

SECTION 1 – MAJOR APPLICATIONS

Item No: 1/01

Address: EQUITABLE HOUSE, LYON ROAD, HARROW

Reference: P/2879/14

Description: VARIATION TO CONDITION 25 (APPROVED PLANS) OF PLANNING PERMISSION P/3118/11, DATED 31/10/2012 TO ALTER THE APPROVED HEIGHTS OF BLOCKS A, B, C, D, E, F, G AND H AND TO RECONFIGURE THE APPROVED LAYOUT AND LANDSCAPING SCHEME; VARIATION TO THE WORDING OF CONDITIONS 2 (MATERIALS), 3 (BOUNDARY AND GROUND SURFACING), 4 (HARD & SOFT LANDSCAPING), 6 (TREE PROTECTION MEASURES), 8 (SITE LEVELS), 9 (CYCLE PARKING), 11 (SUSTAINABILITY STRATEGY), 12 (DRAINAGE) , 13 (DEMOLITION METHOD STATEMENT), 14 (CONSTRUCTION METHOD STATEMENT), 15 (CONSTRUCTION LOGISTICS PLAN), 21 (SECURE BY DESIGN), 22 (COMMUNAL TELEVISION MEASURES) TO ALLOW THE DISCHARGE OF ALL CONDITIONS (REVISED DESCRIPTION).

Ward: GREENHILL

Applicant: REDROW HOMES (SOUTH EAST) LIMITED

Agent: PLANNING POTENTIAL LTD

Case Officer: CALLUM SAYERS

Expiry Date: 5TH NOVEMBER 2014

RECOMMENDATION

GRANT planning permission subject to conditions and the modification of the section 106 agreement dated 31 October 2012 relating to the planning permission granted under reference P/3118/11, by 5th November 2014. 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.

REASON(S):

The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2012), the policies of The London Plan (2011), Harrow's Core Strategy (2012), The Harrow & Wealdstone Area Action Plan (2013), and the policies of the Harrow Development Management Policies Local Plan (2013) listed in the informatives below, as well as to all relevant material considerations including the responses to consultation.

The proposed development would continue to deliver the regeneration of a key town centre site that would help to deliver the Development Plan aspirations for new homes and jobs in the Harrow and Wealdstone Intensification Area. The development would provide new private and affordable homes, contributing to the delivery of new housing required by The London Plan (2011) and the Harrow Core Strategy (2012). The minor amendments in terms of the variations to the approved heights and bulk would continue to provide a high quality development within both the application site and town centre. Furthermore, they would continue to positively contribute to the townscape and skyline, thereby ensuring preservation of nearby heritage assets and also strategic key views within the borough. The revised layout will provide living accommodation for future occupiers that is compliant with current housing requirements, thereby providing a high quality of residential amenity to future occupiers whilst balancing the amenities of existing adjoining occupiers. The information submitted in support of the application demonstrates that the impact upon surrounding properties, traffic conditions, protected trees and the wider panorama, is acceptable, having regard to development plan policies and the aspirations for the Metropolitan Centre of Harrow and the borough which are set out in the Harrow & Wealdstone Area Action Plan (2013).

Statutory Return Type: E: All Other Major Development

Council Interest: None

GLA Community Infrastructure Levy (CIL) Contribution: Not applicable, as this is an amendment to an approved scheme

Background

This application is reported to the Committee as it is a minor material amendment to a scheme which consists of a number of residential units and floorspace which falls outside of the thresholds (six units and 400 sq m respectively) set by category 1(d) of the Council's Scheme of Delegation for the determination of new development.

Site Description

- The application site comprises a triangular plot, fronting two streets (Lyon Road and St John's Road), and containing concrete framed office buildings that date from the 1970's, known as Equitable House and Lyon House. Both Equitable House and Lyon House are now vacant (as of June 2010), having previously been occupied by Government agencies.
- Equitable House is located within the northern area of the application site, fronting onto Lyon Road and opposite the adjacent Platinum House. Lyon House dominates the application site, partly fronting onto Lyon Road and partly within the centre of the application site, with a section set at 90° here.
- Equitable House and Lyon House are five storeys and seven storeys high respectively (although it should be noted that as these are commercial buildings the height between the floors is greater than that of a residential building). The buildings are surrounded by surface level car parking (300 spaces).
- Landscaping is towards the northern and western boundaries with intermittent tree planting to soften the paved circulation areas between the respective buildings. Some of the trees that form part of this landscaping are protected by Tree Preservation Orders (TPOs).
- The application site itself is located within Harrow town centre, which forms part of the Harrow and Wealdstone Intensification Area, as identified by The London Plan (2011), Harrow's Core Strategy (2012), and the Harrow and Wealdstone Area Action Plan (2012). Station Road, which forms part of Harrow town centre, lies to the north and

west of the application site, but is physically separated by the adjacent buildings.

- To the immediate west of the application site, along Lyon Road, lies Hanover House and Platinum House. Platinum House is a residential building that has been converted from offices, and dominates the area (along with the application site buildings) by virtue of its external appearance, in particular the addition of deep balconies along the entire length of the building. Platinum House is eight storeys and approximately 27.7m high.
- To the east of the application site lies a mix of commercial and residential properties along St John's Road. These include the Cumberland Hotel, Gayton Central Library, and residential flats including Elmer Court and Tapley Court. These range in height from two storeys to four storeys.
- To the south (south east) of the application site lies the residential flats of Greenhill Mansions (five storeys), Murray Court (four storeys) and Wilton Place (three storeys). On the southern tip of the application site lies The Junction Public House.
- The land levels rise quite sharply southwards from the junction of Lyon Road, St Johns Road and Station Road, and then form a plateau at the centre of the complex of buildings, on which the car parking area is located.
- The site has a Public Transport Accessibility Level (PTAL) of 6A. Harrow-on-the-Hill Station (giving access to national rail and Metropolitan underground services) lies due west of the application site, and is approximately 313m distance. Harrow Bus Station is adjacent to this.
- The closest section of the Strategic Road Network is the A400 Sheepcote Road / Station Road, which is 250m to the north. The closest section of TfL's Road Network is approximately five kilometres away.

Proposal Details

- Planning permission was granted planning permission under P/3118/11 on the 31/10/12, subject to a S.106 agreement.
- The previous scheme comprised a major mixed-use urban regeneration scheme, which would involve the demolition of the existing 1970s office buildings, and redevelopment for a predominately residential led scheme involving both private and affordable flats. The scheme also proposes commercial units along Lyon Road (including a space set aside for use as a healthcare facility), and a new B1 office building. The application proposes 123 off-street parking places, as well as cycle parking. The proposals also seek to enable the creation of a new public space at the northern end of the site, in collaboration with the Council. New landscaping is proposed both within and outside of the application site.
- The current application proposes to vary a number of planning conditions as follows:

Condition 25 (Approved Plans) – To allow minor amendments to the approved building design and heights;

- Alterations to the appearance of the buildings in relation to fenestration, balconies and materials.
- The heights and width of the approved blocks
- Landscaping
- Internal alterations to future accommodation

The application also submits information in an attempt to satisfy the following conditions, attached as part of the approval to P/3118/11, to allow them to be discharged.

Condition 2 (Materials)

- Window & Door System: Aluminium 72BW/BD HI,
- Curtain Walling System: SL52
- Brise Soleil Panels Façade BS vertical system
- All aluminium doors, windows and balconies would be dark grey (RAL 7043)
- Bromo Brick (Creme)

Condition 3 (Boundary and Ground Surfacing):

- A scheme of hard and soft landscape works for the forecourt of the site have been submitted for consideration.
- It is proposed to make good the boundary treatment along the southern and eastern boundaries of the site.
- Ground surfacing materials are as follows;

Internal roadway

A permeable paving block on the podium deck of Marshalls 'Tegula' Piora colour 'Traditional' with Marshalls Conservation vehicular kerbs.

