

SECTION 1 – MAJOR APPLICATIONS

Item No. 1/01

Address: CRAZY HORSE PUBLIC HOUSE, 43 CHURCH ROAD, STANMORE

Reference: P/2443/14

Description REDEVELOPMENT OF THE SITE: DEMOLITION OF EXISTING PUBLIC HOUSE; CONSTRUCTION OF PART THREE / PART FOUR STOREY BUILDING TO PROVIDE 13 FLATS AND COMMERCIAL FLOORSPACE (FLEXIBLE CLASS A1/A2) ON THE GROUND FLOOR AND PART OF FIRST FLOOR; BASEMENT PARKING; PV PANELS ON THE ROOF; NEW BOUNDARY TREATMENT AND GATES; ASSOCIATED LANDSCAPING

Ward STANMORE PARK

Applicant: SUMMERADE HOLDINGS LTD

Agent: PRESTON BENNETT PLANNING

Case Officer: OLIVE SLATTERY

Expiry Date: 13TH OCTOBER 2014

RECOMMENDATION A

GRANT planning permission subject to:

- Conditions set out at the end of this report;
- The completion of a Section 106 agreement with the heads of terms set out below (subject to further negotiation and agreement).
- Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the Section 106 agreement and to agree any minor amendments to the conditions or the legal agreement.

HEADS OF TERMS

Affordable Housing

i) On the basis of the financial viability appraisal submitted with the approved application, the developer and the Council have agreed an average base sales value of £460.10 per square foot (calculated on net internal sales area for the residential element of the development). Upon completion of the sale of the last residential unit, the developer is to submit to the Council's Planning Department the sales value achieved for each unit and the average sales value per square foot (calculated on net internal sales area for the residential element of the development);

- ii) In the event that the average sales value achieved is in excess of £460.10 per square foot, the developer is to pay 80% of the surplus sales value above £460.10 per square foot to the Council as a contribution towards the provision of affordable housing in the borough. Should payment be due, this should be paid to the Council within one month of the developer submitting the sales details as prescribed in clause i) above.
- iii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- iv) Planning Administration Fee: Payment of £500 administration fee for the monitoring of and compliance with this agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 13th October 2013 then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a Legal Agreement would fail to secure the provision of affordable housing on the site and would therefore fail to adequately mitigate the impact of the development on the wider area, and provide for necessary social and physical infrastructural improvements arising directly from the development, contrary to the NPPF (2012), policy 3.12.A/B of The London Plan 2011 and policy CS1.J of the Harrow Core Strategy 2012.

INFORMATION:

This application is reported to the Planning Committee as it is a major application recommended for approval and therefore falls outside of category 1 of the Council's scheme of delegation.

Statutory Return Type: 7: Small Scale Major Development

Council Interest: None

Net Floorspace:

Residential = +1,671sqm

Commercial = - 97sqm

GLA Community Infrastructure (CIL) Contribution: £183, 810

Harrow Community Infrastructure (CIL) Contribution: £58, 485

Site Description

- The application site is located in Stanmore on the northern side of Church Road at the junction with Pynacles Close.
- The site lies at the western edge of Stanmore District Centre. It is not within the primary shopping area of this centre, and is therefore not within a primary or secondary parade.
- The site comprises a rectangular shaped plot of land. It is currently occupied by a two-storey, detached building with a hipped roof profile, sited at the front of the site. There is a carpark at the rear of the building.
- The authorised use of the site is Class A4: Drinking Establishments.
- The site slopes from south to north, with the northern part of the site approximately 3m higher than the southern part of the site.
- The site is bounded to the west by Pynacles Close. To the west of Pynacles Close are residential buildings containing flats; Albert House, Windsor House and Stewart

House.

- The site is bounded to the rear by an access road which separates the application site from Elm Lawn tennis courts.
- The adjoining site to the east, No. 37 – 41 Church Road, contains a two-storey, detached building with a hipped roof profile. The authorised use of this building is Class A2: Financial and Professional Services. The detached building to the rear of No. 37 – 41, Compass House, has an authorised use of Class B1: Office Use.
- There is a terrace of two-storey commercial properties with residential use at upper floor level immediately opposite the application site.
- The Old Church Lane Conservation Area and a Grade II Listed Wall are located 35m to the south-west of the application site.

Proposal Details

- The application proposes to redevelop the application site by demolishing the existing building and constructing a replacement part 3 / part 4 storey building in mixed use to contain 13 residential units and commercial floorspace (flexible Class A1/A2).
- The proposed building would have a contemporary appearance. It would be comprised of two main four storey blocks which would be linked by a central three storey element.
- The proposed building would have a flat roof with a maximum height of 11.9m at the front and 9.1m at the rear. The difference in heights is due to the difference in site levels across the site. The central element would have a height of between 8.2m and 8.9m.
- The proposed building would have a maximum depth of 50.90m at ground floor level and a maximum depth of 45.6m at upper floor levels.
- The proposed building would have a width of 14.8m across the front elevation. This would be the widest part of the front block.
- The widest part of the rear block would be 15.5m at upper floor levels and 20.4m at lower ground floor / basement level.
- The fourth floor of the front block would be set in 1.8m from the main front wall of the proposed building.
- The fourth floor eastern flank wall of the front block would be flush with the main eastern flank wall of the proposed building. The western flank wall would be set in 1.9m from the main western flank wall of the proposed building.
- The fourth floor of the rear block would be set in 1.5m from the main rear wall of the proposed building.
- The fourth floor eastern and western flank walls of the rear block would be set in 2m and 1.9m respectively from the main eastern and western flank walls of the proposed building.
- The front wall of the proposed building would be set back 2.2m from the front boundary of the site and 4.1m from the edge of the pavement which abuts the highway.
- The lower ground floor / basement of the proposed building would be set back between 0.4m and 1.2m from the rear boundary of the site. The upper floor of the proposed building would be set back between 5.8m and 6.4m from the rear boundary of the site.
- The western flank wall would be sited between 2.7m and 3.8m from the western site boundary.
- The eastern flank wall would be sited between 2.3m and 6m from the eastern site boundary.
- The 6m gap between the south-eastern corner of the proposed building and No. 37 – 41 Church Road would provide vehicular access to the proposed basement car parking area. Vehicular gates (2.4m high) are proposed in this location. An existing cross-over would be utilised.

- A total of 13 on-site car parking spaces would be provided.
- The proposed 13 units within the building would comprise:
 - 1 x 1 bed flats;
 - 9 x 2 bed flats;
 - 3 x 3 bed flats
- All of the units would have private external amenity space provided in the form of a balcony or terrace.
- Two entrances to the residential units are proposed; one entrance is proposed on the eastern elevation and one entrance is proposed on the western elevation.
- A flexible A1 / A2 use is proposed in the commercial unit. This would occupy part of the ground and part of the first floor of the front block and would total 356 sqm.
- Cycle storage for the residential units (16 bicycles) and the commercial unit (5 bicycles) would be sited in the proposed basement / undercroft parking area.
- Separate refuse storage areas are proposed for the residential and commercial uses.
- Solar panels flush to the roof surface are proposed on the roof of both blocks.
- Soft landscaping in the form of trees and planting beds are proposed at the front and western side of the proposed building.

Relevant History

P/0513/10 - Acoustic fence between side boundary with Pynacles Close and front courtyard

Refused - 15-Jul-2010

Allowed on appeal - 14-Mar-2011

Pre-Application Discussion

1st - P/0968/13/PREAPP – Conclusion as follows:

It is considered that the proposals (presented at the meeting and submitted via e-mail on 13th May 2013) do not represent a sustainable development and are unacceptable by reason of the issues set out above. Officers consider that the development fails to meet the development plan policies, and are therefore not capable of support.

The principle of the redevelopment of the site would be acceptable subject to compliance with Policy 47 of the Development Management Policies DPD. For the reasons discussed above, there are a number of fundamental concerns in relation to the overall height, massing and scale of the proposed development and its proximity to site boundaries. These matters raise significant concerns in relation to the impact of the proposal on the character and appearance of the area and on neighbouring amenity. We would strongly encourage further dialogue on all of these matters. The concerns raised above should be considered and addressed in line with the policy requirements. A full assessment of any subsequent scheme, including all other material considerations arising from formal consultation and neighbour notifications, in addition to any site circumstances, would be taken into account in determining any future planning application.

2nd - P/3396/13/PREAPP – Conclusion as follows:

It is encouraging that the proposals have been improved since our previous meeting. However, for the reasons set out above, the proposals remain unacceptable and would not be capable of Officer support. To this end, we would encourage further dialogue prior to the submission of a planning application.

The design, scale and appearance of the proposed building has been revised since this second pre-application advice meeting.

Applicant Submission Documents

- Sustainability Statement
- Energy Statement
- Transport Statement
- Daylight and Sunlight Report
- Design and Access Statement
- Planning Statement

Referrals

- Drainage Authority: No Objection, subject to conditions
- Environment Agency: No Objections
- English Heritage: No Objections
- Conservation Officer: No Objections
- Highways Authority: No Objection, subject to conditions
- Housing: No Objection. *No sustainable amount of affordable housing seems to be possible within the development itself. We would suggest the use of a review mechanism secured through a S.106 agreement.*
- Design Consultant: No Objection

Community and Stakeholder Engagement

A Planning Statement accompanies the planning application and a Statement of Community Involvement is contained within this. This document explains the programme of public consultation and community engagement carried out prior to the submission of the application. As part of its programme of community engagement, the applicant initiated a number of public consultation exercises including flyer distribution and a public exhibition on March 5th 2014.

Consultation

Advertisement: Major Development, Setting of a Conservation Area, Setting of a Listed Building

Published: 24th July 2014

Expiry: 15th August 2014

Site Noted Erected: 17th July 2014

Expiry: 8th August 2014

Notifications

Sent: 74

Replies: 4

Expiry: 8th August 2014

Neighbours Consulted

Albert House – Flats 1, 2, 3, 4, 5, 6, 7, 8

Windsor House – Flat 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15

Church Road – 35, 37, 39, 40, 41, 41a, 37 – 41, 42, 44, 44a, 46, 46a, 48a, 48 – 50, 50a, 52, 52a, 54, 54a, 56a, 58a, 56 – 58, 57 – 58,

Stewart House – 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

Pynnacles Close – Green Trees, Stanmore Free Church, Albert House, Green Lawns

Elm Park – 2

Summary of Response(s):

- The loss of the public house would fail to comply with paragraphs 69 and 70 of the NPPF and Policy DM47 of Harrow’s Local Plan.
- Evidence has not been submitted to demonstrate that the public house is redundant or not viable or that the site has been sufficiently marketed to other pub operators
- The proposed modern construction would not be in keeping with the Stanmore Hill and Old Church Lane Conservation Areas.
- The number of cars using Pynnales Close has greatly increased over the past few years. The proposed underground parking will be accessed via Pynnales Close, adding to the number of cars using the road.
- The height of the development could impact on light levels to the flats at Windsor House
- There is a desperate need for traditional public houses in Stanmore – Church bell ringers currently have to go out of the borough to find a decent public house
- The Elm Parks Residents Association were not consulted in relation to this proposal
- The planning application fails to mention the importance of the site in the locality
- The present building matches the area of Stanmore and sits well within the site.
- The proposal would represent a bland, oversized, white block.
- The proposal would fail to comply with paragraph 64 of the NPPF and the Council’s own policies.

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, published Revised Early Minor Alterations [REMA] to The London Plan 2011 and the (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.

MAIN CONSIDERATIONS

Principle of Development

Design, Character and Appearance of the Area and Impact of the proposal on the setting of the Conservation Area and the Grade II Listed Building

Affordable Housing Provision

Residential Amenity and Accessibility

Transport Impacts of Development and Servicing

Development and Flood Risk

Sustainability

Development Obligations

Principle of Development

In this instance, the principle of the proposed development is two-fold:

(a) Loss of the Public House

The authorised use of the site is Class A4: Drinking Establishments and the existing building is occupied by a Public House. Policy DM47 of the Development Management Policies Local Plan (2013) relates to the Retention of Existing Community, Sport and Education Facilities and explanatory paragraph 10.9 goes on to specify Public Houses as community facilities. This policy follows on from the NPPF, which recognises strong, vibrant and healthy communities as one of three dimensions of sustainable development. The NPPF also recognises town centres as the heart of communities. Policy DM47 states:

A. Proposals involving the loss of an existing community, sport or educational facility will be permitted if:

- a. there is no longer a need for that facility (having regard to the amount of local patronage, the quality of facilities offered and the duration and extent of marketing. (For proposals involving the loss of a public house, evidence of 12 months' suitable marketing activity will be required or evidence that the public house is no longer financially viable through the submission of trading accounts, or other similar financial evidence, whilst the pub was operating as a full time business)); **or**
- b. there are adequate similar facilities within walking distance which offer equivalent provision; **or**
- c. the activities carried on are inconsistent and cannot be made consistent with acceptable living conditions for nearby residents, **or**
- d. the redevelopment of the site would secure an over-riding public benefit.

B. Proposals for the redevelopment of community or educational facilities that secure enhanced re-provision on the site, or on another site which improves accessibility, will be supported.

In order for the proposal to be acceptable in principle, the proposal must comply with criterion a or b or c or d of Policy DM47(A) above.

The Planning Statement submitted as part of the current planning application seeks to justify the current proposal. In particular, it seeks to demonstrate that 'there are adequate similar facilities within walking distance which offer equivalent provision', and thereby complies with Policy DM47(A)(b).

The Planning Statement states that there are seven drinking establishments within 1km of the application site and provides an assessment of each of these. It goes on to state that there are a total of ten drinking establishments within 1.5km of the application site. Four of these establishments are within 250m of the site. These establishments are plotted on the below diagram:

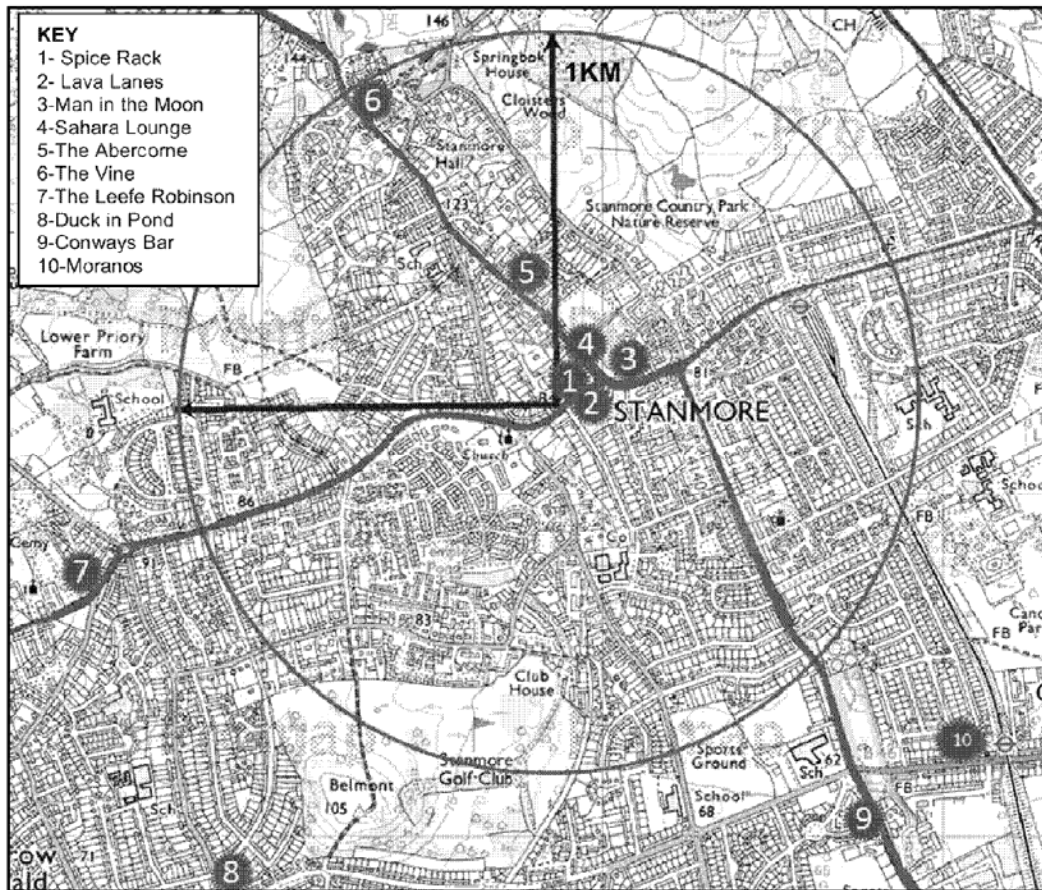


Figure 12: Drinking Establishments within 1km radius of the site

The Crazy Horse public house is a drinking establishment. The drinking establishments shown on the above map offer an equivalent provision. Most of these are within walking distance of the application site, particularly establishments no. 1, 2, 3, 4 and 5. On this basis, it is considered that 'there are adequate similar facilities within walking distance which offer equivalent provision', thereby satisfying the policy requirement of policy DM47.

It is noted that a number of objection letters have been submitted raising concerns in relation to the loss of the public house. In particular, concerns have been raised in relation to the lack of any evidence to demonstrate that the public house is redundant or not viable or that the site has been marketed to other pub operators. However, as per the wording of policy DM47, this information is not specifically required in order to meet the policy requirement of policy DM47.

Further concerns have been raised in relation to the failure of the proposal to comply with paragraphs 69 and 70 of the NPPF, which relate to the promotion of healthy communities.

In particular, it is noted that paragraph 69 requires local planning authorities to aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. As set out earlier in this report, a programme of public consultation and community engagement was carried out prior to the submission of this planning application. Furthermore, the Local Planning Authority sent out 74 neighbour consultation letters, advertised the proposal in the local newspaper and put up two site notices to inform the local community of the development proposal.

Paragraph 70 of the NPPF requires planning decisions to:

'plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments':

'guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs'

As set out above, there are adequate similar facilities which offer equivalent provision within walking distance of the application site. On this basis, it is considered that the loss of this public house would not reduce the community's ability to meet its day-to-day needs and would not impact on the sustainability of the local community and residential environment.

In conclusion, it is acknowledged that the loss of the community facility is regrettable. However, it is considered that the policy requirements of the NPPF and policy DM47 have been met and a reason for refusal could not be sustained in this instance.

(b) Provision of a Mixed Use Scheme

The site is located within Stanmore District Centre.

The Harrow Core Strategy (2012) Core Policy CS1L states that "Harrow's town centres will be promoted as the focus for community life, providing residents with convenient access to a range of shops, services, cultural and leisure facilities, as well as local employment opportunities and areas of good public transport." Policy DM40 of the Development Management Policies Local Plan (2013) supports the provision of mixed use development in town centres, stating that the appropriate mix of uses will be considered having regard to:

- a. the role and function of the centre;
- b. the need to make efficient and effective use of previously-developed land;
- c. the need to re-provide certain uses on the site in accordance with other policies;
- d. the compatibility of the uses proposed; and
- e. any other planning objectives considered to be a priority for the area.

It is considered that the mix and scale of the proposed development is appropriate to the role and function of Stanmore District Centre. As discussed in section 2 below, it is considered that the site is currently underutilised and that the proposal would make efficient and effective use of previously developed land. As set out in part (a) above, the loss of the public house is considered to be acceptable. The proposal to provide commercial floorspace (flexible Class A1/A2) at ground floor level would be appropriate to the town centre. The proposal to provide residential units would contribute towards the Borough's delivery of homes between 2009 and 2026, in accordance with policy 3.3 of The London Plan (2011) and the spatial strategy set out in the Harrow Core Strategy (2012). Furthermore, the proposed residential use would assist to enhance Stanmore's evening economy, thereby complying with policy DM41 of the Development Management Policies Local Plan (2013). As discussed in section 4 of this appraisal, the uses proposed under the current application are considered to be compatible.

On the basis of these considerations, the provision of a mixed use scheme on the application site is therefore supported.

Design, Character and Appearance of the Area and Impact of the proposal on the setting of the Conservation Area and the Grade II Listed Building

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. The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation. 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'.

Although the area surrounding the application site has a variety of building forms, these buildings generally have a traditional scale. The area generally has a mix of commercial and residential uses. There are two two-storey, detached buildings with hipped roof profiles to the east of the application site. To the west of Pynnales Close are residential buildings containing flats. In the main, these buildings are two-storey with habitable roof space, although parts of these buildings are also three storeys. Elm Lawn tennis courts are located at the rear of the site. Immediately opposite the application site (to the south) is a terrace of two-storey commercial properties with residential use at upper floor level. The Old Church Lane Conservation Area and a Grade II Listed Wall are located 35m to the south-west of the application site. Stanmore Hill Conservation is located approximately 120m to the west of the application site. The site is in a prominent location on the western edge of Stanmore District Centre. This together with the significant changes in levels across the site is indicative of the design challenges posed by any redevelopment.

The proposed building would be comprised of two main four storey blocks which would be linked by a central three storey element.

At present, almost the entire width of the site frontage is developed, with only a gap (approximately 8m) between the eastern flank wall of the building and the eastern site boundary. In contrast, the rear of the application site is currently undeveloped. It is considered that the site is underutilised at present and that the current proposal provides an opportunity to make effective and efficient use of previously development land. It is acknowledged that the current proposal would significantly increase site coverage, when compared to the existing situation. However, the amount of setting space proposed is not

dissimilar to the amount of setting space provided on the two neighbouring sites to the east. It is further acknowledged that the proposal would give rise to a building of significantly increased size and scale, when compared to the existing building on the application site. However, appropriate setting space would be provided about the building with a 6m gap proposed between the eastern flank and the eastern site boundary, and a 3.9m gap proposed between the western flank and the western site boundary (front block). Furthermore, considerable setting space would be provided by the presence of Pynacles Close along the western side of the proposed building. Having regard to this, the rationalised massing and appropriate design of the building (as discussed below) and the provision of an appropriate set back of the proposed building from the edge of the highway, it is considered that the size and scale of the proposed building would be appropriate on this prominent corner site. Further to this, the proposed development would result in a density of 338 habitable rooms per hectare and 110 dwellings per hectare. This would fall comfortably within the tolerances of Table 3.2 of the London Plan (2011) relating to the density of developments.

The height of the proposed building is informed by the height of neighbouring buildings at neighbouring sites (No. 37 – 41 Church Road, Albert House, Windsor House and Stewart House). It is noted that the height of the proposed building would be 500mm higher than the adjacent No. 37 – 41 Church Road. However, it is considered that this would be mitigated by the provision of a recessed fourth storey / third floor on the front block (2m from the main front façade of the building) and the provision of a 6m gap between the south-eastern corner of the proposed building and No. 37 – 41 Church Road.

The buildings in the immediate vicinity of the site generally have a traditional scale and generally the buildings in this area have pitched roof profiles. Towards the centre of Stanmore, the design and scale of buildings is more varied. The proposed building would have a high-quality, contemporary design. It does not attempt to mimic any prevailing design ethos in the area. This design approach is supported on this prominent corner site. A regular grid is proposed throughout each of the elevations. It is considered that this proposed grid system would provide clean lines and an uncomplicated rhythm. The proposal for two main blocks linked by a central element would provide a visual break in the western side elevation, and this is considered to be an appropriate design response to this prominent corner site. The Council's design consultant has raised some concerns in relation to the absence of a clearly defined and clearly articulated entrance to the proposed flats from Pynacles Close. This view is supported and it is considered necessary to address this concern by way of an appropriate planning condition to require the submission of a revised western side elevation showing the provision of a clearly articulated entrance to the proposed flats, prior to the commencement of development. The design and layout of the proposed building are considered to make appropriate use of the varied site levels and it is considered that this assists to mitigate the impact of the proposed size and scale of the building. Whilst the design of the proposed building 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 overall appearance of the building. As such, appropriate, high-quality conditions requiring the approval of these details prior to the commencement of development are therefore suggested.

At ground floor level, the proposed front elevation and the front part of the western elevation would be mainly glazed providing active frontages to the proposed A1 / A2 use. It is considered that the addition of an active frontage on this corner site within the district centre would enhance vitality at the entrance to Stanmore centre.

Vehicular and pedestrian gates (2.4m high) are proposed at the front of the site, which would give rise to a 'gated' development. Whilst this situation would not be ideal, it is acknowledged that these proposed gates would be required in order to deter crime, particularly as there is no access through the site. Subject to an appropriate condition requiring the approval of materials for these gates, the proposal would therefore be acceptable, on balance.

Refuse would be stored internally, within the undercroft parking area. This area would provide an appropriate location for refuse and ensure that bins do not detract from the appearance of the site or the locality.

The submitted plans show the provision of planting beds along the western elevation of the proposed building and the provision of trees at the front and western sides of the building. Whilst the provision of soft landscaping is welcomed, it is considered that there is scope to create more meaningful soft landscaping than that proposed. Conditions are therefore attached to secure the submission of a revised, detailed landscaping scheme for the public realm and an associated management plan prior to the occupation of development. The proposed Sedum lawn on the roof of the upper ground floor is welcomed.

Overall, it is considered that the design, size and scale of the proposed building is consistent with the principles of good design and good planning, as required by the NPPF and the Development Plan for Harrow. It is considered that the resultant development would respect neighbouring developments and would provide an acceptable form of development at the entrance to Stanmore district centre. Having regard to this and the distance between the proposed building and The Old Church Lane and Stanmore Hill Conservation Areas and the Grade II Listed Wall, it is considered that the local historic and architectural features of these heritage assets would be preserved. The proposal would therefore comply with the policy guidance set out in the National Planning Policy Framework, policies 7.1, 7.4, 7.6 and 7.8 of The London Plan (2011), Core Policy CS 1(B) of The Harrow Core Strategy, policies DM1 and DM7 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).

Affordable Housing Provision

Policy CS1.J of the Harrow Core Strategy 2012 sets an aim for 40% of new housing development in the borough to be affordable housing and states that the Council will seek the maximum reasonable amount of affordable housing on all development sites with a capacity to provide for ten or more units having regard to various criteria and the viability of the scheme. Such requirements are in line with London Plan policy 3.12.A/B which requires the maximum reasonable level of affordable housing to be provided. The reasoned justification of policy 3.12.A/B of The London Plan 2011 states that boroughs should take a reasonable and flexible approach to securing affordable housing on a site by site basis (The early modifications to the London Plan 2013 has not made any significant changes to this policy). However it is noted that the draft Further Alterations to the London Plan (FALP) does seek to designate Harrow and Wealdstone as an Opportunity Area and seeks to increase the minimum annual housing target for Harrow from 350 to 593 per annum.

