010

P/0922/10 – Installation of 12 air conditioning units to two-storey temporary classroom building
Granted – 09-Jul-2010

Other non-relevant planning history omitted

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:

Consultations

Stanmore Society: To be reported

Environment Agency: To be reported

Crime Design Prevention Officer: To be reported

Public Realm: To be reported

Landscape Architect: To be reported

Highways Authority: No objection

Advertisement

Major Development

Expiry: 6-Dec-2012

Notifications

Sent: 35

Replies: To be reported

Expiry: 28-Nov-2012

Addresses Consulted

Lamorna Grove: 46-76 (even)

Broadcroft Avenue: 77-79 (odd)

Thistlecroft Gardens: 41-44 (inclusive)

Burnell Gardens: 41, 43

Carisbrooke Close: 1-10 (inclusive)

Pitch and Put Golf Course, Centenary Park, Culver Grove

Summary of Responses

- To be reported.

APPRAISAL

BACKGROUND INFORMATION

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years. However, each of the applications is assessed on its merits, and suitable recommendations on the appropriate periods for retention have been made on a case by case basis.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Amenity and Transport Impacts
- 3) Impact on Open Space and Trees
- 4) S17 Crime & Disorder Act
- 5) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the original school building was opened just before the second world war, and is currently operating close to its maximum capacity and is constrained within its site. As such, it is considered that this particular school would benefit from a comprehensive rebuilding programme to ensure that it is capable of meeting the challenges of increasing pupil numbers.

The existing two-storey temporary building results in some internal disruption within the school, such as music and art classes being in close proximity. However, it is also acknowledged that the planning harm this particular building causes, discussed below, is not so significant that permission for its retention for the three-year period requested should be refused.

On balance, it is considered that the benefit of the provision of necessary classroom provision outweighs the planning harm.

It is also considered that, given the extent of rebuilding that would be required to provide permanent facilities for pupils and staff, a three-year period would be more appropriate to allow the school to secure the necessary funding and associated consents to facilitate that redevelopment.

2) Design, Amenity and Transport Impacts

The two-storey classroom building is of a high quality construction that is also accessible. As such, the temporary building complies with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

The modular building is not sited near any residential boundaries, and as such would have no significant impact on the residential amenities of neighbouring occupiers.

Given that the proposal would not result in additional pupil or staff numbers at the school, it is considered that proposal would have no additional impact with regard to transport and road safety.

3) Impact on Open Space and Trees

The most significant impact of this proposal is the impact on the adjacent designated Open Space to the south. Policy 2.18 of The London Plan, policy CS1.F of the Harrow Core Strategy and saved policy EP47 of the Harrow Unitary Development Plan require that open space is protected not just from development on the open space but also from development that would detract from the utility of the open space. This policy background is also carried forward in draft policy 25 of the Emerging Development Management Policies DPD.

It is considered that this two-storey building adjacent to the designated open space has a greater impact on the openness of the space to the south than the single-storey buildings it replaced.

It is considered that at this southern boundary of the school site, a more managed transition between the developed site and the open space, either with an area of landscaping or single-storey buildings, would be preferable.

It is noted that there is a two-storey permanent building located a similar distance from the open space, although this was constructed in the 1970s'. Given the site circumstances, and the high quality of the temporary building, it is considered that the harm caused to the adjacent open space is not so significant that the temporary building could not be retained for an additional three years.

It is noted that this part of the school is screened by soft landscaping comprising mature trees on the southern boundary. With the previous grant of permission it was noted that the building had been sited to avoid any significant impact on nearby trees, as required by saved policy D10 of the Harrow Unitary Development Plan.

4) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

5) Consultation Responses

To be reported.

CONCLUSION

The retention of the two-storey temporary building to provide nine classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or to the adjacent open space and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The two-storey temporary modular building to provide nine classrooms and ancillary accommodation shall be removed and the land restored to its former grassed condition within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 2.18, 7.4 and 7.18 of The London Plan (2011), policy CS1.B/F of the Harrow Core Strategy (2012) and saved policies D4 and EP47 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/2161/09 granted by the Council on 8 December 2009. Save as modified by this permission the terms and conditions of planning permission ref: P/2161/09 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/2161/09.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The retention of the two-storey temporary building to provide nine classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or to the adjacent open space and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

2.18 – Green Infrastructure: the network of open and green spaces

3.18 – Education Facilities

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.6B – Architecture

7.18 – Protecting local open space and addressing local deficiency

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, F, AA)

Harrow Unitary Development Plan (2004)

D4 – The Standard of Design and Layout

D10 – Trees and New Development

EP47 – Open Space

T6 – The Transport Impacts of Development Proposals

C7 – New Education Facilities

C16 – Access to Buildings and Public Spaces

Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)

Policy 1 – Achieving a High Standard of Development

Policy 25 – Protection of Open Space

Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 1000F-21-GE-01 Rev B; Supporting Statement

PARK HIGH SCHOOL, THISTLECROFT GARDENS, STANMORE



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Item No. 2/07
Address: HARROW HIGH SCHOOL, GAYTON ROAD, HARROW
Reference: P/2825/12
Description: VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2155/09 DATED 23-DEC-2012 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF TWO SINGLE-STOREY TEMPORARY BUILDINGS TO PROVIDE CLASSROOMS.
Ward: GREENHILL
Applicant: MRS RUTH DENNISON
Agent: PEARSON ASSOCIATES
Case Officer: GERARD LIVETT
Expiry Date: 21 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions:

REASON

The decision to vary condition 2 of planning permission P/2155/09 dated 23-Dec-2009 to allow the retention for an additional three years of two single-storey temporary buildings to provide classrooms has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the two single-storey temporary buildings to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other
Locally Listed Building: Main school building
Council Interest: Freehold owned by LB Harrow
Net additional Floorspace: 0sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- The site is bounded by Gayton Road, Sheepcote Road and Kenton Road.
- The site shares boundaries with residential properties to the north east and east
- Both Kenton Road and Sheepcote Roads are approximately 3.8m above the ground level of the school site
- There have been a number of extensions at the school site, including a two-storey sixth form block.
- Part of the site is designated as open space
- The old school buildings are locally Listed, with the description: 'Built 1890 former Middlesex Boys School, of 2.5 storeys in red brick with stone dressings to main façade and stone portico.

Proposal Details

- The proposal seeks the retention of two single-storey modular buildings at the southern end of the school site, adjacent to the boundary with Kenton Road.

Revisions to Previous Application

- Retention of temporary classrooms for an additional three years requested.

Relevant History

P/0628/08 – Two-storey detached building at junction of Sheepcote Road and Kenton Road

Granted – 13-May-2008

P/2971/08 – Details pursuant to conditions 6, 8, 11 & 12 (trees and landscaping) attached to planning permission P/0628/08

Approved – 28-Oct-2008

P/3628/08 – Details pursuant to conditions 3, 4 & 5 (drainage) attached to planning permission P/0628/08

Approved – 02-Dec-2008

P/3633/08 – Details pursuant to condition 13 (access) attached to planning permission P/0628/08

Approved – 02-Dec-2008

P/2155/09 – Two single-storey temporary modular buildings with linked access platform; single-storey extension to dining room

Granted – 23-Dec-2009

P/2477/12 – Replacement of existing windows to kitchen and dining room building

Current application – Expires 4-Dec-2012

Other non-relevant planning history omitted

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:
- Temporary buildings were in place before Academy was created.
- Classrooms are required to be able to offer sufficient places for its Year 7 Published Admission Number in the medium term
- Three-year extension of temporary permission would allow the academies to secure funding and implementation proposals for permanent new buildings to replace the temporary accommodation.

Consultations

London Borough of Brent: To be reported

Design and Conservation Officer: To be reported

Highways Authority: No objection

Advertisement

None

Notifications

Sent: 58

Replies: To be reported

Expiry: 28-Nov-2012

Addresses Consulted

Gayton Road: 44-82 (even) (including flats)

Thurlby Close: Flats 1-31

Summary of Responses

- To be reported.

APPRAISAL

BACKGROUND INFORMATION

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have

allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years. However, each of the applications is assessed on its merits, and suitable recommendations on the appropriate periods for retention have been made on a case by case basis.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Open Space, Locally Listed Buildings, Amenity and Transport Impacts

- 3) S17 Crime & Disorder Act
- 4) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the school is currently operating close to its maximum capacity. It currently manages this capacity through the use of staggered break and lunch times to allow for maximum use of the existing buildings. Notwithstanding this, the use of temporary buildings to meet the teaching requirements of the school is not considered to be ideal. It is therefore considered that this particular school would benefit from a programme of permanent extensions or new buildings to ensure that it is capable of meeting the challenges of increasing pupil numbers.

The single-storey temporary buildings are at the far south of the site and are largely hidden from public view by the difference in levels between the school playground and the raised footway of Kenton Road. It is therefore considered that little visual harm results from the location of the temporary buildings.

The location of these temporary buildings results in the loss of defined open space, although it is recognised that the loss would not be permanent.

However, it is also acknowledged that the planning harm these buildings cause, discussed below, is not so significant that permission for its retention for the three-year period requested should be refused.

On balance, it is considered that the benefit of the provision of necessary classroom provision outweighs the planning harm.

It is also considered that, given the extent of rebuilding that would be required to provide

permanent facilities for pupils and staff, a three-year period would be more appropriate to allow the school to secure the necessary funding and associated consents to facilitate that redevelopment.

2) Design, Open Space, Locally Listed Buildings, Amenity and Transport Impacts

The single-storey classroom buildings are of a high quality construction and are also accessible. As such, the temporary buildings complies with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

The buildings are located on defined open space and as such the proposal would conflict with policies 2.18 and 7.18 of The London Plan (2011), policy CS1.F of the Harrow Core Strategy (2012), saved policy EP47 of the Harrow Unitary Development Plan (2004) and emerging policy 25 of the draft Harrow Development Management Policies Development Plan Document, all of which seek to protect the borough's open spaces – irrespective of ownership – from inappropriate development.

Notwithstanding this, it is recognised that although the proposal would result in the loss of part of this open space, the loss of open space would be temporary.

It is considered that a permanent solution would avoid the permanent loss of the open space, and the temporary loss of the open space can be justified in order to provide adequate accommodation for the pupils at Harrow High School until a more permanent solution can be implemented.

The temporary buildings are located a significant distance (more than 50m) from the locally listed main school buildings, and as such it is considered that this separation, and the temporary nature of the development, would not result in any long term or permanent harm to the locally listed building, as required by policy 7.8 of The London Plan, policy CS1.D of the Harrow Core Strategy, saved policy D12 of the Harrow UDP and emerging policy 11 of the draft Development Management Policies DPD.

The temporary buildings are located approximately 20m from the nearest residential boundaries and this is considered sufficient that an unacceptable level of harm, in terms of obtrusive impact or overshadowing of the nearby flats. Furthermore, given that the building is of a temporary nature, it is considered that the benefit of the proposal, in terms of providing sufficient classroom accommodation at the school, outweighs any temporary harm to the occupiers of adjoining residential properties.

Given that the proposal would not result in additional pupil or staff numbers at the school, it is considered that proposal would have no additional impact with regard to transport and road safety.

3) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

4) Consultation Responses

To be reported.