Pedestrian Areas

Pedestrian areas on the podium deck would be a Marshalls 'Mistral' Piora colour 'Harvest Buff'. Kerbs around the soft areas would be Marshalls 'Keyblock' colour natural'.

Commercial Unit Frontage

The steps along the Lyon Road frontage would be Marshalls Conservation Smooth Ground Step units which are Silver Grey in colour with non-slip black strip.

Condition 4 (Hard & Soft Landscaping),

- A scheme of hard and soft landscape works for the site have been submitted for consideration.

Condition 6 (Tree Protection Measures),

- An Arboricultural report has been submitted in relation to the protection of the existing trees that are located on site.

Condition 8 (Site Levels),

- Plans and documentation submitted for consideration

Condition 9 (Cycle Parking),

- Plans and documentation submitted for consideration

Condition 11 (Sustainability Strategy),

An Energy Report and BREEM Report has been submitted for consideration

Condition 12 (drainage)

- Details submitted for consideration

Condition 13 (Demolition Method Statement),

- Documentation submitted for consideration

Condition 14 (Construction Method Statement),

- Documentation submitted for consideration

Condition 15 (Construction Logistics Plan),

- Documentation submitted for consideration

Condition 21 (Secure by Design),

- Documentation submitted for consideration

Condition 22 (Communal Television Measures)

- Plans submitted for consideration

Revisions to Previous Application

In reviewing the permission and undertaking detailed design work, the applicant established that the scheme granted planning permission under P/3118/11 resulted in the a number of areas that would not be strictly in accordance with current policy;

- Many of the flats did not comply with Lifetime Homes
- Many of the flats did not comply with the Mayor's Housing SPG
- None of the flats had been able to be wheelchair adaptable; and
- The building heights would have resulted in flats with low ceiling heights which are non-compliant with policy and unmarketable.

Firstly, it is noted that at the point of the previous decision being made on P/3118/11 (31/10/2012), there was no policy requirement for the floor to ceiling heights of habitable spaces to meet 2.5m. However, since that decision, the London Plan Mayors Housing Supplementary Housing Guidance (November 2012) has been published. This document requires all habitable rooms to have floor to ceiling heights of 2.5m. Secondly, whilst the applicant has stated that the approved scheme did not allow for all residential units to meet the Lifetime Homes Criteria, all units did meet the Gross Internal Floor Areas for their respective unit sizes. In the majority of cases, providing units to meet these sizes would usually allow for these criteria to be met. Planning Permission P/3118/11 was granted subject to a planning condition requiring all residential units to comply with the Lifetime Homes Criteria. The applicant has taken the opportunity to provide a revised residential layout which would allow more functionable living accommodation that has been designed to meet the Lifetime Homes Criteria, and also to provide for more wheelchair adaptable units. Lastly, a condition requiring all proposed residential units to be built to meet, and retained, to accord with the Lifetime Homes Criteria has attached as part of this permission.

As a result of the above, the following changes have been proposed to the scheme;

- All flats comply with Lifetime Homes and reflect the residential design standards with the Mayor's Housing SPG (2012).
- Nine flats have been designed to be wheelchair adaptable, including three affordable rented units to be fully fitted out within Block C
- Revised ceiling heights are provided to meet the requirement for 2.5m floor to ceiling heights, which has altered the approved heights of the blocks adjusted to accommodate this (detailed further below)
- Improved scheme for landscaping and amenity space. Private amenity space has been increased and the arrangement of balconies revised.

Residential Accommodation

- It is not proposed to alter the amount of residential units that were approved under P/3118/11. The proposed scheme would continue to provide 287 new flats with 238 for private sale and 49 affordable units provided.
- There would be a variation to the amount of habitable rooms that are provided across the scheme and also the mixture of housing types.

Commercial Element

- As approved, the scheme under P/3118/11 provided a mixture of D1, A1, A2, A3 and B1 across blocks D, E, F and G totally a Gross Internal Floor Area of 3051sqm.
- Under the current scheme it is proposed to provide the same types of commercial floor space being with a total of 3100sqm of floor space. However, there would be a slight decrease in the B1 floor space (1503sqm) from what was approved 1608sqm.

There would also be an increase in the D1, A1/A2/A3 floor space located within Blocks F, G and the lodge from 1442sqm up to 1519sqm.

Variation in Heights

- The following table provides a comparison between the heights of the development that was approved under P/3118/11, and what is proposed under the current application.

	Height Difference from approved scheme
Block A	2.4m
Block B	2.4m
Block C	2.4m
Block D	1.0m
Block E	1.0m
Block F	2.5m
Block G	0.4m
Block H	- 0.6m

Environmental Impact Assessment

The development falls within the thresholds set out in Schedule 2 of the Town and Country Planning (EIA) Regulations 2011 whereby an Environmental Impact Assessment may be required to accompany the planning application for the purposes of assessing the likely significant environmental effects of the development.

Schedule 2 paragraph 10(a) of the Regulations states that proposals for urban development projects of more than 0.5 hectares in area may require an Environment Impact Assessment (EIA). The application site area is 0.9 hectares and therefore the proposed development may / may not require an EIA.

The indicative thresholds outlined within Annex A of Circular 02/1999: Environmental Impact Assessment indicate that development for sites which have not previously been intensively developed are more likely to require EIA if they would provide in excess of 10,000 square metres of new commercial floorspace or a 1,000 dwellings. The proposed development is for 3,100 sqm (total) and 287 dwellings, and that the site has been previously developed. The site is not part of wider redevelopment proposals insofar as adjoining sites are concerned, and is within a built up urban area.

As required pursuant to 4(5) of the Regulations and having regard to the criteria set out in Schedule 3, which provides criteria against which a local planning authority might consider whether an EIA is required, it was concluded that the characteristics of the proposal, the location of the development and the characteristics of the potential impact would be of a nature that did not warrant the submission of an Environmental Impact Assessment as it would not have a significant environmental effects.

Relevant History

EAST/46/01/FUL – Alterations to ground floor elevations to provide office floor space
GRANT – 04/05/2001

P/3214/07 – Change of use of part of office block to residential to provide 32 residential units with a two storey extension at roof level and the seven storey extension and retention of 1920 sqm of B1 floorspace (residential permit restricted)
GRANT – 23/02/2009

P/3118/11

Demolition of Equitable House and Lyon House and erection of seven new buildings of various heights - single storey (lodge), six storeys (blocks a and b), eight storeys (blocks f and h), ten storeys (blocks c and d/e) and 14 storeys (block g) - for a mixed use development, to provide 238 private and 49 affordable residential flats, 3,050.8 square metres of commercial floorspace split into 1,503 square metres of office space (class B1a) and 1,547.8 square metres mixed (classes d1 and mix of A1, A2, and A3), three vehicular accesses from Lyon Road and St John's Road, 123 car parking spaces, landscaping and public realm improvements to Lyon Road and St John's Road.
GRANTED: 31/10/2012 [SUBJECT TO S.106 AGREEMENT]

Pre-Application Discussion (Ref. Planning Performance Agreement)

- Principle acceptable
- Design rationale from originally approved scheme to continue to be respected, whilst ensuring the height is kept to the minimum

Applicant Submission Documents

Design Access Statement

Daylight and Sunlight Report

External Material Details (Condition 2)

Landscaping Details (Condition 4)

Tree Protection Details (Condition 6)

Cycle Parking Details (Condition 9)

Sustainability Strategy (Condition 11)

Surface Water Drainage Scheme (Condition 12)

Demolition Method Statement, Construction Method Statement, Construction Logistics Plan (Conditions 13, 14 & 15)

Television Reception Strategy (Condition 22)

Consultations

Planning Policy: No objection. The application is consistent with The London Plan (2011), Harrow's Core Strategy (2012), and policies in the Harrow and Wealdstone Area Action Plan (2013).