The applicant has provided a viability appraisal for the proposed development taking into account the uplift in the unit numbers and the build cost associated with the development. The viability report concludes that the provision of affordable housing within the scheme would not result in a viable scheme. As the figures included in the viability are real time based, future fluctuations in the market trend could potentially affect the viability of the scheme and in order to realise any surplus on the sales value achieved, it is considered appropriate to require the developer to submit details of the sales values actually achieved for each unit. This would be assessed against the viability appraisal submitted with this application. If there is a surplus achieved above the base figure of £460.10 per square foot then the developer shall be required to pay 80% of any surplus value to the Local Planning Authority. Accordingly, it is recommended that a planning obligation be agreed through a s.106 agreement to reflect the above requirement.

Subject to such an obligation, it is considered that the development would accord with policy 3.12.A/B of The London Plan 2011 and policy CS1.J of the Harrow Core Strategy 2012.

Residential Amenity and Accessibility

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.

Policy DM1 of the Development Management Policies Local Plan (2013) 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”.

Neighbouring Amenity

The scale and siting of the proposed building has been informed by the scale of neighbouring buildings, and there has been consideration during the design process to try and minimise impacts on neighbouring amenity.

The adjoining site to the east, No. 37 – 41 Church Road, contains a two-storey, detached building with a hipped roof profile. The authorised use of this building is Class A2:

Financial and Professional Services. Compass House, at the rear of No. 37 – 41, has an authorised use of Class B1: Office Use but it is noted that prior approval was granted on 1st April 2014 for the conversion of the offices to eight self-contained flats. Although this has not yet been implemented, the submitted Daylight and Sunlight report has based its assessment on the approved residential layout at Compass House, rather than the existing office layout. Since residential premises are more sensitive to changes in daylight and sunlight than commercial premises, this approach is accepted. The submitted Daylight and Sunlight report has also considered the impact of the proposal on the residential units at Windsor and Albert House which face towards the application site.

The submitted Daylight and Sunlight Assessment concludes that the proposed new build would result in some loss of light to the existing windows at neighbouring properties, which are located nearest the common boundary. However, it goes on to state that any loss of daylight experienced by the occupiers of the adjoining properties would not be discernable. This conclusion is accepted following a review of the submitted Daylight and Sunlight Assessment. Based on the submitted information, it is considered that the proposed new build would not result in an unacceptable loss of daylight or sunlight to the existing or future occupiers at Compass House or the existing occupiers at Windsor House and Albert House.

The distance between the upper floors of the proposed building and Compass House would be varied ranging from 3.3m to 5.9m. These distances together with the differences in heights of the windows at Compass House and the proposed building are considered sufficient to mitigate any intervisibility. Given the presence of Pynacles Close between the proposed development and both Windsor House and Albert House, it is considered that a sufficient distance (ranging from 16m to 16.9m) would be provided to mitigate any intervisibility between these existing residential units and the proposed residential units.

There are no residential properties at the immediate rear of the application site that would be impacted by the current proposal and it is considered that the buildings on the opposite side of Church Road would be sited a sufficient distance from the application site to prevent any undue loss of amenity to the occupiers.

Amenity of Future Occupiers

Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people’s needs. In this regard, minimum gross internal areas (GIA) are set out for different types of accommodation, and new residential accommodation should have a layout that provides a functional space. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Further detailed room standards are set out in the Mayors Housing Supplementary Planning Guidance 2012. Whilst the Mayor’s Housing SPG provides guidance for public sector housing the internal rooms standards set out in this guidance provides a good benchmark for the delivery of good quality homes

The minimum floor areas of the proposed flats shown in the table below, along with the minimum floor areas recommended by the London Housing Supplementary Planning Guidance (2012).

Flat Number	Type	Floor Area (m2)	LP (2011) and
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			SPD Standards (m ²)
Flat 1	2 bedroom, 4 persons	76	70
Flat 2	2 bedroom, 4 persons	79	70
Flat 3	2 bedroom, 4 persons	72	70
Flat 4	2 bedroom, 4 persons	70	70
Flat 5	2 bedroom, 4 persons	76	70
Flat 6	2 bedroom, 4 persons	79	70
Flat 7	2 bedroom, 4 persons	72	70
Flat 8	2 bedroom, 4 persons	70	70
Flat 9	1 bedroom, 2 persons	50	50
Flat 10	2 bedroom, 4 persons	81	70
Flat 11	3 bedroom, 5 persons	95	86
Flat 12	3 bedroom, 4 persons	77	74
Flat 13	3 bedroom, 4 persons	78	74

It is considered that the adequate Gross Internal Area and the adequate room sizes of the proposed flats would result in an acceptable form of accommodation, compliant with The London Plan (2011), the Housing Supplementary Planning Guidance (2012) and the Council's adopted SPD (2010).

In terms of internal layouts, the majority of the proposed flats would provide relatively good internal circulation and would provide a satisfactory level of accommodation for future occupiers. It is noted that one of the proposed flats (No. 9) would be single aspect. However, it is further noted that this proposed flat is not excessively deep, and the living room/kitchen area would have the kitchen located at the deepest point of the room. Furthermore, it is noted that this proposed flat would be west facing and this is a favourable orientation. Flats 1 and 5 would be located in the north-eastern corner of the building and are not considered to have an optimum orientation. Nonetheless, these proposed flats would be dual aspect and it is therefore considered on balance that a satisfactory level of accommodation would be provided in both of these flats.

It is noted that there are some overlapping issues in terms of the vertical stacking of rooms between the 2nd and 3rd floor. However, it is considered that a refusal on this basis could not be sustained, particularly given the technical provisions of Building Regulations. The horizontal stacking of rooms between the units is well designed and outlook from habitable rooms would generally be adequate.

Each of the proposed flats would have private external amenity space provided in the form of balconies and terraces, thereby complying with policy DM27 of the Development Management Policies Local Plan (2013).

The proposed residential use is considered to be compatible with the proposed A1 / A2 use and to this end, it is considered that future occupiers of the proposed flats would not be unduly impacted by vibration, dust, air quality or light pollution. In order to prevent undue noise and disturbance, separate conditions are suggested to restrict the opening hours of the proposed A1 / A2 uses. It is suggested that the A1 use shall not be open to customers outside the following times: 7:00 hours to 22:00 hours, Monday to Saturday inclusive, and 9:00 hours to 18:00 hours on Sundays. It is suggested that the A2 use shall not be open to customers outside the following times: 9:00 hours to 18:00 hours, Monday to Saturday inclusive.

Accessibility

The London Plan (2011) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Policies DM1 and DM2 of the Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

Level access from the pavement to the proposed A1/A2 unit is proposed. All the flats are designed to Lifetime Homes standards. External door widths and turning circles in the proposed flats would be sufficient and the proposed lift in the rear block would extend to the undercroft carpark, therefore providing satisfactory access to the building. One parking space to accommodate wheelchair users would be provided in close proximity to the proposed lift which would serve rear block.

It is considered that the applicant has suitably demonstrated that the proposal would be consistent with planning policies requiring the highest standards of accessibility and inclusion as set out above.

Conclusion

It is considered that the proposed development would provide an adequate level of accommodation for future occupiers of the site, and would not unacceptably harm the amenities of neighbouring residential occupiers therefore according with policies 3.5.C and 7.2.C of The London Plan 2011, policy CS1.K of The Harrow Core Strategy 2012, policy DM1 of the Harrow Development Management Policies local Plan (2013), the adopted Supplementary Planning Document Residential Design Guide 2010 and the adopted Supplementary Planning Document Accessible Homes 2010.

Transport Impacts of Development and Servicing

The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use.

The London Plan (2011) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan (2011) which has been updated following the Revised Early Minor Alterations [REMA] in October 2013 sets out maximum parking standards for new development dependant upon their use and level of public transport accessibility.

The proposed parking provision would comply with the London Plan maximum standards. Thirteen on-site car parking spaces are proposed to serve the development. One of the proposed spaces would be an allocated space to accommodate wheelchair users. The proposed A1 / A2 unit would not be afforded any parking provision. This is considered to be acceptable owing to the stringent parking controls in the area. Patronage of this unit would be accommodated by public transport or the use of paid for on or off-street parking facilities. A proportion of these trips would, in any case, be linked to existing trips to this location, thereby limiting additional new trip generation.

Cycle storage for the residential units (16 bicycles) and the commercial unit (5 bicycles) would be sited in the proposed basement / undercroft parking area. This proposed cycle parking provision would comply with the London Plan standards.

A Transport Statement has been submitted as part of the current application. Currently there is a single access that emerges directly onto the signal junction along Church Road and the proposal is for this access point to remain in use for the proposed development. Most vehicular activity from the current use on site generally occurs outside of peak traffic periods. It is likely that this profile would change as a result of the current proposal, with a mildly intensified use during peak times. However, trip generation from the proposed development is not expected to produce peak time activities exceeding several vehicles (entering and/or leaving the site) during morning and afternoon peak traffic periods. In the context of the overall traffic flows on the Uxbridge Road, it is considered that this would be de-minimis. On this basis, the Highways Authority have not raised any concerns in relation to traffic congestion or impacts on road safety.

Having regard to the highly trafficked nature of the Uxbridge Road, there is a need for careful consideration of servicing to ensure that it would not unduly impact on traffic flows. The applicant suggests that a small 'transit' type vehicle would service the proposed A1 / A2 use. This would be capable of entering and leaving the site in a forward gear which is considered to be best practice in operational safety terms. The access way on the eastern side of the proposed building would be wide enough to accommodate such a vehicle. It is noted that there would be limited height available at the rear of the site due to 1st floor overhang. However, the available height of 2.7m would be adequate to cater for this type of vehicle.

Separate refuse storage areas are proposed for the residential and commercial uses. The submitted Transport Statement advises that refuse bins would be brought to the property forecourt on collection days. As such refuse collection would be directly from Uxbridge Road. This is not uncommon in the immediate area. As refuse servicing is short term in nature, the Highways Authority have suggested that an internal management regime should be secured by condition to ensure, that on collection days, a maximum collection point distance of 10m from the refuse vehicle can be achieved. This would ensure that the approved development would accord with the council's Refuse code of practice and Manual for Streets (2007) guidance with collection points located within 10m of the public highway.

Subject to planning conditions, it is considered that the proposal would not have an unacceptable impact on the safety and free flow of the public highway and would accord with London Plan Policies 6.9 and 6.13, Core Strategy Policy CS1R, and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

Development and Flood Risk

The site is not located within a flood zone. However, is located within a Critical Drainage Area and given the potential for the site to result in higher levels of water discharge into the surrounding drains, could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall. The Council's Drainage Team has commented on the application and recommended conditions to ensure that development does not increase flood risk on or near the site and would not result in unacceptable levels of surface water run-off. It is considered reasonable that this matter could be addressed by way of appropriately worded safeguarding conditions. Subject to such conditions the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D, and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

Sustainability

Policy 5.1 of The London Plan (2011) seeks to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent by 2025. Policy 5.2A/B of The London Plan (2011) sets out the 'lean, clean, green' approach to sustainability, which is expanded in London Plan policies 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A. Harrow Council has adopted a Supplementary Planning Document on Sustainable Building Design (adopted May 2009). Policy 5.2B sets out a 40% target reduction for the period between 2013 and 2016

The applicant has submitted a Sustainability Statement which concludes that the proposed development is capable of achieving a 25% improvement in carbon dioxide emissions on the 2010 Building Regulations. However, an improvement of 40% is required by policy 5.2 of The London Plan 2011. Nonetheless, it is considered that this could be addressed by way of appropriate planning condition and an appropriately worded condition is therefore suggested.

Development Obligations

The proposed scheme does not propose to provide an affordable housing provision, which has been supported by the submission of a Financial Viability Assessment. Whilst at this point in time, the submitted information is accepted on the basis of the current market values attributed to the scheme, there is the potential for the market value to the proposed flats to shift over the construction and sale dates. As such, it is considered reasonable to seek a reappraisal to seek a contribution at the date of sale of the properties. An obligation is proposed accordingly.

This is considered necessary to make the application acceptable, in accordance with policy 3.11 of The London Plan 2011 and policies CS1.J of the Harrow Core Strategy 2012.

Equalities Implications

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 would not have any impact on equalities.

S17 Crime & Disorder Act 1998

Policy 7.3.B of The London Plan and policy DM2 of the Harrow Development Management Policies Local Plan (2013) require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. The applicant has sought to address 'Secured by Design' principles and, with the exception of minor details, it is considered that the proposal would accord with these principles. It is considered that the principles of 'Secured by Design' could be achieved on the site and these would be secured by condition, were the application acceptable in all other respects.

Consultation responses

- The number of cars using Pynnales Close has greatly increased over the past few years. The proposed underground parking will be accessed via Pynnales Close, adding to the number of cars using the road – As discussed in the above appraisal, access to the proposed carpark will be from Church Road and not from Pynnales Close.
- The Elm Parks Residents Association were not consulted in relation to this proposal – Elm Park Residents Association are not a statutory consultee. The development proposal was advertised in the local newspaper and two site notices were put up to inform the local community of the development proposal.
- All remaining concerns expressed in relation to the loss of the public house, the impact of the proposal on nearby heritage assets, neighbouring amenity and the character and appearance of the area have been considered and discussed in the above appraisal.

CONCLUSION

The proposed development would re-use a previously developed site in an effective ; efficient manner, would provide a satisfactory mix of commercial and residential uses ; would provide an increase in the housing stock for the borough in a sustainable locat Furthermore, the proposed development would provide suitable living accommodation future occupiers, and would not unacceptably harm the character or appearance of the area the amenities of future or existing neighbouring occupiers.

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

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 92 of the Town and Country Planning Act 1990.

2 Other than the modification required by condition 3 below, the development hereby permitted shall be carried out in accordance with the following documents and plans: 109 Rev. A, 110, 111, Transport Statement (dated 23 May 2014), Daylight and Sunlight Report (Ref. MC/GO/ROL7093, dated 2nd June 2014), Site Plan, Design and Access Statement, Planning Statement (dated June 2014), LC-2418-01, 105 Rev. C, 106 Rev. C, 107 Rev. B, 100, 101, 102, 108 Rev. B, 103 Rev. D, 104 Rev. D

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

3 Notwithstanding the details shown on the approved plans, detailed drawings showing the following modification to the scheme shall be submitted to and approved in writing by the Council before the construction of the building is commenced on site:

Revised western side elevation and appropriate floorplans showing the provision of a clearly articulated entrance to the proposed flats.

This part of the development shall be completed only in accordance with the modifications thus approved and shall thereafter be retained.

REASON: This is considered unsatisfactory in the form shown on the drawings to date and this aspect of the scheme should be modified to ensure an acceptable form of

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

4 Notwithstanding the details shown on the approved plans, the construction of the building hereby permitted shall not commence until samples 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: All external materials for the main building on the site, including treatment for balconies and terraces

b: All ground surfaces

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.

5 Prior to the occupation of the building hereby approved, details of the positions, design, materials and type of boundary treatment to be erected on site shall be submitted to, and approved in writing by, the local planning authority. This shall include details of the vehicular and pedestrian gates to the approved carpark. The boundary treatment shall be completed before the building is occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To 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.

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

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

7 Notwithstanding the details on the approved drawings, the construction of the building hereby approved 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. In the event that the depth of the reveals is not shown to be sufficient, a modification showing deeper reveals shall be submitted for approval in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure a high quality finish to the external elevations of the building, in accordance with policies 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

8 The development hereby permitted shall provide an integrated system for all of the units/flats for satellite TV and broadband facilities. The development shall not be occupied until details of external equipment required for this purpose is submitted and approved in writing by the local planning authority. The equipment shall be installed as approved and thereafter retained.

REASON: To ensure a high quality finish to the external elevations of the building, in accordance with policies 7.4.B of The London Plan 2011 and policy DM1 of The Development Management Policies Local Plan 2013.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), satellite dishes, antennae or other communications equipment are not permitted on any part of the buildings hereby approved.

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

10 The development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, a scheme of hard and soft landscape works for site, including the public realm at the southern and western sides of the building hereby approved and the approved Sedum roof. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities. Details of irrigation systems for the proposed soft landscaping shall also be submitted for approval.

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.

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, balconies and terraces, 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 No goods, merchandise, material or article of any description shall be stacked or

stored at a height greater than the privacy screens of the balconies or terraces.

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

15 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, in accordance with policies DM1 and DM10 of the Councils Development Management Policies Local Plan 2013.

16 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

17 The construction of the building hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these details and shall thereafter be retained.

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

18 The construction of the building hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

19 No development shall take place, including any works of demolition, until a Construction Method 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 properties on the site, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013

20 Site works in connection with the development of the new building hereby permitted shall not commence before the boundary of the site is enclosed by a close boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.
REASON: In the interests of amenity and highway safety, in accordance with policies DM1 and DM45 of the Councils Development Management Policies Local Plan 2013.

21 Prior to the construction of the building hereby permitted, measures that minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the development shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the approved details have been implemented on site.

REASON: In the interests of creating safer and more sustainable communities, in accordance with policy 7.3.B of The London Plan 2011 and policy DM1 of the Councils Development Management Policies Local Plan 2013.

22 The window glass of the A1/A2 unit hereby approved shall not be painted or otherwise obscured without the prior written permission from the Local Planning Authority.

REASON: To ensure that an active shopfront is maintained in the interests of providing an interesting and attractive shopping area, in accordance with policy DM38 of the Councils Development Management Policies Local Plan 2013.

23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development which would otherwise fall within Part 3 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

REASON: To safeguard the vitality and viability of the Town Centre, in accordance with policy DM38 of the Councils Development Management Policies Local Plan 2013.

24 The A1 unit hereby permitted shall not be open to customers outside the following times:-

a: 7:00 hours to 22:00 hours, Monday to Saturday inclusive,

b: 9:00 hours to 18:00 hours on Sundays

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, in accordance with policy DM1 of the Councils Development Management Policies Local Plan 2013.

25 The A2 unit hereby permitted shall not be open to customers outside the following times:-

a: 9:00 hours to 18:00 hours, Monday to Saturday inclusive,

without the prior written permission of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents, in accordance with policy DM1 of the Councils Development Management Policies Local Plan 2013.

26 Notwithstanding the information submitted, a revised Sustainability Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of the building. The revised Sustainability Strategy shall detail the method of minimising carbon dioxide emissions in accordance with Policy 5.2 of The London Plan 2011. 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.

27 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. On collection days only, the refuse bins shall be brought to the property forecourt.

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.

INFORMATIVES:

1 INFORMATIVE:

The following the policies are relevant to this decision:

National Planning Policy Statements / Guidance:

National Planning Policy Framework (2012)

The London Plan (2011)

2.15 Town Centres

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

3.11 Affordable Housing Targets

3.12 Negotiating Affordable Housing on Individual Private Residential And Mixed Use Schemes

3.9 Mixed and balanced communities

4.7 Retail and Town Centre Development

5.1 Climate change mitigation

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

6.9 Cycling

6.13 Parking

7.1 Building London's neighbourhoods and communities

7.2 An inclusive environment

7.3 Designing out crime

7.5 Public Realm

7.4 Local character

7.6 Architecture

7.8 Heritage Assets and Archaeology

The Harrow Core Strategy (2012)

Core Policy CS 1 – Overarching Policy

Core Policy CS 7 – Stanmore and Harrow Weald

Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM4 Shorefronts and Forecourts
DM7 Heritage Assets
DM9 Managing Flood Risk
DM10 On Site Water Management and Surface Water Attenuation
DM12 Sustainable Design and Layout
DM23 Streetside Greenness and Forecourt Greenery
DM24 Housing Mix
DM27 Amenity Space
DM35 New Town Centre Development
DM38 Other Town Centre Frontages and Neighbourhood Parades
DM40 Mixed Use Development in Town Centres
DM41 Evening Economy
DM42 Parking Standards
DM44 Servicing
DM45 Waste Management
DM47 Retention of Existing Community, Sport and Education Facilities
DM50 Planning Obligations

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)
Supplementary Planning Document Planning Obligations and Affordable Housing (2013)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

2 INFORMATIVE:

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 INFORMATIVE:

Please be advised that this application attracts a liability payment of £58, 485 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 upon the grant of planning permission will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £58, 485 for the application, based on the levy rate for Harrow of £35/sqm and the residential floor area of 1,671sqm.

4 INFORMATIVE:

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: £183, 810

5 INFORMATIVE:

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

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

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

6 INFORMATIVE:

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.

7 INFORMATIVE:

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>

8 INFORMATIVE:

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible.

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

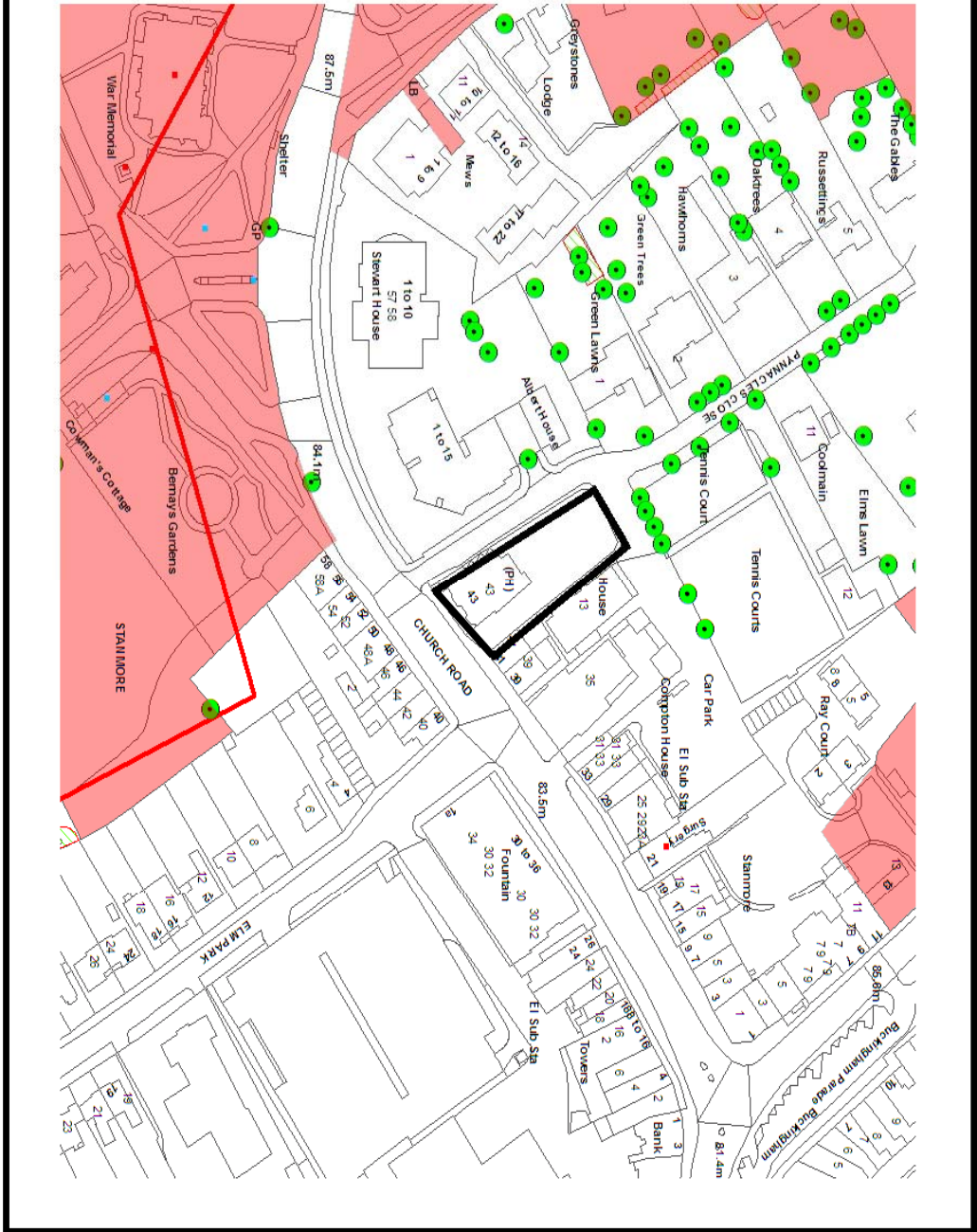
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information

Plan Nos: 109 Rev. A, 110, 111, Transport Statement (dated 23 May 2014), Daylight and Sunlight Report (Ref. MC/GO/ROL7093, dated 2nd June 2014), Site Plan, Design and Access Statement, Planning Statement (dated June 2014), LC-2418-01, 105 Rev. C, 106 Rev. C, 107 Rev. B, 100, 101, 102, 108 Rev. B, 103 Rev. D, 104 Rev. D

CRAZY HORSE PUBLIC HOUSE, 43 CHURCH ROAD, STANMORE



SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No. 2/01
Address: CLEMENTINE CHURCHILL HOSPITAL, SUDBURY HILL, HARROW
Reference: P/1881/14
Description: INFILL OF PART OF UNDERCROFT CAR PARK AREA OF EXISTING HOSPITAL TO PROVIDE A NEW ENDOSCOPY SUITE
Ward: HARROW ON THE HILL
Applicant: MS MICHELLE WILLIAMS
Agent: JAMES TOTTY PARTNERSHIP
Case Officer: SUSHILA BHANDARI
Expiry Date: 11/08/2014

RECOMMENDATION

GRANT planning permission subject to conditions

REASON

The principle of the proposed extension on land designated as Metropolitan Open Land is considered acceptable on the basis that the proposal is for an infill extension to the existing Hospital building and it would have no detrimental impact upon the character and openness of the designated Metropolitan Open Land. The proposed external alterations to facilitate the new Endoscopy Suite would preserve the character and appearance of Sudbury Hill Conservation Area and the proposal would have no undue impact upon any surrounding residential amenity or given rise to any undue highway or parking impact. The decision to grant planning permission has been taken having regard to national planning policy framework, the policies of The London Plan 2011, the Harrow Core Strategy 2012, and the Development Management Policies Local Plan 2013, as well as to all relevant material considerations including any responses to consultation.

INFORMATION

The application is reported to the Planning Committee because the floor area for the proposed extension would equate 512sqm which would fall outside of section 1(c) of the Scheme of Delegation.

Statutory Return Type: Minor Development

Council Interest: None

Gross Floorspace: 512 sqm

Net additional Floorspace: 512 sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): NIL

(CIL is not payable for developments relating to hospitals)

Harrow CIL: Nil

Site Description

- The site is located on the north eastern side of Sudbury Hill and is occupied by a large hospital.
 - The hospital is on a site which is approximately 10.5 hectares in area.
 - The hospital is mainly 3 storeys in height and includes a basement level.
 - There is extensive boundary vegetation surrounding the site.
- The whole site is located within designated Metropolitan Open Land (MOL), the Sudbury Hill Conservation Area and within the Harrow on the Hill Area of Special Character.
- The whole of the site is also within a designated site of Importance for Nature Conservation.
- The west of the main hospital site is bounded by the grounds of Chasewood Park which is a substantial flatted development.
- To the south east of the main hospital site are the grounds of St. Georges Primary School and the detached dwellinghouses located in Granchester Close and Heritage View.
- To the north of the main hospital site is the open land and fields associated with Harrow School.
- To the north east of the main hospital site is bounded detached dwellinghouses located in Littleton Close which are within the London Borough of Brent.

