

## SECTION 1 – MAJOR APPLICATIONS

Item No: 1/01

Address: EDGWARE TOWN FOOTBALL CLUB, EDGWARE

Reference: P/2992/13

Description: RESERVED MATTERS FOR EXTERNAL APPEARANCE OF THE BUILDINGS, DESIGN OF THE BUILDINGS AND LANDSCAPING FOR THE SITE (CONDITION 9) ATTACHED TO OUTLINE PLANNING APPLICATION REFERENCE P/1941/07UN DATED 22/04/2010 FOR A DEVELOPMENT TO PROVIDE 189 DWELLINGS (LAYOUT, SCALE AND ACCESS). DETAILS PURSUANT TO CONDITION 2 (BOUNDARY TREATMENT), CONDITION 8 (LEVELS), CONDITION 22 (ENVIRONMENTAL ENHANCEMENT SCHEME) AND CONDITION 25 (CYCLE PARKING) OF OUTLINE PLANNING APPLICATION REFERENCE P/1941/07UN DATED 22/04/2010 FOR A DEVELOPMENT TO PROVIDE 189 DWELLINGS (LAYOUT, SCALE AND ACCESS)

Ward: EDGWARE

Applicant: MR STEVEN HATTON

Case Officer: OLIVE SLATTERY

Expiry Date: 27/12/2013

### RECOMMENDATION

**GRANT** reserved matters permission for the development described in the application and submitted plans, and **APPROVE** details pursuant to the conditions described in the application and submitted plans, subject to conditions:

### INFORMATION

This application is reported to Planning Committee as it is 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 29 May 2013.

Statutory Return Type: E(20) Large-scale Major Dwelling Development

Council Interest: None

Net Additional Floorspace: 13, 623 m<sup>2</sup>

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £476, 805

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): £1, 498, 530

### Site Description

- The application site is located on the south-western side of Burnt Oak Broadway, Edgware. This is a London Distributor Road and is also the borough boundary with the London Borough of Barnet.
- The site lies approximately 200m south of Edgware District Centre. It comprises an irregular shaped plot of land, which increases at the rear of the Premier Inn Hotel.

- The north-western part of the site is a designated area of open space, as per the Harrow Local Plan Policies Map 2013.
- The site comprises a former football ground and premises, which was previously occupied by Edgware Town FC. It is now vacant.
- The surrounding area has a variety of building styles of varying heights and sizes, and a variety of land uses. As such, the character of the surrounding area is mixed.
- In particular:
  - Grosvenor House is a 'T-shaped' building comprised of four and seven stories, which is sited to the north-east of the application site. This building is predominantly in B1 use, but also has D1 uses on the lower floors. Prior Approval was granted in August 2013 for the conversion of offices (class b1a) on floors 1 to 6 to twenty five self-contained flats (class c3).
  - No. 19 High Street, Edgware is a two storey, Grade II Listed Building which is sited to the north-east of the application site.
  - No. 9 – 17 High Street, High St, Edgware is sited to the north-east of the site. In March 2012, planning permission was granted for the 'Demolition of existing buildings; Redevelopment to provide 31 flats and 110sqm of class A2 or class A3 floorspace in a part 4/5/6 storey building; Associated access, parking, amenity space, landscaping and refuse storage' under planning application reference P/3418/12.
  - The Premier Inn Hotel is sited to the east of the application site.
  - There are residential units to the south, south-east and west of the application site.
  - There is a designated Business Use Area (Spring Villa) to the north of the site.
- The northern part of the site lies within Flood Zone 2 and 3, and Edgware Brook runs adjacent to the northern boundary of the site. This brook separates the site from the designated Business Use Area
- There is an Archaeological Priority Area to the east of the site.
- The site has a Public Transport Accessibility Level (PTAL) of 5.

### **Proposal Details**

- The site benefits from Outline Planning Permission (layout, scale and access) for 189 residential units (ref P/1941/07UN). This was granted on 22<sup>nd</sup> April 2010.
- The approved plans provide for 189 units in nine separate blocks; six 3-storey blocks, one 5-storey block and two 6-storey blocks. They also provide 134 car parking spaces at surface level and within an undercroft carpark.
- The subject proposal seeks to discharge Condition 2 (boundary treatment), Condition 8 (levels), Condition 9 (reserved matters for landscaping for the site, external appearance of the buildings and design of the buildings), Condition 22 (environmental enhancement scheme) and Condition 25 (cycle parking) of this Outline Planning Permission.
- The applicant has submitted plans and supporting documents in relation to the above conditions.
- Condition 2 (boundary treatment) states:
  - No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority.
  - The boundary treatment shall be completed:
    - b: before the building(s) is/are occupied

The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality.

- In the main, the boundary treatment around the perimeter of the site would comprise 2m close boarded fencing. The exception would be the boundary treatment along the Edgware Brook which would comprise 600mm high ascot rail, and the boundary treatment along the south-eastern part of the site which would comprise a low brick wall and a railing on top (maximum height 1.8m).
- A variety of other boundary treatments are also proposed within the site.
- Condition 8 (levels) states:

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.
- Details of proposed levels have been provided on a number of plans.
- Condition 9 (reserved matters for landscaping, external appearance of the buildings and design of the buildings) states:

Approval of the details shown below (the "reserved matters") shall be obtained from the local planning authority in writing before any development is commenced:

  - (a) design of the building(s)
  - (b) external appearance of the building(s)
  - (c) landscaping of the site

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.
- The 189 units would be provided in eight separate blocks; five 3-storey blocks, one 5-storey block and two 6-storey blocks.
  - Blocks 1/2 – A terrace of nine three storey dwellinghouses
  - Block 3 – A pair of semi-detached three storey dwellinghouses
  - Block 4 – Eighteen flats in a three-storey building
  - Block 5 – Seventeen flats and four maisonettes in a three-storey building
  - Block 6 – Eleven flats in a three storey building
  - Block 7 – Forty-one flats in a six storey building
  - Block 8 – Forty-seven flats in a six storey building
  - Block 9 – Forty flats in a five storey building
- Although some slight amendments to the approved layout are proposed, the proposed blocks would generally be provided in accordance with the approved parameters. These changes would not alter the nature of the approved scheme, nor would they increase the total number of units approved by the 2010 outline permission (189 units).
- Details of building design, building layout and elevational form have been provided for consideration, as is the detailed design and layout of the public realm.
- A full landscaping scheme for the site has been provided. This includes a central

amenity space which would be arranged around a pond. This pond would also serve as an attenuation area for flood waters.

- Condition 22 environmental enhancement scheme) states:

Development shall not commence until an environmental enhancement scheme for the river corridor and river banks has been submitted to and approved by the Local Planning Authority. Works shall be carried out in accordance with the approved scheme before the development is occupied.

REASON: To provide enhanced habitat for plants and animals.

- This has been submitted in the form of a detailed planting scheme.

- Condition 25 (cycle parking) states:

Cycle parking shall be provided at 1 space per unit in safe, secured locations, protected from the weather. This cycle parking provision shall be identified on a detailed plan which shall be submitted to and approved by the Local Planning Authority and the cycle parking provided on site so as to ensure 1 space per unit.

REASON: To ensure a satisfactory form of development and to comply with policy 3C.23 of The London Plan.