Highway Authority: No objection. The level of parking provision for the residential units is acceptable and in line with The London Plan (2011) standards, as would the level of disabled bays and electric charging points. No parking provision is proposed for the commercial units (aside from one disabled bay), which is in line with the London Plan (2011).

Details submitted in respect of Conditions 9 (Cycle parking) 13 Demolition Method Statement), 14 (Construction Method Statement), and 15 (Construction Logistics Plan) are acceptable.

Conservation Area Advisory Committee: No Comment.

Conservation Officer: No objection.

Landscaping Officer: No objection:

Arboricultural Officer: No objection. Satisfied with the mitigation measures proposed within the Arboricultural Report

Environmental Protection Officer: No objection, subject to conditions in relation to the demolition of the existing building, construction of the new development, and sound insulation measures.

Drainage Engineer: No objection. Details submitted in respect to Condition 12 (Surface Water Drainage Scheme) are acceptable and the condition may be discharged.

Thames Water: Objection: The total proposed peak surface water discharge from the site is in excess of the maximum capacity of the public sewer system in this area. Thames Water requires a better understanding of the historic surface water flows off the site (and their associated connection points) to determine the net change to flow. Furthermore, Thames Water expects onsite attenuation to yield a net reduction in surface water flows from the historic discharge levels.

Environment Agency (EA): No objection to the application.

Crime Prevention Design Advisor: No objection. Confirmed that pre-application meetings have taken place to discuss designing out crime, promoting community safety and resilience to terrorism measures. Measures suggested have been incorporated into the design and supporting documentation.

Campaign for a Better Harrow Environment (CBHE): Objection: See Below.

Greenhill Manor Residents Association:

Harrow Friends of the Earth:

Advertisement

Site Notice (Major Application & Setting of a Listed Building)

Posted 21st August 2014

Press Release

Published 21st August 2014

Notifications

Sent: 761

Replies: 3

Expiry: 18/09/2014

Summary of Responses

- Loss of Light as a result of Block G
- Height is out of character to the surrounding area
- Consultation Letter does not provide altered heights
- Proposed development would still have impact on local environment
- Should utilise existing built structures to convert into flats rather than demolish

Campaign for a Better Harrow Environment (CBHE)

- It is good that the proposed energy efficiency measures proposed will be better than those in the earlier proposal. We hope that the improvements can be realized and that the performance will be maintained throughout the life of the building.
- It is disappointing that Ground Source Heat Pumps (GSHP) are rejected in favour of Air Source Heat Pumps (ASHP). The latter are required to provide “comfort cooling” in the very high temperatures which are expected in future. ASHP work much less well for cooling when the surrounding air is very warm. i.e. when most needed. They are of course cheaper than GSHP which would be better technically. It would be better to have a more expensive scheme which works well than a cheap one which does not.
- The Surface Water Drainage Report is written by one engineer but it has not been signed as checked by anyone else. This is unsatisfactory.
- It is stated on page 2 of The Surface Water Drainage Report that the basis of the design is that there will be no flooding based on a one in 100 year critical storm. On the assumption that the buildings are intended to last at least a few decades this seems an inadequate safety margin. One in 100 year events have happened recently and it is now accepted that extreme weather events will become more common.
- We already have a large number of areas in Harrow which have been made impermeable and these could cause more water to be directed into the sewers than they can cope with during severe rain storms. The Equitable House and Lyon House development will have to interface with the existing sewer system. It would surely be prudent to design the flood protection measures to cope with rain storms which are more severe than one in 100 year events and with full sewers.

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.

Background

The application is made under S.73 of the Town & Country Planning Act 1990, and seeks the variation of condition 25 of Planning Permission P/3118/11 (dated 31/10/2012). The variation of condition 25 would enable the applicant to vary the appearance of the scheme in terms of the amendments detailed above. S.73 (2)(b) allows the local planning authority to *'...decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application'*

The applicant has submitted further information relating to pre-commencement conditions that were attached as part of permission P/3118/11 has been submitted as part of this application. This information is considered under this application to determine if the pre-commencement conditions listed above are able to be discharged.

MAIN CONSIDERATIONS

- Principle of the Development
- Character and Appearance of the Area
- Impact on Key Views and Character of the Area
- Residential Amenity (including HRA)
- Soft Landscaping, Trees and Development
- Traffic and Parking
- Flood Risk and Development
- Sustainability
- Human Rights and Equalities
- S17 Crime & Disorder Act
- Consultation Responses
- Conclusions

Principle of the Development

The principle of the substantive development has previously been considered acceptable through the grant of planning permission P/3118/11 (dated 31/10/2012).

Since the grant of the original application P/3118/11, the Harrow Unitary Development Plan (2004) has been replaced with 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. The 2008 London Plan has also been replaced by the 2011 version, which has recently been subject to minor alterations in 2013.

The application site falls within the Harrow Town Centre East Sub Area, and is located within the Intensification Area as identified in the adopted Area Action Plan (AAP 2013). The Harrow & Wealdstone Area Action Plan (2013) provides site specific guidance for the Lyon Road development (Site 21 – Lyon Road). It is acknowledged within this guidance that the site benefits from an extant planning permission, nonetheless provides key objectives for which the site ought to deliver. Specifically, AAP1(c) encourages the comprehensive redevelopment of large site, of which the application site would constitute.

The site is previously developed Land and therefore the proposal to redevelop this site for a comprehensive development would be in line with the thrust of Core Policy CS.1

which seeks to redirect all new development to previously developed land.

On this basis, it is considered that the principle to develop the site for a comprehensive mixed use redevelopment would be acceptable and would give rise to no conflict with the adopted development plan.

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 AAP1 of the Harrow & Wealdstone Area Action Plan (2013) 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 AAP4 goes on to provide further guidance for developments within the heart of Harrow to be of a high standard. This includes among other requirements, to contribute positively to the wider context in terms of form, ground floor use, and engagement with public pedestrian and cycle routes.

Policy AAP6 of the Harrow & Wealdstone Area Action Plan (2013) provides guidance in relation to the building height of developments within the Heart of Harrow. Specifically, AAP6(C) provides guidance for taller buildings that would be located within the town centre, and how they should respond within this context and the wider area.

Variations to Height and Bulk

The submitted Design & Access Statement provides a comparison between the scheme approved under (P/3118/11) and what is proposed under the current scheme (as detailed within the table above). The variation between the heights of the approved scheme and the proposed scheme range between the approved and proposed.

The proposed amendments to the approved scheme would result in a variation to a number of the blocks within the development. However, it is noted that block C and G are the tallest blocks within the approved scheme, and any variation to the heights of these blocks would be potentially felt the most.

The approved scheme P/3118/11 followed a clear design rationale, where by there would be a distinct and noticeable difference between the horizontal and vertical elements within the development. Therefore the re-configuration has been balanced between ensuring the clear design rationale has been followed, whilst ensuring that it would not result in an unacceptable increase in height to the approved scheme that would be harmful to the appearance of the development within the site and the wider context. The two noticeable variations to the appearance of the overall development are a reaction to the approved scheme being unable to provide a satisfactory level of accommodation due to the floor to ceiling heights, which did not enable the required services to be implemented. In responding to the floor to ceiling height issues, care has been taken to ensure that the design rationale for the site has not been lost.

Plot G is located in the north western corner of the site, and would be the tallest block within the development. Furthermore, this block fronts the public realm area to be re-developed as part of the S.106 obligations agreed under P/3118/11. Block G, as approved, would be 14 storeys high, which would be the tallest building within the Town Centre. However, this was considered to be acceptable within application P/3118/11. To provide for the appropriate floor to ceiling levels, the proposed accommodation

reconfiguration would indeed result in a marginal overall decrease in the height of the approved block. However, this would only be as a result of the squaring off the roof profile, and would not be readily noticeable from the wider context. The reconfiguration would result in a noticeably wider block in plan view, as the approved connection between Block G and Block F would be increased in width. The increase in width at this location is considered to be an acceptable solution in this context. The proposal would remove a visually awkward recess between these two blocks, and assist in improving the legibility of Block G to the rest of the development, by ensuring that it does not appear as a detached element of the development. Furthermore, the infilling of this area would ensure that the floor to ceiling heights would be able to be achieved, and would continue to enable the clear design rationale to be continued.