CONCLUSION

The retention of the two single-storey temporary buildings to provide classrooms for an

additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The two single-storey temporary modular buildings to provide classrooms shall be removed and the land restored to its former condition within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 3.18, and 7.4 of The London Plan (2011), policy CS1.B of the Harrow Core Strategy (2012) and saved policies D4 and C7 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/2155/09 granted by the Council on 23 December 2009. Save as modified by this permission the terms and conditions of planning permission ref: P/2155/09 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/2155/09.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The retention of the two single-storey temporary buildings to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

2.18 – Green Infrastructure: the network of open and green spaces

3.18 – Education Facilities

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.6B – Architecture

7.8 – Heritage Assets

7.18 – Protecting local open space and addressing local deficiency

Harrow Core Strategy (2012)
Core Policy CS1 (A, B, D, F, AA)

Harrow Unitary Development Plan (2004)
EP47 – Open Space
D4 – The Standard of Design and Layout
D12 – Locally Listed Buildings
T6 – The Transport Impacts of Development Proposals
C7 – New Education Facilities
C16 – Access to Buildings and Public Spaces

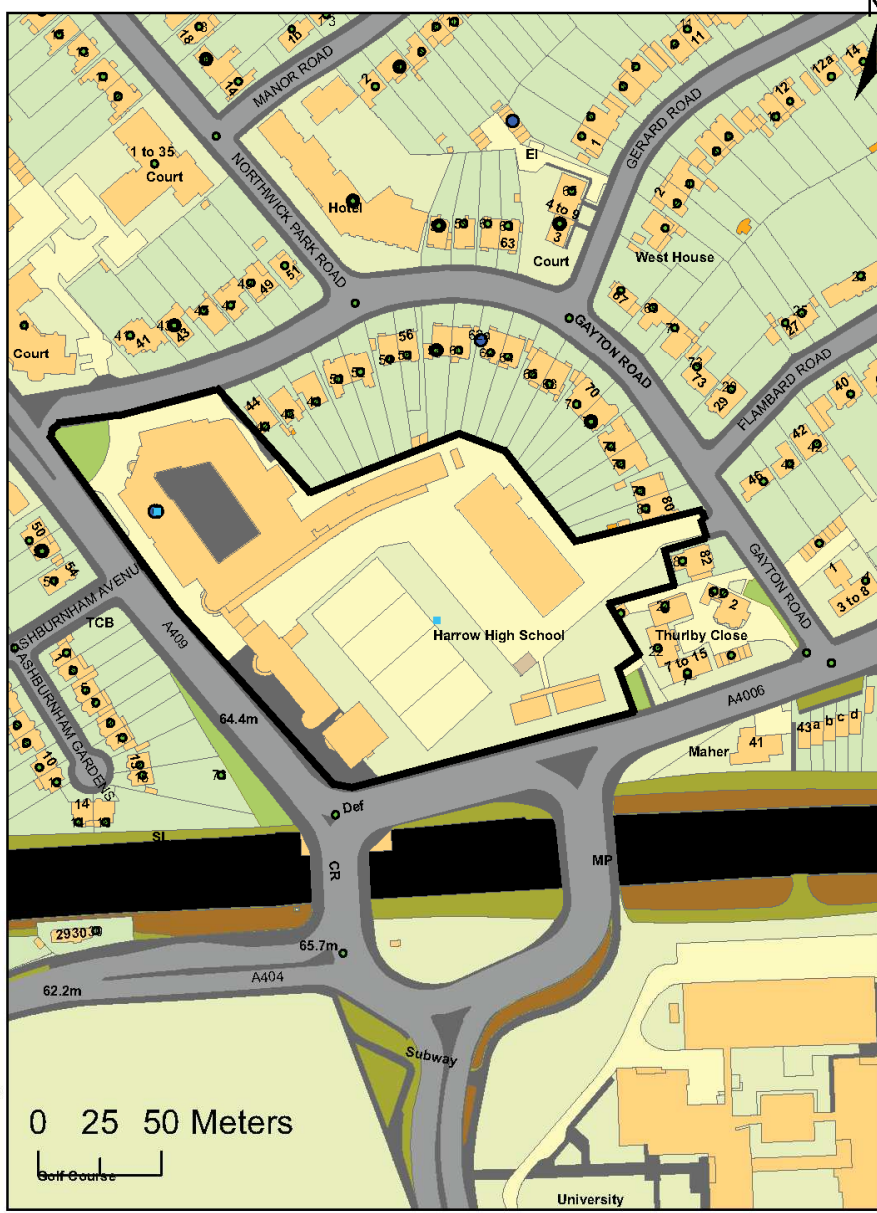
Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)
Policy 1 – Achieving a High Standard of Development
Policy 11 – Locally Listed Buildings
Policy 25 – Protection of Open Space
Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 1000B-21-GE-01 Rev A; Supporting Statement

HARROW HIGH SCHOOL, GAYTON ROAD, HARROW

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Item No. 2/08
Address: HATCH END HIGH SCHOOL, HEADSTONE LANE, HARROW
Reference: P/2827/12
Description: VARIATION OF CONDITION 1 OF PLANNING PERMISSION P/2159/09 DATED 15-JAN-2010 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF A TEMPORARY MODULAR BUILDING .
Ward: HATCH END
Applicant: MRS MARY QUICK
Agent: PEARSON ASSOCIATES
Case Officer: GERARD LIVETT
Expiry Date: 21 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions:

REASON

The decision to vary condition 1 of planning permission P/2159/09 dated 15-Jan-2010 to allow the retention for an additional three years of a temporary modular building to provide classrooms has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the temporary modular building to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or permanent loss of playing fields and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other

Council Interest: Freehold owned by LB Harrow

Net additional Floorspace: 0 sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- The site is bounded on three sides by residential properties, with Tillotson Road to the north, Courtenay Avenue to the east and Headstone Lane to the west. The south of the site shares a boundary with Shaftesbury School.
- The school buildings are between one and three-storeys in height. The bulk of the school buildings area at the south and the west of the site, with a series of single-storey 'wings' projecting towards the east
- There is a theatre building (The Rotunda) and a new sixth form centre at the south of the site
- The school has playing fields at the east of the site with a hard surfaced area between the field and the school buildings.

Proposal Details

- The proposal seeks the retention of a single-storey modular building in the northeast corner of the school site on part of the informal playing field area.

Revisions to Previous Application

- Retention of temporary building for an additional three years requested.

Relevant History

WEST/1234/02 – Construction of linked building to provide theatre workshop
Granted – 13-Feb-2003

P/1004/06 – Two temporary classrooms for two years
Granted – 31-Jul-2006

P/3414/06 – Three temporary classrooms modular buildings for two years
Granted – 30-Mar-2007

P/1305/08 – Construction of a two-storey sixth form centre to provide classrooms, IT units, a library and dining/social area and extension to the Great Hall to provide additional dance/drama facilities
Granted – 01-Jul-2008

P/1080/08 – Temporary classroom modular building for two years
Granted – 13-May-2008

P/2159/09 – Temporary modular building (three years) to provide teaching space for additional pupils
Granted – 15-Jan-2010

P/2612/09 – Provision of a new indoor swimming pool to replace existing outdoor pool (revised application based on amendments to an existing planning consent P/0483/09 granted 01/05/2006)
Granted – 15-Jan-2010

P/0852/10 – Temporary permission (three years) for modular building to provide a cold store with canopy between cold store and existing building; bin store plus hardsurfacing adjacent to existing dining hall and kitchen
Granted – 12-Jul-2010

P/0262/12 – Provision of multi-purpose games pitch to include 4 X 8.25M floodlighting columns; 1.8M high boarded fence & 3M high sports impact fence; Provision of access ramps and security gates to east elevation
Granted – 19-Apr-2012

Other non-relevant planning history omitted

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:
- Temporary buildings were in place before Academy was created.
- Classrooms are required to be able to offer sufficient places for its Year 7 Published Admission Number in the medium term
- Three-year extension of temporary permission would allow the academies to secure funding and implementation proposals for permanent new buildings to replace the temporary accommodation.

Consultations

Sport England: To be reported

Highways Authority: No objection

Advertisement

Major Development

Expiry: 6 December 2012

Notifications

Sent: 30

Replies: To be reported

Expiry: 21-Nov-2012

Addresses Consulted

Courtenay Avenue: 131-165 (odd)

Tillotson Road: 26-48 (even)

Summary of Responses

- To be reported.

APPRAISAL

BACKGROUND INFORMATION

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years. However, each of the applications is assessed on its merits, and suitable recommendations on the appropriate periods for retention have been made on a case by case basis.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor

Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Open Space, Amenity and Transport Impacts
- 3) S17 Crime & Disorder Act
- 4) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the school is currently operating close to its maximum capacity. The use of temporary buildings to meet the teaching requirements of the school is not considered to be ideal. It is therefore considered that this particular school would benefit from a programme of permanent extensions or new buildings to ensure that it is capable of meeting the challenges of increasing pupil numbers.

The single-storey temporary building is at the northeast of the site and is close to the rear boundary of properties in Courtenay Avenue, and has some impact with respect to the residential amenities of the occupiers of those properties.

The building is also located on part of an informal playing field. With the previous application it was considered that this would only affect land incapable of forming, or forming part of, a playing field. It would not result in the loss of, the inability to make use of or cause a reduction in the playing area of any playing pitch on the site. This satisfies the

requirements of exception E3 of Sport England's policy on the loss of playing fields. Furthermore, the temporary nature of the building means that any loss of informal play space would not be permanent.

However, it is also acknowledged that the planning harm these buildings cause, discussed below, is not so significant that permission for its retention for the three-year period requested should be refused.

On balance, it is considered that the benefit of the provision of necessary classroom provision outweighs the planning harm.

It is also considered that, given the extent of rebuilding that would be required to provide permanent facilities for pupils and staff, a three-year period would be more appropriate to allow the school to secure the necessary funding and associated consents to facilitate that redevelopment.

2) Design, Open Space, Locally Listed Buildings, Amenity and Transport Impacts

The single-storey classroom buildings are of a high quality construction and are also accessible. As such, the temporary buildings complies with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

The buildings are located on open space and as such the proposal would conflict with policies 2.18 and 7.18 of The London Plan (2011), policy CS1.F of the Harrow Core Strategy (2012), saved policy EP47 of the Harrow Unitary Development Plan (2004) and emerging policy 25 of the draft Harrow Development Management Policies Development Plan Document, all of which seek to protect the borough's open spaces – irrespective of ownership – from inappropriate development.

Notwithstanding this, it is recognised that although the proposal would result in the loss of part of this open space, which also forms part of an informal playing area, the loss of open space would be temporary.

It is considered that a permanent solution would avoid the permanent loss of the open space, and the temporary loss of the open space can be justified in order to provide adequate accommodation for the pupils at hatch End High School until a more permanent solution can be implemented.

The temporary building is located approximately 5m from the nearest residential boundaries and approximately 28m from the nearest residential façade. In order to minimise any potential detrimental impact to the amenities of these residential properties, the original grant of permission required an improved boundary fence to be installed. This fence has been installed in accordance with the previous condition. It is considered that this is sufficient to minimise the harm that the proposal causes to the residential amenities of neighbouring occupiers.

Furthermore, given that the building is of a temporary nature, it is considered that the benefit of the proposal, in terms of providing sufficient classroom accommodation at the school, outweighs any temporary harm to the occupiers of adjoining residential properties.

Given that the proposal would not result in additional pupil or staff numbers at the school,

it is considered that proposal would have no additional impact with regard to transport and road safety.

3) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

4) Consultation Responses

To be reported.