- Cycle storage areas for blocks 1, 2 and 3 are proposed towards the site entrance.
- Cycle storage areas for blocks 5, 6, 7 and 8 are proposed within each of these buildings
- Cycle storage areas for blocks 4 and 9 would be provided within the undercroft carparking area.

### **Revisions to the current proposal:**

The revisions to the originally submitted proposal can be broadly summarised as follows:

- Updated landscaping scheme to address the concerns of the Councils Landscape Officer. The landscaping scheme now includes a pond and the planting of replacement trees along the boundaries.
- The provision of boundary treatment along the perimeter of the site.
- The removal of balconies at the rear of blocks 4 and 5
- Revised refuse storage arrangement for blocks 1/2 and 3
- Altering the occupancy of units to comply with the internal space standards and the layouts to meet Lifetime Homes Standards as set out in Table 3.3 of The London Plan and appendix 1 of the Harrow SPD – Residential Design Guide.

### **Environmental Impact Assessment (EIA)**

A screening opinion was issued by the Council on the 31<sup>st</sup> October, 2013. Officers are satisfied that this proposal does not represent EIA development.

### **Relevant History**

P/2714/05/COU - Outline: Redevelopment to provide 164 flats and 11 houses in 9 blocks, access roads, parking and open space

Refused - 13-Apr-2006

### Reasons for Refusal:

- 1) The proposed development is contrary to the HUDP policy EP47, which states in paragraph 3.149 that there will be a presumption against the development of playing fields except where suitable alternative provision is made. The removal of this outdoor

recreational facility cannot be relocated with certainty since the proposed venue of Prince Edward Playing Fields is not completed and therefore is not a convenient and accessible option, contrary to policy EP47 of HUDP.

- 2) The proposed development is contrary to PPG17 paragraph 10 of the HUDP and EP47 because it has not been satisfactorily demonstrated that the open space is surplus to requirements.

P/1532/06 - Siting & access for redevelopment to provide 164 flats and 11 houses in 9 blocks of three and five storey buildings

Granted - 15-Jan-2007

P/1941/07UN - Development to provide 189 dwellings (Outline)

Granted - 22-Apr-2010

P/1988/11 - Modify section 106 agreement to planning permission P/1941/07 dated 22/04/10 to allow a cascade arrangement to determine the level of affordable housing provision

Approved - 29-Sep-2011

### **Pre-Application Discussion - P/1606/13/PREAPP**

Pre-application discussions have taken place with Council officers and our Design Consultant. Matters discussed mainly related to drainage, landscaping, design and refuse storage.

### **Applicant Submission Documents**

- Design and Access Statement
- Planning Statement and Statement of Community Involvement
- Landscape Management and Maintenance Specification

### **Consultations –**

- Highways Authority – No objections, as the 1:1 cycle parking ratio has been exceeded to produce 232 secure and accessible spaces.
- Drainage Engineer – No objection to the proposed levels
- Biodiversity Officer – No objections
- Landscape Architect – Well designed and comprehensive landscaping scheme. Some issues outstanding.
- Environment Agency - Based on the submitted planting strategy we can recommend the discharge of condition 22
- Refuse / Waste Management – Comments yet to be received. Any comments to be received will be reported to the Planning Committee

### **Community and Stakeholder Engagement**

An e-mail received on 18<sup>th</sup> October advises that a newsletter was issued to the local residents consulted in relation to the current application. A copy of this letter was provided to the Local Planning Authority.

### **1<sup>st</sup> Consultation:**

#### **Advertisement**

§ Major Development – Harrow Observer 10/10/2013, Expiry 01/11/2013

### **Site Notice**

§ 5 x site notices (Major Development) posted on 16/10/2013 – Expiry on 06/11/2013

### **Notifications**

Sent: 1246

Replies: 3, and one petition (with 59 signatures) against the proposed development has also been received

Expiry: 07/11/2013

### **Neighbour Consulted**

Albany Crescent – No's 1 – 24

Albany House, Albany Crescent – No's 1 – 8

Burnt Oak Broadway - Cavendish House, No's 389, 415, Premier Inn

Units at D.V.S House, 4 Spring Villa Road

Units at Japonica House, 8 Spring Villa Road

Kenville House, 3 Spring Villa Road

Units at Laburnam House, 1 Spring Villa Road

Garages adjacent to 40 Methuen Road

Garages rear of 1 – 3 Kennedy Court

1 – 3 Kennedy Court

Garages rear of 23 and 44 Summit Close

Units at Grosvenor House, High St.

Hendel Way – 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11a, 11b, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 29a, 29b, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69

High St, Edgware – Units 1, 2 and 3 at 17, 19, 21, 25 – 27, flat above 21, 47, 47A, 49,

Carpark at rear of 9 Methuen Close

Methuen Close – 1 – 40

Units at Middlesex House, 29 – 45 High St, Edgware

Milford Gardens – 1 – 41

Open space at rear of football ground, Burnt Oak Broadway

Overbrook Walk – 26 – 32

Portland Terrace, Summit Close – No's 1 – 6

Spring Villa Road – Jnf House, Caci House, Spectra House

Summit Close – 1 – 12 and 14 - 44

Tennis Courts adjacent to football ground

Properties at Barnet, as per the list provided by Barnet Council

### **Summary of Responses**

- The roads in this area are not developed to support this kind of development
- 6 – 7 storey buildings are over-powering. 3 storey buildings would be acceptable
- Loss of amenity – sports grounds are in short supply
- Public right to peace and quiet – building works will cause noise, dust etc
- Congestion – traffic is already very heavy on Edgware Road, Camrose Avenue and Whitmore Avenue
- Further the development on the flood plain will make the drainage situation worse
- Object to 189 dwellings in an already over-populated area
- Are there any plans to help with extra traffic, GP surgeries, schools and hospitals?

### **Petition**

- The initial proposal in June 2005 (P/2714/05/COU) and December 2005 (P/1941/07UN) was for 169 flats and 11 houses – it is deplorable that another 9

dwellings have been put forward

- Concern in relation to the height of the buildings
- Further loss of privacy
- Increase in traffic. Have you considered what you are going to do about it?
- Since the initial proposal in 2005, many homes have been built within 1 minute walk of the development and it seems that Harrow Council have not thought this through.
- Are you actually taking into account traffic and pollution levels from 2007?
- The demolition work has started – natural habitats have been destroyed
- Loss of sunlight and privacy for neighbours
- Why were local residents not properly consulted about the height and number of buildings

## **2nd Consultation:**

### **Site Notice**

5 x site notices (Major Development) posted on 16/12/2013 – Expiry on 30/12/2013

### **Notifications**

Sent: 1246

Replies: 0

Expiry: 25/12/2013

### **Neighbour Consulted**

As per the 1<sup>st</sup> consultation

### **Summary of Responses**

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

## **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.'*

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.

In this instance, the Development Plan comprises The London Plan 2011 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

## **MAIN CONSIDERATIONS**

Principle of the Development

Design, Character and Appearance of the Area

Residential Amenity

Traffic, Parking and Drainage

Sustainability

### **Principle of the Development**

The site comprises a former football ground and premises, which was previously occupied by Edgware Town FC. The north-western part of the site is a designated area of open space, as per the Harrow Local Plan Policies Map 2013. Importantly, the loss of a designated area of open space is not for consideration under this application as the principle of providing 189 residential units on the application site has been firmly established by outline planning permission reference P/1941/07UN. This was approved by the Council on 22<sup>nd</sup> April 2010. Details of site layout, the scale of buildings and site access were approved as part of this outline planning permission. As such, only details relating to landscaping, external appearance of the buildings and design of the buildings ("Reserved Matters") are now before the Local Planning Authority for consideration. In addition to this, the applicant has submitted details relating to boundary treatment, levels, environmental enhancement scheme and cycle parking for consideration.