Proposal Details

- The site subject of this application relates to the south east corner of the existing undercroft car parking area located within the eastern wing of the extended hospital building.
- The site has an approximate site area of 522sqm and the proposal seeks to infill this area of the car park area to provide a new Endoscopy Suite which would have its own independent entrance.
- The associated extension would also incorporate a plant room which would be sited within the inner section of the undercroft car park directly behind the new Endoscopy Suite.
- The southern elevation of the new infill extension would involve the removal of the existing louvered panels and replacement with new aluminium framed curtain walling system with the framework to match the existing building. The glazed sections would include look-a-like glazed panels, obscure glazing (Pilkington Optifloat Satin) and clear glazing.
- The eastern elevation of the proposed extension would also include the provision of a new curtain walling in replacement of the existing louvered section. The existing open section of the car park (relevant to this proposal) would include bricking up of part of this section and provision of new curtain walling with a new automatic sliding door entrance to the new suite.
- The proposal would also include alterations to the existing ground level adjacent to the proposed entrance to provide a gentle ramped access into the new Endoscopy Suite.

Revisions to Previous Application

- n/a

Relevant History

LBH/24434

Outline: extension of existing hospital and gas store

Granted 14-Jun-1984

LBH/24424

Outline: erection of two 2 storey and one 3 storey buildings for hospital staff flats (24) with access road and parking

Granted 14-Jun-1984

LBH/27395

Two storey extension to hospital

Granted 24-Jul-1985

LBH/40321

Part 2/3 storey ext. To hospital to provide out-patient & admin. Facilities & add. Patient bedrooms at 1st & 2nd floors. With parking, plant rooms at ground floor levels, prov. Of new access rd with add. Surface parking & landscaping works. Alts. & exts., part single & part 2 storey ext. To farm house cottage

Granted 26-Jul-1991

WEST/43800/91/FUL

3 storey extension to provide additional patient bedrooms, ancillary accommodation; new physiotherapy

Granted 12-May-1992

WEST/454/96/REN

Renewal of planning permission lbh/40321 for extensions, access road, parking and landscaping works

Granted 18-Dec-1996

WEST/317/97/CON

Retention of single storey storage building

Granted 08-Jul-1997

WEST/71/00/FUL

Part single/part two/part three storey extension incorporating parking in undercroft to provide additional consulting rooms, patient bedrooms, theatre rooms, support facilities and admin accommodation, with plant at roof level, alterations to access and additional parking with landscaping works

Granted 18-Dec-2000

WEST/124/01/FUL

Provision of 3 single storey temporary buildings for a two year period to provide replacement endoscopy suite, marketing/staff training/conference room and bulk store

Granted 05-Jul-2001

WEST/747/02/CON

Retention of three temporary buildings in internal courtyards of existing hospital
Granted 14-Oct-2002

P/2481/03/CFU

Conversion of undercroft car park to provide additional medical facilities with revised parking arrangements.

Refused 19-Mar-2004

Reason for Refusal:

1. Car parking cannot be satisfactorily provided within the curtilage of the site to meet the demand generated by the proposal. The likely increase in parking on the neighbouring highway(s) would be detrimental to the free flow and safety of traffic on the neighbouring highway(s).

P/2143/04/CRE

Renewal of planning permission west/124/01/ful to permit retention of temporary endoscopy building

Granted 11-Aug-2006

Pre-Application Discussion (Ref.)

None

Applicant Submission Documents

Design and Access Statement – sets out the need for the new Endoscopy Suite, the design brief, design constraints and design approach for the development.

Heritage Statement – sets out the impact of the proposed development on the Heritage assets of the surrounding area.

Consultations

CAAC:

Objection - There should be no loss of parking..

Highways Authority:

No Objection

London Borough of Brent:

No comments received

Advertisement

Character of Conservation Area

Posted: 03.07.2014

Expired: 24.07.2014

Notifications

Sent: 122

Replies: 0

Expiry: 18.08.2014

Addresses Consulted

Flats 1 to 97 Chasewood Park, Sudbury Hill
St Georges Catholic Primary School, Sudbury Hill
7, 8, 9, 10, 11, 12 Granchester Close
1, 2, 3, 4, 5, 6 Heritage View
24, 26, 28, 30, 32, 34 Littleton Crescent (LB Brent)
2, 4, 6, 8, 10 Littleton Road (LB Brent)

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

Principle of the Development/ Development on Metropolitan Open Land
Character and Appearance of the Conservation Area/ Area of Special Character
Residential Amenity
Traffic and Parking
Impact on Site of Importance for Nature Conservation
Development and Flood Risk
Accessibility
Equalities Impact
S17 Crime & Disorder Act
Consultation Responses

Principle of the Development/ Metropolitan Open Land

Policy 7.17 of The London Plan 2011 relating to Metropolitan Open Land (MOL) affords the same level of protection to London's Metropolitan Land as that applied nationally to the Green Belt, including the presumption against inappropriate development and the test of very special circumstances. Therefore the provisions of the National Planning Policy Framework (NPPF) (2012) will apply equal weight to proposal on Metropolitan Open Land as those within the Green Belt.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to inform the determination of whether any particular development in the Green Belt is appropriate or not, by stating in paragraph 89 that 'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt'. It does however set out six exceptions to this, including:

'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.' (bullet point 6 of paragraph 89).

Policy CS1.F of Harrow's Core Strategy seeks to safeguard the quantity and quality of the MOL from inappropriate or insensitive development.

Policy DM16 of the Development Management Policies Local Plan (DMP) will support the redevelopment or infilling of previously developed sites in the Green Belt and Metropolitan Open Land where the proposal would not have a greater impact on the openness of the Green Belt and MOL, subject to having regard to *inter alia* the height of existing buildings on the site, the proportion of the site that is already developed, footprint, distribution and character of existing buildings. Proposals will also be required to have regard to visual amenity and character of the MOL (Criterion B). Proposals for inappropriate redevelopment or which, for other reasons, would harm the Green Belt or MOL will be refused in the absence of clearly demonstrated very special circumstances (Criterion D).

The Hospital has been extended to the extent that has doubled the original size of the Hospital, the most substantial extension being the 2/3 storey extension to the east of the main Hospital building where it is proposed to locate the new infill extension. The proposal seeks to provide an infill extension to provide a new Endoscopy Suite which would be sited within the area of land that is currently used as the undercroft car park. The proposal would provide addition floor space for the functioning of this existing Hospital. However, the development would be wholly contained within the existing footprint of the Hospital and therefore would not encroach upon land designated as MOL. Furthermore, as the proposal would be located within the existing building envelope, it would give rise to no impact upon the openness and the visual amenity of the MOL. The proposal would by definition fall within the realms of the infilling of previously developed land as stipulated under paragraph 89 of the NPPF and therefore the development can be supported in principle. Accordingly, the proposal would give rise to no conflict with the policies stated above.

The provision of Healthcare facilities:

Policy 3.17 of The London Plan 2011 supports the provision of high quality health and social care facilities. The provision for new community facilities will be supported under policy DM46 of the DMP where it can be demonstrated that such facility is located within the community that they are intended to serve, are safe and located in an area of good public transport accessibility or in town centres and there would be no adverse impact on residential amenity or highway safety. Each of these aspects is discussed in detail under the relevant sections of the appraisal below.

The applicant's Design and Access Statement (DAS) sets out the grounds to why the

new Endoscopy Suite is required. Apart from the requirement to meet published standards issued by the NHS, the DAS states that the current location of the small unit in the Hospital does not allow for any expansion to enable the provision of the additional and improved facilities required. Accordingly, the area in the undercroft is proposed for the new suite.

As discussed in detail below, the proposed extension would have no undue impact upon parking or highway safety or on any residential amenity. In this regard, the proposal is considered to satisfy the requirements of the development plan in respect of the delivery of healthcare.

In conclusion, it is considered that the proposed extension can be supported in principle as it would have no detrimental impact upon the character and openness of the MOL and would provide improved health facility. The proposal is found to give rise to no conflict with the above stated policies.

Character and Appearance of the Conservation Area/ Area of Special Character

London Plan 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.

London Plan policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of appropriate proportion, composition, scale and orientation.

London Plan policy 7.8D states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

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."

Policy DM7 of the DMP in assessing proposals that affect heritage assets, including non designated heritage assets, seeks to secure the preservation, conservation or enhancement of a heritage asset and its setting, or which secure opportunities for sustainable enjoyment of the historic environment.

The building works to accommodate the new Endoscopy Suite would preserve the special interest of the Sudbury Hill conservation area since there would be no major external changes other than adding some windows, partial brick infilling and minor alterations to the pavement level to provide level access. Subject to a condition requiring that the materials used in the proposed extension match those used in the existing building, the proposed development is considered to be acceptable in regard to its impact upon the character and appearance of the conservation area and would give rise to no conflict with the above stated policies.

Impact upon the Area of Special Character

The subject site is located within the Harrow on the Hill Area of Special Character. Policy DM 6 of the DMLP (2013) states that proposals affecting an area of special character will be considered having regard to the impact of the proposal upon the strategic value of the area of special character...proposals that would substantially harm an area of special character, or its setting, will be refused.

As discussed above, the location of the site within the MOL and the Conservation Area is an integral part of the special character of this area. The proposed extension has been found to be acceptable in regard to its impact upon the MOL and the Conservation Area and accordingly, the proposal would have no detrimental impact upon the designated area of special character. The proposal would therefore give rise to no conflict with policy DM6 of the DMP.

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.

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 proposed extension would be contained within the existing building envelope and would be sited at least 100 metres from the boundary adjoining the nearest residential development along Granchester Close. Given these factors, it is considered that the proposed development would have no undue impact upon any surrounding residential amenity and accordingly the proposal would give rise to no conflict with the above stated policies.

Traffic and Parking

The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use.

The London Plan (2011) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan (2011) which has been updated following the Revised Early Minor Alterations [REMA] in October 2013 sets out maximum parking standards for new development dependant upon their use and level of public transport accessibility.

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

The Council’s Conservation Officer and the CAAC have raised concerns over the proposed loss of parking resulting in additional pressure for parking along Sudbury Hill

which could impact upon the character of the conservation area. The proposal of relocating and improving the existing Endoscopy provisions would result in a net loss of 12 undercroft car parking spaces which may potentially create a displacement impact on the surrounding area. However, given the moderate quantum loss of spaces, it is anticipated that such a loss and subsequent demand can be absorbed at certain periods within the site itself within the designated on-site parking space provision. At peak times there may be some potential for minor displacement onto Sudbury Hill itself however this is unlikely to be to a level that would be measurably detrimental to the road itself. Also as the unit already exists on-site it is not envisaged that generated patronage would measurably increase as a result of the proposal. The Council's Highway Authority has raised no objection on grounds of the loss of the parking spaces for the reasons stated above and as such the proposal would give rise to no unreasonable impact upon highway safety or the character of the area to warrant a refusal on such basis.

It is noted that a historic application (P/2481/03/CFU) relating to a similar proposal on this site was refused on grounds of parking demand associated with the proposed new unit. However, this proposal involved the entire undercroft car parking being used for the proposed unit, whereas the current proposal would retain 22 spaces within the undercroft. As noted above, the overall floor area proposed is unlikely to generate a high volume of patronage compared to that associated with the development proposed under P/2481/03/CFU. The proposal is therefore considered acceptable.

Impact on Sites of Importance for Nature Conservation

Policies DM20 and DM21 of the DMP seek to ensure the protection and enhancement of Biodiversity and access to nature. The subject site is located within a designated site of importance for nature conservation (SINC). The area of land subject to this proposal and the land surrounding it is largely built on and hard landscaped. It is considered that the proposed development would have no detrimental impact upon the biodiversity value of the site as the proposal would be sufficiently sited away from the expanse of trees located on the wider Hospital site and the soft landscaped areas. In this regard, it is considered that the proposal would give rise to no conflict with the above policies.

Development and Flood Risk

The subject site is not located within a Flood Zone, however the site does fall within a critical drainage area and therefore the proposal should be assessed against policy DM10 of the DMP, which requires proposals for new development to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off.

The location of the proposed extension is already extensively hardsurfaced and the proposal only relates to the infilling of this hardsurfaced area. The Council's Drainage Authority have made no comments in respect of this proposal and accordingly given the site circumstances set out above the proposal is unlikely to have any additional impact or give rise to any conflict with the above stated policy.

Accessibility

Policy 7.2 The London Plan requires all future development and change of use proposals to meet the highest standards of accessibility and inclusion. This is also amplified under policy DM2 of the DMP. The Council's has adopted a Supplementary Planning Document 'Access for All' 2006, which provides detailed guidance on achieving an accessible design.

The proposed new Endoscopy suite would include a new access ramp to the entrance which would meet the aspirations of the above policies. Internally, the proposed extension would incorporate disabled WC provision. On this basis, it is considered that the proposed development would be in accordance with the above stated policies.

Equalities Impact

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

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

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- 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. The equality impacts of this application have been assessed and have been found to be in conformity to Section 149.

S17 Crime & Disorder Act

Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the DMP require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

The proposal is considered not to give rise to any conflict with regards to the above stated policies.

Consultation Responses

None

CONCLUSION

The principle of the proposed extension on land designated as Metropolitan Open Land is considered acceptable on the basis that the proposal is for an infill extension to the existing Hospital building and it would have no detrimental impact upon the character and openness of the designated Metropolitan Open Land. The proposed external alterations to facilitate the new Endoscopy Suite would preserve the character and appearance of Sudbury Hill Conservation Area and the proposal would have no undue impact upon any surrounding residential amenity or given rise to any undue highway or parking impact. The decision to grant planning permission has been taken having regard to national planning policy framework, the policies of The London Plan 2011, the Harrow Core Strategy 2012, and the Development Management Policies Local Plan 2013, as well as to all relevant material considerations including any responses to consultation.

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 materials to be used in the construction of the external surfaces of the extension

and the external alterations hereby permitted shall match those used in the existing building.

REASON: To match the appearance of the building and to safeguard the character and appearance of the Sudbury Hill Conservation Area, in accordance with core policy CS 1B of the Harrow Core Strategy (2012) and policies DM1 and DM7 of the Development Management Policies Local Plan (2013).

3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement; Heritage Statement; 101A; 205; 206; 207; 208; 209; 210

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

INFORMATIVES

1 The following policies and documentation were taken into consideration:

National Planning Policy Framework (2012)

The London Plan (2011) including Revised Early Minor Alterations to The London Plan 2013:

Policies 6.9B, 6.13C, 7.2C, 7.3B, 7.4B, 7.6B, 7.8C/D, 7.13, 7.17

Harrow Core Strategy (2012)

Core Policy CS1

Harrow Development Management Development Plan Document (2013)

Policies DM1, DM2, DM6, DM7, DM16, DM20, DM21, DM42, DM46

Supplementary Planning Document: Accessible for All (2006)

Sudbury Hill Conservation Area Appraisal and Management Strategy (2008)

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:

- work on an existing wall shared with another property;
- building on the boundary with a neighbouring property;
- 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 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 Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

Plan Nos:

Design and Access Statement; Heritage Statement; 101A; 205; 206; 207; 208; 209; 210

CLEMENTINE CHURCHILL HOSPITAL, SUDBURY HILL, HARROW



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Item No: 2/02
Address: 59 WARRINGTON ROAD, HARROW
Reference: P/0829/14
Description: CONVERSION OF DWELLINGHOUSE INTO TWO X TWO BED SELF CONTAINED FLATS WITH USE OF EXISTING LOFT CONVERSION BY FIRST FLOOR FLAT; BIN STORAGE, PARKING, CYCLE STORAGE AND LANDSCAPING
Ward: MARLBOROUGH
Applicant: MR J.S INAMDAR
Agent: BANCIL PARTNERSHIP LTD
Case Officer: VICTOR UNUIGBE
Expiry Date: 01/09/2014

RECOMMENDATION

GRANT planning permission subject to conditions.

INFORMATION

This application is reported to the Planning Committee because of the receipt of significant public interest.

Statutory Return Type: E(13) Minor Dwellings

Council Interest: None

New Floorspace: None.

GLA and Harrow Community Infrastructure Levy (CIL) Contribution (provisional):

Not applicable, given that the proposal does not incorporate any new floorspace.

Site Description

- This application relates to a site that contains a two storey semi-detached 4-bedroom dwellinghouse, and is located on the northern side of Warrington Road.
- The subject dwellinghouse has a single storey rear extension and a hip to gable roof extension that incorporates a rear dormer.
- The dwellinghouse has a shared vehicle crossover and driveway with the unattached property to the east at No.57.
- The front garden of the subject dwellinghouse is entirely hardsurfaced.
- Neighbouring properties in the immediate locality have a mixture of hard and soft

landscape treatments in their front gardens.

- The immediate section of Warrington Road that the subject site is situated within is mainly characterised by semi-detached housing with small front driveways and a number of properties that have been converted from dwellinghouses to flats.
- The immediate locality is within a Controlled Parking Zone. It is rated within Zone 3 with regards to Public Transport Accessibility Level (PTAL).

Proposal Details

- The application proposes the conversion of the subject dwellinghouse into two flats.
- The ground floor flat (Flat 1) would occupy the ground floor and would be a two-bedroom, four-person flat with a Gross Internal Area (GIA) of 80.35 sqm.
- The first floor and loft flat (Flat 2) would occupy the first floor and converted roof space, and would be a two-bedroom, four-person flat with GIA of 99.45 sqm.
- Both flats would be accessed from the existing ground floor front entrance, and the rear garden would be subdivided into two separate amenity areas for the flats.
- Storage areas incorporating six refuse bins and two cycle spaces are proposed in the rear garden.
- One car parking space is proposed in the front garden, which will be disabled accessible. Nominal soft landscaping in the form of a flower bed is proposed in the front garden.

Revisions to Previous Refused Application (Reference P/0888/13)

- A small store and an ensuite shower for Bedroom 1 are proposed in Flat 1.
- Flat 2 would have a bedroom on the first floor and a bedroom in the roof space, instead of two bedrooms in the roof space as proposed under application P/0888/13.
- A small store is also proposed in the roof space for Flat 59B.

Pre-Application Advice

None.

Relevant History

LBH/3438 – Formation of a parking space between premises – Grant: 16/07/1968.

P/0671/09 – Alterations to roof to form end gable and rear dormer; two rooflights on front roofslope – Grant: 19/08/2009.

P/0772/10 – Conversion of dwellinghouse into three self-contained flats – Refused: 26/05/2010.

Reason for refusal:

The proposal by reason of its failure to provide private amenity space for all the proposed flats, inadequate layout, vertical stacking and failure to comply with Lifetime Homes standards would provide substandard living accommodation to the detriment of the amenities of future occupiers of the site, contrary to the London Plan Policy 3A.5 and saved policies C16 and D4 of the Harrow Unitary Development Plan (2004).

P/0888/13 – Conversion of dwellinghouse into two flats; bin storage; landscaping and parking – Refused: 09/07/2013.

Reason for refusal:

The proposed residential units, by reason of their poor layout and design and vertical stacking, would result in poor standards of outlook, excessive levels of noise transference between the units and cramped and substandard levels of accommodation, thereby

failing to provide inclusive and adaptable living spaces contrary to the principles of Lifetime Homes and to the detriment of the amenities of the future occupiers of the units, contrary to policies 3.5.C and 7.2.C of The London Plan 2011, policy CS1.K of The Harrow Core Strategy 2012, policies DM1 and DM26 of the Development Management Policies Local Plan 2013 and adopted Supplementary Planning Document: Residential Design Guide 2010.

Applicants Submission Documents

Design and Access Statement

- The living / kitchen / dining area and bedrooms of the ground floor flat overlap with the first floor flat, thereby overcoming stacking issues.
- The first floor flat will have sound proof insulation and ceiling with resilient bars to overcome any further noise transference.
- Study areas provided to both flats for future work from home use.
- The site is easily accessible via public transport facilities and hence there is only one car parking space provided at the front.
- The proposed flats have high standard of design and layout and the proposed landscaping (incorporating porous pavers) would enhance the character of the area.

Consultations

Highways Authority: There is no objection to the proposal.

Advertisement

None.

Notifications

Sent: 4

Replies: 4, 1 of which is a petition containing 49 signatories

Expiry: 04/09/2014.

Addresses Consulted

Warrington Road: 57, 61

Radnor Road: 11, 13.

Summary of Responses

Petition

- The proposal would result in cars packed in a limited space on the forecourt thus making the front of the house and road appear more of a jungle than it is already.
- The proposed two flats could mean occupation by at least eight more people, resulting in the road becoming overpopulated.
- Most rented accommodation is temporary thus diminishing the social aspect of the street and neighbours do not know who the occupants are, which may result in a security risk.
- There will be more dustbins, as well as more cars or vans and in addition, more drain on resources, e.g. doctors, schools, transport, leisure facilities, together with more environmental hazards. If there are more than two cars belonging to the flats, these will add to the already congested road.
- Bad conversions and uncared for properties lead to a 17 percent reduction in house prices.

Letters

- Increase in noise and disturbance as a result of adjacent siting of living rooms and kitchens (with television, music, guests, etc) in the flats that are not very soundproof, to the bedrooms in the adjoining property.
- Overlooking and loss of privacy as a result of the accommodation in the roof space and subdivision of the rear garden.
- Exacerbation of illegal access to paved forecourt parking by tenants and increased difficulty in getting available on-street parking.
- Loss of privacy to neighbouring property as a result of tenants accessing the shared passageway to the rear garden, which is adjacent a side kitchen window in the neighbouring property.

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 Harrow 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

Principle of the Development
 Impact on Character and Appearance of the Area
 Residential Amenity
 Traffic and Parking
 Accessibility
 Equalities Statement
 S17 Crime & Disorder Act
 Consultation Responses

Principle of the Development

The NPPF has a presumption in favour of sustainable development and for applications to be determined in accordance with the development plan, unless the development plan is silent, absent or the relevant policies are out-of-date.

Policy 3.4 of The London Plan promotes the optimisation of housing output within

different types of locations.

Policy 3.8 of The London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

Having regard to The London Plan and the Council's policies and guidelines, it is considered that the proposal would provide an increase in smaller housing stock within the Borough, thereby complying with the housing growth objectives and policies of the Core Strategy and The London Plan.

The principle of the proposed conversion of the subject dwellinghouse into two flats is therefore considered acceptable.

Impact on Character and Appearance of the Area

The NPPF attaches great importance to the design of the built environment, stating,

“good design is a key aspect of sustainable development...and should contribute positively to making places better for people”. It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states 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’*.

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. Policy DM23 of the DMP gives advice that where proposals fail to make appropriate provision for hard and soft landscaping of forecourts, or which fail to contribute to streetside greenery where required, they will be refused. With regards to forecourt treatment, paragraph 5.4 of the Council's adopted Supplementary Planning Document – Residential Design Guide gives advice that the layout of a forecourt proposed as part of a conversion scheme should make provision for soft landscaping of the forecourt not needed to provide car parking space and access to the premises.

No external extensions to the subject dwellinghouse are proposed. The applicants have proposed a mixture of soft and hard landscaping in the front and rear gardens. The hard landscaping would involve the use of permeable paving (Herringbone Brick), which would

be an improvement on the existing hardsurfaced forecourt. However, the proposed soft landscaping in the front garden is nominal, and given that only one car parking space is proposed in the forecourt, it is considered expedient to recommend a condition requiring the submission and approval of a revised site block plan prior to the occupation of the flats, which would show the introduction of additional soft landscape on the section of the forecourt that would not be used for car parking. This measure would also help to address the concerns and comments of neighbours in respect to the appearance of the forecourt of the subject property.

The proposed hard and soft landscaping in the rear garden is acceptable and the proposed close-boarded fence that would be used to subdivide the rear garden would be in keeping with the design of the existing fencing on the side and rear boundaries of the site.

Given the above considerations, the proposed conversion of the dwellinghouse into two flats would not detract from the prevailing character and appearance of the surrounding area, and would accord with the design objectives of the policies and guidelines outlined above.

Residential Amenity

Impact of the Conversion on Host and Neighbouring Amenity

Policies DM1 and DM26 of the DMP both seek to ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded.

The concerns and comments of neighbours in respect to the proposed occupancy level are noted. It is likely that up to a maximum of 8 persons would occupy the two proposed flats. The existing dwelling house could potentially accommodate up to 10 or 11 persons given that it has eight rooms including six habitable rooms. Furthermore, it is considered that any disturbance or activity arising from the proposed conversion would still be residential and minor in scale, and not discernible from the use of the subject property as a single dwellinghouse. It is therefore considered that unreasonable impacts arising from the nature of the use of the property as two flats would not arise. This point also addresses the concerns of neighbours in respect of the generation of more dustbins, vehicles and service resources (e.g. doctors) and parking pressures on an already congested road.

The concerns in respect of loss of privacy from the property at No. 57 as a result of any future occupants of the flats accessing the shared passageway to the rear garden are noted. There is a ground floor window in the western flank wall of No.57 that serves a kitchen, which is a habitable room. The proposal would not result in a material difference to the existing circumstance, given that the shared driveway is presently used to facilitate access for the existing occupants to the rear garden.

The concerns in respect of the transmission of noise and disturbance as a result of adjacent siting of living rooms and kitchens in the flats to bedrooms in the adjoining property at No.61 are noted. The applicants have proposed to soundproof the wall of the bathroom that would be adjacent to the party wall with No.61. In the absence of details of the party wall construction between both properties, it cannot be confirmed that an acceptable level of soundproofing exists. A condition is therefore recommended requiring

the submission and approval of sound proofing prior to the commencement of any works.

The comments in respect of overlooking and loss of privacy to the rear garden at No.61 as a result of the accommodation in the roof space and subdivision of the rear garden are noted. The existing rear dormer windows in the subject dwellinghouse presently serve a habitable room and a bathroom. The rear dormer windows would serve the bedroom in the roof space of Flat 2, and the views offered out from those windows to the neighbouring rear garden would be no worse than the views presently offered from the first floor rear windows of the subject dwellinghouse. Furthermore, the applicants have proposed an additional close-boarded fence to subdivide the rear garden, which would be in keeping with the height and design of the existing side and rear boundary treatments.

The comments in respect of most rented accommodation been temporary and constituting a security risk as a result of the diminishing of the social aspect of the street are noted. However, it is instructive to note that the Council cannot reasonably control the occupation of the proposed flats, so there would be no justifiable grounds to refuse permission on this basis.