CONCLUSION

The retention of the temporary modular building to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity or permanent loss of playing fields and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The temporary modular building to provide classrooms shall be removed and the land restored to its former condition within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 3.18, and 7.4 of The London Plan (2011), policy CS1.B of the Harrow Core Strategy (2012) and saved policies D4 and C7 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/2159/09 granted by the Council on 15 January 2010. Save as modified by this permission the terms and conditions of planning permission ref: P/2159/09 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/2159/09.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The retention of the two single-storey temporary buildings to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)
2.18 – Green Infrastructure: the network of open and green spaces
3.18 – Education Facilities
7.2C – An Inclusive Environment
7.3B – Designing Out Crime
7.4B – Local Character
7.6B – Architecture
7.18 – Protecting local open space and addressing local deficiency

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, F, AA)

Harrow Unitary Development Plan (2004)
EP47 – Open Space
D4 – The Standard of Design and Layout
T6 – The Transport Impacts of Development Proposals
C7 – New Education Facilities
C16 – Access to Buildings and Public Spaces

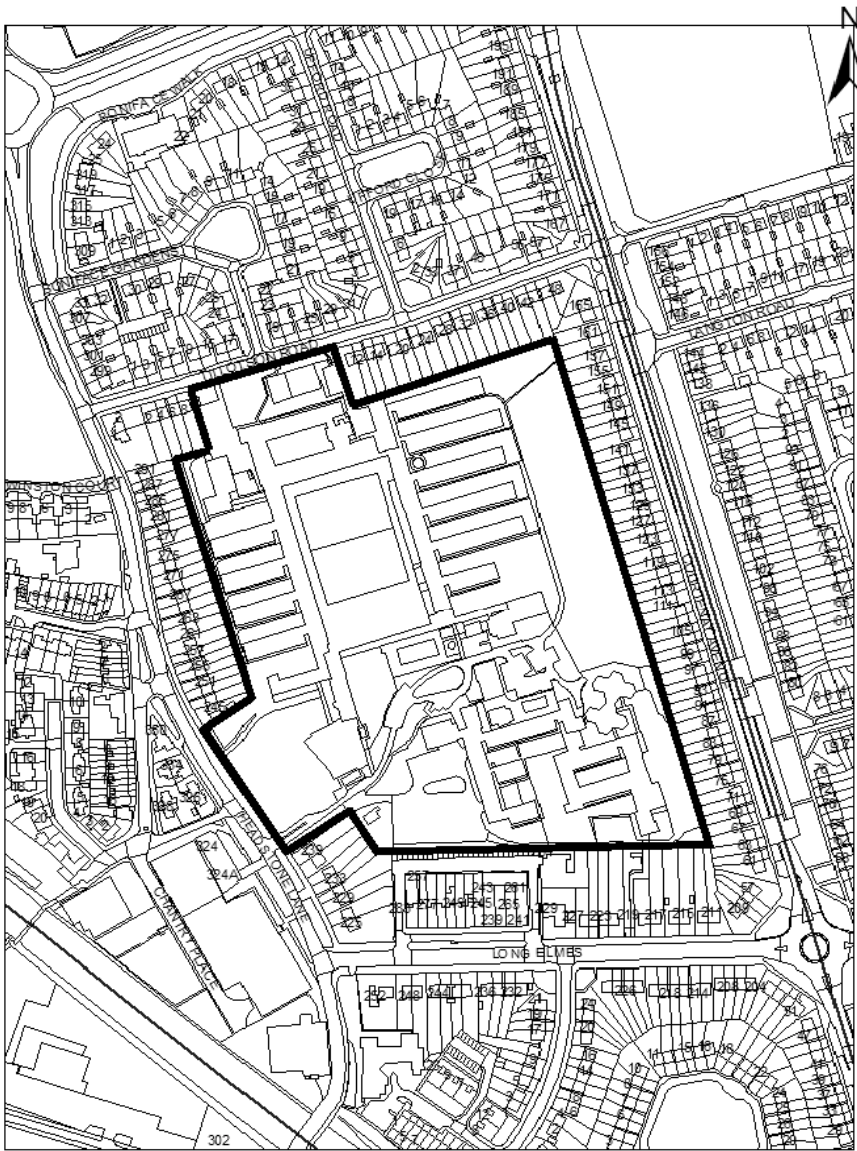
Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)
Policy 1 – Achieving a High Standard of Development
Policy 11 – Locally Listed Buildings
Policy 25 – Protection of Open Space
Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 1000D-21-GE-01 Rev A; Supporting Statement

HATCH END HIGH SCHOOL, HEADSTONE LANE, HARROW

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Item No. 2/09
Address: CANONS HIGH SCHOOL, SHALDON ROAD, EDGWARE
Reference: P/2826/12
Description: VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2162/09 DATED 06-NOV-2009 TO ALLOW THE RETENTION FOR AN ADDITIONAL THREE YEARS OF TWO SINGLE-STOREY TEMPORARY BUILDINGS
Ward: QUEENSBURY
Applicant: MR SIMON NEWTON
Agent: PEARSON ASSOCIATES
Case Officer: GERARD LIVETT
Expiry Date: 21 DECEMBER 2012

RECOMMENDATION

GRANT variation of condition, subject to conditions:

REASON

The decision to vary condition 2 of planning permission P/2162/09 dated 06-Nov-2009 to allow the retention for an additional three years of two single-storey temporary buildings to provide classrooms has been taken having regard to the National Planning Policy Framework, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation.

The retention of the two single-storey temporary buildings to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

INFORMATION

The application is reported to the Planning Committee because the freehold of the application site is owned by the Council and is excluded by Proviso C of the Scheme of Delegation.

Statutory Return Type: Minor development, all other

Council Interest: Freehold owned by LB Harrow

Net additional Floorspace: 0 sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Not applicable as development relates to a school.

Site Description

- The access to the site is from Shaldon Road, at the north of the site.
- The application site is occupied by a school with single-and two-storey buildings and is bounded by residential properties on Dale Avenue, Bridgewater Gardens, Shaldon Road, Teignmouth Close, St Austell Close, Coombe Close and Turner Road.
- At the west of the site is a playing field, which is designated as open space.

Proposal Details

- The proposal seeks the retention of two single-storey modular buildings, one in the northeast corner of the school site and one between a hard surfaced play area and pre-existing school buildings.

Revisions to Previous Application

- Retention of temporary classrooms for an additional three years requested.

Relevant History

P/3556/06 – Construction of three-storey extension in two phases to provide sixth form teaching block

Granted – 19-Apr-2007

P/1614/07 – Two single-storey triple classroom units with entrance ramp and platform for temporary two year period

Granted – 07-Sep-2007

P/0716/08 – Redevelopment to provide new three-storey post-16 centre including classrooms, science facilities and study areas

Granted – 04-Jul-2008

P/2590/08 – Retention of temporary mobile classroom for three year period

Granted – 17-Oct-2008

P/3802/08 – Details pursuant to condition 5 of planning permission P0716/08

Approved – 31-Dec-2008

P/0821/09 – Details pursuant to conditions 2, 3, 6, 7, 8 and 9 of planning permission P0716/08

Approved – 14-Jul-2009

P/2162/09 – Two single-storey temporary buildings to provide classroom and dance studio with ancillary accommodation (3 years), two-storey extension to dining hall

Granted – 06-Nov-2009

P/0718/10 – Details pursuant to conditions 4, 5, 7, 8 & 9 of planning permission P/2162/09

Approved – 16-Jul-2010

P/0853/10 – New cold room adjacent to existing kitchen plus outdoor seating area

Granted – 12-Jul-2010

Other non-relevant planning history omitted.

Pre-Application Discussion (Ref.)

- HA\2012\ENQ\00129

Our overall conclusion is that the renewal of the temporary permissions is acceptable as a short-term measure. The same conclusion would apply to the renewal of the lapsed permissions for other temporary buildings.

The renewal of temporary permissions should be the first step in a longer-term process of making permanent provision of new facilities to meet the current and predicted needs of the seven academies.

(Please note: This pre-application advice referred to seven academy schools: Park High School, Rooks Heath School, Nower Hill High School, Hatch End High School, Harrow High School and Bentley Wood High School.)

Applicant Submission Documents

- Design and Access Statement:
- Temporary buildings were in place before Academy was created.
- Classrooms are required to be able to offer sufficient places for its Year 7 Published Admission Number in the medium term
- Three-year extension of temporary permission would allow the academies to secure funding and implementation proposals for permanent new buildings to replace the temporary accommodation.

Consultations

Highways Authority: No objection

Advertisement

None

Notifications

Sent: 116

Replies: To be reported

Expiry: 21-Nov-2012

Addresses Consulted

Bridgewater Gardens: 1-49 (odd)

Turner Road: 84-134 (even)

Shaldon Road: 16-24 (even), 25-35 (odd)

Teignmouth Close: 13, 15, 17, 19, 30, 32, 34

Dale Avenue: 36-108, 130 (even)

Coombe Close: 11, 12

St Austells Close: 7, 8, 10, 11, 12

Summary of Responses

- To be reported

APPRAISAL

BACKGROUND INFORMATION

This application is one of nine applications (reference numbers P/2820/12-P/2828/12 inclusive) for the retention of temporary modular classrooms at seven academy schools.

At the time of the original grants of planning permission, the additional classrooms were required as part of the transfer of year 7 pupils to these schools. It was anticipated, at that time, that funding through the then 'Building Schools for the Future' scheme would have allowed for new permanent extensions to the schools.

Until new funding sources for new school buildings have been secured, the temporary buildings are required to be retained in order to provide sufficient classroom capacity for the schools to meet their statutory obligations to provide school places. It is acknowledged that the pressure on school places will increase in the future due to demographic trends in the London Borough of Harrow.

With each of the original grants of temporary planning permission it was recognised that there was an element of planning harm in providing temporary, rather than permanent, facilities.

As noted above, there has been a significant change in the funding procedures for new school buildings, and the need to provide sufficient classroom space is considered to outweigh the temporary planning harm that the retention of the temporary buildings would cause.

In each of the nine applications, the applicants have requested the retention of the temporary classrooms for an additional three years. However, each of the applications is assessed on its merits, and suitable recommendations on the appropriate periods for retention have been made on a case by case basis.

It is noted that at four of the academy schools (Nower Hill High School, Canons High School, Bentley Wood High School and Hatch End High School) there are temporary buildings for which planning permissions have expired. It is anticipated that these will be the subject of further planning applications for their retention.

NOTE ON THE EMERGING DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has now been sent to the Secretary of State for Examination in Public which is expected to be held in January 2013. Prior to this, a 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD as a response to representations received as a result of the Pre-submission Consultation.

Although the emerging Development Management Policies do not form part of the

Statutory Development Plan for the London Borough of Harrow, they can be accorded some weight as a material planning consideration.

MAIN CONSIDERATIONS

- 1) Principle of the Development, Ministerial Statement on Education (2011)
- 2) Design, Open Space, Amenity and Transport Impacts
- 3) S17 Crime & Disorder Act
- 4) Consultation Responses

1) Principle of the Development

The principle of retaining this additional school accommodation would comply with policy 3.18 of The London Plan (2011), policy CS1.AA of the Harrow Core Strategy (2012), saved policy C7 of the Harrow Unitary Development Plan (2004) and emerging policy 57 of the Draft Harrow Development Management Policies Development Plan Document (2012).