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

The National Planning Policy Framework (NPPF) was published by the Government on March 27<sup>th</sup> 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38(6) of the Planning Act). The development plan for Harrow comprises The London Plan 2011 [LP] and the Local Development Framework [LDF].

The NPPF states (paragraph 64) that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. The NPPF continues to advocate the importance of good design though it is notable that the idea of 'design-led' development has not been carried through from previous national policy guidance to the National Planning Policy Framework.

The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. Core Strategy policy CS1.B states that 'all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design'.

Policy DM 1 of the Development Management Policies Local Plan requires all development proposals to achieve a high standard of design and layout, having regard to massing, bulk, scale and height of proposed buildings; the appearance of the proposed buildings; the context of the site; the provision of appropriate space around buildings; the need to retain existing natural features; the functionality of the development and the arrangements for safe, sustainable and inclusive access and movement'.

Details relating to site layout, the scale of buildings and site access were approved as



part of the outline planning permission in 2010 (reference P/1941/07/UN).

In accordance with statutory requirements for outline applications, the approved scheme was supported by plans indicating the parameters of the proposed development, and supporting documents. These parameter plans were considered as part of the outline application, and the Planning Committee concluded that the proposed building heights (maximum six storeys) represented an acceptable scale of development on this site. This application replicates the scale parameters set in the outline approval.

The approved parameter plans provide for 189 units in nine separate blocks; six 3-storey blocks, one 5-storey block and two 6-storey blocks. They also provide 134 car parking spaces at surface level and within an undercroft carpark. Although some relatively minor amendments to the approved layout are proposed, the proposed blocks would generally be provided in accordance with the approved parameters. The differences in the site layout are identified on plan no. 13-13-004-B. These can be summarised as follows:

- Blocks 1 & 2 have been combined into a single terrace, and increased in depth (by bringing forward the front elevation) so as to leave the relationship to the site boundary unaltered.
- The sides and front elevations of Block 3 are moved forward
- Block 4 is adjusted slightly northwards and the front and rear recesses omitted
- Block 5 is adjusted slightly forwards at the rear and its rear projection is omitted
- Block 6 is marginally rationalised in footprint at its entrance door
- Blocks 7,8 and 9 have been modified to remove shallow recesses in their respective footprints
- The vehicular ramp adjacent to Block 4 has been modified to increase the number of parking spaces in the Courtyard from 18 to 21 and because the top of the ramp precluded sufficient headroom needed in the basement car park under the Courtyard to accommodate the 104 spaces approved. Spaces alongside Block 9 have been moved to its north to avoid them being on the repositioned ramp.

Importantly, it is not proposed to increase the number of storeys in any of the approved blocks, nor is there any proposal to site any of the blocks closer to the site boundaries. Also, the total number of units approved by the outline permission would remain at 189 units. Officers consider that the proposed changes would not alter the nature of the approved scheme.

§ External appearance and design of the buildings:

The properties in the immediate vicinity of the site provide the area with a mix of building scales and designs and there is not therefore a highly defined or predominant character in the immediate area. Much of the development in the locality is of limited quality and architectural merit. It is considered that the provision of buildings which attempt to mimic any prevailing design ethos in the area would therefore be inappropriate.

The applicant has submitted detailed elevations and floorplans for each of the eight/nine blocks. The proposed buildings would have a refined design, with a regular grid throughout each of the elevations. It is considered that the simplicity of the proposed grids would provide clean lines and an uncomplicated rhythm. This is considered to be an appropriate design response in the context of the surrounding development. It is acknowledged that block 5 would appear less simple in design terms due to its proposed roof profile. However, on balance, the design of this block is considered to be acceptable. To ensure that the simplicity of the proposed grids would remain, a condition is suggested to prevent soil stacks, soil vent pipes, flues, ductwork or any other pipework

from being fixed to the elevations of the buildings.

Whilst the design of the proposed buildings is deemed to be acceptable, it is however considered that the use of materials and the details of window openings are integral to the defined sense of legibility and the external appearance of the buildings. The applicant proposes a buff stock brick as the primary facing material for the scheme. A darker brick is proposed at ground floor level (Wienerberger Rothesay Blend), whilst a lighter brick is proposed for each of the upper floors (Wienerberger Nevada Buff). It is acknowledged that these materials do not replicate materials within the surrounding area. However, given the extent of the overall development, the use of independent materials is considered to be an appropriate design response in this instance. Grey windows and doors are proposed and these are considered to compliment the proposed brick. Details of window reveals have not been provided. It is considered that deep reveals would be appropriate in this instance. On this basis, a condition requiring the approval of window reveals prior to the commencement of development is therefore suggested. In addition to this, a condition requiring the approval of balcony details prior to the commencement of development is also suggested.

Grey roller shutter doors are proposed on the front elevations of blocks 5, 6, 7 and 8 and these would serve the cycle storage and refuse storage areas in each of these proposed blocks. It is considered appropriate to conceal these storage areas from the public realm, and to provide refuse storage areas within convenient locations for both the intended occupiers of the units and for the refuse collectors. Although the proposed grey colour would be appropriate in the context of the proposed brick materials, concerns are raised in relation to the 'hard' appearance of these doors on the front elevations. To this end, a condition requiring the approval of revised materials prior to the commencement of development is suggested.

Further refuse storage areas are proposed in the undercroft parking area (with ramped access to surface level); at the rear of dwellinghouses and within designated storage areas at the east of blocks 1/2 and the west of block 3. Details of the external bin store at the west of block 3 have been provided for consideration and these are considered to be acceptable. However, details of the external bin store at the east of blocks 1/2 have not been provided for consideration. These details are of high importance given the location of this bin store at the entrance of the site. A condition requiring the approval of these details prior to the construction of the buildings on site is suggested.

No. 19 High Street is a two storey, Grade II Listed Building which is sited to the north-east of the application site. An objection was not raised previously in relation to the scale of the buildings on the application site or their proximity to the Grade II Listed Building. It is considered that the external appearance and design of the eight blocks of buildings would not unduly impact upon the setting of this Grade II Listed Building.

§ Landscaping:

It is acknowledged that a part of the proposed development would be dominated by hard landscaping when viewed from the site entrance. This is to provide for carparking spaces (including wheelchair spaces) that were approved as part of the outline scheme. Where possible, the applicant has sought to break this hard landscaping up with areas of planting. Having regard to the parameters of the approved scheme and the proposed use of neutral-colour materials, it is considered on balance that the hard landscaping at the site entrance would be acceptable.

Towards the rear of the site, a greater provision of soft landscaping is proposed. As required by condition no. 22, a buffer zone would be maintained between the proposed buildings and Edgware Brook. This buffer zone would be comprised of planting, and would assist to soften the buildings into their surroundings. Both the Environment Agency and the Council's Biodiversity Officer have considered the 'environmental enhancement scheme' that has been submitted in relation to this area and both have advised that it is acceptable.