The comments in respect of bad conversions and uncared for properties leading to a 17 percent reduction in house prices are noted. However, it is instructive to note that the impact on property prices is not a material planning consideration.

Room Size and Layout

Policy 3.5C of The LP specifies that Boroughs should ensure that, amongst other things, 'new dwellings have adequately sized rooms and convenient and efficient room layouts'. Table 3.3 of The LP specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM26 of the DMP specifies that proposals will be required to comply with the LP's minimum space standards.

The Mayor's London Housing Strategy (LHS) focuses on affordable housing provision and highlights the importance of improving design quality, space standards and the design process to support this. Implementation of the LHS is informed by the London Housing Design Guide (LHDG). The LHDG applies only to publicly funded housing development and that on GLA owned land. Although it does not have formal status in the planning system, it can, in itself, be used more generally as best practice. It has informed the standards proposed in the London Plan for all housing tenures and guidance on their implementation for planning purposes set out in this SPG. Furthermore, the Mayor of London Housing Supplementary Planning Guidance (SPG) (2012) provides requirements for new residential developments to achieve a high quality of design and living space for future occupiers.

The table below illustrates the extent to which the proposed development would comply with the recommended room sizes of the London Housing SPG.

	Gross Internal floor Area	Kitchen/Living/Dining	Bedroom
Minimum floor areas	2 bedroom, 4 person 70 sqm	4 person 27 sqm	Double (12sqm)
Flat 1 (2 bedroom, 4 person)	80.35qm	28.36sqm	14.78 sqm (Double) 13.02 (Double)
Flat 2 (2 bedroom, 4 person)	99.45sqm	30.27 sqm	12.52 sqm (Double) 35.0 sqm (11.03sqm (above 2.6m)) (Double)

The GIAs and floor areas of the bedroom, kitchens and living / dining areas of the proposed two flats would significantly exceed the recommended minimum sizes specified in the London Housing SPG as shown in the table above. The GIAs and layouts of the flats are such that they would provide very spacious rooms with adequate turning spaces and circulation. Furthermore, the plans indicate an acceptable vertical stacking arrangement between the rooms in Flat 1 and the rooms directly above on the first floor in Flat 2. It is therefore not necessary to recommend a condition for the submission of sound proofing measures, given that the proposed stacking arrangement would not result in the generation of unacceptable levels of noise transmission between the flats.

Given the above, it is considered that both proposed flats would provide an appropriate design and high quality of living accommodation in accordance with the policies outlined above.

Refuse Storage

Policies DM1 and DM26 of the DMP require that bin and refuse storage must be provided *“in such a way to minimise its visual impact if stored on forecourts (where such provision cannot be made in rear gardens), while providing a secure, convenient and adequate facility for occupiers and collection, which does not give rise to nuisance to neighbouring occupiers”*.

The proposed location of the refuse and bicycle storage enclosure in the rear garden is acceptable. The applicants have indicated a provision of six bins for the two flats, which complies with the Council’s requirement for three full sized refuse bins for each flat. This secure provision would also help to address the concerns of the neighbours that the proposal would result in an unsustainable generation of more refuse bins.

Outdoor Amenity Space

Policies DM1 and DM26 of the DMP also requires new development *‘to make adequate arrangements for the provision of amenity space for future occupiers of the development’*.

It is considered that the proposed private rear garden areas of 54 square metres for Flat 1 and 94 square metres for Flat 2 are such that they would provide adequate amenity spaces for occupiers of the proposed flats.

It is instructive to note that this is the third application submitted by the applicants for the conversion of the subject dwelling house into flats, and that the applicants have now

satisfactorily addressed the reasons for the refusal of permission for the previous two applications.

Given the above, it is considered that the proposed conversion of the dwellinghouse into two flats would have no adverse implications for the host and neighbouring residential amenities, and would accord with the policies outlined above in that respect.

Traffic and Parking

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

The comments received in respect of additional pressure on on-street parking availability are noted. The proposed one car parking space accords with The London Plan maximum parking standards. The Highways Authority has advised that the difference between the baseline demand for the existing dwellinghouse and proposed use is such that any potential additional pressure on on-street parking demand in the area would be negligible. It is noted that the existing parking arrangement of cars on the forecourt parallel to the highway is not ideal in manoeuvrability terms. However, the Highways Authority has advised that this would not warrant refusal of permission, given that the parking arrangement is an existing provision accessed via a standard and functional vehicular crossing.

The proposed provision of 2 secure bicycle spaces is acceptable, as it accords with the minimum requirement of 1 space per flat (as required by the London Plan).

The development would therefore not result in any significant increase in traffic movements from the site or unreasonable impacts on highway safety and convenience, and would therefore accord with the policies outlined above.

Accessibility

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

Policy CS1.K of the Core Strategy requires all new dwellings to comply with the requirements of Lifetime Homes. The Council's adopted Supplementary Planning Document *Accessible Homes 2010* (SPD) outlines the necessary criteria for a 'Lifetime Home'.

The applicants have set out in the accompanying Design and Access Statement and plans how the development would seek to achieve where possible, the compliance with Lifetime Homes Standards. The applicants have detailed in the Design and Access Statement and proposed floor plans that the front entrance and a rear entrance door serving Flat 1 would have level thresholds to facilitate access into the dwellinghouse for less able persons. Flat 1 has a GIA that significantly exceeds the minimum required and would have sufficient space to be wheelchair accessible unit. There is sufficient space to adapt the entrance to a level threshold if needed, so Flat 1 is therefore capable of satisfying Lifetime Homes standards.

Wheelchair access to the first floor flat (Flat 2) is not proposed. Lifetime Homes standards are outlined so that they should be applied where applicable. This means that where access is negotiated via stairs, issues such as a level access clearly cannot be considered but other standards should be. The applicants have detailed on the plans that a tracking hoist route and risers would be provided for Flat 2. The bathrooms in the flat would be adequately spaced and allow for adequate turning circles and manoeuvrability if needed.

It is therefore considered that the development would accord with the principles and objectives of Lifetime Homes and the policies and guidelines outlined above.

Equalities Statement

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

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

Policy 7.3 of The London Plan (2011) seeks to ensure that developments should address security issues and provide safe and secure environments, and that crime prevention should be integral to the initial design process of any scheme.

The proposed entrance for the flats would be retained to the front of the property, which looks out to the Warrington Road highway. Natural surveillance would be provided from the highway for the pedestrian gate on the shared passageway with No. 57.

It is therefore considered that the proposal would not result in any adverse crime or safety concerns.

Consultation Responses

The comments received from neighbouring residents have been addressed in sections 2, 3 and 4 of the above appraisal.

CONCLUSION

The proposed development would make efficient use of land whilst contributing to the provision of additional homes as detailed in The London Plan. The proposal would be acceptable in relation to its impact on the character and appearance of the surrounding area, the amenities of host and neighbouring occupiers, highway safety and in relation to all other material issues.

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 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 not be commenced until full details of soundproofing between the application property and the adjoining property at No. 61 Warrington Road have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighboring residents, in accordance with policy 7.6B of The London Plan (2011) and policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013).

3 Notwithstanding the details on the approved plans, the development hereby permitted shall not be occupied until there has been submitted to, and approved in writing by, the local planning authority, a scheme of additional soft landscape works for the forecourt of the application property. The additional soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the character and appearance of the surrounding area, and to enhance the appearance of the development, in accordance with policies DM1, DM23 and 26 of the Harrow Development Management Policies Local Plan (2013).

4 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 surrounding area, and to enhance the appearance of the development in accordance with policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013).

5 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to Lifetime Homes Standards, and thereafter retained to those standards.

REASON: To ensure provision of Lifetime Homes standard housing in accordance with policy DM2 of the Harrow Development Management Policies Local Plan (2013).

6 The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing plans.

REASON: To safeguard the character and appearance of the locality, in accordance with

policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013).

7 The development hereby permitted shall be carried out in accordance with the following approved plans: PL4/PP/1966/WR/01, PL4/PP/1966/WR/02, PL4/PP/1966/WR/03, PL4/PP/1966/WR/04, PL4/PP/1966/WR/05, PL4/PP/1966/WR/06, PL4/PP/1966/WR/07, PL4/PP/1966/WR/08, PL4/PP/1966/WR/09, PL4/PP/1966/WR/10, PL3/VP/1769/WR/11, PL4/PP/1966/WR/11, Design and Access Statement.

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):

3.5 – Quality and Design of Housing Developments

3.8 – Housing Choice

5.12 –

6.13 – Parking

7.2C – An Inclusive Environment

7.3B – Designing Out Crime

7.4B – Local Character

7.5B – Public Realm

7.6B – Architecture

Harrow Core Strategy (2012):

Core Policy CS1 (A, B, K, X)

Harrow Development Management Policies Local Plan (2013):

DM1 – Achieving a High Standard of Development

DM2 – Achieving Lifetime Neighbourhoods

DM23 – Streetside Greenness and Forecourt Greenery

DM26 – Conversion of Houses and Other Residential Premises

DM42 – Parking Standards

Supplementary Planning Document: Accessible Homes (2010)

Supplementary Planning Document: Residential Design Guide (2010)

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

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

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:

- work on an existing wall shared with another property;
- building on the boundary with a neighbouring property;
- excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS PRECEDENT:

IMPORTANT: Compliance With Planning Conditions Requiring Submission And approval of Details Before Development Commences

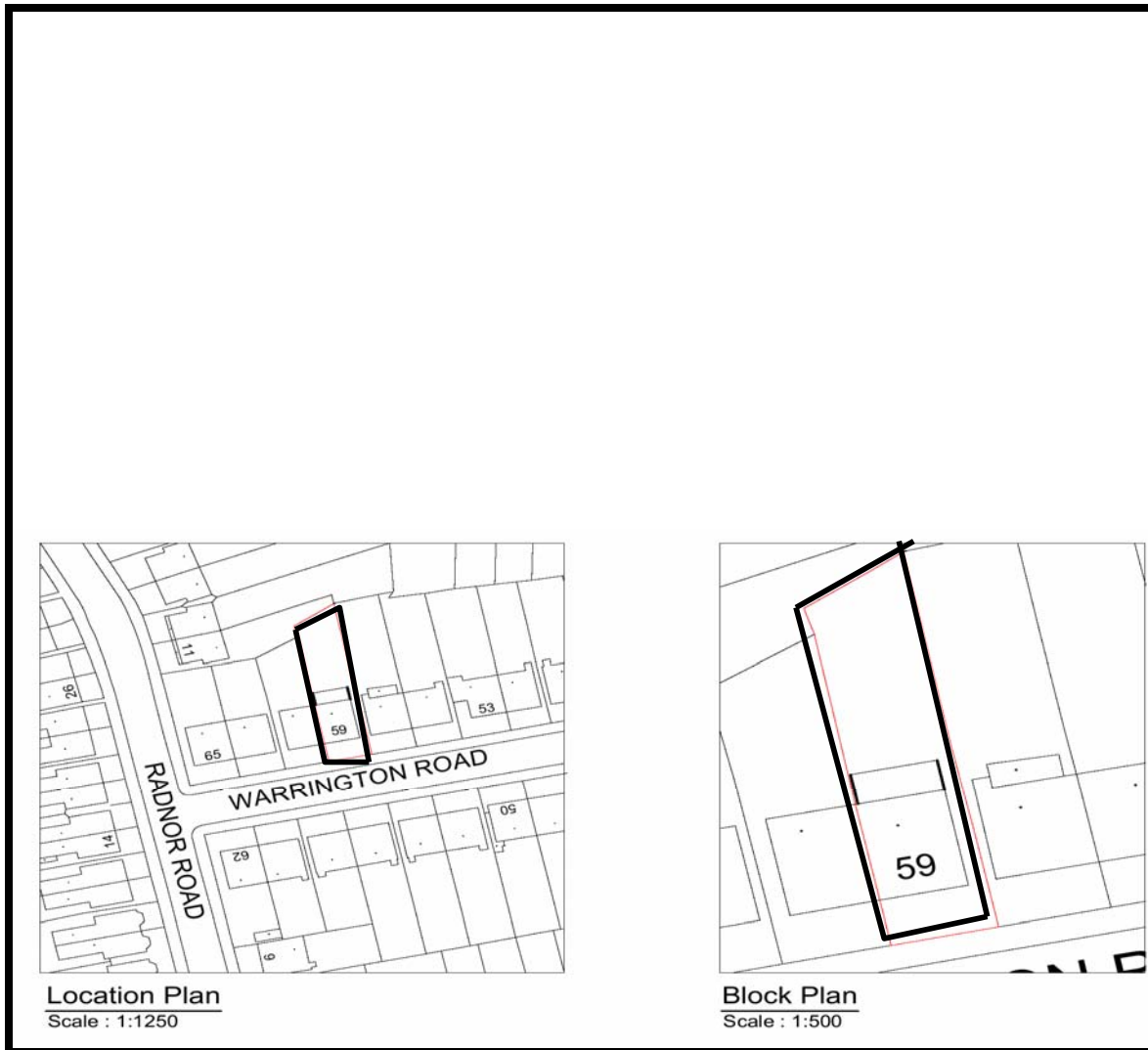
- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of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

5 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 Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

Plan Nos: PL4/PP/1966/WR/01, PL4/PP/1966/WR/02, PL4/PP/1966/WR/03, PL4/PP/1966/WR/04, PL4/PP/1966/WR/05, PL4/PP/1966/WR/06, PL4/PP/1966/WR/07, PL4/PP/1966/WR/08, PL4/PP/1966/WR/09, PL4/PP/1966/WR/10, PL3/VP/1769/WR/11, PL4/PP/1966/WR/11, Design and Access Statement.

59 WARRINGTON ROAD, HARROW



Item No. 2/03
Address: THE CROFT CANNONBURY AVENUE, PINNER
Reference: P/3178/14
Description: EXTENSION TO ROOF; USE OF PAVILION AS BOXING CLUB
Ward: PINNER SOUTH
Applicant: HARROW COUNCIL
Agent: ALBION BUILDING CONSULTANTS
Case Officer: CATRIONA COOKE
Expiry Date: 06/10/2014

RECOMMENDATION

Under Regulation 3 of the Town and Country Planning General Regulations 1992, **GRANT** planning permission for the development described in the application and submitted plans subject to conditions:

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is the London Borough of Harrow and the land at The Croft, Cannonbury Avenue, Pinner.

REASON

The decision to grant permission has been taken on the basis that the use of the sports pavilion building as a boxing gym would bring an empty, unused community facility back into use and in so doing would create a valuable active presence within The Croft which is likely to enhance perceptions of it as a safe, well-used place and which, in turn, may lead to increased usage by the local community. It would not encroach upon the protected open space and/or compromise the continued use of The Croft Playing Field for casual recreation activities including acting as an informal training facility for local underage association football teams. Subject to conditions, it would not result in any undue harm to the character and appearance of the area or neighbouring residential amenity and would not exacerbate parking congestion or cause harm to highway safety or the free flow of traffic in the area but rather it would enhance community safety and perceptions of The Croft as a safe place. The application is therefore considered to be consistent with national planning policies the National Planning Policy Framework (2012), The London Plan (2011), Harrow Core Strategy (2012), Harrow Development Management Local Plans as well as to all relevant material considerations including any responses to consultation.

INFORMATION

The application is reported to the Planning Committee as the subject site is owned by the Council and is over 100sqm in area. As such, it falls outside the scope of the exception

criteria set out at Part 1(h) of the Scheme of Delegation dated 14 March 2012.

Statutory Return Type: (e)18 – Minor Development (all other)

Council Interest: Harrow Council is the freeholder

Gross Floorspace: sqm

Net additional Floorspace: sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional):

Site Description

- The Croft is 4.36 hectares of open space located between Eastcote and Pinner. It has entrances from Cannonbury Avenue and Glover Road
- The park has a children’s play area, a basketball practice area and grassed areas either side of the central footpath
- The pavilion is sites in the centre of the park next to the children’s play area. It is currently unusable as it has been made secure and been fenced off from the rest of the park. It is a single-storey building with flat roof and a cold water tank set within a box shaped enclosure in the middle of the roof.
- The Croft is designated as protected Public Open Space in the Core Strategy.

Proposal Details

The application proposes

- Removal of existing cold water tank
- 14.5m wide, 7.5m deep 1.9m high roof extension set in 0.3m from the eastern elevation
- Change of use to Boxing Club

Revisions to Previous Application

- N/A

Relevant History

P/0632/12 – Change of use of sports pavilion to childrens nursery with external alterations (class D2 to class D1)
Granted – 09/10/2012

Pre-Application Discussion (Ref.)

N/A

Applicant Submission Documents

N/A

Consultations

The Pinner Association - No comments

Policy and Research – Awaited

Highways Authority - As the D2 use class is not to be varied the following comments are comparable to the outcomes for the previous P/0632/14 application. Hence the proposed

D2 use is unlikely to measurably impact to the detriment of the surroundings as compared to the existing use potential of the address given the limited scale of the site. Although submitted information is sparse I note that the opening times are proposed from 8am to 10pm which is likely to produce a proportioned spread of activity throughout this period with peak time activity 'spikes' anticipated at evenings and weekends.

It is likely that a measurable percentage of patrons will be generated by the principle of local catchment thus lessening private car borne travel to and from the site.

In terms of secure cycle provision, 1 space for staff and 10 spaces per 20 peak visitors is required based on London Plan 2011 standards. 6 spaces are proposed which, subject to final patron & staff numbers (absent at present), is likely to be an under provision hence this should be adjusted accordingly to further promote sustainable travel to and from the site. This can be achieved via appropriate planning condition.

Sport England – Any comments will be reported via the addendum

Secured by design – Any comments will be reported via the addendum.

Advertisement

n/a

Notifications

Sent: 95

Replies: 0

Expiry: 19/09/2014

Addresses Consulted

59-89 Hill Road (odd)

5-45 Glover Road (odd)

52-92 East Towers (even)

43-119 Cannonbury Avenue

Summary of Responses

- n/a

APPRAISAL

MAIN CONSIDERATIONS

Principle of the Development

Character and Appearance of the Area

Residential Amenity

Traffic and Parking

Accessibility

S17 Crime & Disorder Act

Consultation Responses

Principle of the Development

The NPPF seeks to promote healthy communities in Section 8. It states in paragraph 70 that,

'To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and*
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.'*

The NPPF also states at paragraph 73 that,

'Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;*
- or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;*
- or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

171. Local planning authorities should work with public health leads and health organisations to understand and take account of the health status and needs of the local population (such as for sports, recreation and places of worship), including expected future changes, and any information about relevant barriers to improving health and well-being.'

Policy 3.19 (Sports facilities) of The London Plan (2011) states that,

'B. Development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted. Temporary facilities may provide the means of mitigating any loss as part of proposals for permanent re-provision. Wherever possible, multi-use public facilities for sport and recreational activity should be encouraged. The

provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to local community or biodiversity.'

'D. Within LDFs boroughs should assess the need for sports and recreation facilities in line with PPG 17 at the local and subregional levels regularly, and secure sites for a range of sports facilities.'

Core Policy CS1.G of the Harrow Core Strategy states that,

'The Council will work with institutions and landowners where necessary to support public access to sport and recreation facilities. Appropriate proposals for enhancement of such facilities will be supported.'

Policy DM18 (Protection of open space) of the Harrow Development Management Local Plans Policy States:

"D. Proposals that would secure the future of the existing ancillary buildings on open space will be supported where:

- a) there would be no loss of necessary capacity for the proper functioning of the open space; and*
- b) there would be no harm to the quality or proper functioning of the open space, as a result of the proposal*

Notwithstanding the lack of changing facilities/WCs and the lack of properly marked out pitches and goal nets, a local youth football team, Pinnstars FC continue to use the playing fields to hold training sessions on certain Saturday mornings for a wide range of under-age teams who play in the Harrow Youth Football League and in the Harrow Soccer 7's League. Given that there is no reliance on the pavilion building itself, there is no reason to conclude that this use of the playing fields would not continue following the implementation of the change of use of the pavilion to a boxing club. Furthermore the proposal would bring an empty, unused community facility back into use and in so doing would create a valuable active presence within the Croft.

In summary, it is accepted that the sports pavilion at The Croft has not been in active use, in terms of providing changing rooms and equipment storage to support formal recreation, particularly football, for 10 years. It is therefore considered that it meets the NPPF test of being surplus to requirements and given that the intended use is a sports use that would not impact on the use of the existing open space the proposal would comply with Policy 3.19 of the London Plan (2011), Policy CS1.G of the Core Strategy (2012) and Policy DM18 of the Harrow Development Management Local Plans Policies (2013).

Character and Appearance of the Area

The London Plan policy 7.4B states that buildings should provide a high quality design response that has regard to existing spaces and streets in orientation, scale, proportion and mass. The London Plan Policy 7.6B states that architecture should make a positive contribution to the streetscape. Core policy CS1 states that all development shall respond positively to the local context.

Development Management Policy DM 1 (2013) states "All development and change of use 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."

Policy DM18 states:

"Proposals for ancillary development on land identified as open space on the Harrow Policies Map will be supported where:

- *it is necessary to or would facilitate the proper functioning of the open space;*
- *it is ancillary to the use(s) of the open space;*
- *it would be appropriate in scale*
- *it would not detract from the open character of the site or surroundings*
- *it would not be detrimental to any other function that the open space performs and*
- *it would contribute positively to the setting and quality of the open space."*

It is proposed to increase the roof height by 1.9m to accommodate a boxing ring. It is considered that given there would be no increase in footprint of the existing pavilion and that the roof extension would be modest in scale the proposal would be proportionate to the original building and would contribute positively to the setting and quality of the open space and therefore would comply with Policy 7.4B of the London Plan (2011) and policies DM1 and DM18 of the Harrow Development Management Local Plan Policies (2013).

Residential Amenity

The pavilion is located at the centre of The Croft with the nearest neighbouring properties being in excess of 50m from the pavilion. Given the size of the building, its location within a local park and the intended use it is not envisaged that there would be any undue impact on neighbouring residents in relation to noise and disturbance. The applicant has stated that Four 5m mounting height Abacus raise and lower columns c/w Urbis Axia 15 LED luminaries with provision for retro-fit shields. The proposed lighting would be permitted development for Local Authorities. Notwithstanding this it is considered appropriate to secure the provision of appropriate lighting by condition prior to commencement of use to ensure safe access to the site, and in the interests of the amenities of neighbours.

It is considered that subject to a condition restricting the opening hours to 8am to 10pm Monday to Saturday and 9am-8pm Sundays and Bank Holidays submission of details of lighting the proposal's impact upon residential amenity is considered satisfactory and would comply with policy 7.6B of The London Plan (2011) and Policies DM1 and DM18 of the Development Management Local Plans Policies (2013).

Traffic and Parking

1 cycle space per 10 staff is required based on London Plan (2011) standards and 10 spaces per 20 peak visitors, 6 cycle spaces are provided. Subject to final patron and staff numbers this provision is likely to be insufficient. Officers recommend in order to encourage greater use of sustainable modes of transport that the applicant work closely with the councils Travel Planning Officer to develop a travel plan in order to achieve an increase in cycling, walking and public transport use by staff and patrons of the club. An informative is attached recommending the applicant contact the Harrow Council Traffic

and Parking Design Team.

In summary it is considered there is no objection subject to a condition relating to cycle storage. It is considered that conditioned as such, the proposed development would not result in any unduly significant harm to highway/pedestrian safety or to the free flow of traffic as a result of the proposed use and that it would therefore comply with policies 6.3, 6.9 and 6.13 of The London Plan (2011) and policy DM42 of the Harrow Development Management Local Plans Policy (2013).

Accessibility

Policy DM2 of the Harrow Development Management Local Plans Policy (2013) and policies 3.5 and 3.8 of The London Plan (2011) seek to ensure that all new development and change of use proposals are accessible to all. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

A fully disabled accessible WC is to be provided and the elevations show level access. Further to this the internal layout exhibits wide doorways which face 'square on' the main central area.

The natural ground level around the building is level as is the approach along the paths to the building from either the Cannonbury Avenue or the Glover Road entrances. The paths are also finished in smooth tarmac suitable for use by wheelchair users.

Notwithstanding those details that have discerned from the proposed site and floor layout, it is considered reasonable and necessary to require a more comprehensive schedule of details and supplementary detailed drawings to be submitted to ensure that all aspects of accessibility have been properly considered and that in turn the building will be as accessible as possible. A standard condition to this effect is one of the list of suggested conditions set out below.

In summary, it is considered that the development would comply with policy 7.2 of The London Plan (2011), Policy CS1.E of the Harrow Core Strategy 2012 and policy DM2 of the Harrow Development Management Local Plans Policy (2013) and the adopted Supplementary Planning Document – Access for All (2006).

S17 Crime & Disorder Act

Subject to a condition to require the applicant to submit details of measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the application site / development, it is considered that the proposed development would not adversely impact upon community safety issues and would therefore comply with policy 7.3 of The London Plan (2011) and core policy CS1.E of the Harrow Core Strategy (2012).

Consultation Responses

Awaited.

CONCLUSION

For all the reasons considered above, and having taken full account of all relevant material considerations including any responses to consultation, the application is considered to be consistent with the policies and proposals of the development plan as set out in the National Planning Policy Framework (2012), The London Plan (2011), the

Harrow Core Strategy (2012), the Harrow Development Management Local Plans Policy (2013).

The decision to grant permission has been taken on the basis that the use of the sports pavilion building as a boxing club would bring an empty, unused community facility back into use and in so doing would create a valuable active presence within The Croft which is likely to enhance perceptions of it as a safe, well-used place and which, in turn, may lead to increased usage by the local community. It would not encroach upon the protected open space and/or compromise the continued use of The Croft Playing Field for casual recreation activities including acting as an informal training facility for local underage association football teams. Subject to conditions, it would not result in any unduly significant harm to neighbouring residential amenity, would not exacerbate parking congestion or cause harm to highway safety or the free flow of traffic in the area and would enhance community safety and perceptions of The Croft as a safe place.

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 Notwithstanding the details on the approved drawings and submitted documents the development hereby permitted shall not commence until details of the materials to be used in the construction of the external surfaces have been submitted to, and approved in writing by, the local planning authority:

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

REASON: To safeguard the appearance of the locality in accordance with policy DM1 of the Harrow Development Local Plans Policy (2013).

3 The use hereby permitted shall not commence until details of a scheme indicating the provision to be made for people with mobility impairments, to gain access to, and egress from, the building(s) (without the need to negotiate steps) have been submitted to and approved in writing by the Local Planning Authority. The use shall not be commenced until the works have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure that the development will be accessible for people with disabilities in accordance with policy 7.2 of The London Plan (2011) and policy DM2 of the Harrow Development Local Plans Policy (2013) and the adopted Supplementary Planning Document – Access for All (2006).