The ministerial policy statement relating to planning for schools development, issued in August 2011, noted that the government is firmly committed to ensuring there is sufficient provision to meet state funded school places. The Statement notes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state funded schools and that there should be a presumption in favour of the development of state-funded schools and that local authorities should make full use of their planning powers to support state-funded schools applications.

This statement is a material planning consideration that further supports the principle of the retention of the temporary buildings to provide necessary classroom facilities at this state-funded academy school.

Notwithstanding this, any application for planning permission for school buildings also needs to be considered in the light of other development plan policies, including those relating to design, residential amenity, open space, Green Belt, sports fields and trees and landscaping.

In this case, the school is currently operating close to its maximum capacity. Notwithstanding this, the use of temporary buildings to meet the teaching requirements of the school is not considered to be ideal. It is therefore considered that this particular school would benefit from a programme of permanent extensions or new buildings to ensure that it is capable of meeting the challenges of increasing pupil numbers.

The only building that results in any significant planning harm is the one at the north-east corner of the site, which is close to the rear of the residential boundaries of properties.

The other temporary building to which this application relates is in the centre of the site and is shielded from public view. However, this tree is in relative close proximity to a willow tree.

However, it is also acknowledged that the planning harm these buildings cause, discussed below, is not so significant that permission for its retention for the three-year period requested should be refused.

On balance, it is considered that the benefit of the provision of necessary classroom

provision outweighs the planning harm.

It is also considered that, given the extent of rebuilding that would be required to provide permanent facilities for pupils and staff, a three-year period would be more appropriate to allow the school to secure the necessary funding and associated consents to facilitate that redevelopment.

2) Design, Amenity, Trees and Transport Impacts

The single-storey classroom buildings are of a high quality construction and are also accessible. As such, the temporary buildings complies with the policies of the development plan, including policies 7.2 and 7.4 of The London Plan, policy CS1.B of the Harrow Core Strategy, saved policies D4 and C16 of the Harrow Unitary Development Plan and emerging policy 1 of the Development Management Policies DPD.

One of the temporary buildings is located approximately 6.7m from the rear boundary of No. 48 Dale Avenue and 5m from the rear garden of No. 46 Dale Avenue. This building is approximately 15m from the rear façade of these properties.

Although the separation between the temporary building and the rear of the properties in Dale Avenue is less than the normally recommended 22m, the separation between the temporary building and these properties is sufficient that an unacceptable level of harm, in terms of obtrusive impact or overshadowing of these dwellings occurs. Furthermore, given that the building is single-storey and of a temporary nature, it is considered that the benefit of the proposal, in terms of providing sufficient classroom accommodation at the school, outweighs any temporary harm to the occupiers of these properties in Dale Avenue.

The other temporary building is located approximately 3.2m from a large willow tree. With the previous application it was noted that this tree, by virtue of its location adjacent to the two-storey teaching block does not make a significant contribution to the visual amenity of the school. Given that the building is of a relatively lightweight construction and that temporary permission is sought, it is considered that the retention of this building would not prejudice the long-term viability of this tree, as required by saved policy D4 of the Harrow UDP.

Given that the proposal would not result in additional pupil or staff numbers at the school, it is considered that proposal would have no additional impact with regard to transport and road safety.

3) S17 Crime & Disorder Act

The proposal would have no impact with respect to this legislation.

4) Consultation Responses

To be reported.

CONCLUSION

The retention of the two single-storey temporary buildings to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

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**.

CONDITIONS

1 The two single-storey temporary modular buildings to provide classrooms shall be removed and the land restored to its former condition within three years of the date of this permission.

REASON: To safeguard the character of the adjacent open space and to permit reconsideration in the light of the circumstances then prevailing, pursuant to policies 3.18, and 7.4 of The London Plan (2011), policy CS1.B of the Harrow Core Strategy (2012) and saved policies D4 and C7 of the Harrow Unitary Development Plan (2004).

2 The permission hereby granted is supplemental to planning permission ref: P/2162/09 granted by the Council on 6 November 2009. Save as modified by this permission the terms and conditions of planning permission ref: P/2162/09 are hereby ratified and remain in full force and effect unless as otherwise agreed in writing by the Council.

REASON: To ensure compliance with planning permission ref: P/2162/09.

INFORMATIVES

1 REASON FOR VARIATION OF PLANNING CONDITION

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the Harrow Core Strategy (2012) and the saved policies of the Harrow Unitary Development Plan 2004 (listed below), as well as to all relevant material considerations including any responses to consultation.

The retention of the two single-storey temporary buildings to provide classrooms for an additional three years would provide necessary space for pupils and would cause no significant harm in terms of residential amenity and would allow the school time to secure funding for a more appropriate permanent solution for accommodating predicted pupil numbers.

The following national planning policy guidance, policies in the London Plan, the Harrow Core Strategy and the Harrow Unitary Development Plan are relevant to this decision:

National Planning Policy

National Planning Policy Framework (2012)

The London Plan (2011)

3.18 – Education Facilities

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.6B – Architecture

Harrow Core Strategy (2012)

Core Policy CS1 (A, B, AA)

Harrow Unitary Development Plan (2004)

D4 – The Standard of Design and Layout

D10 – Trees and New Development

T6 – The Transport Impacts of Development Proposals

C7 – New Education Facilities
C16 – Access to Buildings and Public Spaces

Supplementary Planning Document: Access for All (2006)

Draft Development Management Policies Development Plan Document (2012)
Policy 1 – Achieving a High Standard of Development
Policy 57 – New Community, Sport and Education Facilities

Plan Nos: 100G-21-GE-01 Rev A; Supporting Statement

CANONS HIGH SCHOOL, SHALDON ROAD, EDGWARE

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Item No. 2/10
Address: 62 IMPERIAL DRIVE, NORTH HARROW, HARROW
Reference: P/2439/12
Description: CERTIFICATE OF LAWFUL EXISTING USE: CONTINUED USE OF A DWELLINGHOUSE AS 7 SELF-CONTAINED FLATS AND 1 NON SELF-CONTAINED FLAT.
Ward: HEADSTONE NORTH
Applicant: MRS BERTA LILLEY
Agent: APCAR SMITH PLANNING
Case Officer: CIARAN REGAN
Expiry Date: 02/11/2012

RECOMMENDATION

GRANT a Certificate of Lawful Existing Use for the development described in the application and submitted plans.

REASON

1. The Local Planning Authority is satisfied that sufficient evidence has been provided to demonstrate that, on the balance of probability, the dwellinghouse at 62 Imperial Drive, North Harrow, Harrow, HA2 7LJ has been in use as 7 no. self-contained flats and 1 no. non self-contained flat (as detailed on drawings, 'Ground Floor' (Sheet 1 of 3), 'First Floor' (Sheet 2 of 3) and 'Second Floor' (Sheet 3 of 3) received by the Local Planning Authority on 7 September 2012) for a continuous period of at least 4 years prior to the date of this application.
2. The existing use is therefore lawful and accordingly a Certificate of Lawful Existing Use should be granted.

INFORMATION:

This application is reported to Planning Committee as the proposal is potentially controversial and is of significant public interest subject. It is therefore excluded by proviso E of the Scheme of Delegation dated 14 March 2012.

Statutory Return Type:	26 – Other
Council Interest:	None
Net Additional Floorspace:	None
GLA Community Infrastructure (CIL) Contribution:	None

Site Description

- The application site is occupied by a two-storey semi-detached dwellinghouse with an attached garage.
- The site is located on the west side of the traffic-light controlled junction of The Ridgeway and Imperial Drive.

- External alterations to the original dwellinghouse include the construction of an attached garage and the subsequent insertion of a window within what appears to be a 'garage door' and the insertion of three roof lights

Proposal Details

- A Certificate of Lawful Development (existing) is sought in respect of the use of a dwellinghouse as 7 self-contained flats and 1 non self-contained flat.

Revisions to previous application

- The only evidence submitted in support of the previous application for a Lawful Development Certificate (Existing Use) was the written correspondence with a Harrow Council Licensing Officer in respect of an application for a HMO License under The Housing Act 2004. This evidence has been re-submitted for this application but is also accompanied by significant additional evidence and this is set out in the main body of the report below.

Relevant History

P/3492/11

CERTIFICATE OF LAWFUL EXISTING USE: CONTINUED USE OF A DWELLINGHOUSE AS 7 SELF-CONTAINED FLATS AND 1 NON SELF-CONTAINED FLAT.

REFUSED: 18/06/2012

Reason for Refusal:

The Local Planning Authority is not satisfied that sufficient evidence has been provided to demonstrate that, on the balance of probabilities, the single-family dwellinghouse at 62 Imperial Drive, North Harrow, Middlesex, HA2 7LJ has been in use as 7 self-contained flats and 1 non-self-contained flat for a continuous period of at least 4 years prior to the date of this application. The existing development is therefore considered to be unlawful and as such the Local Planning Authority refuse to issue a Certificate of Lawful Existing Development.

HAR/13154

ERECTION OF GARAGE

GRANTED: 17/07/1957

Pre-Application Discussion

- None

Applicant Submission Documents

- None

Consultations

Newspaper Advertisement:

N/A

Site Notice:

N/A

Neighbourhood Notifications:

Imperial Drive: Nos 58, 60, 64, 66 and 66a

Hawthorne Drive: Nos 1 and 3
The Ridgeway: No. 126

Sent: 8

Replies: 5 and 1 petition in objection to the application signed by 37 persons.

Expiry: 08/10/2012

Summary of Responses:

Letters of objection:

- Overuse of the property.
- Concerns over increase in traffic and parking congestion.
- It will set a precedent for future applications.
- It will have a negative impact on the value and desirability of surrounding properties.

Petition in objection:

- We the undersigned strongly object to the granting of a certificate of lawful existing use for the use of the dwellinghouse at 62 Imperial Drive as 7 self-contained flats and 1 non-self-contained flat.

The planning issues of the over-use of the property, concerns over increase in traffic and parking congestion and concern that it will set a precedent for future applications are not relevant to this application as it is an application for a Lawful Development Certificate (Existing Use) and is not an application for planning permission. However, some evidence has also been submitted by neighbouring residents (which seeks to dispute that the dwellinghouse has been in use as 7no. self-contained flats and 1 non self-contained flat for at least 4 years prior to the date of the submission of the application) and this has been considered in detail and is referred to in the appraisal below.

APPRAISAL

MAIN CONSIDERATIONS

1. Whether sufficient evidence has been submitted with the application and whether that evidence is sufficiently precise and unambiguous to prove that, on the balance of probabilities, the alleged use has existed continuously for a period of at least four years prior to the date that the application was submitted so as to justify the grant of a certificate.

This is the second application by the applicant for a certificate of lawful existing use following the refusal of the first application. However, a refusal to issue a Lawful Development Certificate is not necessarily conclusive that something is not lawful: it may merely mean that, so far, insufficient evidence has been presented to satisfy the Local Planning Authority that the use, operation or activity is lawful. A refused applicant may therefore re-apply with any further evidence gathered.

In seeking to demonstrate that the use has existed continuously for a period of at least 4 years prior to the date the application was submitted, the applicant has submitted the following evidence:

Statutory Declaration of Usha Sarkar (formerly Malik)

Ms Sarkar refers to the fact that she has lived at 62 Imperial Drive since January 2007. She refers to the fact that since late 2007 there have been no shared facilities with all of the units being self-contained apart from Flat 6 which has the sole use of the separate first-floor bathroom and WC. She also refers to the fact that she has lived in two separate flats within the property since 2007.