A detailed landscaping scheme has also been submitted for the remainder of the application site. Following revisions to the originally submitted scheme, it now includes a central amenity space which would be arranged around a pond. This would serve as an attractive feature that would assist to soften the buildings into their surroundings, and importantly it would also serve as an attenuation area for flood waters. The submitted landscaping scheme would also include planting around the ground floor openings on each of the blocks of flats, and this would serve to protect the amenity of the intended occupiers of the flats. At the time of writing this report, additional comments had not been received from the Council's Landscape Officer in relation to the revised landscaping scheme which was submitted to address the minor issues raised by Planning Officers.

It was noted during a site visit that a number of trees have been removed from the perimeter of the site. This is regrettable given that they would have served to buffer the impact of the proposed buildings from the rear gardens of neighbouring occupiers. However, the proposed landscape scheme proposes to replace these trees and to plant additional trees along the perimeter of the site. This is considered to be a necessary proposal to protect the amenity of neighbouring occupiers along Summit Close, Methuen Close and Milford Gardens and to soften the impacts of the buildings.

In addition to the proposed landscaping scheme, details of boundary treatment have also been provided for consideration. In the main, the perimeter site boundary treatment would comprise 2m close boarded fencing. The exception would be the boundary treatment along the Edgware Brook which would comprise 600mm high ascot rail, and the boundary treatment along the south-eastern part of the site which would comprise a low brick wall and a railing on top (the maximum overall height would be 1.8m). A variety of other boundary treatments are also proposed within the site. As a whole, the proposed heights, siting and materials of the proposed boundary treatment are considered to be appropriate.

- Conclusion:

Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2011), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

## **Residential Amenity**

Policy 7.6B, subsection D, 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. Following on from this, Policy DM1 of the Development Management Policies Local Plan states that 'all development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted.

### § Impact on neighbouring occupiers

The layout of the site, the scale of the buildings and the site access were assessed as part of the outline planning permission and were considered to have acceptable impacts on the amenity of the occupiers of adjacent properties. Although some relatively minor amendments to the approved layout are proposed, the proposed blocks would generally be provided in accordance with the approved parameters. Importantly, it is not proposed to increase the number of approved blocks or the storey heights of the approved blocks. In addition to this, it is not proposed to site any of the blocks closer to the site boundaries. It is noted that one of the concerns that has been raised within the submitted petition is loss of sunlight for neighbouring occupiers. However, given that the storey level of the blocks and their distances from site boundaries have already been established, it is not possible or reasonable to re-assess these issues. The assessment of impacts on neighbouring occupiers therefore depends on the external appearance and design of the buildings only.

#### - West of application site:

Properties along Methuen Close and Summit Close are sited immediately west of the application site. A number of properties along Milford Gardens are also sited within Close proximity of the western site boundary.

Blocks 3, 4, 5 and 6 would be sited closest to the western site boundary, and each of these would be three storey's in height (as per the approved parameter plans). The distances between these blocks and the western site boundary were considered to be acceptable, when the outline scheme was determined.

The elevations that would face towards the western site boundary would feature a number of window openings serving both habitable and non-habitable rooms. Importantly, revised drawings have been received showing the removal of the originally proposed balconies from the elevations facing towards the western site boundary. This would result in a scheme with less amenity impacts than the approved outline scheme.

As discussed, a number of trees have been removed from the perimeter of the site, including the western site boundary. Importantly, the proposed landscape scheme proposes to replace these trees and to plant additional trees along this site boundary. This is considered to be a necessary proposal to protect the amenity of neighbouring occupiers along Summit Close, Methuen Close and Milford Gardens.

Having particular regard to the approved parameters, the removal of overhanging balconies from the elevations facing towards the western site boundary and the proposal to plant replacement trees along the western site boundary, it is considered that the proposal would not give rise to any undue overlooking for the occupiers of the properties

along Summit Close, Methuen Close and Milford Gardens, and the development is considered acceptable in this regard.

- South of application site:

Properties along Summit Close (including garages) are sited immediately the south of the application site. A number of properties and properties at the eastern end of Albany Crescent are also sited within Close proximity of the southern site boundary.

One of the changes to the approved layout is the combination of blocks 1 and 2 into a single terrace. Whilst this would result in a greater overall width, it would not result in the block(s) being sited any closer to the shared boundary. Given the narrow width of the gap that was approved, the siting of the blocks at a considerably lower level than the existing properties along Summit Close and Albany Crescent and the proposed acceptable design of the combined block, it is considered that this would not give rise to an overbearing impact from the rear gardens of the properties along Summit Close and Albany Crescent.

Blocks 1/2 (nine three-storey houses) and 3 would be sited closest to the southern site boundary, and each of these would be three storey's in height (as per the approved parameter plans). The distances between these blocks and the western site boundary were considered to be acceptable, when the outline scheme was determined. In addition to this, these blocks would be sited at a considerably lower level than the existing level of properties along Summit Close and Albany Crescent.

The elevations that would face towards the southern site boundary would feature a number of window openings serving both habitable and non-habitable rooms. As discussed, a number of trees have been removed from the perimeter of the site, including the southern site boundary. Importantly, the proposed landscape scheme proposes to replace these trees and to plant additional trees also. This is considered to be a necessary proposal to protect the amenity of neighbouring occupiers along Summit Close and Albany Crescent.

Having particular regard to the approved parameters and the proposal to plant replacement trees along the southern site boundary, it is considered that the proposal would not give rise to any undue overlooking for the occupiers of the properties along Summit Close and Albany Crescent. The development is considered acceptable in this regard.

- North of application site:

Spring Villa Business Use Area is sited to the north of the site and the buildings in this designated area vary in height (minimum 3 storeys). Although commercial premises are not as sensitive to noise and disturbance as residential premises, an environment within which office and other commercial premises can function practically and without undue distraction can reasonably be expected. The Edgware Brook separates the application site from Spring Villa Business Use Area, and there are a number of mature trees which run along the brook providing a dense screening.

Blocks 6 and 7 would be sited closest to the northern site boundary. Block 6 would be three storeys in height (as per the approved parameter plans) and block 7 would be six storeys in height (as per the approved parameter plans).

Having particular regard to the dense screening along the Edgware Brook and the

separation distances between the proposed blocks and the existing buildings at Spring Villa, it is considered that the proposal would not give rise to any undue overlooking for the occupiers of these properties.

- East of application site:

There are a number of buildings in varying uses sited to the east of the application site:

- Grosvenor House is a 'T-shaped' building comprised of four and seven stories, which is sited to the north-east of the application site. This building is predominantly in B1 use, but also has D1 uses on the lower floors. Prior Approval was granted in August 2013 for the conversion of offices (class b1a) on floors 1 to 6 to twenty five self-contained flats (class c3).
- No. 19 High Street, Edgware is a two storey, Grade II Listed Building which is sited to the north-east of the application site.
- No. 9 – 17 High Street, Edgware is sited to the north-east of the site. In March 2012, planning permission was granted for the 'Demolition of existing buildings; Redevelopment to provide 31 flats and 110sqm of class A2 or class A3 floorspace in a part 4/5/6 storey building; Associated access, parking, amenity space, landscaping and refuse storage' under planning application reference P/3418/12.
- The Premier Inn Hotel is sited to the east of the application site.

Blocks 7 and 8 would be sited closest to the eastern site boundary, and each of these would be six storeys in height (as per the approved parameter plans).