Proposed block A is located in north east corner of the development, and would front onto St Johns Road. It is noted within the previously approved scheme block A was the lowest of the blocks that front St Johns Road, with a clear decrease in height of the building as they went up the noticeable gradient of this road. Proposed block A results in one of the largest changes over and above the proposed scheme, with an increase of 2.4m from the previously approved scheme. Notwithstanding this increase in height, proposed Block A will still be noticeable lower in overall height to the adjacent block H fronting St Johns Road, and also the tallest block within the development, being Block G. It is considered that notwithstanding the increase in height of proposed Block A, it would still very much appear as a modest building when viewed within the proposed streetscene of the development. Furthermore, the larger buildings of proposed Block H and G would much more focal within the streetscene, and would ensure that any increase in height would not be readily noticeable.

Proposed Block H is Located fronting onto St Johns Road, and is between Block B and G. As mentioned previously, there is a clear decrease in the heights between these three blocks. It is proposed to marginally decrease the height of Block H by approximately 0.6m. The variation in the height would not be readily noticeable to the eye, and the clear design rationale of the decreasing heights from Block G, through Blocks H and A would continue to be apparent.

It is considered that the proposed variations to the blocks along the St Johns Road frontage would continue to follow a clear design rationale, which was approved under P/3118/11. The largest increase in height would be at proposed Block A, which would still be noticeably the lowest block along this street frontage. Given the continued noticeable decrease in building height, and that the 14 storey Block G would remain the focal point of the streetscene, the height variations would not unacceptably harm the character of the development, the streetscene or the wider area.

Block C is located in the south eastern corner of the site, and would result in a reconfiguration of the residential accommodation, which would result in an increase in depth of the vertical block element at floors 6 through to and including 8. This tiered approach would marginally go against the design rationale of the approved scheme, which has very purposeful vertical and horizontal emphasis. The proposed reconfiguration at Block C would provide a tier like arrangement eastern elevation of Block C. This would result in accommodation being sited above the more horizontal element of Block C near the south eastern corner of the site. Whilst it is acknowledged that this would not strictly follow the design rationale for the development as approved under P/3118/11, it would nonetheless only result in a marginal variation to this rationale across the entire development site. Furthermore, the appropriate location of this

departure from the predominant design rationale would ensure that it would not be as readily visible from the public realm. It is therefore considered that this would be a satisfactory solution to providing the required residential accommodation quantum without unacceptably impacting on the character of the area or the high quality development.

Proposed Block F would be attached to proposed block G, and would front onto Lyon Road. Proposed F would result in an increase in height of 2.5m. Directly adjacent and on the opposite side of Lyon Road is Platinum House. Proposed block F is noted as being one of the horizontal blocks, and is attached, but set back from the front elevation of Block G. The set back from the front elevation of Block G ensures that Block G would remain as the prominent block within this streetscene, and with the continued set back would assist in screening this block from the Lyon Road/St Johns Road intersection. Proposed Block F would remain a lower build than proposed block D and E to the south. There is a noticeable change in the ground level with the southern end of the site to the northern end. It is considered that given this change in level, and the relatively tall building in close proximity, being Platinum House, the increase in height would not be readily felt within the context of the development and Lyon Road streetscene.

Proposed Blocks D and E are located along the frontage fronting onto Lyon Road, and would sit between blocks C to the south and F to the north. It is proposed to increase the height of these two adjoining blocks by 1.0m, which would bring the height of this block in line with proposed Block C (which remains at its approved height under P/3118/11). The proposed variation in height of proposed Blocks D and E, given their siting between proposed blocks D and E, and the adjacent Platinum House would ensure that any increase in height would not be readily visible from within the streetscene.

The main roof height of proposed Block C would not change from what has been approved under P/3118/11. There would however, be a marginal increase in the width of this block of 1.4m. It is considered that the variation in the width of this element, in comparison to the over all width of the already approved scheme of 12.5m would not be readily noticeable within the development or streetscene.

Similarly to the horizontal element of block C and proposed block A, proposed block B would be located along the western boundary of the site, and would increase in height by 2.4m. Proposed block B is located to the rear of the application site in terms of its proximity and view from either Lyon Road or St Johns Road. Proposed block B would continue the horizontal character as approved under the previously approved scheme. It is considered that given the location of proposed block B, and its very limited views from the public realm, the increase in height would not unacceptably harm this element of the development or the wider area.

The proposed variations in heights of the blocks are considered to be satisfactory and would not unacceptably harm the character of the area, the high quality development previously approved, or the views onto Harrow on the Hill.

Materials

In support of the current application, and to discharge condition 2 (materials) of planning permission P/3118/11, the applicant has submitted details of the materials to be used within the development. The details submitted have been reviewed by the Urban Designer.

Following on from the previously approved scheme, and in line within the site specific guidance provided within the AAP, the majority of the development would be constructed of brick. The applicant has submitted a brick type Bromo, which is characterised by being a rather textured brick and is a very light sandy/brown colour. Whilst it is acknowledged that the proposed brick is of a high quality, it is considered that the lightness of it would not, in this location, be appropriate. The light brown of the brick would appear very stark within the immediate area. Furthermore, there is concern that given its light nature, the proposed chequer board technique may not be as readily apparent. In addition, it may appear very stark against the dark grey aluminium windows/balconies and rainwater goods proposed. For the above reasons, the proposed brick would not be satisfactory within this context and as such the condition for materials cannot be discharged in relation to this. However, it is considered reasonable and appropriate that should the remaining materials be appropriate, then a variation in the wording of Condition 2 to require brick samples be submitted to and agreed by the Local Planning Authority. A condition is therefore attached accordingly.

Notwithstanding the brick type, the large expanse of brickwork which would result from the development has had appropriate design features included within it to provide visual interest to the scheme. Of note, is the chequerboard pattern within the elevations, which is achieved by having some boards with flush mortar and other boards with raked mortar. Furthermore, soldier course bands would provide delineation between the individual floors. This brick design approach is considered to be satisfactory, as it would result in high quality design to the scheme.

The applicant has provided details of the window and balcony materials. It is proposed to use an aluminium, dark grey (RAL 7043), which would provide a suitable contrast yet comfortable relationship with the proposed brick type. Furthermore, the proposed windows would provide a suitable reveal which would also assist in providing a visually interesting appearance. The proposed balconies would be constructed of the same dark grey aluminium as the windows, which would ensure a consistent palette across the development. The balconies would be enclosed by a mixture of glass and aluminium panelling to provide some permeability and also privacy.

At ground floor of Blocks D, E F, and G it is proposed to have a commercial element. This would be within the same locations and of the same floor area as approved under P/3118/11.

The commercial element would have the same brick as the remainder of the development, being Bromo. For the same reasons as given above, this would not be a suitable brick type for this development, and a varied condition has been attached as part of this permission to seek a more appropriate brick type. The commercial element would include an aluminium curtain walling shop front with a Polyester Powder Coated Finish which would be dark Grey (RAL7043) to match the windows detail within the residential element above. Soldier course would be providing a feature to differentiate between the ground floor commercial unit and the residential above. It is considered that the materials proposed for the ground floor commercial units would be satisfactory, and would enable an active frontage onto Lyon Road. Furthermore, the use of the brick detail would ensure it appears consistent with the residential element above.

Hard Landscaping

The internal element of the development is characterised by being an open space, with no built structures. The internal area would form an informal amenity space for the future

occupiers of the development, and would be made up of soft landscaping and hard surfacing that would be a shared surface. As such the choice of materials are important to ensure that there would be more of a pedestrian priority within the development, and ensure that any vehicle movements were of a nature to ensure that this shared surface is achieved.