Statutory Declaration of Hanna Marcholewska

Ms Marcholewska has lived at the property since February 2008, initially in Flat 8 within the loft space and then subsequently Flat 3 on the ground-floor. She refers to both being self-contained, there being a total of 8 flats and all except one being self-contained.

Statutory Declaration of Gezim Rrustermaj

Mr Rrustermaj refers to having undertaken building works at the property since 2005. His declaration refers to the fact that that in early 2007 there were 8 units at the property, two of which shared WC and bathroom facilities with the other 6 units being fully self-contained. He also refers to the fact that he undertook building works prior to 2007. This effectively created 8 studio flats of which 7 are self-contained with the eighth flat having sole use of the separate adjacent bathroom and WC. He also refers to subsequent maintenance works since 2007. Attached to his Statutory Declaration are quotes from June 2007 and July 2007 for the building works he refers to in his Declaration that effectively created the layout as it is today, his invoices for those building works in 2007 and various invoices for maintenance works since.

Mortgage Offer Documentation dated 23 May 2007

This documentation does not specify the number of units within the property. The mortgage offer does indicate that the mortgage was taken out on a property that was divided into separate letting units. The attached Mortgage Valuation Report refers, on the last page, to the property at that time comprising a mix of bedsits, studio and flat accommodation with two rooms sharing bathroom facilities, four studios and a 2xbedroom flat. This supports the description of the layout referred to by Mr Rrustermaj in his Statutory Declaration, prior to the building works he undertook in June 2007.

Correspondence with Harrow Council Licensing Officer in respect of an application for a HMO License under The Housing Act (2004)

- Letter in response to a recent enquiry regarding licensing of a house in multiple occupation from Mrs Abdul-Cader, Licensing Officer, Community Safety Services, Harrow Council addressed to Mrs Lilley at 62 Imperial Drive, North Harrow, Middlesex, HA2 7LJ, letter dated 9 October 2006.
- Covering letter from Mrs Lilley (now of 7 Stroud Gate, South Harrow, HA2 8JL) to Harrow Council in accompaniment to an application for a HMO licence for 62 Imperial Drive, North Harrow, Middlesex, HA2 7LJ, letter dated 8 March 2007
- Letter from Stephen Gallagher, Licensing Team, Community Safety Services, Harrow Council in response to Mrs Lilley of 7 Stroud Gate, South Harrow, HA2 8JL with regard to Mrs Lilley's application for a HMO licence for 62 Imperial Drive, North Harrow, Middlesex, HA2 7LJ, letter dated 13 March 2007.
- Letter from Stephen Gallagher, Licensing Support Officer, Community Safety Services, Harrow Council acknowledging receipt of Mrs Lilley's application for a HMO licence for 62 Imperial Drive, North Harrow, Middlesex, HA2 7LJ, letter dated 17 April 2007 (Also includes a copy of the receipt from Harrow Council for the application fee of £613.36 signed and dated by Stephen Gallagher on 17 April 2007).
- Letter from Mrs Abdul-Cader, Licensing Officer, Environmental Health, Harrow Council

addressed to Mrs Lilley of 7 Stroud Gate, South Harrow, HA2 8JL, letter dated 18 May 2007 setting out why the property does not require a HMO licence.

Hand Written Receipts

These are from the Landlord's receipt book from 2006/2008 and show holding deposits for flats. They demonstrate when individuals paid an initial deposit prior to moving into a property. Receipts dated 5 June 2006, 19 February 2007, 17 December 2007, 5 September 2008, 5 August 2008 and 5 July 2008.

Tenancy Agreements

A number of tenancy agreements are provided. These do not identify exactly which flats they relate to. The applicant acknowledges that those provided do not constitute a comprehensive set but states that they are the only ones that copies can be found of. They include:

12 November 2005 - 11 November 2006: **Ekambaram**
21 November 2005 - 20 November 2006: **Hines**
16 December 2005 - 15 December 2006: **Zadagan**
17 December 2005 - 16 June 2006: **Marescu**
19 December 2005 - 18 December 2006: **Palacios**
09 January 2006 - 08 January 2007: **Malik**
01 July 2006 - 30 June 2008: **Marescu**
12 November 2006 - 11 November 2008: **Stetskii**
01 December 2006 - 30 November 2008: **Ekambaram**
30 December 2006 - 30 December 2007: **Chundru & Merla**
09 January 2007 - 08 January 2009 (unsigned): **Malik**
01 March 2007 - 29 February 2008: **Janisch & Devonish**
1 April 2007 - 30 March 2008: **Piotr**
14 February 2008 - 13 February 2009: **Wachal & Stachowiak**
25 July 2008 - 24 July 2009: **Babatunde**
30 October 2008 - 30 April 2009: **Anderson**
01 February 2009 - 31 January 2010: **Jawed**
20 July 2009 - 19 July 2010: **Musa**
20 December 2009 - 19 December 2010: **Edjeren & Antunes**
29 December 2009 - 28 December 2010: **Gatina & Mehta**
1 May 2010 - 30 April 2011: **Perciaccante**
1 August 2010 - 31 March 2011: **Janulaitis**
01 November 2010 - 31 October 2011 (Two of this date in different names): **Gomez & Abdeldayem, Karpaviciute**
19 June 2011 - 18 December 2011 (Landlord cited as a Mr Rrustemaj of the same address): **Oae & Fonea**
1 September 2011 - 31 August 2012: **Malik & Malik**
1 October 2011 - 31 March 2012 (Five of this date in different names): **Czubala, Grant, Nemeth & Shpata, Oszezeda & Marcholevska, Altino**
1 April 2012 (Two of this date in different names): **Zamfir, Dee & Rodriquez**

Letting Agents Invoices/Correspondence

These include invoices dated 16 December 2005, 2no. from 30 December 2006 and 14no. from September 2007 from Ashton Fox Estate Agents in respect of new tenants. The names to which they refer tie in with the Tenancy Agreement.

Photocopies of advertisements placed in 'Loot' magazine from May to July 2008

Gas and Electricity Inspection Certificates

Gas Safety Certificates from March/April 2007 and January 2012 are provided and bills in connection with the same. Electricity Installation Reports from February 2007 and January 2008 are provided. Landlords are required to have an annual gas and electric appliance safety test carried out and so these certificates lend some weight to the applicant's case that the dwellinghouse had already been converted into flats by this time.

Evidence – Site Visit

In addition to the documentary evidence submitted with the application, a site visit was undertaken accompanied by the owner (and applicant) Mrs Berta Lilley at 11am on 25 May 2012. Mrs Lilley provided access to all the flats and it was clearly evident that all the front doors to each of the flats had proper, secure key-entry locks. While the front door to the main living/sleeping room in Flat 6 also had a proper key-entry lock, it is not fully self-contained. The door to the separate WC and separate bathroom for Flat 6 were capable of being locked from within as one would expect.

The Test

Circular 10/97 is relevant in the consideration of this application. Within Annex 8 of this circular, it is noted that “the burden of proof” in applications under Section 191 of the Town and Country Planning Act 1990 (as amended by Section 10 of the Planning and Compensation Act 1991), i.e. for Certificates of Lawful Existing Use or Development, is firmly with the applicant.

The relevant test is the ‘balance of probabilities’, and Local Planning Authorities are advised that if they have no evidence of their own to contradict or undermine the applicant's version of events, there is no good reason to refuse the application provided the applicant's evidence is sufficiently precise and unambiguous to justify the grant of a certificate”.

The Assessment

The evidence submitted is considered to be substantial and comprehensive. The Statutory Declarations of Mr Rrustemaj, Miss Marcholevska and Mrs Sarkar (formerly Miss Malik) together with the copies of the tenancy agreements that have been provided are considered to be sufficient precise and unambiguous evidence to prove that, on the balance of probabilities, the property has been in continuous use as seven self-contained flats and 1 non self-contained flat for at least 4 years prior to the date of the submission of the application.

Evidence to the contrary has been submitted by some of the neighbouring residents. This evidence is of an anecdotal or circumstantial nature and relates primarily to ongoing complaints of noise nuisance arising from a dog kept at the property. Most of the dates of the complaints pre-date the earliest date from which the existing use needs to be proven, i.e., 4 years prior to 7th September 2012 (7th September 2008). Notwithstanding this, there is no evidence which confirms who the responsible owner or keeper of this dog was and even if it was the applicant/landlord this can not be automatically assumed to mean that Mrs Lilley was living there. It is claimed that Mrs Lilley was observed walking her dog near the property for a while after September 2007 but even if this is the case it still pre-dates the beginning of the 4 year period (back-dated from the date of the submission of this application) during which the claimed existing use as flats needs to be proven and so does not prove anything to the contrary. Moreover, even if Mrs Lilley was still living at the property this in itself does not mean that the property was not yet in use as seven self-contained flats and 1 non self-contained flat as she may have occupied one of the flats

herself for a while at the same time as letting out the others.

In summary

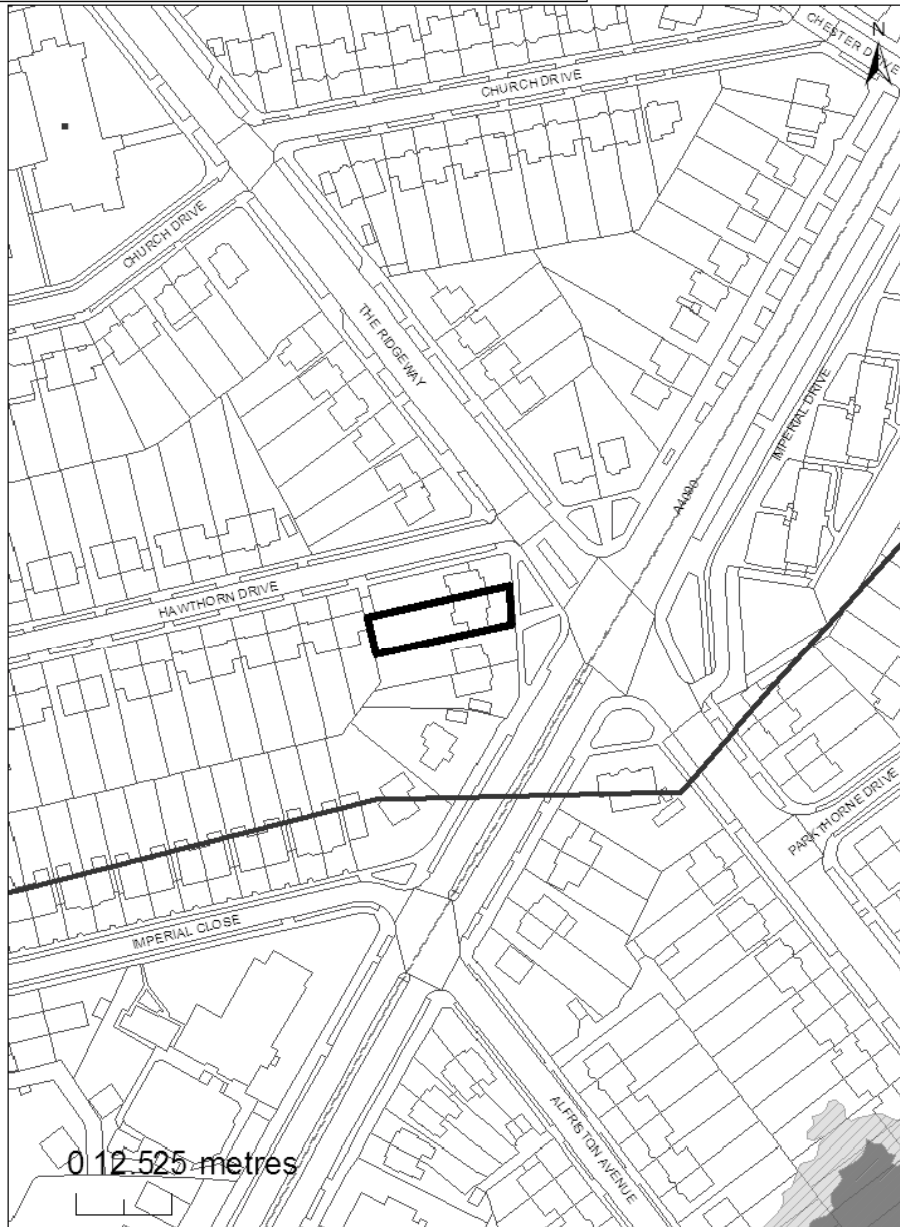
Bearing all of the evidence for and against in mind, it is considered that the applicant's evidence in support of the application, which is substantial and comprehensive, is sufficiently precise and unambiguous to accept that on the balance of probability the dwellinghouse at 62 Imperial Drive, North Harrow, Harrow, HA2 7LJ has been in use as 7 no. self-contained flats and 1 no. non self-contained flat.