4 Notwithstanding the submitted details the D2 boxing gym use hereby permitted shall not commence until secure cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position and number of cycles accommodated and the position, design, materials and finishes of any separate enclosure if the cycle storage is not to be provided within the building itself.

REASON: To accord with the Council's policy to discourage the use of the car wherever possible and to comply with policy DM42 of the Harrow Development Management Local Plans Policy (2013) and policy 6.9 of The London Plan (2011).

5 The premises shall not be used for D2 boxing gym purposes except between the hours of:

08:00 and 22:00 on Mondays to Saturdays inclusive.

09:00 and 20:00 on Sundays and Bank Holidays

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety in accordance with policies 6.3 and 6.13 of The London Plan (2011) and policy DM1 of the Harrow Development Management Local Plans Policy (2013)

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

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents in accordance with policy DM1 of the Harrow Development Management Policies Local Plan 2013.

7 The premises shall be used for the purpose specified in the application and for no other purpose, including any other purpose in Class D2 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 safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety in accordance with policies 6.3 and 6.13 of The London Plan (2011) and DM1 of the Harrow Development Management Local Plans Policy (2013)

8 The use hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a lighting scheme for the public accesses on Cannonbury Drive and Glover Road. The lighting scheme shall be implemented prior to the commencement of the use.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety in accordance with policies 6.3 and 6.13 of The London Plan (2011) and policy DM1 of the Harrow Development Management Local Plans Policy (2013).

9 The development hereby permitted shall be carried out in accordance with the following approved plans: Measured Survey-01B; Planning Application-02 Mansard roof version; The Croft Pavilion – site location plan -01; 3D images x2.

INFORMATIVES

1 The following policies are relevant to this decision:

The National Planning Policy Framework (2012)

The London Plan (2011)

6.9B Cycling

6.13C Parking

7.2 An Inclusive Environment

7.3 Designing Out Crime

7.4 Local Character

7.6 Architecture

Harrow Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

DM2 Achieving lifetime Neighbourhoods

DM42 Parking Standards

Harrow Core Strategy (2012)

CS1.E, CS1.G Overarching Policy

CS6 Pinner and Hatch End

Supplementary Planning Documents & Guidance

Supplementary Planning Document Access for All (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 COMPLIANCE WITH PLANNING CONDITIONS

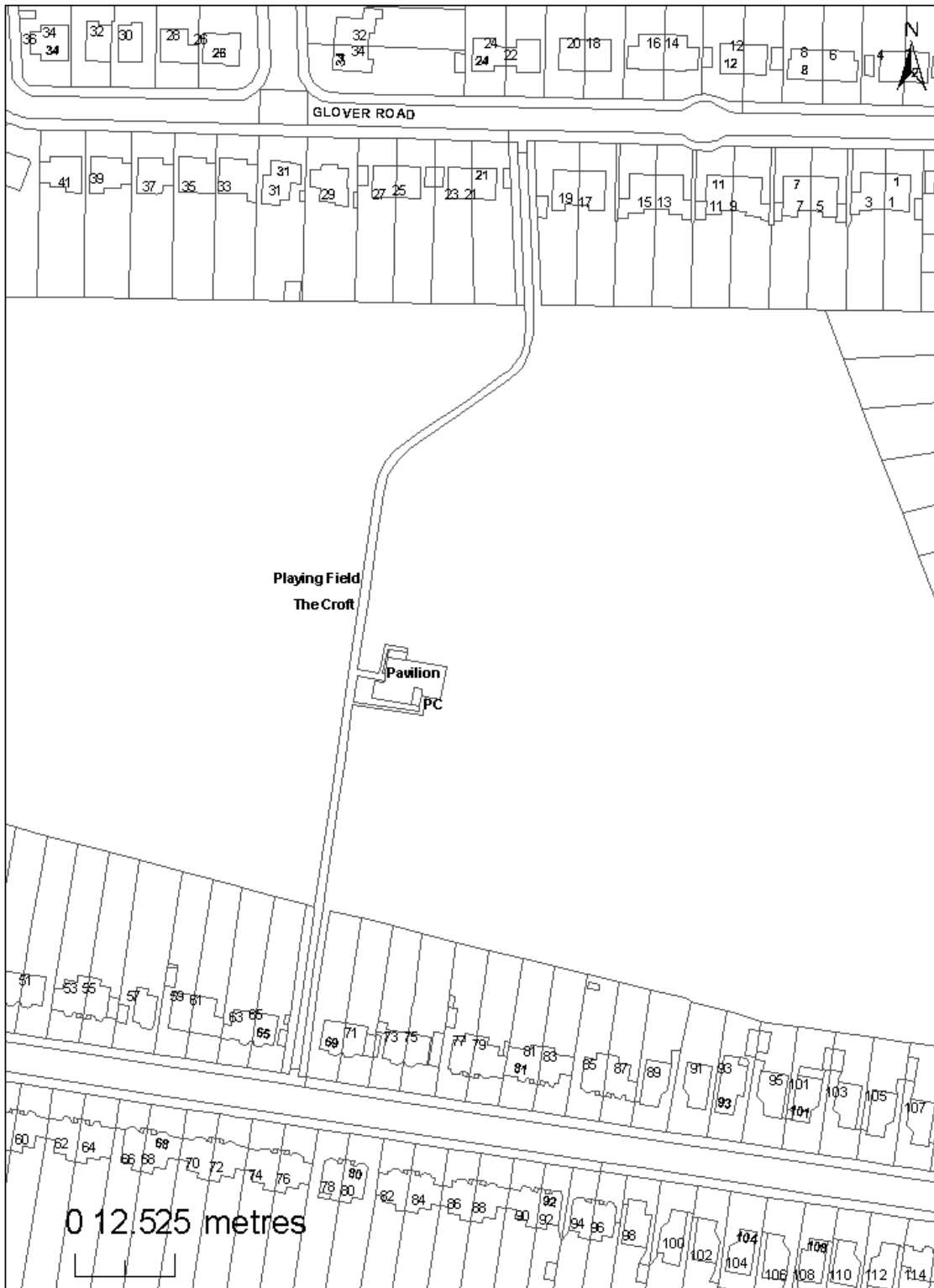
IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- 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.

4 The applicant is advised that it would be good practice to contact Harrow Council Traffic and Parking Design Team to negotiate a suitable travel plan to promote greater use of sustainable modes of transport.

Plan Nos: Measured Survey-01B; Planning Application-02 Mansard roof version;
The Croft Pavilion – site location plan -01; 3D images x2.

THE CROFT, CANNONBURY AVENUE, PINNER



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Item No. 2/04
Address: CHAPEL, HIGH STREET, HARROW
Reference: P/2742/14
Description: LISTED BUILDING CONSENT: REPAIRS AND SOME RESTORATION OF EXTERNAL MASONRY TO THE WEST AND EAST WALLS AND TO THE STAINED GLASS WINDOWS
Ward: HARROW ON THE HILL
Applicant: MS MARY PIERRE-HARVEY
Agent: MARCUS BEALE ARCHITECTS
Case Officer: LUCY HAILE
Expiry Date: 03/10/2014

RECOMMENDATION

GRANT Listed Building Consent for the works described in the application and submitted plans, subject to conditions.

REASON

The recommendation to grant Listed Building Consent has been taken as the works would preserve the character and special interest of this Listed Building and ensure its long-term conservation. The decision to grant Listed Building Consent has been taken having regard to the policies and proposals in the National Planning Policy Framework, the London Plan (2011), the Harrow Core Strategy (2012) and the Harrow Development Management Policies Local Plan (2013).

INFORMATION

The application is reported to the Planning Committee because the building is grade II* listed and is not accompanied by an associated Planning Application and therefore falls outside category 2 of the Scheme of Delegation.

Statutory Return Type: 23

Council Interest: None

Gross Floorspace: N/A

Net additional Floorspace: N/A

GLA Community Infrastructure Levy (CIL) Contribution (provisional): N/A

Site Description

- The application site comprises the grade II* listed chapel on the east side of the High Street, Harrow on the Hill.
- It is owned by Harrow School.
- The building is a substantial one of brick and masonry construction, the external walls of knapped flint with Bath stone decoration and dressings.
- The style is Victorian Gothic.
- The list description reads:
- '1854-57, by Sir George Gilbert Scott. Knapped flint and ashlar walls. In decorated Gothic and early English styles. Front of 2 large and differing gables. Nave, chancel, wide south aisle and narrow north aisle, north and south chapels. Transepts and porches by Sir Aston Webb (1902). Small spine over west end of roof (1865). Tall interior with pentagonal apse. Dummy arcades below windows on north and east. Crypt chapel. Vaughan Memorial by Onslow Ford; reredos by Sir A Blomfield. Stained glass chiefly 1857-61 (E Labords, Harrow School)'.
- The east and west elevations have been in a poor condition.
- The condition of the Chapel is generally good but the condition of the external masonry has been poor.
- Bath stone is weathered and spalling and the flint work is failing in places, the mortar bedding deteriorated.
- This is due to weathering and in part due to poor repair and repotting in the past.
- High level masonry is particularly badly weathered and possibly presents a risk to public safety.
- The building became grade II* listed on 9th July 1968.
- The Bath stone and flint masonry to the more exposed east and west walls of the Chapel is weathered and shows a number of cracks and faults due principally, in addition to weathering, to settlement and to rusting iron cramps.
- In particular the upper gable to the west wall has been distorted by failing masonry elements and rusting cramps, and is leaning out of true over a public footpath.
- The projecting decorative Bath stone elements to both walls are weathered and there have been falls of masonry onto the footpaths.
- Similarly there are localised failures of the mortar bedding to the flint work at high level, due to weathering, and there have been falls of flints.
- There are a number of minor faults in the stained glass windows, the masonry frames, the lead comes and cast iron frames, were noticed.
- A site visit and phone calls with Harrow School revealed works have commenced as they regard these works as emergency works.

Proposal Details

- Partially dismantle the flint and Bath stone masonry of the west wall gable and reconstruct the wall in the true vertical plane, reusing the recovered flints and, where practical the recovered ashlar masonry elements.
- Where ashlar masonry elements are weathered, fissured or damaged beyond repair, they will be replaced in new Bath stone, matching the original in size and as closely matching in colour and texture as can be achieved.
- The coping stones to the gable are badly weathered; they have lost their drip details and no longer function to protect the lower walls. They also have many fissures and cracks. These will be replaced in new Bath stone, matching the original in size and profile, and as closely matching in colour and texture as can be achieved.
- All other faults in the stone will be dealt with as localised repairs, by stitching, small piecing-in or mortar repairs, as appropriate. Flint facework will be carefully dismantled where the mortar has died and will be reconstructed using the same flints.
- Localised repairs to the cast iron frames and leadwork of the stained glass windows will be carried out by a historic glazing specialist.
- Record photographs of the walls and the setting will be taken prior to works to determine stone coursing, colour variation and details of construction. Particular note will be taken of the overall appearance; the grain and colours of the flint work.
- Where necessary, any repair to the flintwork shall be carried out using a mortar mix matching the original, colour and texture to be determined by sampling.
- Similarly bedding mortar for the ashlar masonry shall be carried out using a mortar mix matching the original, colour and texture to be determined by sampling.

Revisions to Previous Application

N/A

Relevant History

N/A

Pre-Application Discussion (Ref.)

N/A

Applicant Submission Documents

Design and Access Statement

Consultations

The following groups were consulted and a response was due by 8th September 2014:

- Council for British Archaeology
- The Society for the Protection of Ancient Buildings
- Ancient Monuments Society
- Georgian Group
- Victorian Society
- Twentieth Century Society
- The Harrow Hill Trust

Advertisement

- Harrow Observer
- Harrow Times
- Site Notice
- Expiry: 4th September 2014

Notifications

N/A

Summary of Responses

English Heritage responded on 28th August 2014 to state the Council is authorised to determine the application as it sees fit.

APPRAISAL

MAIN CONSIDERATIONS

Special Interest of the Listed Building

The proposal is for repairs and partial restoration to the west and east walls of the Chapel and some repair to the stained glass windows. The acceptability of the proposed works must be assessed against the need to preserve the special character of the Listed Building, having particular regard to the National Planning Policy Framework, London Plan policy 7.8, and Development Management Policies Local Plan DM 7, part E.

The National Planning Policy Framework (NPPF) paragraph 131 states: local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets...the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 132 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'. Paragraph 134 states: 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. London Plan policy 7.8 D states 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'. Harrow Core Strategy policy CS1 part D states 'Proposals that would harm the significance of heritage assets including their setting will be resisted. The enhancement of heritage assets will be supported and encouraged'. The Development Management Policies Local Plan policy DM 7, part E states In addition to (A) and (B) above, when considering proposals affecting listed buildings and their setting, the Council will: a. pay special attention to the building's character and any features of special architectural or historic interest which it possesses, and the role of the building's setting in these regards'.

For the stonework, this proposal would be in keeping and appropriate as it would ensure the long-term conservation of the building and would be in keeping in appearance and character using like for like materials in terms of colour, texture and size. Whilst some new stone and mortar will have a refreshed appearance this will weather with time. Samples for the repair to the stone including stone and mortar samples have been provided and

show these would be a good match. Similarly the repairs to the glasswork would be in keeping and minimal given use of simply localised repairs to the cast iron frames and leadwork of the stained glass windows will be carried out by a historic glazing specialist. A suitable method statement has been provided. Therefore the proposal would comply with all the above policies and guidance and so preserve the special interest of this listed building.

CONCLUSION

In summary, the proposal preserves the special interest of the listed building as the repair works are in keeping with the special interest of the listed building. It is considered that the proposal complies with all relevant policies.

CONDITIONS

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

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 If previously unknown evidence is discovered about historic character which would be affected by the works hereby granted, an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be approved in writing by the local planning authority before any of the permitted works are begun.

REASON: In order to protect the special interest architectural or historic interest of the listed building in accordance with National Planning Policy Framework paragraphs 129, 132 and 134, London Plan policy 7.8, Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7.

3 All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any conditions(s) attached to this consent.

REASON: In order to protect the special interest architectural or historic interest of the listed building in accordance with National Planning Policy Framework paragraphs 129, 132 and 134, London Plan policy 7.8, Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7.

4 Suitable precautions shall be taken to secure and protect features against accidental loss or damage during the building work hereby granted, and no such features may be disturbed or removed, temporarily or permanently, except as indicated on the approved drawings or with the prior approval in writing of the local planning authority.

REASON: In order to protect the special interest architectural or historic interest of the listed building in accordance with National Planning Policy Framework paragraphs 129, 132 and 134, London Plan policy 7.8, Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7.

INFORMATIVES

1 The proposal constitutes appropriate alterations to a Listed Building. It is considered that the proposal complies with all relevant policies. The development therefore does not have any significant detrimental impact on the Listed Building that would warrant refusal

of Listed Building Consent. The development is therefore found to be consistent with government guidance, the policies and proposals in The London Plan (2011), the Development Management Policies, Local Plan (listed below) set out below, and all relevant material considerations as outlined in the application report.

The following policies are relevant to this decision:

- National Planning Policy Framework
- The London Plan policy 7.8
- Harrow Core Strategy policy CS1
- Development Management Policies Local Plan policy DM 7

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.

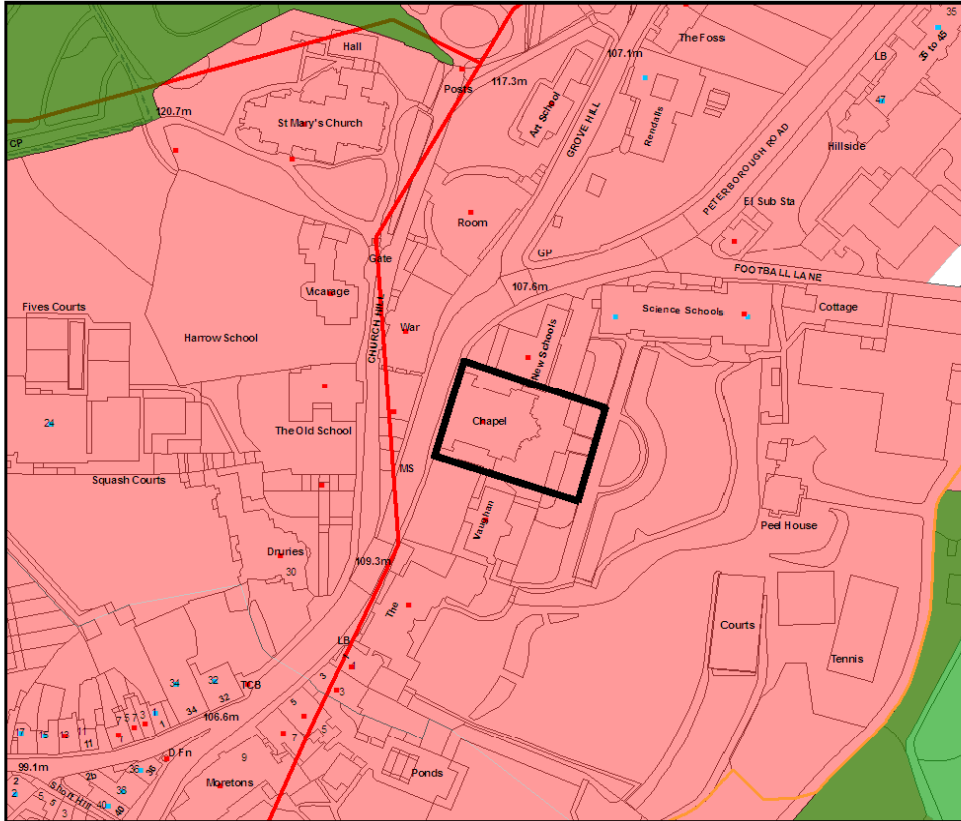
3 COMPLIANCE WITH PLANNING CONDITIONS

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: 614.7/500P1; 614.7/5D4 C2 EAST; 614.7/502 C2 - WEST; 614.7/506C2 NORTH; 614.7/508C2 SOUTH; SCHEDULE OF WORKS - WEST ELEVATION REPAIRS - REV C2; DESIGN AND ACCESS STATEMENT/HERITAGE STATEMENT; SAMPLES REVIEWED 18TH AUGUST WITH CONSERVATION OFFICER 614.7; SCHEDULE OF WORKS - EAST ELEVATION REPAIRS REV T1 PAGES 1-5; REPAIRING/RENOVATING/CONSERVING MASONRY C41; LETTER DATED 5TH SEPTEMBER 2014 FROM LINCOLNSHIRE STAINED GLASS STUDIO

HARROW SCHOOL CHAPEL, HIGH STREET, HARROW



Item No. 2/05
Address: ARDEN COTTAGE OAKHILL AVENUE, PINNER
Reference: P/2613/14
Description: PROPOSED REAR PART ONE AND TWO STOREY EXTENSION
Ward: PINNER
Applicant: MR PATRICK REIS
Agent: RD ARCHITECTURE LTD.
Case Officer: SUSHILA BHANDARI
Expiry Date: 02/09/2014

RECOMMENDATION

GRANT planning permission subject to conditions

REASON

The proposed development would have no adverse impact upon the character and appearance of the locality and would meet the guidance set out in the Council's adopted Supplementary Planning Document on Residential Design. The proposal would have no detrimental impact upon the residential amenities of the adjoining neighbours and appropriate conditions have been attached to ensure that the amenity and privacy of the neighbouring occupiers is safeguarded in the future. 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 Development Management Policies Local Plan 2013, as well as to all relevant material considerations including any responses to consultation.

INFORMATION

The application is reported to the Planning Committee at the request of a Nominated Member.

Statutory Return Type: Householder Development

Council Interest: None

Gross Floor space: 305.75sqm

Net additional Floor space: 86.89sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): Nil
Harrow CIL: Nil

Site Description

- The application site comprises a two storey detached dwellinghouse located on the western side of Oak hill Avenue.
- The subject property has been extended at the side with a two storey extension, at the rear with a single storey extension and at the front with a single storey extension.
- The subject dwellinghouse has an integral garage.
- There is a deep raised patio at the rear with steps leading down to the garden level. This patio is approximately 1m high.
- The front garden is landscaped with a mix of hard and soft forecourt treatment. There is a tree located within the front garden which is not a protected tree.
- Unattached neighbouring dwellinghouse Trees Cottage has been extended at the rear with a part single storey rear extension.
- Unattached neighbouring dwellinghouse Molland is largely screened from the view within the rear garden of the subject site by dense vegetation and thus this dwellinghouse is not visible from within the subject site.
- Oak hill Avenue is characterised by a detached single and two storey dwellinghouses of varying design and layout and as such there is no defined uniform character or appearance.

Proposal Details

- The application proposes construct a two storey rear extension.
- The proposed flank wall of the proposed extension would align the flank wall of the existing two storey side extension located on the southern side of the dwellinghouse and project out to a depth of approximately 4.45m. It would span a width of approximately 8.23m across the rear elevation of the existing dwellinghouse.
- A hipped roof with a crown detail is proposed over the extension which would have the same ridge and eaves height as the main dwellinghouse.
- An additional small stepped projection/porch is also proposed at ground floor level which would project out to a depth of 0.90m and an approximate width of 1.75m. It would have a flat roof over which would have an approximate height of 2.87m (measured from the patio level) with steps leading down to the patio area.

Revisions to Previous Application

n/a

Relevant History

LBH/17029

Erection of 2 storey side and rear, single storey side and front extensions to dwellinghouse
Granted – 27/05/1980

P/1891/14

Single storey front extension; external alterations to front elevation including new window fenestration at first floor level and new facade materials
Granted – 16/07/2014

Pre-Application Discussion (Ref.)

None

Applicant Submission Documents

None

Consultations

The Pinner Association: no comments received.

Advertisement

None

Notifications

Sent:4

Replies: 1

Expiry: 25.08.2014

Addresses Consulted

Mollands and Trees Cottage, Oak Hill Avenue
58 and 60 Barrow Point Avenue

Summary of Responses

- Sitting room and adjacent patio would be affected by the overpowering two storey building.
- Main door to garden is from the sitting room and there would be reduced light.
- Drawings have neglected to show the two side windows facing the proposed development. Subsequently the 45 degree rule is totally incorrect as it ignores the two side windows.
- Due to the positing of these windows they provide most of the daylight to the main living room area – this will be badly encroached on by the proposed building line.
- Inconsiderate to rights to maintain levels of natural light as protected in law.
- Light to the downstairs bathroom would also be blocked out.
- Door type windows with Juliet balconies would cause more overlooking and noise and intrusion.
- Windows in the side wall have not been shown with frosted glass.
- The door which is the main egress to the garden faces towards Trees Cottage which will cause more comings, goings, activity and noise.
- The overall size of the proposed extension is out of keeping with the surrounding environment which consists of large houses with long leafy gardens.

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

Development and Flood Risk

Equalities Impact

S17 Crime & Disorder Act

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.

Paragraph 6.11 of the adopted SPD states that an extension should have a sense of proportion and balance, both in its own right and in its relationship to the original building and should not dominate the original building or surrounding streetscape. Paragraph 6.14 (relating to roof design) states that a first floor or two storey extension to be roofed to reflect both the material and design of the existing roof, including normal eaves detail. A pitched roof will normally be required on two storey extensions. This is further amplified under paragraph 6.64 which states that all roofs of first floor and two storey rear extensions should be designed to reflect the character of the dwellinghouse and those adjoining to provide a satisfactory appearance. Paragraph 6.59 of the adopted SPD sets out the acceptable rear depth limitations for semi-detached dwellinghouse. Paragraph 6.60 sets out the exceptional circumstances in which a greater depth may be permitted.

The proposed single storey element of the rear extension would have an overall depth of 4.45m and 5.35m including the small stepped projection. The main element of the extension would be maintain a separation of at least 0.9m from boundary shared with Trees Cottage and the small step projection would maintain a separation of at least 2.5m. The additional depth would not have a detrimental impact upon the character and appearance of the host dwellinghouse or those adjoining the subject site.

The proposed two storey extension is shown to have a roof design which would match the

host dwellinghouse. Whilst it is noted that the width of the extension would be greater than half the width of the host dwellinghouse, given that the proposed extension would not be visible from any public vantage point, the large proportions of the host dwellinghouse and the space about the building that would be maintained, it is considered that the proposed two storey extension would have an acceptable relationship with the host dwellinghouse and would have no undue impact upon the character and appearance of the area.

On this basis, it is considered that the proposed development would give rise to no conflict with the above stated policies.

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 occupier at Trees Cottage has raised a number of concerns with the proposed development which are addressed below.

In assessing the impact of the proposed development on the neighbouring dwellinghouse Trees Cottage, the proposed two storey rear extension would not breach a 45 degree horizontal splay taken from the nearest first floor rear corner of this neighbouring dwellinghouse. The facing flank wall of this neighbouring dwellinghouse has two small clear glazed windows that have an outlook over the neighbouring site. These windows serve a living room which is also served by a large bay window in the rear elevation that provides the primary source of light and outlook. In addition to this, the windows in the flank elevation are north facing so would receive limited sunlight. The rear facing bay window has an unobstructed outlook over the garden and is west facing. This window therefore is considered to be the protected source of light and would not be affected. Whilst it is acknowledged, that there will be some loss of outlook to these windows, given the separation between the facing flank wall of this neighbouring dwellinghouse and the proposed facing flank elevation, it is considered that for the reasons discussed above a refusal on grounds of loss of outlook to these windows cannot be substantiated in this case. As such, the facing flank windows are deemed as secondary windows and are considered to be not protected windows for the purposes of the Council’s guidance (as per paragraphs 6.26 and 6.27 of the adopted SPD) and accordingly the proposal would not warrant a refusal on grounds of loss of light or outlook to these windows.

In terms of the single storey element of the proposed extension, this aspect of the proposal would be sufficiently set away from the boundary shared with Trees Cottage and would comply with the Council’s ‘two for one’ rule set out under paragraph 6.61 of the adopted SPD.

The facing flank wall of the proposed extension would contain two small windows at ground and first floors serving a WC at ground floor level and an en-suite at first floor level. As these windows would be small and serve non-habitable rooms, it is considered that these would not give rise to any unacceptable level of loss of privacy, subject to a condition requiring these windows to be obscure glazed and fixed shut below the height of 1.7m above finished floor level.

The proposed first floor rear facing full height doors and Juliet balconies are considered to have an unacceptable reasons with the neighbouring garden of Trees Cottage as such form of development would give rise to unreasonable level of direct and perceived overlooking of

the adjacent neighbouring gardens. Whilst it is noted that there is some level of screening afforded by the existing dense vegetation along the common boundaries with both dwellings, such vegetation is not protected and can be removed at any time. On this basis, a condition is attached requiring a revised drawing to be submitted showing the first floor full height doors and balconies omitted and replaced with a conventional sized window. Subject to this condition, it is considered that the proposed first floor windows would not permit any greater level of overlooking that would normally already existing in this sub-urban location.