Internal Roadway

Internal roadway would be constructed of a permeable paving block on the podium deck of Marshalls 'Tegula' Priora colour 'Traditional' with Marshalls Conservation vehicular kerbs. The proposed materials would provide a clear delineation between the vehicle and pedestrian areas. However, would be of a material have a noticeably different appearance and texture, which would ensure that it would be of a more informal nature than the public highway. It is considered that the proposed hard surfacing of the internal vehicle access would provide a suitable low speed zone for vehicle movements as a shared surface, whilst appearing complementary to the pedestrian hard landscaping.

Pedestrian Areas

Pedestrian areas on the podium deck would be a Marshalls 'Mistral' Priora colour 'Harvest Buff'. Kerbs around the soft areas would be Marshalls 'Keyblock' colour natural'. Each of the proposed paving blocks would be permeable. Located within the soft landscaping areas, are seating areas for occupiers of the development. The hard landscaping at these points, and the access to them are via pathways which are comprised of resin bound golden gravel with steel edges.

As with the approved scheme, a commercial element would be provided onto the Lyon Road side of the development. This would therefore provide an active frontage onto this road. The steps along the Lyon Road frontage would be Marshalls Conservation Smooth Ground Step units which are Silver Grey in colour with non-slip black strip. These would provide a more formal appearance as they are located within the public realm and adjacent to the public highway.

Internally, a high level of soft landscaping has been proposed to enhance the appearance of the proposed development. This is considered further under section 4 of this appraisal.

The submitted ground surfacing materials are considered to be appropriate and would provide a high quality appearance within the area in terms of both the internal informal area and also adjacent to the public realm. Accordingly, it is considered that the proposed materials would achieve the intent of the condition imposed on the original permission (P/3118/11), and as such Condition 2 may be discharged.

Condition 22 (Television Reception Strategy)

Condition 22 of planning permission P/3118/11 required details to be submitted to demonstrate how television reception would be provided to the development. Without a specific strategy to provide for communal reception to a development, the potential for a proliferation of satellite dishes across a development may occur, and would unacceptably harm the appearance of the approved development. In order to address this, the applicant has submitted a site plan which demonstrates that each of the blocks would have a satellite and antenna on the roof. It is noted that block C would have two satellites. It is considered that the proposed measures would provide an adequate provision for television reception across the entire development, and would not result in a proliferation of satellite dishes, whereby ensuring the high quality design and appearance of the development would be maintained. As such, the details submitted would meet the

intent of the reasoning for this condition, and accordingly, it can be discharged.

It is considered that the proposed amendments to the approved scheme follow a clear and legible design rationale, and would ensure that the overall character and appearance of the proposed scheme would be maintained. Furthermore, the proposed amendments and carefully selected materials would continue to deliver a scheme of high quality design within the context of the site, street scene and wider area. The proposed amendments therefore comply with Policy 7.4 and 7.6 of the London Plan (2011), policies CS1B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Polices Local Plan (2013).

Impact on Key Views and Character of the Area

London Plan (2011) policy 7.7B/C/D/E is particularly relevant for this proposal, given the nature of the height of the development.

Core Policy CS1 (Overarching Policy) C/D states that “Proposals that would harm identified views or impede access to public viewpoints will be resisted. 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.

Since the approval of application P/3118/11, the Harrow and Wealdstone Area Action Plan (2013) (AAP) has been formally adopted. The AAP (2013) provides guidance on development within the Heart of Harrow, with specific guidance for tall buildings and for enhancing the setting of Harrow on the Hill.

The character of the area surrounding the application sites changes with distance from the south western corner. From the mixed residential developments (and large mature trees along St Johns Road, the residential blocks on Gayton road (and their car park/garage courts adjacent to the site) to the “metropolitan” city forms along Lyon road. In longer views, from the Grove Conservation Area, and from Station Road, the site corresponds to a part of urbanised town centre, with larger scale and more prominent “blocks.”

The scheme granted permission under P/3118/11, noted that the scheme as approved would be visible from numerous points within the town centre and beyond. However, it was considered that the bulk, height, scale and design of the scheme would be acceptable within its context, and would not unacceptably harm view corridors or heritage assets. Whilst it is acknowledged that there would be an increase in height of some of the development, there would indeed be a decrease in other parts. It is noted that the proposed blocks C and G are the more prominent elements of the proposed development, and as such would have the potential to result in adverse impacts on the key views and character of the area. However, and as noted above, these two elements have not increased in height. Although it is acknowledged that both have increased marginally in width. Most noticeably, proposed block C has had an increase in floors to the horizontal element of this block where it runs along the eastern boundary of the site.

The horizontal block elements within the proposed development, which are noted as being significantly lower than proposed Blocks C and G, experience the greatest increase in height. These blocks, specifically the rear elements of blocks A and C, Block B and block F, all experience the largest increases in height of all approximately 2.0. To a lesser extent, blocks D and E increase in height by 1.0m.

The prominent elements within the development, which would still draw the eye in the first instance, are proposed block C and G. Both these blocks are located at either end of the development within the Lyon Road streetscene. Located between these are the horizontal elements of blocks D, E and F, which by their very location are ‘book ended’ between the two taller blocks. Furthermore, to the west is located Platinum House, which is a relatively large scale development. As such, it is considered that the increase in height of proposed blocks in this context would both be adequately screened by the taller blocks C and G and the existing Platinum House Development.

The rear elements of proposed blocks A and C, and proposed block B in its entirety would experience the largest variation in heights over and above the approved scheme.

Each of the proposed blocks would increase by 2.1m along the eastern boundary, which is shared with the flatted developments that front onto Gayton Road. Views of any of these elements from Station Road or up toward Harrow on the Hill would not be readily viewable, as these blocks would be located to the east of Blocks G, F, D and E, which would effectively screen them from this view.

Proposed Block A where it fronts onto St Johns Road would increase in height by 2.4m. However, it is noted that proposed block H, which would be located on the Station road side of block A, would both decrease in height, but remain much higher than block A. It is therefore considered that the variation to proposed block A would not be readily visible from short or long views to Harrow on the Hill, and would continue to be screened by proposed block H.

Overall, given the marginal difference between the approved scheme and what is now proposed, the variation in heights across the entire development would not be discernable, from either short distance or indeed long views across the site. Furthermore, the high quality design of the development and materials ensure that the development would provide a scheme that would provide a positive contribution to the existing town centre skyline.

Given the sites distance from the Grove Conservation Area, and notwithstanding its visibility, the overall impact of the development on local and more remote conservation and heritage interests, including the setting of St Mary's Church, Harrow on the Hill to the South, and specific features in the wider landscape (such as Bentley Priory in Harrow weald to the North) is considered to be acceptable and in accordance with the NPPF (2012), The London Plan (2011) policy 7.8 and policies AAP4, AAP6 and APP8 of the Harrow & Wealdstone Area Action plan (2013).

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.

There are no specific policies within the AAP which deal with safeguarding residential amenity but eludes that development proposals would be required to meet policy DM1 of the Development Management Policies Local Plan (2013), which 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 arrangement is considered acceptable and would accord to the requirements of Core Policy CS1.B of the Harrow Core Strategy 2012 and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

Impact on neighbouring 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.

The application proposes a perimeter style development that brings the buildings closer to those surrounding the application site. Given the size, scale and massing of the proposed development, it will have some impacts on the amenities of the surrounding residential and commercial occupiers. The approved scheme under P/3118/11 consented a scheme that would provide a development that would be close to the perimeter of the site, which brought the scale of development closer to adjoining properties. However, it is noted under that scheme that the development would not unacceptably harm the amenity of neighbouring occupiers with regard to daylight/sunlight and privacy/overlooking.

The proposed scheme would continue to be built within the same footprint as the approved scheme under P/3118/11. However, as a result of required amendments to allow the development to progress, there would be a variation to the approved heights and also to the width of some of the approved blocks. The variation in the heights between the approved scheme and what is currently proposed is detailed within the table below.