CONCLUSION

As such and for all the reasons given above it is considered that sufficient evidence has been provided to demonstrate that, on the balance of probability, the dwellinghouse at 62 Imperial Drive, North Harrow, Harrow, HA2 7LJ has been in use as 7 no. self-contained flats and 1 no. non self-contained flat (as detailed on drawings, 'Ground Floor' (Sheet 1 of 3), 'First Floor' (Sheet 2 of 3) and 'Second Floor' (Sheet 3 of 3) received by the Local Planning Authority on 7 September 2012) for a continuous period of at least 4 years prior to the date of this application. The existing use is therefore considered to be lawful and a certificate of lawful existing use should therefore be granted.

Plan Nos: Existing floorplans titled '62 Imperial Drive Ground Floor Scale 1:50 Sheet 1 of 3'; Existing floorplans titled '62 Imperial Drive Ground Floor Scale 1:50 Sheet 2 of 3'; Existing floorplans titled '62 Imperial Drive Ground Floor Scale 1:50 Sheet 3 of 3' and Site Location Plan

62 IMPERIAL DRIVE, NORTH HARROW



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Item No. 2/11

Address: 7 WEST DRIVE GARDENS, HARROW

Reference: P/2473/12

Description: PROPOSED ALTERATIONS TO EXISTING TWO-STOREY REAR EXTENSION INCORPORATING ACCOMODATION IN THE ROOFSpace (TO INCLUDE REDUCTION IN HEIGHT AND REMOVAL OF ROOF TERRACE AND BALCONIES); PROPOSED ALTERATIONS TO EXISTNG FRONT PORCH AND INFILL SIDE EXTENSION; PROPOSED INSTALLATION OF TWO SATELITE ANTENNAS ON ROOF; FRONT BOUNDARY.

Ward: HARROW WEALD

Applicant: MR A-AL-MOOD

Agent: ANTHONY BLYTHE & CO

Case Officer: OLIVE SLATTERY

Expiry Date: 09 JANUARY 2012

RECOMMENDATION

GRANT planning permission for the development described in the application and the submitted plans, subject to conditions, for the following reason:

REASON

The proposed extensions to the property and external alterations would overcome the concerns of the Council and the Planning Inspector expressed in previous applications and appeals on the site in ensuring a harmonious, proportionate and sympathetic development. The character and appearance of the Conservation Area would thereby be preserved as a result of the current proposal.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004, and to all relevant material considerations, and any comments received in response to publicity and consultation.

INFORMATION:

This application is being reported to Planning Committee as the application site is subject to an Enforcement Notice and the application is therefore of significant public interest. The application is therefore referred to the Planning Committee as it is excluded by Proviso E of the Scheme of Delegation dated 14 March 2012

Statutory Return Type: Householder Development

Council Interest: None

Net Additional Floorspace: 137.70 sqm

GLA Community Infrastructure (CIL) Contribution: £4, 819.50

Site Description

- The site is situated at the end of West Drive Gardens, a short cul-de-sac leading east from West Drive.
- The site lies within the West Drive Conservation Area. There is no Article 4 direction applying to this Conservation Area.
- The site is occupied by a detached dwellinghouse, which is located close to the street frontage. The dwellinghouse is at an oblique angle to the street with direct vehicle access.
- On 18 October 2007, the Council granted planning permission for a 'single storey front and two storey rear extension; conversion of roof space to habitable rooms and roof alterations; external alterations', under Planning application reference P/1646/07.
- The dwellinghouse was subsequently extended and altered, but not in accordance with the approved plans under Planning application reference P/1646/07.
- The Council issued an enforcement notice (reference ENF/0480/10) on 23 March 2011.
- The requirements of the notice are as follows:
 - Permanently demolish and remove the wall and gate;
 - Permanently demolish and remove the rear extension and loft conversion and make good any resulting exposed surfaces of the dwelling-house using matching materials;
 - Permanently demolish and remove the front extension and make good any resulting exposed surfaces of the dwelling-house using matching materials;
 - Permanently remove the Air-Conditioning Units and make good resulting exposed surfaces using matching materials;
 - Permanently remove the Antennas;
 - Permanently remove all debris arising from compliance with the above works;
- This notice has not been complied with.
- The Owner subsequently applied to the High Court under s289 Town and Country Planning Act 1990 for leave to appeal the Secretary of State's decision.
- On 16 August 2012, the High Court refused to grant leave to appeal against the Secretary of State's decision.

Proposal Details

- This application seeks to regularise the existing unauthorised development on the site.
- In this application, retrospective planning permission with modifications is sought for a two-storey rear extension incorporating accommodation in the roofspace, a front porch and an infill side extension. The installation of two satellite antennas is also sought along with retrospective permission for the existing front boundary.
- The two storey rear extension would be 4.4 m deep and would extend the full width of the main dwellinghouse (11.3 m).
- The ridge height of the proposed two-storey rear extension would be 8.4 m and it would be set lower than the ridge height of the main dwellinghouse.
- A 2.3 m wide link would be centered between the original roof and the roof over the two-storey rear extension.
- Two satellite antennas are proposed on the original roof slope on the eastern

elevation.

- The front porch would be set at an oblique angle to the street. Its respective western and northern elevations would be flush with the respective western and northern elevations of the dwellinghouse. An overhanging canopy with a flat roof would be provided along with two pillars and steps to the entrance door.
- The single storey side infill extension would have a width of 1.4 m and a lean-to roof profile. This would adjoin the front porch.
- The applicant also seeks retrospective permission for a front wall, pillars and gates with a height of 1 m.

Relevant History

P/407/05/DOU

Outline redevelopment: 2 detached houses and detached double garage

Refused: 14-Apr-2005

P/1526/05/DOU

Outline: redevelopment to provide 2 detached houses

Refused: 26-Aug-2005

P/1646/07

Single storey front and two storey rear extension; conversion of roof space to habitable rooms and roof alterations; external alterations

Granted: 18-Oct-2007

P/1263/10

Submission of details pursuant to conditions 2 (materials) and 4 (tree protection) attached to planning permission p/1646/07/dfu dated 18/10/2007 for 'single storey front and two storey rear extension; conversion of roof space to habitable rooms and roof alterations; external alterations'

Approved: 13-Aug-2010

P/3032/10

Retrospective application for two storey rear extension incorporating accommodation in the roofspace and recessed balcony at roof level; installation of 4 air conditioning units on the eastern side elevation and 3 air conditioning units on the western side elevation; two first floor balconies on rear elevation; single storey front extensions; external alterations; front gate and boundary wall

Refused: 12-May-2011

Reasons for Refusal:

1. The two storey rear extension incorporating accommodation in the roofspace, a recessed balcony at roof level and two first floor rear balconies are poorly designed non subordinate extensions which are unduly bulky and obtrusive, resulting in actual and perceived overlooking of neighbouring occupiers, to the detriment of the neighbouring residential amenity and the character and appearance of the Conservation Area, contrary to policies D4, D5, D14, D15 and D16 of the Harrow Unitary Development Plan (2004), the Supplementary Planning Document: Residential Design Guide (2010) and Planning Policy Statement 5: Planning for the Historic Environment (2010).

2. The 4 air conditioning units on the eastern side elevation and 3 air conditioning units on the western side elevation, by reason of their number and siting, are visually obtrusive and detrimental to amenities of neighbouring occupiers and the character and appearance of the Conservation Area, contrary to policies D4, D5, D14, D15 and D16 of

the Harrow Unitary Development Plan (2004), the Supplementary Planning Document Residential Design Guide (2010), and Planning Policy Statement 5: Planning for the Historic Environment (2010).

3. The front gate and boundary wall, by reason of their size, design and siting, are visually obtrusive and detrimental to amenities of neighbouring occupiers and the character and appearance of the Conservation Area, contrary to policies D4, D5, D14, D15 and D16 of the Harrow Unitary Development Plan (2004), the Supplementary Planning Document: Residential Design Guide (2010), and Planning Policy Statement 5: Planning for the Historic Environment (2010).

4. The single storey front extensions, by reason of their design and siting, are visually obtrusive and detrimental to amenities of neighbouring occupiers and the character and appearance of the Conservation Area, contrary to policies D4, D5, D14, D15 and D16 of the Harrow Unitary Development Plan (2004), the Supplementary Planning Document: Residential Design Guide (2010), and Planning Policy Statement 5: Planning for the Historic Environment (2010).

P/1221/12

Certificate of lawful development (proposed): removal of existing airconditioning units and repositioning of airconditioning units within loft space
Under consideration

P/1222/12

Certificate of lawful development (existing): single storey infill side extension
Under consideration

P/1219/12

Certificate of lawful development (proposed): installation of two antennas on roof
Under consideration

P/1563/12

Certificate of lawful development (proposed): replacement of front boundary wall and entrance gates
Under consideration

P/1223/12

Proposed alterations to existing front porch
Appeal against non-determination under consideration by the Planning Inspectorate

P/1224/12

Retention of roof terrace at second floor
Appeal against non-determination under consideration by the Planning Inspectorate

P/1225/12

Removal of existing second floor terrace & reinstatement of rear roofslope to south elevation; installation of 4 rooflights & replacement of first floor balconies with juliet balconies
Appeal against non-determination under consideration by the Planning Inspectorate

P/1563/12

Certificate of lawful development (proposed): replacement of front boundary wall and entrance gates
Appeal against non-determination under consideration by the Planning Inspectorate

Applicant Submission Documents

Design and Access Statement
Heritage Statement

Consultations

Conservation Officer –

The proposal intends to modify the property similar to the proposal which was approved in 2007 as per P/1646/07, so there are no objections, as the proposal would preserve the character of the conservation area and would be in keeping with the existing property and would be in conformity with the relevant policies.

However a condition should be included to match the details and materials as per the original property in particular to roof (materials, details, gable and eaves etc) and front porch design, proportions and detailing of the columns, roof etc.