There are some existing trees along the eastern site boundary and it is proposed to plant a number of additional trees along this boundary. Notwithstanding this, it is likely that the proposed development would still enable some views into the rear areas of the above-mentioned properties, given the proposed height of blocks 7 and 8 (six storey's). However, this must be considered within the context of the existing situation whereby these existing buildings already enable a degree of overlooking of each other. On balance, the relationship proposed between blocks 7 and 8 and the existing development along Edgware High St. is considered to be acceptable.

- Conclusion:

In addition to the proposed buildings, boundary treatment is proposed around the perimeter of the site. Given its proposed height (not exceeding 2m) and composition, it is considered that the proposed boundary treatment would not unduly impact upon the amenity of neighbouring occupiers.

Overall, the proposed development is considered on balance to be acceptable in terms of the living conditions of neighbouring occupiers, and would meet the policy objectives of the relevant Development Plan policies.

§ Amenity of future occupiers

Following revisions to the originally submitted scheme, all units would comply with the internal space standards set out in Table 3.3 of The London Plan and appendix 1 of the Harrow SPD – Residential Design Guide.

The majority of proposed units would not have dual aspect, and a number of the proposed single aspect units would be north facing. This proposed arrangement is not ideal and is a direct result of the challenges presented by the parameters approved as part of the outline scheme. Notwithstanding this, outlook from habitable rooms would be adequate in all cases.

One of the documents submitted as part of the outline application was a Sunlight and Daylight Study. This report considered the impacts of daylight and sunlight within the development, and concluded that the siting and orientation of the approved blocks would give rise to a development that would meet all of the BRE daylight and sunlight requirements. This report is an approved document and an assessment of daylight and sunlight cannot be carried out again as part of the current application.

The vertical stacking of rooms between the units is well designed, but it is noted that there are some issues in terms of the horizontal stacking of rooms between some units. However, it is considered that a refusal on this basis could not be sustained, particularly given the technical provisions of Building Regulations.

As part of the originally submitted scheme, private external amenity space was proposed for the vast majority of units (175) with the remainder of units relying on the proposed communal amenity area for amenity space. However, in order to prevent unacceptable loss of privacy for the occupiers of residential units along Summit Close, Methuen Close and Milford Gardens, balconies have been removed from nine units at the request of Officers. Following revisions to the originally submitted scheme, 166 of the proposed 189 units would have private external amenity space provided in the form of balconies and private gardens. The remaining 23 units would rely on the proposed communal amenity area for amenity space. Whilst this is regrettable, it is considered that the protection of existing residents' amenity should be afforded greater weight. On balance, the level of private external amenity space proposed as part of the revised drawings is acceptable.

The applicant has confirmed that all of the proposed units would meet the Lifetimes Homes standards, and that 9.5% would be adaptable to meet Wheelchair Homes standards. Although The London Plan requires 10% of all new development to be wheelchair accessible or easily adaptable, it is considered that a refusal on the basis of a 0.5% shortfall would not be reasonable nor could it be sustained were the applicants to challenge it.

Overall, the proposed development is considered acceptable in terms of the living conditions of future occupiers, and would meet the policy objectives of the relevant Development Plan policies.

### **Affordable Housing**

Strategic London Plan policy 3.3A recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. Policy 3.11A of the Revised Early Minor Alterations [REMA] to The London Plan seeks to maximum the provision of affordable housing provision and to ensure an average of at least 13,200 more affordable homes per year in London over the term of the Plan.

The matter of affordable housing provision was considered as part of the outline permission, and a S.106 agreement was signed to secure the delivery of 57 affordable units. Subsequently, the S.106 agreement was varied to allow a base level / minimum level of 23 affordable units but this would be subject to a review mechanism to consider the availability of grant funding and market conditions at the time of delivery.

The applicant has submitted a Three Dragons Toolkit to the Council's Housing team to demonstrate that it is only financially viable to provide 23 affordable units within the

scheme. This provision is represented in the submitted application drawings and supporting documentation. The application has been discussed with the Council's Housing team who consider that further discussions are required to explore the possibility of providing an increased provision of affordable housing. These comments are noted, and the Council's Housing team and the applicants are working to resolve this issue.

Importantly, the matter of affordable housing provision is not for consideration under the current application as the agreed variation to the S106 governs its provision. The approval of this application would not therefore prevent further negotiations in relation to the provision of affordable housing.

### **Traffic, Parking and Drainage**

As stated, the principle of providing 189 residential units on the application site has been firmly established by outline planning permission reference P/1941/07UN.

One of the documents submitted as part of the outline application was a Transport Assessment. This report considered the impacts of the 189 residential units on the local highway network, and concluded that the impacts of the development would be acceptable in terms of trip generation and in terms of the level of carparking spaces proposed. This report is an approved document and an assessment of highway impacts cannot be carried out again as part of the current application. Two conditions relating to parking provision and the provision of a speed table at the junction of the development and Burnt Oak Broadway were attached to the outline planning permission.

The proposed provision of cycle parking would exceed 1 space per unit, as required by condition no. 25, and in this regard the proposal is considered to be acceptable.

A further document that was submitted as part of the outline application was a Flood Risk Assessment. This report considered the impacts of the proposal on the existing flood zone and provided robust technical information to demonstrate that the proposed development would not expose future residents to an unacceptable risk of flooding and that the site has the capacity to incorporate sustainable measures for the reduction of flood risk. This report is also an approved document and an assessment of flood risk cannot be carried out again as part of the current application. Two conditions relating to the provision of an 8m buffer zone and eight further drainage conditions were attached to the outline planning permission.

The drainage department have confirmed that details that have been submitted in relation to site levels are acceptable.

### **Sustainability**

Policy 5.2.B of The London Plan (2011) requires all major residential development proposals to reach a 40% reduction in carbon dioxide emissions. Policy 5.3.C of The London Plan (2011) requires all major residential development proposals to be accompanied by a statement demonstrating how sustainable design standards will be achieved in the design and construction process. Policy DM12 of the Development Management Policies Local Plan supports these policies.

The applicant has not submitted details in relation to these policy requirements. Nonetheless, both of these matters can be addressed by way of appropriate conditions.

### **Equalities Statement**



Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

On balance, it is considered that the proposal would have no impact with regard to section 149 of the Equalities Act 2010.

### **S17 Crime & Disorder Act**

Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address security issues and provide safe and secure environments. Policy DM1 of the Development Management Policies Local Plan 2013 seeks to ensure that the assessment of design and layout of new development proposals will have regard to the arrangements for safe access and movement to and within the site.

The development proposes a well-designed scheme and it is considered that this would provide increased levels of security for the site. In the main, the design and layout of the scheme are considered to comply with 'secure by design' principles. However, specific details of measures to minimise the risk of crime have not been submitted. Notwithstanding this, a condition was attached to the outline permission to ensure that these details are submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

### **Consultation Responses**

As stated within the body of the report, the principle of providing 189 residential units on the application site has been firmly established by outline planning permission reference P/1941/07UN. Concerns relating to impacts on the local highway network, local amenities, the height of the buildings, the density of the development, the loss of sports grounds and impacts on the flood zone were previously assessed and these were considered to be acceptable. These matters cannot be assessed again as part of the current application.

Concerns expressed with respect to loss of privacy for neighbouring occupiers have been considered and discussed in the above appraisal.