With regards to the neighbouring dwellinghouse at Molland, it is considered that the proposed two storey rear extension would be sufficiently set away from the boundary with this neighbouring dwellinghouse and the proposed extension would be largely screened from view of this neighbouring dwellinghouse by the dense vegetation along the common boundary. As such, the proposal would have no under impact upon the neighbouring occupiers at Molland in terms of loss of outlook or light. The proposed first floor rear facing full height doors and Juliet balconies would be set some distance away from the boundary shared with this neighbour. However, as already discussed above the proposal could give rise to the perception of overlooking and accordingly would be unacceptable, but which could be overcome by the imposition of a suitable condition.

The proposed extension would maintain a distance of approximately 40m to the rear boundary. On this basis, the development would have no undue impact upon Nos.58 and 60 Barrowpoint Avenue which back on to the subject site.

In conclusion, having regard to the site considerations discussed above and subject to the imposition of appropriate conditions mentioned above, it is considered that the proposal would have no adverse impact upon the residential amenities of the neighbouring occupiers and accordingly the proposal is considered to be acceptable in relation to the policies stated above.

Development and Flood Risk

The application site is located within a critical drainage area as defined by the maps held by the local drainage authority and therefore the proposal should be assessed against policy DM10 of the DMP, which requires proposals for new development to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off.

Subject to the imposition of a condition requiring details of the measures to be put in place to deal with surface water storage and attenuation, the proposal would give rise no conflict with policy DM10 of the DMP

Equalities Impact

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

- 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

It is considered that the proposed design of the development would not lead to an increase in perceived or actual treat of crime.

Consultation Responses

All objections raised by the neighbour have been addressed in the above appraisal.

CONCLUSION

The proposed development would have no adverse impact upon the character and appearance of the locality and would meet the guidance set out in the Council's adopted Supplementary Planning Document on Residential Design. The proposal would have no detrimental impact upon the residential amenities of the adjoining neighbours and appropriate conditions have been attached to ensure that the amenity and privacy of the neighbouring occupiers is safeguarded in the future. 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 Development Management Policies Local Plan 2013, as well as to all relevant material considerations including any responses to consultation.

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

REASON: To match the appearance of the original dwelling and to safeguard the appearance of the locality to comply with core policy CS 1B of the Harrow Core Strategy 2012 and policy DM 1 of the Development Management Policies Local Plan 2013.

3 Notwithstanding the details shown on the approved drawings, the development hereby approved shall not commence beyond damp proof level, until there has been submitted to, and approved in writing by, the local planning authority revised drawings showing the omission of the first floor rear facing full height glazed doors and Juliet balconies on the proposed two storey rear extension and replacement with conventional windows/ fenestration detail. The development shall be carried out in accordance with the approved details and thereafter retained in that form.

REASON: The proposed full height doors and Juliet balconies are sited within close proximity of the neighbouring site at Tree Cottage and would permit direct/ perceived overlooking of this neighbouring site and that of the neighbouring site at Molland. The omission of these doors and balconies are required to safeguard the residential amenities of the neighbouring occupiers in accordance with policy DM 1 of the Development Management Policies Local Plan 2013.

4 The development hereby permitted shall not be commenced until works for the disposal of surface water, surface water attenuation and storage works have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with the objectives set out under the National Planning Policy Framework 2012 and policy DM10 of the Harrow Development Management Policies Local Plan 2013.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s), other than those shown on the approved drawings shall be installed in the flank elevations of the development hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents in accordance with policy DM 1 of the Development Management Policies Local Plan 2013.

6 The windows in the south flank elevation of the approved development shall:

- a) be of purpose-made obscure glass,
- b) be permanently fixed closed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents in accordance with policy DM 1 of the Development Management Policies Local Plan 2013.

7 The roof area of the single storey rear extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents in accordance with policy DM 1 of the Development Management Policies Local Plan 2013

8 The development hereby permitted shall be carried out in accordance with the following approved plans and those subsequently approved under the requirements of Condition 3 above:

351 REV B; SLP.2;

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

Policies DM1 and DM10

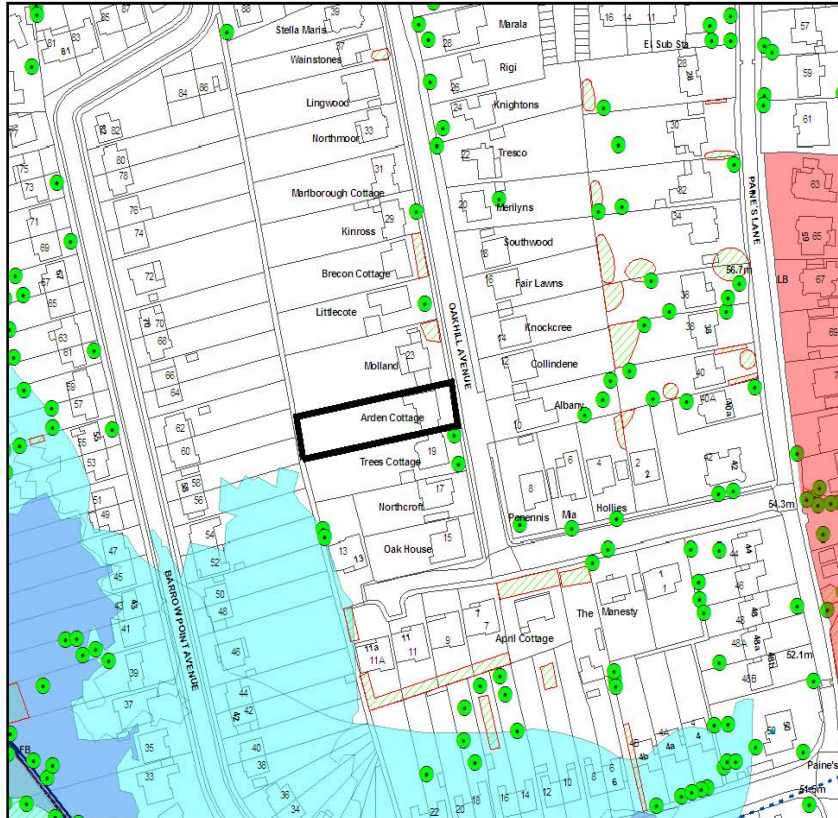
Supplementary Guidance/ Documents

Supplementary Planning Document: Residential Design Guide (2010)

2 INFORM23_M

3 INFORM32_M

ARDEN COTTAGE, OAKHILL AVENUE, PINNER



Item No: 2/06
Address: BENTLEY WOOD HIGH SCHOOL, BINYON CRESCENT, STANMORE
Reference: P/3072/14
Description: CONSTRUCTION OF A PART SINGLE STOREY AND PART DOUBLE HEIGHT SPORTS HALL WITH ASSOCIATED ANCILLARY ACCOMMODATION TO THE NORTH WEST OF THE EXISTING SCHOOL BUILDING; ASSOCIATED CAR PARK; HARD AND SOFT LANDSCAPING; BOUNDARY TREATMENT
Ward: STANMORE PARK
Applicant: HARROW COUNCIL
Agent: HOWARD FAIRBAIRN MHK
Case Officer: NICOLA RANKIN
Expiry Date: 3rd October 2014

RECOMMENDATION

Under Regulation 3 of the Town and Country Planning General Regulations 1992, **GRANT** planning permission for the development described in the application and submitted plans subject to conditions:

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is the London Borough of Harrow and the land at Bentley Wood High School, Binyon Crescent, Stanmore, HA7 3NA.

INFORMATION

The application is reported to the Planning Committee because the Council is the applicant and landowner and the proposal is greater than 400m² and therefore falls outside of category 1(d) of the Council's scheme of delegation.

Legal Comments

Regulation 3 of the Town and Country Planning General Regulations 1992 [Statutory Instrument 1992/1492] provides [in relevant part] that applications for planning permission by an interested planning authority to develop any land of that authority shall be determined by the authority concerned, unless the application is called in by the Secretary of State under Section 77 of the Town and Country Planning Act 1990 for determination by him.

The application is made by LB Harrow who intends to carry out the development on the land at Bentley Wood High School, Binyon Crescent, Stanmore, HA7 3NA.

The grant of planning permission for this development falling within Regulation 3 shall

ensure only for the benefit of LB Harrow.

Statutory Return Type: Minor Development

Council Interest: The Council is the landowner.

Gross Floorspace: 939sqm

Net additional Floorspace: n/a

GLA Community Infrastructure Levy (CIL) Contribution (provisional): The Mayor of London Charging Schedule (February 2012) outlines that CIL will not be payable where "Development is used wholly or mainly for the provision of education as a school or college under the Education Acts or as an institution of higher education".

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): This does not apply to educational uses.

BACKGROUND

The Harrow School Expansion Programme

Harrow Council has a statutory responsibility to provide sufficient school places for its area. Like most London Boroughs, Harrow is experiencing a significant increase in demand for school places. The increasing demand is primarily birth rate driven but is complicated by other factors such as migration, household occupancy, size of families, etc. The main pressure on school places is currently in the primary sector, though pressure is also being experienced in the special educational needs sector and will be experienced in the secondary sector when the additional pupil numbers progress through to the high schools.

In common with majority of London local authorities and given London's ever increasing population, Harrow is experiencing an unprecedented increase in demand for school places and because the increased demand is primarily birth rate driven, the pressure is currently focused on the primary sector phase.

The development will be constructed for educational use and harrow has a clear need to create more school places to meet a growing demand for educational space identified in the development plan.

As a congested urban borough, the increased demand for school places cannot be met by creating new schools. Harrow Council has agreed its school place planning strategies and has initiated a school expansion programme. The scale of the increase is huge. In September 2013, 17 additional reception classes (temporary and permanent) were opened above the 2008 baseline of permanent reception places. 8 primary schools were permanently expanded in September 2013 and a further 13 primary schools will be expanded by 2015. A third phase of permanent expansions will be required from 2016 to meet the peak in reception age demand that is currently predicted to be in 2018/19.

This increased demand for school places will progress into the secondary phase and will exceed permanent school places by 2015. The potential additional year 7 forms entry required by 2021/22 is projected to be 23. The overall numbers of pupils in secondary schools in Harrow is projected to rise from 10, 373 in September 2014 to 13, 123 in September 2021. As things stand, and without a strategy to increase capacity in the

secondary sector, the total secondary places available in 2021/22 will be 10, 740 (a deficit of -22.07%).

The first phase of the Harrow Council's Strategy to increase the capacity in the secondary sector to deliver the additional school places required by September 2018 has three strands:

1. Expansion of Bentley Wood School (Note: Further school expansions and temporary classes will be required after 2018, or sooner depending on progress with the other two strands. There are only 10 high schools in Harrow).
2. Expansion of Whitefriars Community School and extension of the age range to create an all through school with 5 forms of entry in the secondary phase. This would be made possible by including the adjoining Harrow Teachers Centre site on the school development.
3. Free School provision. Avanti House free school is temporarily located in the borough – if it is permanently located in Harrow it would provide 6 forms of entry in the secondary phase. There is a proposal to bid to the EFA to open a secondary school on the Heathfield School site which would be vacated from summer 2014.

Planning for secondary school places is normally done on a planning area basis.

Bentley Wood High School is not within a dedicated planning area, being a girls only intake. Its catchment area is borough wide and is always oversubscribed, notwithstanding the increase in population.

Site Description

- The application relates to Bentley Wood High School which is sited within the Green Belt, north of Uxbridge Road, Stanmore.
- The application site concerns the open air tennis courts situated to the north west of the main school building.
- Access to the site for both vehicles and pedestrians 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. There is a further vehicle access point located to the south west along Clamp Hill, although this is not currently used as a main access point by the school.
- The main school park is situated to the south west and provides 65 car parking spaces including two disabled spaces. The car park is used by school staff only.
- The main school building is three storey 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.
- There are five tennis courts to the north west of the school buildings which are enclosed on all sides by mature trees. To the south west of the tennis courts there is an informal parking area with unmarked spaces. Further west are the school playing fields which are divided in two by a vehicle access road from Clamp Hill.
- There are a number of mature trees across the site, with extensive coverage on the northern and western sides of the site adjacent to the existing buildings.
- The entire school site falls within an Area of Special Character and a large part of the school grounds is within the Harrow Weald Park and the Hermitage Site of Borough Importance Grade 2 as identified on the Harrow Local Area Map (2013).
- Residential properties of Binyon Crescent and Bridges Road are sited south of the

application site.

- The area surrounding the tennis courts is dominated by mature trees and vegetation. The site is currently enclosed by a chain link fence.

Proposal Details

- The application proposes the construction of a part single storey and part double height sports hall with associated ancillary accommodation to the north west of the existing school building; hard and soft landscaping.
- The proposed single and double height sports hall would be sited in the north western corner of the tennis courts.
- The building would have a maximum width of 37.7 metres and a maximum depth of 28.6 metres. It would have dual pitched roof with a height of 9.7 metres to the ridge and a height of approximately 8.3 metres to the eaves.
- The single storey portion of the building would extend from the southern and eastern elevations of the building and would have a flat roof to a height of 4.3 metres.
- The double height sports hall would provide 4 badminton courts and the single storey element of the building would provide space for ancillary changing facilities, storage, plant room and circulation space.
- A new parking area is proposed to the front of the building. This would contain a total of 15 parking spaces including 2 disabled spaces.
- A new tennis court is proposed to the east of the car park area.
- A mesh fence would be installed in between the car park and new tennis court and around the western boundary of the existing tennis courts.
- A new porous tarmac maintenance path and pedestrian footpath would be created around the building.

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.

Granted – 17-DEC-2012

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

Granted 17th December 2012

P/2823/12 - 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.

Granted 17th December 2012

P/1719/14 Construction of a two storey linked extension to the south east of the existing building; construction of single storey extension with associated canopy to east elevation and single storey extension to west elevation of existing building; single storey infill extension to east; provision of kitchen extract duct over existing flat roof; provision of additional parking spaces and alteration to parking layout; hard and soft landscaping involving alteration to hard and soft play spaces; external alterations; involving removal of two existing mobile buildings (in association with the expansion of the existing 3 form entry primary school to a 4 form entry primary school).

Expiry: 16 – JUL – 2014

Pre-Application Discussion

N/A

Applicant Submission Documents

Design and Access Statement (summary)

- Building Bulletin 98 and the Education Funding Agency design guidance both state that a sports hall should be at least 18 x 33 metres internal space with a clear internal height of at least 7.6 metres. This is a 4 courts sports hall and is suitable for a range of sports. However, Sport England clearly and national governing bodies now consider this size to be too small. Nevertheless, owing to budget constraints, the feasibility study stated that the preferred size is a minimum 18 x 33 x 7.6 metres.
- Several options were considered for the new Sports Hall and full regard was paid to the buildability of any new proposal, given that the school has to remain operational throughout the construction period.
- The construction of the sports hall can be fully separated from the working school, and the full fire path around to the rear of the main building can be maintained.
- The new sports hall has also been located having regard to the wider community use and out of school hours used by both pupils and visitors, favouring the area to the north west of the main school building away from the congested bridges road area to the south of the main school.

- The proposals at Bentley Wood High School minimise the impact on the local area and the local community. The new proposals limit the change in massing with building works all proposed to the rear of the site away from the residential areas of Stanmore.
- The sports hall is sited over an area of existing hard surface, therefore negating any impact on the Green belt.
- The established school site is within the Green Belt and the proposed development would have a limited impact on its character and openness.
- In addition to the significant identified educational need for the upgraded sports facilities to provide pupils with access to a greater amount of sports and increase sports participation, the new sports hall is proposed to provide public access to the community.
- The education and community needs in these circumstances are compelling and considered to amount to 'very special circumstances'.

Statement of Community Involvement (summary)

- There were three major engagement milestones as follows:
 - 15th January 2014 – pre planning exhibition event to discuss the expansion and consult with the community.
 - 9 January to 6 February: Statutory proposals were published
 - 17 March - Second exhibition event to review the changes to the proposed expansion and re-consult with the community.

Drainage Report
Sustainability Statement
Contamination Report
Ecological Appraisal
Travel Plan
Transport Assessment

Consultations:

Sports England: Awaiting comments.

Highways Authority: Overall the proposed mitigations for the expansion of Bentley Wood High School accords with current transport policies and the impact on the surrounding transport infrastructure can be effectively mitigated. There are no transport related reasons to refuse the Planning Application for the expansion of the school.

Drainage Authority: The information submitted is satisfactory, subject to further details on surface water, surface water storage attenuation and sewage being provided by condition.

Environmental Health: No objections.

Landscape Architect: There would be a requirement for Landscape Conditions and for the trees that have been removed, to be proposed to be replaced elsewhere. Conditions are recommended in relation to hard and soft landscape proposals to be approved.

Arboricultural Officer: The proposed sports hall would be acceptable in relation to existing trees on the site. The recommendations of the Arboricultural impact Assessment including method statement and tree protection plan should be adhered to.

Biodiversity Officer: A large part of the school grounds is within the Harrow Weald Park and the Hermitage Site of Borough Importance Grade 2 as defined in our recently adopted Local Plan. The footprint of the new Sports Hall falls entirely within the SINC.

Development Management Policies DM20 and DM21 are relevant here. If this proposal is not adjusted I would expect the mitigation recommended by the applicant's ecologist to be undertaken and additional habitat creation to be carried out in respect of the lost area of SINC. An extensive green/brown roof on the new Sports Hall (delivering London or Harrow Biodiversity Action Plan habitat) or a similar area of currently undesignated site, managed and set aside for nature conservation, would be appropriate.

Additionally, I note in the supporting documents the following passage:

- All lighting to communal outside areas e.g. roads, driveways, entrances, footpaths, car parking areas to meet BS 5489-12013. A lighting engineer should design this so no shadows are created and white light is used. Uniformity of light should achieve a rating of 0.4Uo and should never fall below 0.25Uo.
- The main footpath from the existing school site to the sports hall should meet this standard. All lighting should be on from dusk until dusk or evening usage has finished.

The area directly to the south of car park and new sports hall has been assessed by the applicants ecologist as having many suitable trees with regards bat roosts, the area to the west was inaccessible and could not be surveyed, east of the tennis courts are two nearby trees with the potential to harbour bat roosts. Therefore I suggest;

- That if possible lighting should be LED (if this can meet the British Standards Specification), whatever, any UV element should be removed using appropriate filters
- Lighting should be directed to where it is needed and light spillage avoided. This can be achieved by the design of the luminaire and by using accessories such as hoods, cowls, louvres and shields to direct the light to the intended area only.
- The height of lighting columns in general should be as short as is possible as light at a low level reduces the ecological impact.

Further information is available from the following publication BATS AND LIGHTING IN THE UK Bats and the Built Environment Series, Bat Conservation Trust & Institute Lighting Engineers 2008.

Advertisement

Site Notice x 5 Departure from Development Plan Expiry: 26.09.2014

Press Advert: Departure from Development Plan Expiry: 23.09.2014

Notifications

Sent: 75

Replies: 2

Expiry: 23.09.2014

Addresses Consulted

Summary of Responses

None

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 Development – Provision of New Educational Facilities and Development in the Green Belt

Impact on the Green Belt Openness and Purposes of the Green Belt

Impact on Visual Amenities of the Green Belt and Area of Special Character

Residential Amenity

Traffic and Parking

Sustainability

Accessibility

Biodiversity, Trees and Landscaping

Flood Risk and Drainage

S17 Crime & Disorder Act

Consultation Responses

Equalities and Human Rights

Principle of Development – Provision of New Educational Facilities and Development in the Green Belt

Educational Need

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality build environment that reflect the community needs and support its health, social and cultural well being. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

The National Planning Policy Framework (2012) outlines at paragraph 72 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. Local planning authorities should take a proactive, positive and collaborative approach to meeting this

requirement, and to development that will widen choice in education. Local Planning authorities should give great weight to the need to create, expand or alter schools”.

Furthermore, on the 15/08/11 the DCLG published a policy statement on planning for schools development which is designed to facilitate the delivery and expansion of state funded schools. It states:

The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state funded school places, increasing choice and opportunity in state funded education and raising educational standards.....The Government wants to enable good schools to open and new schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state funded school sector to meet both demographic needs and the drive for increased choice and higher standards”.

“It is the Government’s view that the creation and development of state funded schools is strongly in the national interest and that planning decision makers can and should support that objective, in a manner consistent with their statutory obligations”

Core policy CS1 of the Harrow Core Strategy (2012) states that: “The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements.” Policies 3.16 and 3.18 of The London Plan (2011) seek to ensure inter alia that development proposals which enhance social infrastructure, education and skills provision are supported.

Policy DM 46 of the Harrow Development Management Policies Local Plan supports proposals for the provision of new education facilities provided that they are (a) located in the community which they are intended to serve; (b) subject to them being located in an area of good public transport accessibility and would not result in any adverse impacts on residential amenity or highway safety. Part C of policy DM 46 also notes that “New education and indoor sport development should make provision for community access to the facilities provided”

The supporting documentation submitted with the application shows that the existing halls for internal sports use are under sized for the existing and proposed projected number of pupils and therefore clearly there is need at Bentley Wood to bring indoor sports facilities up to acceptable standards. The applicants have also highlighted that proposed building would be used to provide community access outside of school hours.

The educational use of this site is long established. The proposal would result in the provision of improved educational facilities to provide much needed school facilities within the existing community. In addition, the sports hall would provide community access which would maximise the efficiency of the land and building. Overall, it is considered that the impact on residential amenity would be acceptable and that the proposal would not be detrimental to highway safety. Against the backdrop of existing provision, the proposed development will result in an improvement in the quality of the physical facilities on the site and would also provide wider public benefits.

Development in the Greenbelt

Bentley Wood High School is located within the Green Belt. The National Planning Policy Framework (2012) consolidates previous National Planning Policy Statements and

Guidance, including Planning Policy Guidance 2 'Green Belts'. Paragraphs 79 – 92 of the NPPF provide policy guidance in relation to 'Protecting Green Belt Land', stating that the fundamental aim is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Policy 7.16 of the London Plan supports the aim of the NPPF and states that 'the strongest protection should be given to London's Green Belt...Inappropriate development should be refused except in very special circumstances.' This is further supported by Policy CS1.F of Harrow's Core Strategy which seeks to safeguard the quantity and quality of the Green Belt from inappropriate or insensitive development.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to inform the determination of whether any particular development in the Green Belt is appropriate or not, by stating in paragraph 89 that 'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt'. It does however set out six exceptions to this, including:

'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.' (bullet point 6 of paragraph 89)

Bentley Wood High School is a previously developed site in the Green Belt, and the current proposal is for the partial redevelopment of this site. This paragraph of the NPPF is therefore relevant to the assessment of the current proposal. Officers consider that the proposal for partial redevelopment of the site to provide educational facilities is supported by the adopted development plan, subject to there being no conflict with Green Belt policy (this is discussed in sections 2 and 3 of this appraisal).

Further to this, part C of Policy DM 16 relating to the openness of the Green Belt requires proposals for partial infilling or redevelopment of previously developed sites within the Green Belt to be put forward in the context of a comprehensive long term plan for the site as a whole.

A masterplan has been submitted with the application which identifies the further expansion of the school in the long term. This would provide permanent educational facilities and remove all the existing temporary mobile accommodation on the site. The masterplan shows that the school would be developed over two main phases of development. Phase 1 of the development would include the provision of a sports hall, the subject of this application and a new teaching block considered under planning application P/1322/14. The second phase of development would involve the provision of a further teaching block that would be attached to the phase one building. Officers consider that the master plan provides an acceptable layout for future expansion of the school. In this regard the proposal would be acceptable in relation to part C of Policy DM 16.

Impact on the Green Belt Openness and Purposes of the Green Belt

In order for the current proposal to be considered as an appropriate development in the Green Belt, the NPPF (under bullet point 6 of paragraph 89) requires two criteria to be satisfied;

- The partial redevelopment of the site must have no greater impact on the openness of the Green Belt than the existing situation;
- The partial redevelopment of the site must have no greater impact on the purpose of including land within Green Belt than the existing situation;

Impact on Green Belt openness:

Unlike PPG 2, the NPPF does not give specific guidance on how to assess impacts on Green Belt openness. The London Plan is also silent on this matter. However, at local level, section A of Policy DM16 of Harrow's Development Management Policies Local Plan requires the assessment of Green Belt openness to have regard to:

- the height of existing buildings on the site;
- the proportion of the site that is already developed;
- the footprint, distribution and character of existing buildings on the site; and
- the relationship of the proposal with any development on the site that is to be retained.

In light of these policy requirements, it is considered that an appropriate starting point for an assessment of Green Belt openness are the existing site circumstances.

Bentley Wood High school is located within the Harrow Weald Ridge Area of Special Character, defined by policy DM 6 of the Development Management Policies Local Plan (2013). The Harrow Weald Ridge provides an elevated horizon of tree cover and open countryside which spans across the north of the Borough. Although there are dispersed developments across the Area of Special Character, the area as a whole tends to be viewed as a continuous wooded ridge.

The Bentley Wood site has a varied character. The main educational buildings are clustered together towards the middle of the site together with the associated parking area. There are several tennis courts to the north west which are fully enclosed by mature trees. However, the furthest western and eastern parts of the site are predominantly undeveloped. Having regard to this varied character; the extent to which openness is perceived across this wider site depends on location.

The area of land proposed for development is on an existing hard surfaced tennis court which is entirely enclosed by trees and mature vegetation. There are hard surfaced tarmac pedestrian pathways to the south and west of the site. The western pedestrian pathway leads to school playing fields and an informal parking area while the pathway leading south links to the main school buildings which are located approximately 33 metres away. As such, the site is partially developed by existing buildings, structures and hard surfacing. Views and vistas into and out of the site are entirely "internal" and are dominated by a range of educational buildings, associated paraphernalia and mature trees and vegetation.

The built footprint as a result of the proposed sports hall on the site would be increased by approximately 1087sqm. The Design and Access statement accompanying the application outlines that the existing buildings and hardstanding on the site have an overall site coverage of approximately 4.22% of the overall school site and that the proposed buildings and hard standing to be constructed under phase 1 of the site development would have an overall site coverage of 5.28%. Notwithstanding this, it is considered that judging impacts on Green Belt openness involves more than a mathematical exercise of comparing existing and proposed footprints.