The Hatch End Association – No comments received

Advertisement

Character of Conservation Area Advert: 22/11/2012
Date Site Notice Posted: 23/11/2012

Expiry: 07/12/2012
Expiry: 08/12/2012

Notifications

Sent: 32

Replies: 0

Expiry: 11 December 2012

Any comments that are received after completing this report will be reported to the Planning Committee.

Neighbours Consulted:

West Drive: 3, 5, 12, 15, 17, 21, 22, 25, 28, 29, 31, 32, 37, 42, 44, 46, 57, 40

West Drive Gardens: 1, 3, 5, 9

Lakeland Close: 2, 4, 6, 8, 10

Uxbridge Road: 132

Park Side: Braeside, Laureston, Cedars

Summary of Responses:

§ None received

APPRAISAL

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

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.'

In this instance, the Development Plan comprises The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004 [Saved by a Direction of the Secretary of State pursuant to paragraph 1(3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004].

While this application has been principally considered against the saved policies in the Harrow Unitary Development Plan (2004), some regard has also been had to relevant policies in the Development Management Policies DPD (Pre-submission Draft) which forms a part of the emerging Local Development Framework for the Borough and will eventually replace the Harrow Unitary Development Plan (2004) when adopted.

The document has been subject to two rounds of consultation; between 13 May 2011 and 24 June 2011 on the Council's Preferred Options Development Management Policies, and between 27 July 2012 and 7 September 2012 on the Pre-submission Draft document. The DPD has been sent to the Secretary of State for Examination in Public. This is expected to be held in January 2013. A 4 week consultation was carried out between 11 October 2012 and 8 November 2012 on the Council's Proposed Minor Modifications to the DPD. These proposed modifications are in response to representations received as a result of the Pre-submission Consultation.

BACKGROUND INFORMATION

The application site is subject to an effective Enforcement Notice [EN] (LPA ref: ENF/0480/10/P). The requirements of the notice are as follows:

- Permanently demolish and remove the wall and gate;
- Permanently demolish and remove the rear extension and loft conversion and make good any resulting exposed surfaces of the dwelling-house using matching materials;
- Permanently demolish and remove the front extension and make good any resulting exposed surfaces of the dwelling-house using matching materials;
- Permanently remove the Air-Conditioning Units and make good resulting exposed surfaces using matching materials;
- Permanently remove the Antennas;
- Permanently remove all debris arising from compliance with the above works;

The applicant has tested the acceptability of the unauthorised development at appeal under grounds 'a' (deemed application considering the planning merits of development) and 'f' (whereby the Inspector considers whether lesser steps would be appropriate to ameliorate the harm identified). The Inspector (PINS ref: APP/M5450/C/11/2152515) upheld the appeal on both points. In respect of the ground 'a' appeal, the Inspector found that *'all, taken together, lead to a development which is seriously at odds with the traditional character and appearance of the dwelling and the wider Conservation Area.... The serious design shortcomings I have identified when assessed against the traditional design themes of the Area fail to preserve or enhance the character or appearance of the Conservation Area and fundamentally conflict with policy imperatives outlined earlier'*. The Owner subsequently applied to the High Court under s289 Town and Country Planning Act 1990 for leave to appeal the Secretary of State's decision. On 16 August 2012, the High Court refused to grant leave to appeal against the Secretary of State's decision.

Earlier this year, the applicant submitted three full Planning applications and four Certificates of Lawfulness, each seeking to regularise elements of the unauthorised works with varying degrees of modifications proposed. The three full Planning

applications have not been determined by the Council and the Applicants has appealed against non-determination. The four Certificates of Lawfulness have not yet been determined by the Council.

MAIN CONSIDERATIONS

- 1) Principle of Development
- 2) Design, Character and Appearance of the Area and Impact of Development on the West Drive Conservation Area
- 3) Residential Amenity
- 4) Trees and New Development
- 5) S17 Crime & Disorder Act
- 6) Consultation Responses

1) Principle of Development

Saved policy H10 of the Harrow Unitary Development states that the Council will consider favourably development proposals for extensions, alterations and / or adaptation to residential dwellings, in preference to redevelopment, providing this would not lead to unacceptable impacts on adjacent properties or the local environment. The principle of extending the property is therefore considered to be acceptable, subject to there being no unacceptable impacts on the character of the area, the West Drive Conservation Area or the amenities of the neighbouring occupiers.

2) Design, Character and Appearance of the Area and Impact of Development on the West Drive Conservation Area

In determining Planning applications, paragraph 131 of the National Planning Policy Framework (2012) requires Local Planning Authorities to take account of 'the desirability of sustaining and enhancing the significance of heritage assets...and the desirability of new development making a positive contribution to local character and distinctiveness'.

Policy 7.4B of The London Plan (2011) states that 'Buildings, streets and open spaces should provide a high quality design response that (amongst other factors), (a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, (d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area, (e) is informed by the surrounding historic environment'. Policy CS1.B of the adopted Harrow Core Strategy 2012 states that all developments shall respond positively to the local and historic context. Saved policy D4 of the Harrow UDP (2004) states that "Buildings should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces".

Policy 7.8D of The London Plan (2011) states that 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'. Policy CS1.D of the adopted Harrow Core Strategy 2012 states that proposals that would harm the significance of heritage assets including their setting will be resisted. Saved policy D14 of the HUDP (2004) states that the Council will seek to preserve or enhance the appearance of Conservation Areas and saved Policy D15 provides guidance with respect to extensions and alterations within a Conservation Area.

Policies 1, 7 and, 9 of the emerging Development Management Policies DPD are

relevant to this application and broadly reflect the thrust of saved policies D4, D5, D14 and D15 of the HUDP (2004).

The Council has adopted Supplementary Planning Document – Residential Design Guide 2010 (SPD) to supplement saved policies D4 and D5, amongst other saved policies, and requires extensions to dwellinghouses to harmonise with the scale and architectural style of the original building. This SPD carries substantial weight as a material planning consideration.

The West Drive Conservation Area was extended in 2006 to include the remainder of West Drive, West Drive Gardens and Bellfield Avenue. The area is characterised by a mix of traditional, inter-war suburban buildings of a vernacular Domestic Revival style.

This application seeks to modify the unauthorised development on site so that it would, in the main, be similar to the scheme that was approved in 2007, under Planning application reference P/1646/07 (as set out in the above Planning history).

The two-storey rear extension would extend the full width of the main dwellinghouse and it would have a depth of 2.2m. This is similar to the scheme approved in 2007. As such, no objection is raised in relation to the depth or width of the two-storey rear extension. Importantly, the current proposal seeks to reduce the ridge height of the existing two-storey rear extension and to significantly reduce the width of the 'link' between the original roof and the roof over the two-storey rear extension. It is considered that these modifications represent necessary improvements to the appearance of the existing two-storey rear extension and these particular modifications would overcome the Council's concerns regarding the size and bulk of the two-storey rear extension in relation to the main dwellinghouse and its impact on the streetscene. Furthermore, the current proposal seeks to remove the existing roof terrace, balconies and decorative railings from the two-storey rear extension. It is considered that these proposed modifications would simplify the appearance of the two-storey rear extension, and the proposal would thus retain the traditional appearance of the original dwellinghouse. Accordingly, in terms of its size, scale and appearance, it is considered that the proposed modifications to the existing two-storey rear extension would overcome the concerns previously raised by the Council and the Planning Inspectorate.

The proposed two satellite antennas would be sited on the rear roof slope of the original dwellinghouse and they would not exceed the ridge height of the original dwellinghouse. On this basis, they would not be visible in the streetscene. As such, they would not detract from the character and appearance of the Conservation Area. When viewed in light of their previous siting on the western and eastern elevations, it is considered that this proposed siting represents a positive improvement. Accordingly, in terms of their siting, it is considered that the proposed satellite antennas would overcome the concerns previously raised by the Council and the Planning Inspectorate.

Due to its 'false pitched roof' and the 'neo-classical' columns, the Inspector agreed with the Council's concerns in relation to the design of the single-storey front extension, which he considered 'fails to harmonise with the surrounding design features of the house'. The false pitched roof has been replaced with a flat roof under the current proposal and the 'neo-classical' columns have been replaced with slimmer and more simplified columns. The current proposal is not identical to the previously approved front extension under Planning application reference P/1646/07. However, given its simple appearance, it is considered that the proposed front extension represents an

appropriate and modest addition to the front of the dwellinghouse, in keeping with the character and appearance of the West Drive Conservation Area. A condition is suggested requiring the materials relating to the proposed columns to be of timber composition as this would be in keeping with the traditional appearance of the building.

An infill side extension has been constructed beyond the northern elevation. In considering this element of the unauthorised works, the Planning Inspectorate noted that 'although only small and somewhat dominated by the adjoining porch, it appears as an odd feature out of character with the traditional configuration of that elevation'. The current proposal seeks to demolish part of the existing infill side extension. In doing so, a 1 m deep 'gap' with a width of 1.6 m would be provided along the northern elevation. Although modest, it is considered that this proposed modification would sufficiently 'break-up' the northern elevation at ground floor level, thereby sufficiently addressing the concerns previously raised by the Council and the Planning Inspectorate.

The West Drive Conservation Area is characterised by open front gardens with occasional very low walls or hedges, and very few fences. When considering the Enforcement Appeal, the Planning Inspectorate considered the then existing boundary treatment to be 'particularly tall' and 'together with the metal gates, their harsh, solid appearance does not complement the softer, more informal boundary treatment found throughout the majority of the Conservation Area. Since this decision, the height of the front boundary treatment (wall, gates and pillars) has been reduced from a previous maximum height of 2.4 m to 1m. It is acknowledged that the walls, gates and pillars are not entirely consistent with the more 'informal' boundary treatment found throughout the majority of the Conservation Area. However, since a height of 1 m would not obstruct views towards the property, it is considered on balance that this height would not give rise to a detrimental impact on the streetscene. Furthermore, by reducing the height to 1 m, the front boundary treatment satisfies the criteria under Permitted Development. Accordingly, were this application refused and the front boundary demolished, the applicant could revert to a fallback position and construct the very same boundary proposed under this application, using his Permitted Development Rights. In an appeal decision (APP/M5450/D/10/2132388) at 17 South Hill Avenue, where retrospective planning permission was sought for single storey side to rear and single storey rear extensions, the Inspector deemed the fallback position to have considerable weight in favour of the appeal and therefore allowed the appeal. Having particular regard to this, it is considered that it would be unreasonable to refuse the existing boundary treatment and accordingly, it can be accepted in this case.

The Council's Conservation Officer has advised that subject to appropriate conditions in relation to the materials of the proposed extensions, there are no objections to the current proposal.

For the reasons considered above, it is considered that the current proposal would overcome the previously cited concerns of the Council and The Planning Inspector in relation to the design, bulk and appearance of the extensions and alterations. Subject to an appropriate condition requiring the use of materials to match those used in the existing building, it is considered that the proposal overall would preserve the character and appearance of the area and the West Drive Conservation Area, in accordance with the National Planning Policy Framework, policies 7.4 and 7.8 of The London Plan (2011), policies CS 1 (B) and CS1 (D) of the Harrow Core Strategy, policies D4, D14 and D15 of the Harrow Unitary Development Plan (2004) and the Council's Supplementary Planning Document: Residential Design Guide (2010).

3) Residential Amenity

Policy 7.6.B of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Saved policy D5 of the Harrow Unitary Development Plan similarly seeks to ensure that the amenities and privacy of neighbouring occupiers is not adversely affected by development.