The description of development above sets out the proximity of the proposed blocks to the nearest adjacent buildings. Broadly speaking, this relates to Blocks A, B and C in relation to the flatted developments of Greenhill Mansions, Murray Court and Wilton Place. Blocks C, D/E and F in relation to the properties on Lyon Road, in particular Platinum House. Block G in relation to Platinum House and the nearest property is on St John's Road. Finally, Block H, and to a lesser extent, Block A, in relation to the adjacent properties on St John's Road, namely No.5-13, Elmer Court and Tapley Court flats.

The applicant has submitted a revised daylight and sunlight assessment to take account of the variations to the proposed scheme over and above the approved scheme. The revised Daylight and Sunlight Assessment concludes that in terms of the access to daylight and sunlight enjoyed by neighbouring properties, there would be no noticeable difference when compared with the scheme that has already been granted planning

permission under P/3118/11.

The proposed variations to the changes of height are between – 0.6 and 2.5m, and over the heights approved would not be readily noticeable from within the immediate vicinity of the development. Indeed the height of Plot G, being the tallest block in the north western corner of the site would result in a slight increase in height of 0.4m. Furthermore, this element would result in an increase in its width insofar as squaring off the connection element between this block and Block F adjacent to the Lyon Road frontage. Block C would result in an increase of 2.2m. However, this is noted as being an increase in height to the rear of the existing block element fronting onto Lyon Road. The increase in bulk would sit behind this element and on top of the horizontal element of Block C, and as such would result in its bulk being located further into the site.

Proposed blocks C, D, E, F and G all front onto Lyon Road, which for the majority of this frontage has the Platinum House building opposite. At the southern end would be Congress House, which is noted as having a relative narrow flank elevation fronting the public highway. Platinum House is noted as being a residential development, with Congress House to the south historically being a commercial building. However, Congress House has been through the Prior Approval Process which will change its use to residential also. The previously approved scheme resulted in introducing substantially more built structures along this street frontage, and into closer proximity with the adjacent property to the west.

Platinum House is approximately 17m to the west of the application property, on the opposite road of Lyon Road. With the previously approved scheme, it was stated that this property was converted from commercial offices into a residential building, and as part of this conversion introduced continuous and deep balconies. These features resulted in diminishing the availability of daylight and sunlight into the building as it currently exists. Furthermore, this elevation is due east and would also limit the access to sunlight. Given this existing situation, the approved development would not enable any improvement to the already poor amounts of daylight and sunlight received though alterations to Platinum house. Lastly, with regard to impacts on daylight to Platinum House, it was contended that a previously approved scheme to extend Equitable House in 2008 would have similarly felt impacts as the approved scheme.

Turning to the proposed scheme, this would result in an increase in height along the Lyon Road frontage of 2.5m of Plot F and 1.0m across the attached blocks of D and E. The revised Daylight and Sunlight Assessment therefore in relation to Platinum House, concentrates the assessment on the potential impacts on the areas of the elevation with balconies removed. The Daylight and Sunlight Report concludes that given the limited increase in any height and width of the proposed development over and above the consented scheme, and in some cases a small decrease, the availability to sunlight are the same as the consented scheme.

Proposed blocks A H, and G all front onto St Johns Road. Along the northern side of St Johns Road is a mixture of both commercial and residential properties, with a face-to-face distance of approximately 25m and is located north east of the proposal site. The revised Sunlight and Daylight finds that the variations in height of the proposed scheme over and above that which was approved under P/3118/11, would result in the same implications in terms of the access to Sunlight and Daylight. To this extent, three of the windows located at 1 – 3 St Johns Road failed to meet the required sunlight standards, with two of them only failing during winter months. Given that this was considered

acceptable under P/3118/11, and the implications under the current scheme have been concluded as being the same, Officers consider that the proposed variations would be acceptable. Equally, the residential property known as Elmer Court, would achieve the recommended Average Daylight Factor from all habitable rooms, and also the numerical values for Sunlight as contained within the BRE Guidelines. The revised Daylight and Sunlight assessment consider that the proposed increase in height of the development would have an acceptable impact on Tapley Court.

Proposed blocks A, B and C all run along the eastern boundary of the site, sharing this boundary with the three residential units all fronting onto Gayton Road. To the east are located Murray Court and Wilton Place, both which are residential properties fronting onto Gayton Road. The revised Daylight and Sunlight Assessment concludes that there would be no unacceptable impact on Murray Court. Wilton Place would have a flank elevation facing the proposed development, as this property is a corner plot which sweeps around the corner from Gayton Road and onto Lyon Road. Under permission P/3118/11, The Daylight, Sunlight and Overshadowing report stated that these windows “seem to serve kitchens but ...these are large windows for what must be a relatively small spaces, as rooms to both front and rear also have to be accommodated within the length of the flank wall”. Officers note that the length of the flank wall is approximately 9.5m. The Daylight, Sunlight and Overshadowing report goes onto conclude that in relation to these three windows, and taking into account the internal arrangement of the building, that it is “appropriate to expect ADF to be reasonable and there may be no adverse affect.” The revised Daylight and Sunlight Report concludes that there would be no further impacts on this property from the variation in heights and the recommended values would still be met.

Given the heights of the approved blocks granted permission under P/3118/11 and the proposed variations under the current scheme, which at the highest would be an increase of 2.5m along Blocks A, B and C, the variations would not be particularly noticeable over and above what could be built as approved. It is therefore considered that the proposed variations would not result in a loss of outlook to the existing occupiers adjoining the site.

Lastly, in terms of all neighbouring occupiers, it is considered that the proposed variations to the heights of the development would not lead to an increase in a overlooking or loss of privacy. The height variations proposed, would be at their highest point 2.5m. Firstly, it is not proposed to increase the amount of glazing across the scheme, rather just the arrangement of along the elevations. Given the height of the approved scheme across the blocks within the development, the variations proposed within the current application would not exacerbate any loss of privacy or overlooking of which could already be felt should the approved scheme be implemented.

It is considered that the proposed development would therefore not result in an increase in height or bulk that would unacceptably harm the amenity of the adjoining neighbouring occupiers.

Living Conditions for Future Occupiers

Harrow Core Policy CS1 (Overarching Policy) K states that the Council will require a high standard of residential design and layout consistent with the London Plan (2011) and associated guidance. In mixed tenure schemes a consistent standard of design and layout will be required throughout the development.

The proposed accommodation was approved under the original scheme. However, due

to physical constraints has had to be revised. The differences to the scheme involve;

- Increase in floor to ceiling heights
- Variation to layouts/mix
- More wheelchair adaptable units

Notwithstanding the changes to the accommodation as approved, the proposed development would continue to provide accommodation that meets the Gross Internal Floor Areas as detailed within the London Plan (2011). The proposed layouts would provide functionable living accommodation, with habitable rooms that would receive a satisfactory level of light and provide adequate outlook for future occupiers.

As mentioned previously, the approved scheme under P/3118/11 was, at detailed design stage, was discovered to have a floor to ceiling height that would not enable services to be provided within the roof space, and still provide for a satisfactory level of floor to ceiling height for future occupiers. The Mayors Housing Guide SPG (2012), which was introduced after the previous decision was made, requires that habitable rooms have a floor to ceiling height of 2.5m, and the original scheme would have only been able to provide 2.3m across the development. If implemented, this scheme would have provided an unacceptable level of living accommodation for the future occupiers of the development. The reconfiguration of the proposed accommodation scheme would provide 2.5m floor to ceiling heights which would comply with the requirements as set out in paragraph 5.4.1 of the Mayors Housing SPG (2012), and as such would improve the living conditions of future occupiers over and above what was approved under P/3118/11. The proposed scheme would provide spacious and functionable living space for future occupiers.