The building would be sited predominantly on an existing hard surfaced tennis court and would marginally encroach onto a part of undeveloped land to the west. Whilst it is acknowledged that the building would be substantial in size, the building would be located on an already developed part of the site which is enclosed by mature trees. The height of the building would be lower than the height of the main school building and the remaining areas to the east and west would be left undeveloped and as such the overall open character of the site would not be unduly impacted. Most significantly, the existing tennis courts are entirely enclosed by mature trees and vegetation which almost entirely restricts views into and out of the site. Only limited glimpses of the existing school buildings can be seen and there are no views from any public vantage points. It is considered that there would be some limited views of the building from the adjacent farmland to the north. The northern elevation of the building would be sited between approximately 12 to 17 metres from the northern boundary of the site and notably the line of trees adjacent to the northern boundary would be retained. Therefore officers consider that the building would not significantly impact on views of openness from the north of the site. This siting of the development in this location is therefore considered to be an appropriate design response to site circumstances.

There is no doubt that the proposal would result in a change in the perception of Green Belt openness. However, having particular regard to site circumstances including the sighting of the building, height of existing and proposed building, the proportion of the site that is already developed and the surrounding vegetation, it is considered on balance that the proposal would not impact on the openness of the Green Belt.

Purposes of the Green Belt:

Paragraph 80 of the NPPF states that the Green Belt serves five purposes and these are set out in the form of bullet points. In order to consider if the current proposal would impact on the purposes of including the application site within the Green Belt, it is therefore necessary to consider the proposal in the context of each of these bullet points.

- **To check the unrestricted sprawl of large built-up areas:** The area proposed for development is already occupied by a hard surface and is surrounded by mature trees and vegetation. There is therefore no physical connection between the area of land proposed for development and any large built-up areas. The proposal would not therefore lead to unrestricted sprawl of large built-up areas.
- **To prevent neighbouring towns merging into one another:** Similarly, the lack of connection between the area of land proposed for development and the above-mentioned prevent this from happening. The proposal would not therefore exacerbate the merging of neighbouring towns into one another.
- **To assist in safeguarding the countryside from encroachment:** The site is a predominantly a previously developed site in the Green Belt. Some encroachment is long-established through the use of the site for educational purposes. Furthermore, the building would be located almost entirely within a previously developed part of the site on existing hard surfacing and would therefore not unduly encroach onto the countryside.
- **To preserve the setting and special character of historic towns:** This is not relevant to the circumstances of this site.

- **To assist in urban regeneration, by encouraging the recycling of derelict and other urban land:** It is considered that the 'comprehensive long term plan for the site (as discussed earlier in the report) would improve the existing situation and would result in the provision of permanent facilities in existing previously developed parts of the site. As such, it is considered that the proposal would not be unduly detrimental to this objective.

It is considered that the current proposal would comply with paragraph 80 of the NPPF in relation to the five purposes of the Green Belt.

Very Special Circumstances

Paragraph 88 of the NPPF states that *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*. This is supported by policy DM16 of the Development Management Policies Local Plan which states that proposals for inappropriate development which would harm the Green Belt will be refused in the absence of clearly demonstrated very special circumstances.

Acknowledging that the matter of Green Belt openness is a subjective matter, the applicant has put forward an argument that 'Very special circumstances' (VSC) exist to justify the development should it be concluded that the development would impact on Green Belt openness and / or the purposes of the Green Belt, and is therefore inappropriate development in the Green Belt. This 'Very Special Circumstance' relates to the overall educational need for the scheme and the enhanced community access.

As discussed above, the supporting documentation submitted with the application shows that the existing halls for internal sports use are under sized for the existing and proposed projected number of pupils and therefore clearly there is need at Bentley Wood to bring indoor sports facilities up to acceptable standards.

One of the primary objectives of the NPPF (2012) is to promote health and sustainable communities. Paragraph 70 of the NPPF (2012) highlights that "To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should "plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments"

Paragraph 10.5 of Policy DM 46 makes clear that appropriate community access to new halls and educational development will ensure efficient use of land and assets and can help address deficiencies identified in Harrow's Open Space, Sport and Recreation Study (2011). The accompanying Design and Access statement states that in addition to the significant educational need for the upgraded sports facility for pupils, the new sports hall is proposed to provide public access to the community.

The applicant has referred to the Harrow Council Sports and Recreation Study (2011) and has identified a shortfall in indoor sports provision across the borough, particularly in relation to Badminton Courts. It is recognised that in reality a number of sports halls across the borough will not contribute to community provision because many are in old

School gymnasiums (such as the existing gymnasium at Bentley Wood) that fail to meet the expectation of community sports clubs. In this regard, the additional enhanced sport facility would provide the local community with a much improved facility which would help address identified sports deficiencies in the borough and make a more efficient use of Green Belt land. Specific details of proposed arrangements have not been submitted with the application, including times for hire, management of the facility, access arrangements and promotion to prospective clubs. However, it is considered that should the application be recommended for approval this can be secured by a planning condition as recommended below. Subject to this condition, the proposal would meet the above policy requirements and in officer opinion would afford substantial weight for development in the Green Belt in accordance with the NPPF (2012).

It is considered that the above 'overall educational needs' and community access to increase sport participation would amount to the "Very Special Circumstances", as required by the NPPF to justify inappropriate development.

Conclusion

On the basis of the above assessment, on balance, it is considered that the proposal would not result in an unacceptable adverse impacts upon either the purposes or openness of this part of London's Metropolitan green belt, and thereby complies with the National Planning Policy Framework (2012), policy 7.16 of the London Plan (2011), Policy CS1.F of Harrow's Core Strategy (2012) and Policy DM16 of Harrow's Development Management Policies Local Plan (2013). The applicant has put forward an argument that 'Very special circumstances' (VSC) exist to justify the development should Committee Members disagree with this view. Officers consider that the 'overall educational need together with the proposed community use as discussed above is capable of amounting to "very special circumstances" required by the NPPF to justify inappropriate development and would outweigh any limited harm to the Green Belt.

Impact on the Visual Amenities of the Green Belt and the Area of Special Character

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 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 DM1 of Harrow's the Development Management Policies Local Plan requires all development proposals to achieve a high standard of design and layout.

Core Strategy policy CS1.F states that 'The quantity and quality of the Green Belt, Metropolitan Open Land, and existing open space shall not be eroded by inappropriate uses or insensitive development'. Section B of Policy DM1 of Harrow's Development Management Policies Local Plan requires all proposals for the redevelopment or infilling of previously-developed sites in the Green Belt to have regard to the visual amenity and character of the Green Belt. Policy 6 of this Local Plan seeks to protect Area's of Special Character from inappropriate development.

At present, views towards the proposed development area are limited due to mature

trees, dense vegetation. In order to provide the sports hall in this location, two trees of low amenity value would need to be removed. However, the vast majority of trees in the immediate vicinity of the proposed building would be retained. On this basis, overall, it is considered that the loss of trees proposed under the current application would not give rise to significant detrimental impacts on the visual amenities of the Green Belt. This is considered in more detail under section 8 below.

The proposed building would still be sited reasonably close to the existing school buildings, some 80 metres to the north west. Having regard to this, the proposed building height (no higher than existing buildings near by), the presence of vegetation and mature trees within the immediate vicinity of the proposed building and the limited opportunities for publicly accessible viewing points in this area, it is unlikely that the proposed building would have an undue impact upon the visual amenities of the Green Belt. In addition to this, it is considered that the design of the proposed building would be similar in character and appearance to other buildings on the site and would respond in an appropriate way to the rest of the school. It is proposed to finish the main walls of the building in a combination of brick around the lower part of the building with insulated cladding panels above. Transparent panels within the cladding panels are proposed to provide filtered daylight to the sports hall on the north, east and west elevations. Officers consider that the final material finishes of the building can be secured by a planning condition in order to ensure that the building has acceptable appearance within its setting. Whilst, a detailed landscape scheme has not been provided at this stage, officers consider that this can also be secured by a planning condition to provide an enhanced setting for the building, should approval be granted.

As stated in section 1, Bentley Wood High School is located within the Harrow Weald Ridge Area of Special Character, defined by policy DM6 of the Development Management Policies Local Plan (2013). The Harrow Weald Ridge provides an elevated horizon of tree cover and open countryside which spans across the north of the Borough. Although there are dispersed developments across the Area of Special Character, it tends to be viewed as a continuous wooded ridge. Notwithstanding the proposed removal of trees from the site, the impact of this is unlikely to be insignificant owing to the proposed retention of the majority of trees on the site and also the extent of tree cover in the surrounding area. The massing and bulk of the proposed development would be concealed by trees and by the natural topography of the surrounding land. It is considered that the changes to the landscape would not erode the fundamental qualities of the Harrow Weald Ridge Area of Special Character or the visual amenities of the Green Belt.

Having regard to the requirements of the NPPF and the up-to-date Development Plan, it is considered that the proposed development would successfully integrate with the character of the site. It is considered that the scheme would not unduly impact on the visual amenities of the Green Belt, the special features of the Harrow Weald Ridge Area of Special Character, nearby protected trees or nearby trees of significant amenity value

Overall, subject to conditions mentioned above, it is considered that the proposed building is acceptable and would be in keeping with the character and appearance of the area and would not be harmful to visual amenities of the Green Belt. As such, the proposal is considered to comply with the NPPF (2012), policies 7.4B and 7.6B of The London Plan (2011) core policy CS1 B of the Harrow Core Strategy (2012) and policies DM 1 and DM 6 of the Harrow Development Management Policies Local Plan (2013).

Residential Amenity

Policy 7.6 of The London Plan (2011) states that “Buildings and structures should not cause unacceptable harm to the amenity of the surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”. Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) requires that: “*All development and change of use proposals must achieve a high standard of privacy and amenity of neighbouring occupiers*”. “The assessment of the design and layout of proposals will have regard to: “the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers”.

Amenity impacts in relation to scale, massing and siting

The proposed development is not considered to unduly impact on the residential amenities of any of the surrounding neighbouring occupiers. The building would not be seen by the residential dwellings in Binyon Crescent to the south. There are two other residential dwellings (No. 1 and 2 Hermitage cottages) to the west and two other residential dwellings to the north together with some riding stables. These properties would be sited a minimum distance of approximately 60 metres away and would therefore not be unduly affected by the proposal. Whilst the residential properties to the north would have some limited views of the proposal, it would be largely be screened by the belt of vegetation surrounding the tennis courts. Having regard to these factors, officers consider that the proposed development would not give rise to any detrimental impacts on the residential amenities of the neighbouring occupiers in terms of loss of light, overshadowing, loss of privacy or overlooking.

Given the minor nature of the other external alterations proposed, they would not result in any material impacts on neighbouring amenity.

Increase in Intensity of Use

The National Planning Policy Framework places particular emphasis on meeting the need for school places. Within urban areas, the growth of school places will results in some additional impacts upon nearby residential properties. The NPPF nevertheless requires that particular weight be applied to the need to expand and alter schools. There proposal would not give rise to any significant changes in terms of hard and soft play space provision and the proposal is not anticipated to give rise to additional undue noise impact. Accordingly, it is considered that whilst some increase in daytime noise may arise as a result of the development, the additional noise and disturbance is not considered to significantly undermine residential amenity and would not outweigh the strong emphasis given to expanding schools within national planning policy and the support within the Local Plan.

Vehicle Access and Traffic

A new formalised parking area containing 15 spaces is proposed to the front of the building to replace the existing informal parking area sited further west. Vehicles would utilise the existing entrance at Clamp Hill and having regard to the modest number of spaces proposed and the location, this aspect of the proposal would not give rise to any adverse impacts.

Community Use of Facilities

The proposed school building is intended primarily for educational purposes; however, it is proposed to use the sports hall for community use during term time and holiday periods as well as some evening and weekend use. Use of the building by the local community

outside of school hours would be supported by Local Plan policy. If the community facilities were to be expanded in the future it would require careful management by the school and its governing body to ensure that it would not give rise to significant adverse impact upon neighbours. It is considered that this would primarily relate to traffic issues having regard to the site circumstances. Expansion to the current school lettings policy would have the potential to give rise to additional vehicular trips and noise and disturbance in the evenings. In order to negate this potential future impact, particularly during the evening and at weekends, when residents might expect to enjoy the lower ambient noise levels, a condition is recommended to be added to any permission restricting the hours of use of the building.

Construction Phasing

It is envisaged the development would be constructed in its entirety over two phases as discussed above. Phase one would consist of the subject building together with an extension to the existing teaching accommodation, previously approved under P/1322/14. It is inevitable that noise and disturbance would increase during the construction process; however the impacts would be temporary and can be mitigated to some extent. A detailed construction management strategy has been submitted with the application, including a detailed timetable for implementation. The document details working practices including managing and maintaining site access routes, delivery times and security procedures in order to help safeguard the residential amenity of neighbouring occupiers as much as possible. Officers consider that the management and mitigation measures proposed would be sufficient to reduce the impacts on the amenities for neighbouring occupiers during the construction phase to acceptable levels.

However, equally, construction activities must be considered in relation to the safeguarding of trees and biodiversity on the site. The applicant has provided a construction access plan which shows the intended location of the proposed site compound and construction vehicle access routes to ensure there are no detrimental impacts to surrounding trees to be retained. The details of this have been assessed by the Council's Arboricultural and Landscape Officer and are considered to be sufficient to adequately safeguard the surrounding environment.

In summary, the proposal would accord with policy 7.6B of The London plan (2011) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

Traffic and Parking

The London Plan (2011) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. This is further emphasised by policy core policy CS 1 R of the Harrow Core strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

The transport implications for the expansion of the school and necessary mitigation measures for the increased number of pupils on the site has already been assessed under the previous planning application P/1322/14 for a new teaching block. Conditions were included under that application for a number of mitigation measures including improved access via Clamp Hill, improved cycle parking and additional targets for the school travel plan. The Highways Authority are satisfied that the mitigation measures secured under that application would be sufficient to mitigate the impact of both the proposed new sports hall under this application and the new teaching accommodation on the surrounding highway network.

The other phase one application under ref: P/1322/14 required a condition for the school travel plan to be updated annually in order to achieve gold accreditation through the TFL 'STARS' scheme. As such, a further condition relating to the school travel plan is not considered necessary in this case. However, it also recognised that the sports hall will be available for community use. Given, that the community use would be likely to be mostly outside of school hours the associated traffic impacts are not considered to be significant. Nevertheless, having regard to the size of the building and potential number of patrons who could use the building at any one time, it is considered that community users should be encouraged to use sustainable travel modes and a travel plan condition is recommended in this regard.

Proposed Construction Activities and mitigation

Expansion of the school consists of the construction two new teaching blocks and a new sports Hall. Proposed construction of these building will be split in two phases. The new teaching and sports halls will be constructed in phase 1, and the construction of the extension to teaching block to replace the mobile village will be carried out in Phase 2.

It is expected that, as a worst-case scenario, no more than ten trucks per day will need to access the site during the peak construction period. It is expected that the construction traffic will use Uxbridge Road and Clamp Hill to enter / exit the construction. Based on the current proposals, the staff parking facilities on the north western side of the school will be included within the construction boundary. Therefore, members of staff will lose these parking spaces. However, the construction of designated drop-off/pick-up area in Clamp Hill during the enabling phase could be used as potential parking spaces for the school staff. At the time of writing this report, officers are awaiting additional information in relation to the specific proposed construction access routes for vehicles and details of the site compound. Details of this, together with any further conditions and recommendations will be outlined on the committee addendum.

Further to the above, in order to mitigate the impact of construction vehicle movements a condition is recommend so that they are restricted during morning and evening peak hours. Subject to this condition and coupled with the relatively small numbers expected, construction traffic would have negligible impact in the local road network and officers consider the application would be acceptable in this regard.

Measures to manage internal traffic have been identified in the construction phasing and management plan in order to avoid any congestion within the school site which is considered to be acceptable. An informative is also recommended reminding the applicant of Harrow Council's Considerate Contractors Scheme.

In view of the above, it is not considered that the scheme would result in such a significant impact on the surrounding highway network that refusal could be justified. Overall the proposed expansion of Bentley High School and the proposed mitigations in conjunction with existing Council initiatives accords with current transport policies and the impact on the surrounding transport infrastructure can be effectively mitigated. Appropriate mitigation measures for the increased number of pupils on the site have been secured through associated application P/1322/14.

The transport impacts accordingly need to be weighed against the contribution that the proposals will make towards meeting forecast educational need. Subject to ongoing monitoring of the travel plan which can be secured by a condition, for the reasons

outlined above the transport impacts of the proposal are considered to be acceptable, having regard to the aims and objectives of policy 6.3 of The London Plan, core policy CS 1 R of the Harrow Core Strategy, and policies DM 42 and 43 of the Harrow Development Management Policies Local Plan (2013).

Sustainability

London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Policy 5.2 B outlines the targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations.

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

Harrow Council's Supplementary Planning Document on sustainable Building Design (adopted May 2009) seeks to address climate change through minimising emissions of carbon dioxide.

The application is accompanied by a Sustainability Assessment which identifies improvements above the baseline energy consumption and CO2 emissions. The layout and proportion of internal spaces has been driven by natural ventilation and day lighting requirements. All light fittings will be energy efficient and the fabric of the building is intended to achieve low U values. An assessment has been carried out in terms of overheating and it has been demonstrated that all rooms are within acceptable levels. For these reasons and subject to the above condition, officers therefore consider that the proposal is in accordance with policies 5.2 and 5.3 of The London Plan, core policy CS1 T, policies DM 12 and DM 14 of the Harrow Development Management Policies Local Plan and the Council's adopted SPD Sustainable Building Design.

Policy 5.11 of the London Plan (2011) seeks to ensure development proposals provide site planting and increase biodiversity, for sustainable urban drainage and improve the character and appearance of the area. The proposals would result in the loss of some trees and soft landscaping. In order to mitigate the loss in this location further tree planting within the site and is proposed. Officers consider there are significant opportunities to enhance soft landscaping and biodiversity, given the extensive site area. Accordingly, a condition is recommended for further details of hard and soft landscaping to be submitted and approved by the local planning authority. Subject to this condition, it is considered that the proposal will result in enhancement and diversification of the site and will make a positive contribution to the character of the area in accordance with policy 5.11.

Accessibility

The London Plan (2011) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policy 7.2. Policy DM 2 of the Harrow Development Management Policies Local Plan (2013) seeks to ensure that

buildings and public spaces are readily accessible to all.

Level access will be provided to the building. The entrance doors are intended to be automated and will have contrasting colours. Corridor widths would all have a minimum width of 1800mm and all doors would have a minimum clearance of 900mm. Two disabled parking bays will be provided close to the main entrance. Internally there will be sufficient circulation space for wheelchair users and one wheelchair accessible WC will be provided. These measures are considered to be satisfactory and would meet the requirements of policy 7.2 of the London Plan (2011) and policy DM 2 of the Harrow DMPLP (2013).

Biodiversity, Trees and Landscaping

Policy 7.21B of The London Plan (2011) states that “Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of ‘right place, right tree’. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species”.

Policy DM 22 of the Development Management Policies Local Plan states that:

“A. The removal of trees subject to TPOs or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of the tree(s) is outweighed by the wider public benefits of the proposal.”

“B. Development proposals will be required to include hard and soft landscaping that:

- Is appropriate to the character of the area;*
- Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;*
- Achieves a suitable visual setting for the building(s);*
- Provides for sufficient space for new or existing trees and planting to grow; and*
- Supports biodiversity.”*

“Proposals for works to trees in conservation areas and those the subject of tree preservation orders will be permitted where the works do not risk compromising the amenity value or survival of the tree.”

The existing school buildings are surrounded by a number of mature trees. None of the trees on the site are protected by a tree preservation order but nevertheless they make a positive contribution to the amenity value of the adjacent area as well as providing wildlife habitats.

The application is accompanied by an Arboricultural Impact Assessment which concludes that majority of the trees on the site can be retained with the exception of two low quality trees in order to construct the new sports hall. It is proposed to replace the trees on site, with heavy standard trees (12 to 14cm) around the site in order to mitigate the loss and replace any lost visual amenity and wildlife habitat potential which is considered to be acceptable.

The application has been referred to the Council’s Arboricultural Officer and landscape Architect who are satisfied with the conclusions of the report, subject to a condition that the recommendations within the report are adhered to through the construction process including the method statement and proposed tree protection plan as well as provision of a detailed hard and soft landscape strategy for the site. Accordingly, conditions are recommended in respect of this.

Policies DM 20 and DM 21 seek to ensure the protection of biodiversity and access to nature. Policy DM 20 requires that *“The design and layout of new development should retain and enhance any significant features of biodiversity value within the site. Potential impacts on biodiversity should be avoided or appropriate mitigation sought”*. Policy DM 21 outlines that proposals should secure the restoration and recreation of significant components of the natural environment.

A large part of the school grounds is within the Harrow Weald Park and the Hermitage Site of Borough Importance Grade 2 as identified on the Harrow Local Area Map (2013). A detailed ecological appraisal accompanies the application which concludes that the proposals will not impact on any statutory or non statutory conservation sites. The recommendations of the report outline that mature trees present within the woodland should be protected and retained given a number of them provide suitable habitat for nesting birds and bats.

Accordingly, a condition is recommended to ensure that any lighting proposed around the building is in conformity with the publications bats and lighting in the UK and the Bat Conservation Trust & Institute Lighting Engineers 2008. A condition would also be required to ensure that any vegetation clearance work is undertaken outside of the bird nesting season between March and August or if this is not possible for a suitably qualified ecologist to determine if nesting birds are present before any vegetation clearance takes place. Furthermore, that all vegetation should be checked by a suitably qualified ecologist for the presence of dormice nests and reptiles prior to clearance. This would ensure that any protected species found on site would be removed and translocated to a suitable site.

The sports hall would be located entirely within the site of nature conservation importance. In order to mitigate this impact to ensure there is no net loss overall of the SINC, it is considered that additional habitat should be created. The details have been referred to the Councils biodiversity officer who considers that a similar area of currently undesignated site which is contiguous with the existing SINC boundary, should be managed and set aside for nature conservation. As such, it is recommended that a condition be attached for details to be provided in relation to new wildlife habitats on the site.

Subject to conditions in respect of the above matters, officers consider that the ecological and aesthetic value of the area would not be significantly harmed and the development would thereby comply with policies 7.21 and 7.19 of The London plan (2011) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

Flood Risk and Drainage

The NPPF (2012) outlines the need to manage flood risk from all sources (paragraph 100). Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Similarly, policy DM 10 of the Harrow Development Management Policies Local Plan (2013) requires that *“proposals for new development will be required to make provision for the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run off. Substantial weight will be afforded to the achievement of greenfield run off rates”*.

Bentley Wood High School lies in flood zone 1 and therefore has a low risk of fluvial flooding. However, the site does lie within a critical drainage area and as such is at risk from flooding due to surface water. As such, there are no restrictions in planning policy for constructing an extension on the site, subject to surface water management controls.

Surface water attenuation tanks are proposed adjacent to the sports hall and within the car park area in order to achieve a discharge rate of 5 l/s which will meet the required greenfield run off rates. Flow rates will be managed through the use of hydro brake flow control devices. The proposed details of surface water attenuation and arrangements for foul water have been referred to the Council's Drainage Engineers who are satisfied with the principal of the proposals in relation to the sports hall, subject to further details being provided by condition. Accordingly it is recommended that conditions are attached in relation to the specific details of surface water drainage and attenuation.

Subject to the above, the development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2011) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policy DM 10 of The Harrow Development Management Policies Local Plan (2013).

S17 Crime & Disorder Act

Policy 7.3 of The London Plan (2011) and core policy CS1 E of the Harrow Core Strategy 2012 seek to ensure that developments should address security issues and provide safe and secure environments. The proposed location of the sports hall will ensure there are good levels of surveillance to the immediate surrounding area and additional security lighting is intended to be provided. Access control is currently in use on gates and main entrances. All ground floor windows and other accessible windows and doors will meet PAS 24:2012 as required for Secure by Design accreditation. Given, the size of the proposed extension and alterations proposed, the measures identified are considered to be satisfactory to achieved enhanced security at the site.

Consultation Responses

None

Equalities and Human Rights

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

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies; however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a Race Equalities Impact Assessment.

CONCLUSION

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 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 Notwithstanding the details shown on the approved plans and documents, details and samples of the materials to be used in the construction of the external surfaces noted below shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of any work above DPC level of the buildings hereby permitted is carried out.

- the building
- the ground surfacing
- the boundary treatment

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

REASON: To safeguard the character and appearance of the locality, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

3 Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out in accordance with the approved plans: Document titled: Sports Hall; Planning, Design and Access Statement Rev. P3 – 07.08.14; 6335-P106 Rev P4; 6335-P110 Rev P3; 6335-P117 Rev P1; 6335-P1000 Rev P4; 6335-P1001 Rev P8; Drainage Impact Assessment - Version 1.1; Untitled Surface Water Drainage Plan; Statement of Community Involvement (February 2014); Construction Method, Phasing Plan and Logistics Statement; Bentley Wood High School Travel Plan (March 2014); Transport Assessment for the Expansion of Bentley Wood High School (April 2014); Bentley Wood High School – Phase 1 Preliminary Contamination Assessment Ref: DMB/771606/R1; Ecological Appraisal Ref: 771606-REP-ENV-100 Rev 0; 6335-P003-3 of 4 Rev P2; 6335-P003-4 of 4 Rev P2; 6335-P116 Rev P2; Sustainability Report Ref KSc/7111911/JP Rev 01; Arboricultural Report by A.T. Coombes Associates Ltd 20th June 2014; 6335-P104 Rev P11; 6335-P105 Rev P10

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

4 Notwithstanding the details on the approved plans, the development hereby permitted shall not be occupied until details of hard and soft landscape works have been submitted to, and approved in writing by the Local Planning Authority. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in compliance with policies DM 1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

5 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 buildings, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged 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 compliance with policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

6 The development hereby permitted, shall be undertaken in accordance with the recommendations of the Arboricultural Impact Assessment at Bentley Wood High School, Harrow by A.T Coombes Associates. This will include that replacement tree planting is provided and that the details are submitted for approval under condition 4 of this permission, arboricultural supervision is undertaken throughout the project and the development shall be carried out in accordance with the Method Statement and Tree Protection Plan. The tree protection measures shall be erected before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected, and as required by policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

7 The buildings hereby permitted shall not be occupied until details of works for the disposal of sewage and surface water have been submitted to and approved in writing by, the local planning authority. The works shall be implemented in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2012) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF (2012).

8 The development hereby permitted shall not be commenced until details of works for the disposal of surface water and surface water storage and attenuation works have been submitted to and approved in writing by, the local planning authority. The works shall be implemented in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2012) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF (2012).

9 The details of the Construction Method and Logistics Statement hereby approved shall be adhered to throughout the construction period and construction vehicles shall not access the site during peak morning (08:30-09:30) or afternoon times (15:00-16:00).

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 policies 7.4 and 7.6 of The London Plan 2011 policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013).