Policy 1 of the emerging Development Management Policies DPD is relevant to this application and broadly reflects the thrust of saved policies D4 and D5 of the HUDP (2004).

As previously stated, this application seeks to modify the unauthorised development on site so that it would, in the main, be similar to the scheme that was approved in 2007, under Planning application reference P/1646/07 (as set out in the above Planning history).

Under Planning application reference P/3032/10, the Council considered that the roof terrace and the first floor rear balconies would result in actual and perceived overlooking of neighbouring occupiers, particularly No. 9. When considering the subsequent appeal (ref: App/M5450/C/11/2152515), the Inspector considered that 'overlooking of neighbouring occupiers (from the roof terrace) is limited and would not harm the privacy of neighbouring residents'. As such, the Inspector did not agree with the Council's concerns with respect to loss of privacy of neighbouring occupiers. Notwithstanding this, the Inspector did consider that these design elements would be 'at odds with the overall character of the area'. On this basis, the applicant proposes to remove the roof terrace and the first floor rear balconies as part of the proposed modifications. This would therefore address the Council's previous concerns in relation to overlooking.

As set out in section 2 above, the size and scale of the extensions following the proposed alterations would be proportionate additions to the original dwellinghouse. Having regard to this, the siting of the dwellinghouse on the wedge-shaped plot and its distance from shared boundaries, it is considered that the two-storey rear extension, the front porch and the infill side extension would not unduly impact upon the amenities of neighbouring occupiers at No. 5 or 9 in terms of loss of light, overshadowing or loss of outlook.

There are two windows proposed in the western flank wall of the two-storey rear extension at ground and first floor level. These windows face towards the side elevation of No. 9 West Drive Gardens which abuts the shared boundary and a minimum gap of 5 m would be maintained between both elevations. As such, the proposal would not give rise to any undue loss of privacy for the occupiers of No. 9.

There are two windows proposed in the eastern flank wall of the two-storey rear extension at ground and first floor level. These windows face towards the side garden of the application property and as such would not give rise to any undue loss of privacy for the occupiers of No. 5.

It is considered that the siting of the proposed satellite antennae would not have any undue impact upon the residential amenities of neighbouring occupiers by way of overshadowing or loss of outlook.

It is considered that the siting, design or appearance of the boundary treatment would not have any undue impact upon the residential amenities of neighbouring occupiers by way of overshadowing or loss of outlook.

4) Trees and New Development

The site is subject to a Tree Preservation Order (TPO). The applicants have not provided any information in relation to the impact of the proposed development on the trees on the site. The trees, which are the subject of this TPO are sited at the side and rear of the site. The two-storey rear extension would be sited closest to these trees. Given that the footprint of this rear extension would not be altered as a result of the current proposed modification, the proposed development is unlikely to result in damage to these protected trees. However, a suitable condition requiring the erection of protective fencing around these trees during construction is suggested.

5) S17 Crime & Disorder Act 1998

Policies 7.3.B and 7.13.B of The London Plan and saved policy D4 of the UDP 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.

6) Consultation responses

At the time of writing this report to the Planning Committee, there were no comments received in response to neighbour notification. Any comments received will be reported.

CONCLUSION

The applicant has sought to regularise the development on the site and address the concerns outlined by the Council and the Inspector in previous applications and appeals. It is considered that the amendments proposed to the existing development would successfully achieve this aim, ensuring the extensions and alterations to the property would appear harmonious and sympathetic whilst also ensuring that the development would not unduly impact on the amenities of the neighbouring occupiers.

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

CONDITIONS:

1 The modifications and alterations to the property hereby approved shall be completed by 12 June 2013.

REASON: To ensure the development hereby approved is completed within a reasonable period of time (6 months), thereby preserving the character and appearance of the Conservation Area, in accordance with saved policies D4, D14 and D15 of the Harrow Unitary Development Plan 2004.

2 The materials to be used in the construction of the external surfaces of the extensions and / or modifications to the building and the boundary wall hereby permitted shall match those used in the original building.

REASON: To safeguard the appearance of the area and the Conservation Area, thereby according with policies 7.4.B and 7.8 of The London Plan 2011, policy CS1.B and

CS1.D of The Harrow Core Strategy 2012 and saved policies D4, D14 and D15 of the Harrow Unitary Development Plan 2004.

3 The columns attached to the front porch hereby permitted shall be comprised of timber only.

REASON: To safeguard the appearance of the area and the Conservation Area, thereby according with policies 7.4.B and 7.8 of The London Plan 2011, policy CS1.B and CS1.D of The Harrow Core Strategy 2012 and saved policies D4, D14 and D15 of the Harrow Unitary Development Plan 2004.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows / doors other than those shown on the approved drawing no. BD/12/10/3A shall be installed in the flank walls of the extensions hereby permitted without the prior permission in writing of the local planning authority.

REASON: To preclude any undue overlooking of neighbouring properties, thereby safeguarding the amenity of neighbouring residents, in accordance with policy 7.6.B of The London Plan 2011 and saved policy D5 of the Harrow Unitary Development Plan 2004.

5 No site works in connection with the development hereby permitted shall commence before the trees on site, which are the subject of a Tree Preservation Order, are surrounded by 1.8 metres high welded mesh "Heras" tree protection fencing. Such fencing shall remain for the entire duration of the construction works.

REASON: To protect the trees of significant amenity and to safeguard the appearance of the locality, in accordance with saved policies D4, D9 and D10 of the Harrow Unitary Development (2004).

6 The development hereby permitted shall be carried out, completed and maintained in accordance with the following approved plans and documents: Site Plan, PMB/07/129/1, BD/12/10/1, BD/12/10/2, BD/12/10/3A, BD/12/10/4B, BD/12/10/5, Design and Access Statement, Heritage Statement

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

INFORMATIVES:

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The proposed extensions to the property would overcome the concerns of the Council and the Planning Inspector expressed in previous applications and appeals on the site in ensuring that the extensions would have a harmonious, proportionate and sympathetic appearance, thereby preserving the character and appearance of the West Drive Conservation Area. The revised design proposals would also ensure that there would be no undue impacts on the amenity of neighbouring occupiers.

The decision to **GRANT** planning permission has been taken having regard to the policies and proposals in The London Plan 2011, the Harrow Core Strategy 2012 and the saved policies of Harrow's Unitary Development Plan 2004, and to all relevant material considerations, and any comments received in response to publicity and consultation.

National Planning Policy

The London Plan [2011]:

7.3.B – Designing out Crime

7.4.B – Local Character

7.6.B – Architecture

7.13.B – Safety, Security and Resilience to emergency

7.8 C, D & E – Heritage Assets and Archaeology

The Harrow Core Strategy 2012

CS1 – Overarching Policy

CS7 – Stanmore & Harrow Weald

Saved Policies of the London Borough of Harrow Unitary Development Plan [2004]:

D4 – The Standard of Design and Layout

D5 – New Residential Development – Amenity Space and Privacy

Adopted Supplementary Planning Documents

Supplementary Planning Document: Residential Design Guide (2010)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB Please quote **Product code:** 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 INFORMATIVE:

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £4, 819.50 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development

will be collecting the Mayoral Community Infrastructure Levy (CIL).

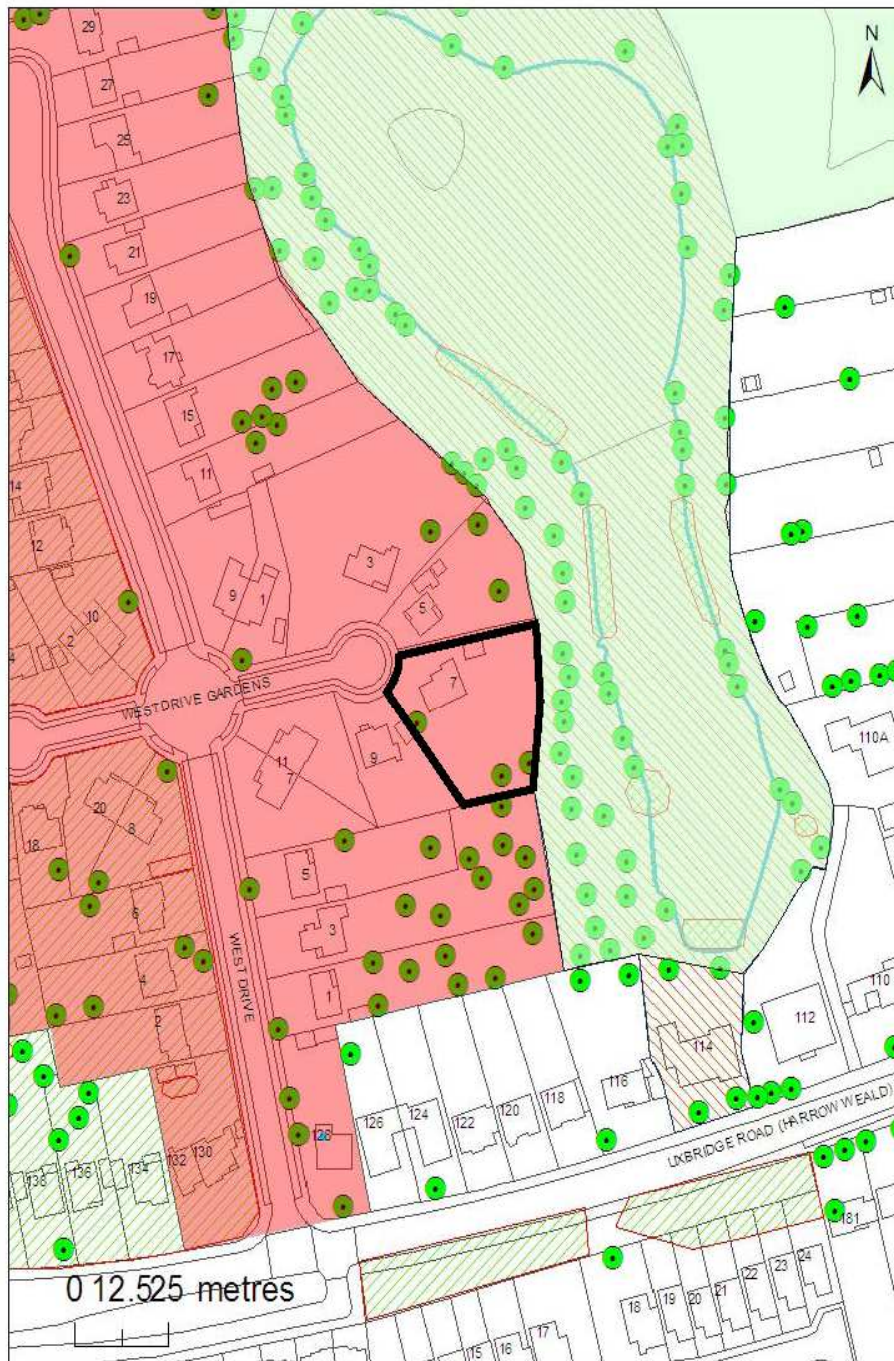
Your proposal is subject to a CIL Liability Notice indicating a levy of £4, 819.50 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 137.70 sqm

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Plan Nos: Site Plan, PMB/07/129/1, BD/12/10/1, BD/12/10/2, BD/12/10/3A, BD/12/10/4B, BD/12/10/5, Design and Access Statement, Heritage Statement

7 WEST DRIVE GARDENS, HARROW



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SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.