The current application has revised the layouts of the floors to provide for a more functionable living accommodation to that which was approved under P/3118/11. The proposed accommodation would provide a more practical layout which would provide more usable space, whilst ensuring a satisfactory level of light and outlook. Lastly, more generous sized balconies have been provided for the residential units which provide a higher quality of private amenity space for the occupiers of those units.

It was stated within the supporting information that the approved scheme under P/3118/11 would provide living accommodation that would meet the Lifetime Homes Criteria. The previously approved application provided living accommodation that was able to meet the gross internal floor areas that met London Plan (2011) size requirements. In most cases, meeting this would enable living accommodation to meet the required Lifetime Homes Criteria. However, it appears that a number of units on review, were unable to meet these criteria. As a result, the proposed scheme proposes a more functionable layout to the residential accommodation which would enable full compliance with the Lifetime Homes Criteria. A safeguarding condition is also imposed to ensure that the residential accommodation would meet these criteria and be retained as such thereafter.

The applicant has confirmed that all of the dwellings would meet the Lifetimes Homes standards, and that 10% would meet Wheelchair Homes standards. This is considered acceptable, and would meet the policy objectives of The London Plan (2011) and the Harrow Development Management Policies Local Plan (2013), together with the adopted SPG.

Overall, the proposed development is considered acceptable in terms of the living

conditions of future occupiers, and would meet the policy objectives of the relevant Development Plan policies, subject to the aforementioned planning conditions.

As required by Condition 8 (Site Levels), precise details of the levels of the building, internal road and footpaths in relation to the adjoining land and highways have been provided, which has satisfactorily demonstrated that the site levels would adequately tie in with the surrounding neighbouring and highway levels. The submitted site levels therefore demonstrate that the proposed development would be at an appropriate level in relation to neighbouring sites and public land, which would ensure that it would safeguard the amenity of neighbouring amenity and future infrastructure improvements to the public highway. Based on the information submitted, it is therefore considered that Condition 8 can be discharged.

Conclusion

The proposed development would result in some localised additional impacts for some adjacent properties. The approved application has been amended in response to overcoming physical implementation concerns. Notably, the height of the approved buildings has been amended.

These impacts, adverse and positive, need to be weighed in the context of the Development Plan objectives for this site, and for the wider area and a balanced view struck. Officers consider that the revisions to the scheme result in a development that can be permitted, notwithstanding specific localised impacts identified above.

Therefore, it is considered that in this highly urbanised environment, where the mix of residential and commercial properties sit side-by-side, in terms of the impacts on the adjacent occupiers and only marginal variations to the approved heights of P/3118/11, the application is, on balance, acceptable and consistent with The London Plan (2011) policy 7.6B, policies AAP1 and AAP4 of the Harrow & Wealdstone Area Action Plan (2013) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

Soft Landscaping, Trees and Development

Landscaping

As part of the planning permission granted under P/3118/11, condition 4 was attached requiring that prior to commencement a hard and soft landscaping plan be submitted to, and approved in writing by the Local Planning Authority. The condition was imposed to safeguard the appearance of the area and to enhance the appearance of the approved development.

Condition 3 of planning permission P/3118/11 required details of boundary fencing to be submitted to and approved in writing by the Local Planning Authority. The applicant has submitted detail as to the boundary treatment within the development. It is noted that along the southern boundary, a 1.8m high close boarded timber fence is in situ. It is proposed to make good this fence, and continue it up along the southern (rear) boundary to meet St Johns Road. Along the frontages of the development facing St Johns Road and Lyon Road, the boundary would remain open from the streetscene. The proposed boundary treatment is considered to be satisfactory and would meet the intent of the condition imposed by safeguarding the appearance of the locality.

The applicant has submitted a comprehensive soft landscape plan and maintenance schedule for the public and private soft landscaping within the development. The detail submitted has been reviewed by the Council Landscape Architect, who has considered that the information submitted would be acceptable and would satisfactorily enhance the development as intended by Condition 4 of permission P/3118/11.

It is therefore considered that Conditions 3 and 4 can be discharged.

Trees and development

Planning permission P/3118/11 attached Condition 6 which required further details to be submitted to demonstrate how the trees located on site, that are subject to Tree Protection Orders, would be protected throughout and after the construction phase.

The applicant has submitted an Arboricultural Report that has detailed how the trees within the site, subject to Tree Protection Orders, would be protected throughout the construction phase. The detailed information has been reviewed by the Councils Arboricultural Officer who has considered that the information is satisfactory, and the mitigation measures proposed would ensure that the protected trees would not be damaged during construction works. It is therefore considered that condition 6 attached to permission P/3118/11 is able to be discharged.

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 minimize 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 Highway Authority raised no objection to the previously approved application in terms of car parking levels or impacts on the free flow and safety of the public highway. Within this current scheme, there would be no change to the provision of onsite parking. It is noted that there would be a variation to the basement car parking configuration, insofar as the car park stacking provision would no longer be proposed, with level car parking provided within the basement. Access would continue to be via St Johns Road, as approved under P/3118/11.

The current proposal would not result in an increase in the number of residential units. However, it is noted that there would be an increase in 7 habitable rooms across the entire development. Furthermore, there would be an overall increase in commercial floor space of 49sqm over and above what was approved under P/3118/11. It is considered that this marginal increase in habitable rooms and commercial floor space, across the entire comprehensive re-development would not give rise to any harmful impacts to the safety and free flow of the highway. Furthermore, it is noted that the application site is located within a highly sustainable location in terms of its proximity to the Town Centre, and any potential increase in vehicles would not be felt within this context.

In order to ensure that throughout the construction of the approved development of P/3118/11, safeguarding conditions were imposed to control the manner in which the construction would be undertaken. Condition 12 (Demolition Method Statement), 13 (Construction Method Statement), 14 (Construction Logistics Plan) be submitted to and approved in writing by the Local Planning Authority. Whilst it is acknowledged that the development impacts of the physical construction of the scheme would be temporary, a development of this scale may still have significant impacts on the amenity of the neighbouring occupiers and residents. The applicant has submitted a Construction Environmental Management Plan to demonstrate how potential impacts on public amenity would be limited throughout the demolition and construction phase. This document has been reviewed and considered to satisfactorily demonstrate that any potential impacts on public amenity and the local transport network. Accordingly, condition 12 (Demolition Method Statement), 13 (Construction Method Statement), 14 (Construction Logistics Plan) are able to be discharged. Notwithstanding this, a condition is attached to ensure that the approved Construction Environmental Management Plan be implemented prior to work commencing on site and retained until the completion of the construction of the development.

As required by Condition 9 of planning permission P/3118/11, details pursuant to secure cycle storage has been submitted, which demonstrates that these areas would be located within the expanded basement and within each of the proposed blocks. It is considered that the location would be suitable, as it would provide a secure location with only access to the occupiers of the development. Furthermore, each of locations would provide individual style mounts to which bicycles are able to be secured to. It is therefore considered that the submitted information is acceptable, and would satisfy the intent of Condition 9. Accordingly, Condition 9 of planning permission P/3118/11 is able to be discharged.

Overall the proposed variation to the approved scheme would not noticeably intensify use of the site in terms of highway safety or parking. On this basis, it is considered that the proposed development would give rise to no conflict with the above stated policies.

Flood Risk & Development

The application site is not located within a flood plain and therefore is not subject to a Flood Risk Assessment. However, policy 5.13A of The London Plan (2011) and policy DM10 of the Harrow Development Management Policies Local Plan (2013) require development proposal to incorporate sustainable drainage system to ensure that surface water run-off and storage water from the development is managed close to the site as possible. The applicant has submitted details in line with Condition 12 of planning permission P/3118/11, in an attempt to demonstrate that the proposal would prevent an increase in flooding from within the site and wider area.

The information that has been submitted in support of this condition has been reviewed by the Drainage Authority, who considers that the proposed measures would ensure that the development would not result in an increase in flood risk to the area. As such, the submitted information would meet the intent of Condition 12 of P/3118/11 with regard to flood risk and this condition can therefore be discharged.