The following comments were also received in response to the public consultation process:

- *Public right to peace and quiet. Building works will cause noise, dust etc* - This is not a material planning consideration. An informative has been attached to the decision notice which advises the applicant of The Considerate Code of practice.
- *The initial proposal in June 2005 (P/2714/05/COU) and December 2005 (P/1941/07UN) was for 169 flats and 11 houses – it is deplorable that another 9*

*dwellings have been put forward. Why were local residents not properly consulted about the height and number of buildings – As per the above planning history, two outline applications to provide 164 flats in 9 blocks and 11 houses were submitted to the Council under application references P/2714/05/COU and P/1532/06. One of these applications was refused (P/2714/05/COU) and the other application (P/1532/06) was granted. A further application to provide 189 dwellings (Outline) was then submitted to the Council for consideration and this was finally granted on April 22<sup>nd</sup> 2010. Consultation was carried out in relation to each of these applications.*

- *The demolition work has started and natural habitats have been destroyed – It was noted during a site visit that the site has been cleared and that a number of trees have been removed from the boundary of the site. The applicant proposes replacement tree planting as part of the submitted landscaping scheme.*

## **CONCLUSION**

The principle of providing 189 residential units on the application site has been firmly established by outline planning permission reference P/1941/07UN. Details of site layout, the scale of buildings and site access were approved as part of this outline planning permission. Only details relating to landscaping, external appearance of the buildings and design of the buildings (“Reserved Matters”) are now before the Local Planning Authority for consideration. In addition to this, the applicant has submitted details relating to boundary treatment, levels, environmental enhancement scheme and cycle parking for consideration. Matters relating to impacts on the local highway network, parking, local amenities, the height of the buildings, the density of the development, the loss of sports grounds and impacts on the flood zone were previously assessed and these were considered to be acceptable. These matters cannot be assessed again as part of the current application.

Subject to the suggested conditions, it is considered that the proposed buildings would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development. In addition to this, the details submitted in relation to landscaping, boundary treatment, levels, the environmental enhancement scheme and cycle parking are considered to be acceptable.

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: 13-13-001 Rev. C, 13-13-002 Rev. D, 13-13-003 Rev. C, 13-13-004 Rev. B, 13-13-008, 13-13-009, 13-13-010 Rev. B, 13-13-020 Rev. A, 13-13-109 Rev. A, 13-13-110 Rev. B, 13-13-309 Rev. B, 13-13-409 Rev. B, 13-13-410 Rev. B, 13-13-508 Rev. A, 13-13-509 Rev. C, 13-13-510 Rev. C, 13-13-609 Rev. A, 13-13-610 Rev.

A, 13-13-709 Rev. A, 13-13-710 Rev. A, 13-13-809 Rev. A, 13-13-810 Rev. A, 13-13-909 Rev. A, 13-13-910 Rev. A, Design and Access Statement Rev. B, 13-13-099 Rev. B, 2446-LA-01 Rev. P3, 2446-LA-02 Rev. P3, 2446-PP-01 Rev. P2, 2446-PP-02 Rev. P2, 2446-PP-03 Rev. P1, 2442-SE-04 Rev. A, Landscape Management and Maintenance Specification 2446-MP-01 Rev. A

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

3 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above ground floor damp proof course level until details of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

a: balcony treatment

b: roller shutter doors serving the cycle storage and refuse storage areas

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

5 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence until there has been submitted to and approved in writing by the Local Planning Authority detailed sections at metric scale 1:20 through all external reveals of the windows and doors on each of the elevations. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policy 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

6 The development hereby permitted shall not proceed above ground floor damp proof course level until details of a strategy for the provision of communal facilities for television reception (eg. Aerials, dishes and other such equipment) shall be submitted to and approved by the Local Planning Authority. Such details to include the specific size and location of all equipment. The approved details shall be implemented prior to first occupation of the building and shall be retained thereafter and no other television reception equipment shall be introduced onto the walls or roof of the approved building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the buildings to the detriment of the visual amenity of the area in accordance with policy DM1 of The Development Management Policies Local Plan 2013.

7 Prior to the construction of the buildings onsite, details of the external bin store at the east of blocks 1/2 shall be submitted to, and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

and appearance of the area, in accordance with policy 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

9 No development shall take place, until a Construction Method and Logistics Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. measures to control the emission of dust and dirt during construction
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the adjoining properties, in accordance with policy DM1 of The Development Management Policies Local Plan 2013.

10 No development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to, and approved in writing by, the local planning authority. The approved CLP shall be adhered to throughout the construction period.

REASON: To manage the impact of the development in terms of the traffic movements upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with policy DM1 of The Development Management Policies Local Plan 2013.

11 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all communal landscape areas other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

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

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

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

13 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency on

<http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding in accordance with policy DM22 of The Development Management Policies Local Plan 2013.

14 Before the development hereby permitted is occupied a Sustainability Strategy, detailing the method of minimising carbon dioxide emissions in accordance with Policy 5.2 of The London Plan 2011 shall be submitted to and approved in writing by the Local Planning Authority. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development, a post construction assessment shall be undertaken demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with policy 5.2 of The London Plan (2011) and policy DM12 of the Councils Development Management Policies Local Plan 2013.

15 Before the development hereby permitted is commenced a Sustainability Strategy, detailing the steps taken to secure a sustainable design and layout of development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved Sustainability Strategy.

REASON: To ensure the delivery of a sustainable development in accordance with policy 5.3 of The London Plan (2011) and DM12 of the Development Management Policies Local Plan 2013.

16 The 189 residential units in this development, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.

REASON: To ensure provision of 'Lifetime Home' standard housing in accordance with policies 3.8 and 7.2 of The London Plan 2011, policy DM1 of the Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document: Accessible Homes (2010).

## **INFORMATIVES**

1 The following policies and guidance are relevant to this decision:

### **National Planning Policy Statements / Guidance:**

National Planning Policy Framework (2012)

### **The London Plan (2011)**

3.1 Ensuring equal life chances for all

3.5 Quality and design of housing developments

3.7 Large Residential Developments

3.8 Housing Choice

3.9 Mixed and balanced communities

5.1 Climate change mitigation

- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 6.9 Cycling
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture

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

Core Policy CS 1 – Overarching Policy

Core Policy CS 8 – Edgware and Burnt Oak

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

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM11 Protection and Enhancement of River Corridors and Watercourses

DM12 Sustainable Design and Layout

DM22 Trees and Landscaping

DM27 Amenity Space

DM44 Servicing

DM45 Waste Management

### **Other Relevant Guidance:**

Mayor of London's Housing Supplementary Planning Guidance (2012)

Supplementary Planning Document Residential Design Guide (2010)

Supplementary Planning Document Accessible Homes (2010)

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

2 Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

### 3 Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £476, 805 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 £476, 805 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 13, 623 m<sup>2</sup>

You are advised to visit the [planningportal](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) website where you can download the appropriate document templates.