10 The development hereby permitted shall be undertaken in accordance with the details outlined in the submitted Sustainability Statement (dated 30th June 2014), unless

otherwise agreed in writing with the local planning authority.

REASON: To ensure the delivery of a sustainable development in accordance with policy 5.2 of The London Plan (2011) and policy DM 12 of the Harrow Development Management Policies Local Plan 2013.

11 If the development hereby permitted commences during the bird breeding season (March to August) inclusive, trees and buildings within the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, work in the vicinity should be paused and the advice of a suitably qualified ecologist shall be sought without delay.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policy DM20 of the Harrow Development Management Policies Local Plan (2013).

12 Prior to any vegetation clearance on site, all vegetation will be checked by a suitably qualified ecologist for the presence of dormice nests. Should an active nest be located, all work shall stop and a licence from Natural England shall be sought without delay.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policy DM20 of the Harrow Development Management Policies Local Plan (2013).

13 The development hereby permitted shall not be occupied until details of new habitat area/s to be created in respect of habitat losses within the Site for Nature Conservation Importance have been submitted and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been completed in accordance with the approved details and thereafter retained

REASON: To enhance the ecology and biodiversity of the area in accordance with policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

14 Prior to the occupation of the development, a scheme for the proposed lighting on and around the building, shall be submitted and approved in writing by the local planning authority. The lighting scheme shall be completed in accordance with the approved details and thereafter retained.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

15 Prior to the occupation of development, a framework travel plan in relation to the proposed community use of the sports hall, shall be submitted to, and approved in writing by the local planning authority. The travel plan shall be implemented in accordance with the approved details from the commencement of the use on site.

REASON: To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Polices Local Plan (2013).

16 The buildings hereby permitted shall be made available for use by members of the public but shall not be open, other than in connection with the school for educational purposes, outside the hours of:

- 9am - 10pm Monday to Friday
- 9am - 9pm on Saturday
- 10am - 7pm on Sundays and Bank Holidays
- unless otherwise agreed and approved in writing by the Local Planning Authority.

REASON: To safeguard the amenities of the neighbouring occupiers in accordance with

policy 7.6 of The London Plan 2011 and policy DM 1 of the Harrow Development Management policies Local Plan (2013).

17 The use of the development shall not commence until a community use agreement and management strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include access by non educational establishments, details of activities/events and the numbers of persons attending including a mechanism to record usage, details of pricing policy, hours of use, management responsibilities, and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved community use agreement and management strategy and it shall be kept updated to reflect changing usage of the building/external spaces and shall be made available at anytime for inspection upon request for the local planning authority.

REASON: To secure well managed and safe community access to the facilities provided, to ensure sufficient benefit to the development of sport in accordance with PPG17 and to ensure that the community use would not give rise to adverse detrimental impacts on the residential amenities of the surrounding neighbouring occupiers in accordance with policy 7.6B of the London Plan (2011) and policy DM 1 of the Harrow Development Management Polices Local Plan (2013).

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

Policy Statement – Planning for Schools Development (DCLG, 15/08/11)

The London Plan (2011):

3.16 – Protection and Enhancement of Social Infrastructure

3.18 – Education Facilities

5.2 - Minimising carbon dioxide emissions

5.3 – Sustainable design and construction

5.7 – Renewable energy

5.10 – Urban Greening

5.11 – Green roofs and development site environs

5.13 – Sustainable Drainage

6.3 – Assessing effects of development on transport capacity

6.9 – Cycling

6.10 – Walking

6.11 – Smoothing traffic flow and tackling congestion

6.13 – Parking

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

7.16 – Green Belt

7.19 – Biodiversity and access to nature

7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

Harrow Development Management Policies Local Plan (2013):

- Policy DM 1 – Achieving a High Standard of Development
- Policy DM 2 – Achieving Lifetime Neighbourhoods
- Policy DM 10 – On Site Water Management and Surface Water Attenuation
- Policy DM 12 – Sustainable Design and Layout
- Policy DM 14 – Renewable Energy
- Policy DM 16 – Maintaining the Openness of the Green Belt and Metropolitan Open Land
- Policy DM 20 – Protection of Biodiversity and Access to Nature
- Policy DM 21 – Enhancement of Biodiversity and Access to Nature
- Policy DM 22 – Trees and Landscaping
- Policy DM 42 – Parking Standards
- Policy DM 43 – Transport Assessments and Travel Plans
- Policy DM 46 – New Community Sport and Educational Facilities

Other Relevant Guidance:

- Supplementary Planning Document Sustainable Building Design (2009)
- Supplementary Planning Document: Access for All (2006)

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:

- work on an existing wall shared with another property;
- building on the boundary with a neighbouring property;
- excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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

Also available for download from the CLG website:

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

to commence the development within the time permitted.

- Beginning development in breach of a planning condition will invalidate your planning permission.

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

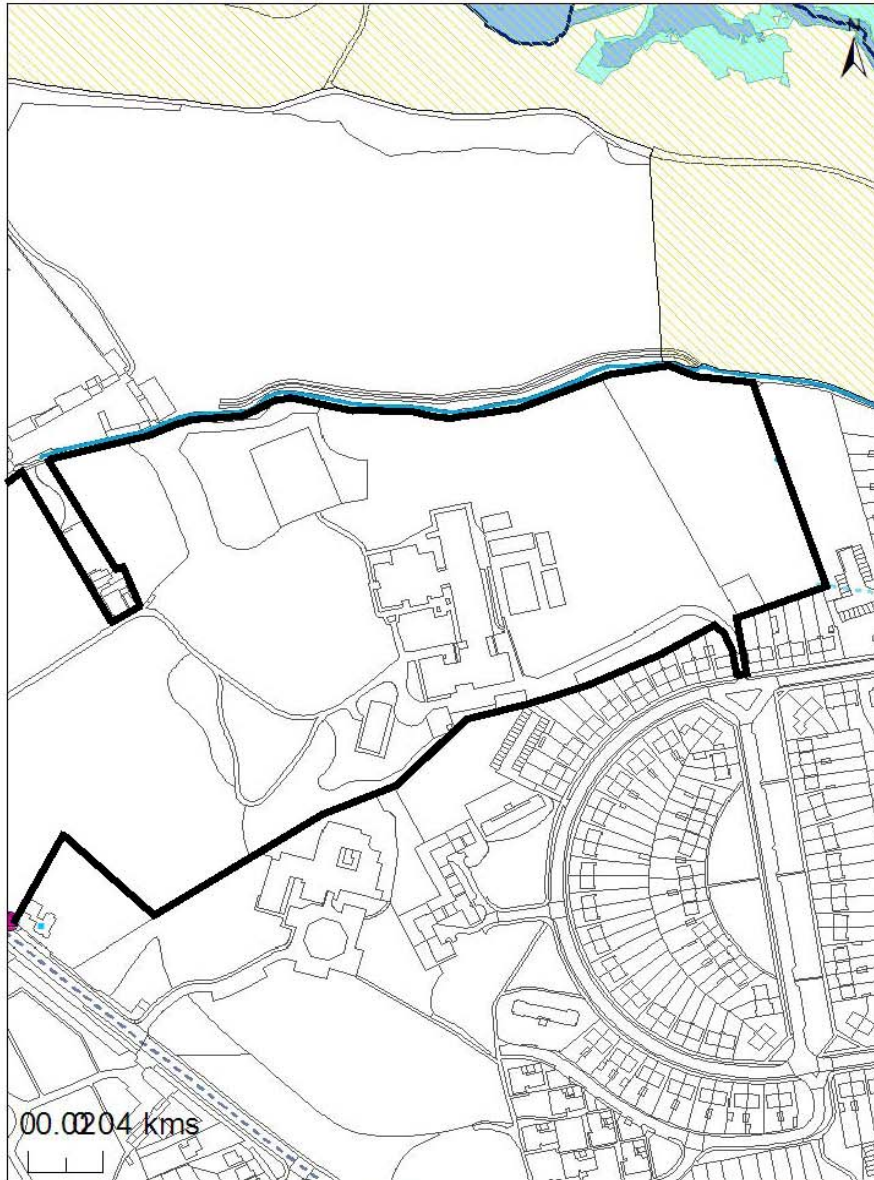
5 DUTY TO BE POSITIVE AND PROACTIVE

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.

Plan Nos: Document titled: Sports Hall; Planning, Design and Access Statement Rev. P3 – 07.08.14; 6335-P106 Rev P4; 6335-P110 Rev P3; 6335-P117 Rev P1; 6335-P1000 Rev P4; 6335-P1001 Rev P8; Drainage Impact Assessment - Version 1.1; Untitled Surface Water Drainage Plan; Statement of Community Involvement (February 2014); Construction Method, Phasing Plan and Logistics Statement; Bentley Wood High School Travel Plan (March 2014); Transport Assessment for the Expansion of Bentley Wood High School (April 2014); Bentley Wood High School – Phase 1 Preliminary Contamination Assessment Ref: DMB/771606/R1; Ecological Appraisal Ref: 771606-REP-ENV-100 Rev 0; 6335-P003-3 of 4 Rev P2; 6335-P003-4 of 4 Rev P2; 6335-P116 Rev P2; Sustainability Report Ref KSc/7111911/JP Rev 01; Arboricultural Report by A.T. Coombes Associates Ltd 20th June 2014; 6335-P104 Rev P11; 6335-P105 Rev P10

BENTLEY WOOD HIGH SCHOOL, BINYON CRESCENT, STANMORE



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SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

Item No: 3/01
Address: 154 EASTCOTE LANE, SOUTH HARROW
Reference: P/2243/14
Description: SINGLE STOREY REAR EXTENSION (RETROSPECTIVE)
Ward: ROXBOURNE
Applicant: MRS ASMA CHAUDHRY
Case Officer: MONGEZI NDLELA
Expiry Date: 7th OCTOBER 2014

RECOMMENDATION

REFUSE: permission for the development described in the application and submitted plans for the following reason(s):

Reason: The single storey rear extension, by reason of its excessive rearward projection, sitting on the shared boundary and orientation of the subject dwelling in relation to No. 156 Eastcote Lane, is unduly obtrusive, dominant, results in loss of light and outlook and gives rise to overshadowing, to the detriment of the visual and residential amenities of the occupiers of the adjacent property, No. 156 Eastcote Lane, contrary to Policy 7.6B of The London Plan (2011), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).

Statutory Return Type: 21: Householder development
Council Interest: None
Net Additional Floor Area: 25.590sqm
GLA Community Infrastructure Levy (CIL) Contribution: N/A
Harrow Local Authority Community Infrastructure Levy: N/A

INFORMATION

The application was reported to the Planning Committee by an elected Member under proviso E of the Council's Scheme of Delegation. The Planning Committee took place on 3rd September 2014 and deferred for further consultation after Members were minded to grant the application. The Council received consultation from the neighbouring property at 156 Eastcote Lane (dated 1st September 2014); however at the time the representation was received the deadline to include items to the Committee addendum had lapsed. A summary of the representation has been included in this report.

Site Description

The application site comprises a two-storey semi-detached, single family dwelling house

located on the north side of Eastcote Lane.

The forecourt of the property is hard surfaced and rear of the property is partly on a raised patio whilst the remainder is laid to lawn.

The levels at the site drop dramatically from the rear building line to the rear boundary.

The property has a side gate which is accessed adjacent to the north boundary of the site.

The property adjoins no.156 Eastcote Lane to the west. The adjoining property does not benefit from an extension nor does it have a raised patio in the rear garden. The boundary treatments comprise of a timber fence and extensive landscaping particularly towards the Dwelling house.

The property is bound to the east by no.152 Eastcote Lane which benefits from a rear extension that projects approximately 3m rearwards. The boundary treatments comprise of a brick wall that subdivides the properties whilst toward the rear is a combination of a timber fence and landscaping.

The property is not a listed building and it is not located in a conservation area or known flood zone.

The site is in a Critical Drainage Area.

Proposal Details

- The proposal is retrospective and seeks a single storey rear extension to almost cover the full width of the existing property, leaving a gap of approximately 0.20m on the boundary with no.156 Eastcote Lane.
- The rear extension has a depth of 4.195m beyond the rear wall of the dwelling house and a width of 6.100m
- The rear extension has a flat roof which has a height of 2.850 to the eaves and approximately 3.17m at its maximum.
- The rear extension includes a side glazed door, a glazed double door at the rear elevation and uPVC double windows, also located at the rear elevation.
- The extension lies on a raised patio that stands at approximately 0.49m.

Pre-Application Advice P/1017/14/PREAPP)

Relevant History

P/1682/03/DFU

Vehicular access

GRANT: 08/09/2003

P/2025/03/DCO

Retention of single storey rear extension

REFUSED: 13/10/2003

APPEAL DISMISSED: 11/11/2004

ENF/317/03/P

Without planning permission the erection of a single storey rear extension and patio ("the unauthorised development") on the land.

Formal Enforcement Notice Issued - 24/05/2004

Due to the changes in Permitted Development rights (May 2013) a depth of greater than 3m and up to 6m may be acceptable however the height remained a concern, taking the overall height including the raised patio into account.

The adjoining neighbours at 152 and 156 Eastcote Lane have no objections to the

retrospective extension.

Applicants Submission Documents

- Building Control Certificate of Completion.
- General Notes and Spec of Single Storey Rear Extension.
- Letter from Gareth Thomas MP (dated 25/11/2013).
- Examples of single storey rear extensions over 4m that have been approved by the Council.

Consultations: None

Advertisement: None

Notifications:

Sent: 2

Replies: 2

Expiry: 24/07/2014

Summary of Responses Objection

I have been informed by the previous owner from whom I purchased the property from, that there is an extant complaint lodged with the Council regarding the single storey rear extension at 154 Eastcote Lane. Under these circumstances, please apply the provisions of the Council's laws, rules and regulations to settle this matter.

Summary of Statement of Support

We have been living next door to the application site since 1995 and have no problem with the rear extension. Furthermore the extension does not affect us in anyway.

APPRAISAL

Preliminary Matters

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, the Development Management Policies Local Plan (DMP) 2013, the Site Allocations Local Plan (SALP) 2013 and Harrow Local Area Map (LAP) 2013.

MAIN CONSIDERATIONS

Character and Appearance of the Area

The London Plan policy 7.4B, Core Policy CS1.B of the Harrow Core Strategy and policy DM1 of the Harrow Development Management Policies Local Plan (2013) seek to

encourage development with a high standard of design that responds positively to the local context in terms of scale, siting and materials. The adopted SPD 'Residential Design Guide' elaborates upon these policies with detailed guidance.

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

DM1 of the DMP states that 'All development...proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted. It goes on to say that 'the assessment of the design and layout of proposals will have regard to the context provided by neighbouring buildings and the local character and pattern of development and the provision of appropriate space around buildings for setting and landscaping as a resource for the occupiers and secure privacy and amenity'.

Paragraph 6.11 of the SPD recommends that an extension should have a sense of proportion and balance, both in its own right and in its relationship to the original building and should not dominate the original building or the surrounding streetscape. Paragraph 6.58 of the SPD emphasizes on the design and states that rear extension should be designed to respect the character and scale of the original house and garden.

The properties at this part of Eastcote Lane, located between Alexandra Avenue and Cross Road, do have rear building lines that have traditionally been flat. Over the years, several properties have extended into the rear gardens and these have remained single storey with a maximum depth of 3m. This is consistent with the guidance set out in the Residential Design SPD. The extension as built extends 1.195m beyond the guidance set out in the SPD which is significantly larger than the typically sized extension for a property of this size. The original dwelling house has a footprint of approximately 50m² and the extension adds an additional 25.63m² (approx) of floor space thereby resulting in a 50% increase in the footprint of the property. Furthermore, the depth of the extension, at 4.195m, is considered excessive at this location. This is further compounded by the fact that the proposals seek an extension that is only set only 0.20m (approx.) away from the boundary with no.156 Eastcote Lane. It is under these site-specific circumstances that the single storey rear extension harms the character and appearance of the application property and its immediate surroundings.

In summary, the extension fails to appropriately relate or respond to its context and setting, contrary to the provisions and objectives of policies 7.4B and 7.6.B of the London Plan (2011), policy CS1.B of the CS, policy DM1 of the DMP and paragraphs 6.11 and 6.78 of the adopted SPD: Residential Design Guide (2010).

Equalities Statement

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

Section 149 states:-

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 not considered that there are no equality impacts as part of this application.

S17 Crime & Disorder Act

It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2011).

CONCLUSION

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations, this application is recommended for refusal.

CONDITIONS

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2011)

7.4B Local Character

7.6B Architecture

Harrow Core Strategy (2012)

CS1.B Local Character

Harrow Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

Supplementary Planning Documents

Supplementary Planning Document Residential Design Guide (2010)

2 INFORM_PF3

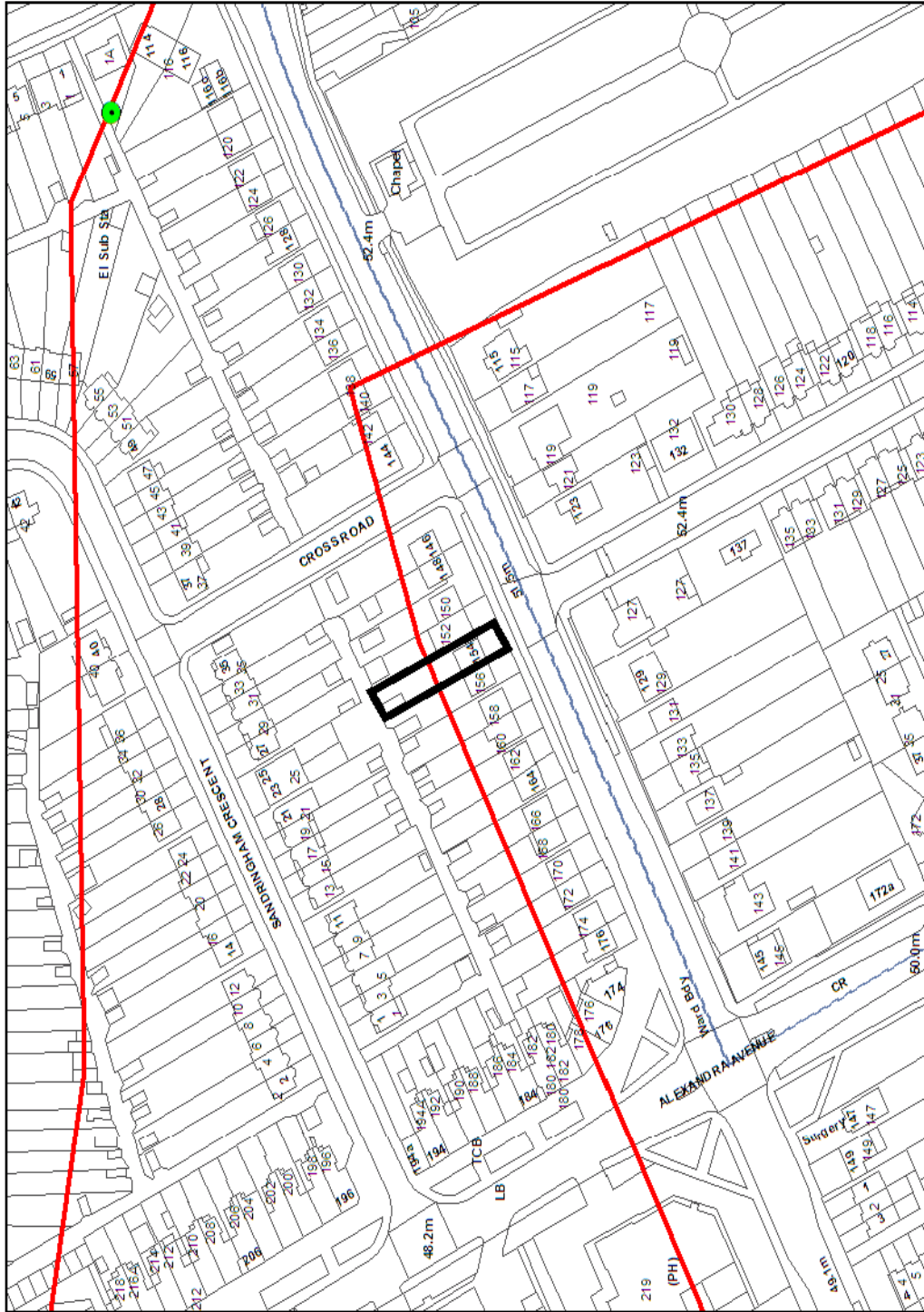
Refuse with pre-application advice

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. The application was not in accordance with the advice given at the pre-application stage.

Plan Nos: Site Plan, EASTCOTE/154/1002 and EASTCOTE/154/1001.

154 EASTCOTE LANE





Appeal Decision

Site visit made on 14 October 2004

by **I D Jenkins** BSc CEng MICE MCIWEM

an Inspector appointed by the First Secretary of State

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APPEAL
3179
DISMISSED

Date 11 NOV 2004

Appeal Ref: APP/M5450/A/04/1147084

154 Eastcote Lane, Harrow, Middlesex, HA2 9BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Riffat Chaudhry against the decision of the Council of the London Borough of Harrow.
- The application Ref P/2025/03/DCO, dated 23 August 2003, was refused by notice dated 13 October 2003.
- The development proposed is a single-storey rear extension with flat roof forming kitchen and lounge.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. I note that the rear extension, which is the subject of the application, has already been erected. Therefore, I will determine this appeal on the basis that it is a retrospective application, made under Section 73A of the Town and Country Planning Act 1990.
2. I have been provided with two sets of drawings that have the same reference numbers, but show different rear extensions. At the site visit the Council and the appellant agreed that the set of drawings showing an extension 3.4 metres high, 6.1 metres wide and 4.2 metres long are the drawings that were submitted with the planning application and formed the basis of the Council's determination. I have taken this into account and considered the appeal on the same basis.

Main Issue

3. I consider that the main issue in this case is the effect of the proposal on the living conditions of the residents of No. 156 Eastcote Lane, with particular reference to light and dominance.

Planning Policy

4. The development plan is the *Harrow Unitary Development Plan*, adopted in 1994 (UDP). Whilst the Council has drawn my attention to UDP Policies E6 and E45, as well as Policies D4, D5, S1 and SD1 of the *Harrow Unitary Development Plan, 2002, Revised Deposit Draft* (RDD), in my view UDP Policy E45 and RDD Policy D5 are of particular relevance to this appeal. Policy E45 requires development proposals to meet a number of criteria. These include the need to protect the amenities of the occupiers of adjoining properties. RDD Policy D5 seeks to ensure, amongst other things, that new residential development maintains adequate distance to site boundaries, in order to protect the amenity of occupiers of existing adjoining dwellings. I note that the RDD has been the subject of a

Public Inquiry and that the subsequent Inspector's report does not make any significant recommendations for changes in policy that are relevant to this appeal. I consider that this emerging development plan is at an advanced stage on its route towards adoption and therefore I give Policy D5 significant weight.

5. The Council has also referred to supplementary planning guidance entitled *Extensions: A Householders Guide* (SPG). The Council has approved the SPG, which has been the subject of public consultation and so I give it substantial weight.

Reasons

6. Nos. 154 and 156 are adjoining semi-detached properties. The appeal involves a flat-roofed, single-storey extension that has been erected at the rear of No. 154.
7. I note the view of the appellant that the extension complies with the '45° code' referred to in paragraph 3.14 of the SPG. However, as the 'horizontal plane' guidelines relate to the impact of first floor or two-storey rear or front extensions and the 'vertical plane' guidelines relate to side extensions, in my view, these elements of the SPG are of little relevance in this case. The SPG provides specific guidance with respect to single storey-rear extensions. This includes that it would normally be acceptable for a single-storey rear extension, which would be adjacent to a boundary, to project beyond the main rear wall of an adjacent semi-detached house by up to 3 metres. In special circumstances a greater depth may be allowed, for example where the extension would be sited away from an adjacent side boundary. However, under such circumstances the additional element should be set away from the boundary with an attached dwelling by twice the amount of the additional depth. The SPG also indicates that the finished height of a flat-roofed single-storey rear extension abutting a residential boundary should be a maximum of 3 metres.
8. The single-storey rear extension does not meet these requirements. At the site visit the Council and the appellant agreed that the sidewall of the extension nearest to No. 156 has a rearward projection of some 4.2 metres beyond the main rear wall of this neighbouring dwelling and it is only around 0.18 metres from the shared side boundary. Furthermore, the top of this sidewall is more than 3 metres above the ground floor level of this neighbouring house. At the site visit the Council and the appellant also agreed that relative to the rear garden of No. 156, which is at a significantly lower level than the ground floor level of the house, the sidewall of the extension is around 3.7 metres high.
9. The main rear wall of No. 156 contains a patio door and a window at ground floor level. The patio door is positioned a short distance away from the shared side boundary with No. 154 and I understand that it serves a dining room. As the extension is positioned to the northeast of this opening it would not reduce the sunlight received by the dining room. However, I consider that due to its close proximity to this neighbouring glazed doorway, the side wall of the extension, more than 3 metres high and around 4.2m long, is likely to noticeably reduce the daylight it receives and significantly increase the feeling of enclosure in the room it serves. Furthermore, when the sidewall of the extension is seen from the part of the back garden of No. 156 nearest to the house, I consider that it is likely to have an overbearing appearance. Notwithstanding the view of the appellant that the rear extension is in proportion with the main dwelling, I regard it as overdominant and unneighbourly.
10. I conclude that the single-storey rear extension is likely to unacceptably harm the living conditions of the residents of No. 156 Eastcote Lane, with particular reference to light and

dominance and so it conflicts with UDP Policy E45 and RDD Policy D5, as well as the SPG.

Other Matters

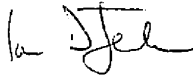
11. I have considered all of the other matters raised. Whilst I note the appellant's concerns regarding the Council's handling of this case, they do not alter the planning merits of the development on which I must make my decision. In his grounds of appeal the appellant appears to indicate that there are other properties neighbouring No. 154 with extensions of a similar size. Whilst he has not drawn any particular developments to my attention, I saw that No. 152 has a flat-roofed single-storey rear extension. However, at the site visit the Council and appellant agreed that its rear projection is around 1.1 metres less than the extension that is before me and so the two developments are not directly comparable. In any event, each case must be considered primarily on its own merits.
12. I note the view of the appellant that the materials used in the external surfaces of the extension are acceptable and I see no reason to disagree. I also agree that an adequate garden area is maintained to the rear of No. 154 and the back window of the extension is unlikely to have a significant detrimental effect on the privacy of neighbouring residents. However, neither these, nor any other matters raised are sufficient to outweigh the considerations which have led to my conclusion on the main issue.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

14. I dismiss the appeal.



INSPECTOR

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.