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

### 4 Harrow CIL

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Harrow CIL Liability for this development is: £1, 498, 530

#### 5 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

#### 6 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

#### 7 COMPLIANCE WITH PLANNING CONDITIONS

**IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences**

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

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

Plan Nos: 13-13-001 Rev. C, 13-13-002 Rev. D, 13-13-003 Rev. C, 13-13-004 Rev. B, 13-13-008, 13-13-009, 13-13-010 Rev. B, 13-13-020 Rev. A, 13-13-109 Rev. A, 13-13-110 Rev. B, 13-13-309 Rev. B, 13-13-409 Rev. B, 13-13-410 Rev. B, 13-13-508 Rev. A, 13-13-509 Rev. C, 13-13-510 Rev. C, 13-13-609 Rev. A, 13-13-610 Rev. A, 13-13-709 Rev. A, 13-13-710 Rev. A, 13-13-809 Rev. A, 13-13-810 Rev. A, 13-13-909 Rev. A, 13-13-910 Rev. A, Design and Access Statement Rev. B, 13-13-099 Rev. B, 2446-LA-01 Rev. P3, 2446-LA-02 Rev. P3, 2446-PP-01 Rev. P2, 2446-PP-02 Rev. P2, 2446-PP-03 Rev. P1, 2442-SE-04 Rev. A, Landscape Management and Maintenance Specification 2446-MP-01 Rev. A



**EDGWARE TOWN FOOTBALL CLUB, BURNT OAK BROADWAY,  
EDGWARE**



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## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No: 2/01  
Address: 37 WESTWOOD AVENUE, HARROW  
Reference: P/3009/13  
Description: SINGLE STOREY FRONT EXTENSION; CONVERSION OF GARAGE TO HABITABLE ROOM; RAISING OF ROOF HEIGHT  
Ward: ROXETH  
Applicant: MS FARZANA ALDRIDGE  
Agent: MR DAVID HUMPHRIES  
Case Officer: DAVID BUCKLEY  
Expiry Date: 19/12/2013

### RECOMMENDATION

**GRANT** planning permission subject to conditions

### INFORMATION

The application is reported to the Planning Committee because the applicant is a council employee and the determination of this application is therefore outside the Scheme of Delegation.

**Statutory Return Type:** 21: Householder development

**Council Interest:** None

**GLA Community Infrastructure Levy (CIL) Contribution (provisional):** N/A, as proposed development will add less than 100 sq m to the property.

**Harrow CIL:** N/A, as the proposed development will add less than 100 sq m to the property.

### Site Description

- The site is on the north side of Westwood Avenue, a residential street primarily composed of semi-detached properties with purpose built garages.
- The property located on the application site is a semi-detached two storey dwellinghouse, with a bay window to the front and a garage to the side.
- The dwellinghouse underwent a ground floor rear extension and a ground floor side extension behind the garage in 1996, a small front porch has also been added at some point after that date.
- The application site is located on a slope, with a small drop down to the neighbouring property to the west.

- Several nearby properties have undertaken small ground floor front/side extensions.
- The site is not located in a flood zone, nor is it a listed building or within a Conservation Area.

### **Proposal Details**

- It is proposed to convert the existing side garage into a bedroom and to extend the current front elevation of this existing garage forward. It is also proposed to increase the height of the existing flat roof of this existing garage and erect a small dual pitched roof at the front.
- The proposed development would extend from the existing front elevation by 0.9m, bringing the side section of the ground floor in to line with the front elevation of the existing front porch. The proposed development would have a maximum width of 3m.
- The front, sloping part of the roof would have an eaves height of 2.8m and a full height of 3.8m.
- The flat roof section behind this would have a height of 3.25m.

### **Revisions to Previous Application**

N/A

### **Relevant History**

Single storey side and rear extension reference West/132/96/FUL, granted 12/04/1996.

### **Pre-Application Discussion (Ref.)**

- None

### **Applicant Submission Documents**

None

### **Consultations**

The South Harrow and Roxeth Residents Association: No objection

### **Advertisement**

N/A

### **Notifications**

Sent:3

Replies: 0

Expiry: 22-11-2013

### **Addresses Consulted**

35 Westwood Avenue, Harrow, HA2 8NR

39 Westwood Avenue, Harrow, HA2 8NR

38 Wood End Avenue, Harrow, HA2 8NX

### **Summary of Responses**

- N/A

### **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.'*

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.

In this instance, the Development Plan comprises The London Plan 2011 and the Local Development Framework (LDF). The LDF comprises The Harrow Core Strategy 2012, Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (DMP) 2013, the Site Allocations Local Plan (SALP) 2013 and Harrow Local Area Map (LAP) 2013.

On 11 October 2013, the Greater London Authority [GLA] published Revised Early Minor Alterations [REMA] to The London Plan 2011. From this date, the REMA are operative as formal alterations to The London Plan 2011 and therefore form part of the development plan for Harrow.

## **MAIN CONSIDERATIONS**

Character and Appearance of the Area

Residential Amenity

Equalities Impact

S17 Crime & Disorder Act

Traffic and Parking

Consultation Responses

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

Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass.

Core Policy CS1.B specifies that 'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.'

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

The Council has adopted a Supplementary Planning Document (SPD) on Residential Design (2010), which gives design guidance and requires extensions to harmonise with the scale and architectural style of the original dwellinghouse. Substantial weight is accorded to the SPD as a material planning consideration.

The design would reflect the appearance of the original dwellinghouse. The extension would bring the side section of the house level with the front elevation of the existing front porch. Furthermore, the proposed pitched roof at the front would align with that of the existing front porch, reflecting the character of the existing house, in accordance with paragraph 6.8 of the adopted SPD.

The site is on a slope, meaning that the neighbouring property to the west at No. 35 Westwood Avenue is at a level approximately 30 cm lower than the application site. This

means that from the ground level of No. 35, the flat roof of the extension would be approximately 3.55m and that the full height of the extension would be approximately 4.10m. The guidance in paragraph 6.41 of the adopted SPD states that a maximum height of 3m at the boundary would normally be acceptable, but it is considered that the extension would not have an unreasonably harmful impact on the street scene.

The proposed development would not project significantly forward of the existing bay windows and would not link in to the bay windows. A number of other houses in the street have undergone similar extensions, meaning that the proposed development would reflect the existing character of the streetscene, in accordance with paragraph 6.35 of the adopted SPD.

Overall the proposed development would harmonise with the architectural style and character of the original dwellinghouse and the existing streetscape, in accordance with paragraphs 6.6 and 6.35 of the adopted SPD.

In summary, in terms of its impact upon the character and appearance of the dwellinghouse and the streetscene, it is considered that the proposal would comply with the aims and objectives of policies 7.4B and 7.6B of The London Plan (2011), Core Policy CS1B of the Harrow Core Strategy (2012), Policy DM1 of the Harrow DMP and the adopted SPD: Residential Design Guide (2010).

### **Residential Amenity**

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

The neighbouring property located directly adjacent to the proposed development is No. 35 Westwood Avenue. The extension would adjoin directly to the existing side elevation of this property. As mentioned earlier, the site is on a slope, meaning that No. 35 is at a level approximately 30 cm lower than the application site. This means that the flat roof of the extension would be approximately 3.55m that the full height of the extension would be around 4.10m above the ground level of No. 35. The guidance in paragraph 6.41 of the adopted SPD states that a maximum height of 3m at the boundary would normally be acceptable. However, the immediately adjoining part of the ground floor of No. 35 is a garage and there are no protected windows on the first floor side elevation of this neighbouring property. It should also be noted that the current front elevation of No. 35 extends approximately 30cm forward of the front elevation of subject property, meaning that the proposed development would extend only around 60cm beyond the front elevation of No. 35, which would not be considered a concern in terms of outlook. Therefore it is considered that the outlook of this neighbouring property would not be unreasonably harmed, in accordance with paragraphs 6.40, 6.41 and 6.25 of the adopted SPD.

There are no windows proposed to the raised flank wall of the side elevation, or to the side elevation of the proposed front extension, therefore there would be no concerns in terms of unreasonable loss of outlook or privacy, in accordance with paragraph 6.20 of the adopted SPD.

In summary it is considered that the development would not result in any unacceptable impacts on neighbouring amenity in terms of privacy, outlook or overshadowing in compliance with policies 7.4B and 7.6B of the London Plan (2011), Policy DM1 of the

Harrow DMP (2013) and the adopted SPD: Residential Design Guide (2010).

### **Equalities Impact**

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications.

### **S17 Crime & Disorder Act**

The proposal does not impede any existing or proposed surveillance equipment. The proposal includes a legal security message.

### **Traffic and Parking**

The proposal would result in the loss of the existing garage. The Council's SPD recommends when considering proposals for front extensions a minimum driveway depth of 4.8m should be retained to allow sufficient parking space (paragraph 6.35). The forecourt would retain parking space for one vehicle. The number of parking spaces that would be retained would be in accordance with the maximum parking standards set out under policy 6.13 of the London Plan (2011). On this basis, the proposal would give rise to no conflicts with policy DM 42 of the DMP or the London Plan policy 6.13.

### **Consultation Responses**

N/A

### **CONCLUSION**

The proposed single storey front extension, raising of the existing roof height and conversion of the garage to a habitable room have not been found to have an unacceptably negative impact on the character and appearance of the property and the area. Furthermore, the proposed extension has not been found to unacceptably harm the amenity of the neighbouring occupiers.

For all the reasons considered above, and weighing up the development plan policies and proposals and other material considerations, this application is recommended for grant. Appropriate conditions have been attached to ensure that the amenity and privacy of the neighbouring occupiers is safeguarded in the future.

### **CONDITIONS**

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: 'Proposed conversion of garage in to habitable room' received

23/09/2013; 'Plans as existing' received 24/10/2013.

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

## **INFORMATIVES**

1 The following policies are relevant to this decision:

### **National Planning policy Framework (2012)**

#### **The London Plan 2011 and Revised Early Minor Alterations [REMA] to The London Plan 2011 (2013):**

7.4B Local Character

7.6B Architecture

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

Policy CS 1B

#### **Development Management Policies Local Plan 2013**

Policy DM 1 Achieving a High Standard of Development

Policy DM 42 Parking Standards

#### **Supplementary Guidance/ Documents**

Supplementary Planning Document: Residential Design Guide (2010)

#### 2 INFORM23\_M - 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.

(Include on all permissions involving building works where they could affect a public highway)

#### 3 INFORM32\_M - The Party Wall etc Act 1996

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

1. work on an existing wall shared with another property;
  2. building on the boundary with a neighbouring property;
  3. excavating near a neighbouring building, and that work falls within the scope of the Act.
- Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

(updated 28.3.07)

#### 4 INFORM\_PF2

Grant without pre-application advice

Statement under Article 31 (1) (cc) of The Town and Country Planning (Development

Management Procedure) (England) Order 2010 (as amended)

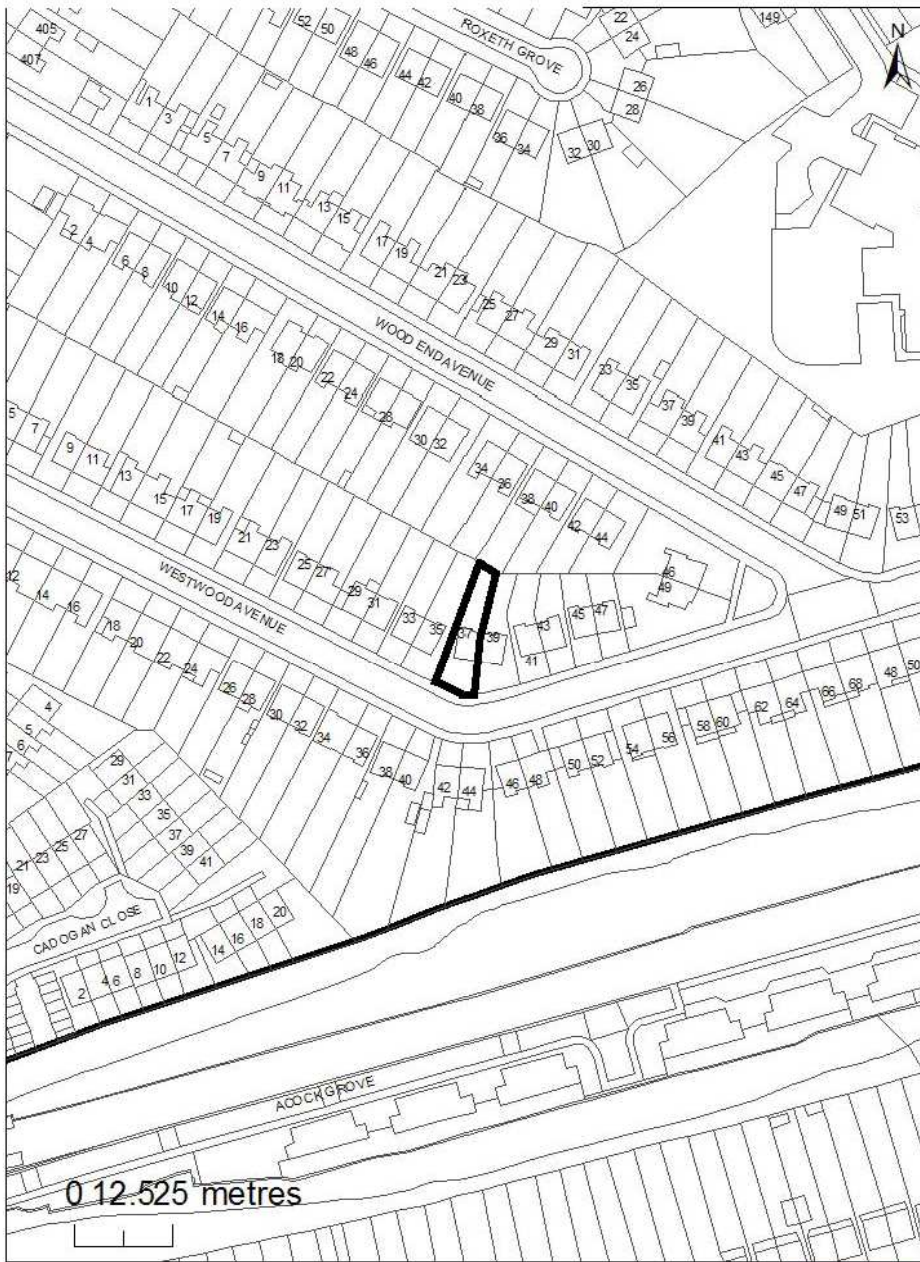
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow has a pre-application advice service and actively encourages applicants to use this service.

Please note this for future reference prior to submitting any future planning applications.

Plan Nos: 'Proposed conversion of garage in to habitable room' received 23/09/2013;  
'Plans as existing' received 24/10/2013.



**37 WESTWOOD AVENUE, 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.