It is noted that Thames Water has objected to the application. However, given that the Drainage Authority has been satisfied that the development would not exacerbate any flood risk within the area, such an objection from Thames Water would not be a reasonable reason for refusal. Notwithstanding that, the applicant has not obtained Thames Water approval to connect to its infrastructure. Accordingly, the applicant is advised by way of an informative that Thames Water approval is required and a copy of that approval provided to the Local Planning Authority.

Sustainable Development

Policy 5.1 of The London Plan 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).

The applicant has submitted a Sustainability Statement and an Energy Statement as required by Condition 11 of planning permission P/3118/11, which seeks to identify how the proposed development would achieve various sustainable development credentials.

The applicant has submitted details confirming that the proposed scheme has been designed to incorporate corporate boards sustainable development, by proposing energy efficiency measures and renewable technologies to maximise the building envelope performance through lower U values, and where possible and appropriate the utilisation of renewable resources in the construction materials of the scheme.

The applicant confirmed that the buildings would achieve a Buildings Research Establishment Environmental Assessment Method (BREEAM) Very Good rating, with the submitted Energy Statement further identifies that the development would achieve a carbon reduction of 29% below Building Regulation requirements. The proposed development would, to accomplish the above, utilise the following mechanisms:

- Combined Heat & Power (CHP)
- Improved U Values to the building enclosure
- Air source heat pumps to the office areas
- Photo Voltaic panels to the roof.

The BREAM report shows that the offices will; achieve Very Good, which is considered to

be acceptable.

The proposed sustainability measures have been assessed by Harrow Council Building Surveyors, who have considered that the submitted information would be satisfactory and would provide a scheme that would accord with London Plan (2011) policies 5.2, 5.3, 5.5 and 5.7 and policies DM12 & DM13 of the Harrow Development Management Policies Local Plan (2013). The information is therefore considered acceptable and would meet the intent of Condition 11 attached to P/3118/11. It is therefore considered that this condition can therefore be discharged.

Human Rights and Equalities

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.

S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

The applicant has submitted details in relation to Secure by Design, which was attached as condition 21 of P/3118/11. The applicant has engaged with the Secure by Design Officer with regard to incorporating Secure by Design principles into the development. The submitted information has been submitted to, and considered by the Secure by Design Officer, who has confirmed that the scheme has satisfactorily demonstrated that it would not give rise to any secure by design issues. As such, Condition 21 is able to be discharged as the proposed scheme would not lead to any crime and disorder issues.

Accordingly, it is considered that the proposed development would accord with Policy 7.3 of the London Plan (2011), Policy AAP4 (d) & (e) of the Harrow & Wealdstone Area Action Plan (2013).

Consultation Responses

- Loss of Light as a result of Block G

An amended Daylight and Sunlight report has been submitted to demonstrate any loss of sunlight and daylight as a result of the variations in the heights of the approved scheme. The proposed variation would, over and above the approved scheme, not noticeably result in any further loss in sunlight or daylight to adjoining properties. In any case, the increase in height of Block G would only be marginal in terms of the main roof profile, with the overall height of this block decreasing. Whilst it is acknowledged that the width of this structure would increase, this would be more to the rear of the approved development from where the objection is raised, and would not result in any exacerbation of loss of sunlight or daylight lost from this property.

- Height is out of character to the surrounding area

This matter has been addressed under section 2 and 3 of the above appraisal.

- Consultation Letter does not provide altered heights

The consultation letter informs neighbouring occupiers of a minor amendment to a previously approved scheme. The variations are detailed within the supporting information for the application, which provide a comparison between the previously approved scheme and what is now being proposed.

- Proposed development would still have impact on local environment
The proposed development would have some impact on the local environment. However, the submitted materials demonstrate that the proposed new build would provide a sustainable build that the existing buildings, and would also set in place measures to ensure limited impact on the natural environment. On balance, it is considered that the proposed development would have an acceptable impact on the natural environment.
- Should utilise existing built structures to convert into flats rather than demolish
The applicant has proposed to demolish the existing buildings on site. As such, it is on this basis that the Local Planning Authority must assess the merits of the application.
- It is good that the proposed energy efficiency measures proposed will be better than those in the earlier proposal. We hope that the improvements can be realized and that the performance will be maintained throughout the life of the building.
The proposed development will be built in accordance with the approved plans and documents, which will ensure that the proposed measures within the energy report shall be incorporated into the development. Furthermore, inspections will be made to ensure that the development is built in accordance with the Building Regulations, which incorporates minimum standards in terms of sustainability.
- It is disappointing that Ground Source Heat Pumps (GSHP) are rejected in favour of Air Source Heat Pumps (ASHP). The latter are required to provide “comfort cooling” in the very high temperatures which are expected in future. ASHP work much less well for cooling when the surrounding air is very warm. i.e. when most needed. They are of course cheaper than GSHP which would be better technically. It would be better to have a more expensive scheme which works well than a cheap one which does not.
The proposed measures have been demonstrated within the submitted supporting information as being, in this instance, the most feasible option to pursue. The information has been reviewed by Building Control Surveyors, and the recommended technology agreed with.
- The Surface Water Drainage Report is written by one engineer but it has not been signed as checked by anyone else. This is unsatisfactory.
The internal quality assurances provided by the applicant are not a material planning consideration and are not a reasonable reason for refusal. The submitted documentation has been independently reviewed by the Harrow Drainage Authority, who considered the submitted documentation to be acceptable.
- It is stated on page 2 of The Surface Water Drainage Report that the basis of the design is that there will be no flooding based on a one in 100 year critical storm. On the assumption that the buildings are intended to last at least a few decades this seems an inadequate safety margin. One in 100 year events have happened recently and it is now accepted that extreme weather events will become more common.
The submitted documentation has been independently reviewed by the Harrow Drainage Authority, who considered the submitted documentation to be acceptable.
- We already have a large number of areas in Harrow which have been made impermeable and these could cause more water to be directed into the sewers than they can cope with during severe rain storms. The Equitable House and Lyon House

development will have to interface with the existing sewer system. It would surely be prudent to design the flood protection measures to cope with rain storms which are more severe than one in 100 year events and with full sewers.

The submitted documentation has been independently reviewed by the Harrow Drainage Authority, who considered the submitted documentation to be acceptable.

CONDITIONS

1 The development hereby permitted shall be begun before the expiration of three years from the decision date of P/3118/11, being the 31/10/2012.

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

2 Notwithstanding the submitted details, prior to the commencement of construction of each of the buildings, details of the external brick to be used within the development shall be submitted to and approved in writing by the Local Planning Authority. The development of each building shall be carried out in strict accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance of the locality in accordance with The London Plan Policy 7.4 and Policy DM1 of the Harrow Development Management Plan (2013).

3 The development hereby permitted shall be completed in accordance with the details hereby approved for the ground surfacing and the boundary treatment of the site as detailed in approved plan nos: MCA1814/05A and MCA1814/06A. 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 The London Plan Policy 7.4 and Policy DM1 of the Harrow Development Management Plan (2013).

4 Notwithstanding the hard and soft landscaping plans hereby approved, the applicant shall prior to the first occupation of the residential element, submit details of the children's play equipment within the designated areas of the development. The details of the children's play equipment shall include;

- Layout of the play equipment
- Elevations
- Material finish

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

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development in accordance with Policy DM1 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 building(s), 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 5 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 Policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

6 Prior to the commencement of development the tree protection measures as detailed within approved plan no. MCA1814/07 shall be implemented. The construction of the development shall be carried out in strict accordance with the approved details, and be retained throughout the entire construction phase.

REASON: To protect retained trees on the site to maintain their longevity in accordance

with Policy DM22 of the Harrow Development Management Policies Local Plan (2013).

7 The approved A1 / A2 / A3 premises shall not be open to the public except between the hours of 08.00 to 23.00 Monday to Saturday and between 10.00 and 17.00 hours on Sundays and Bank Holidays. The approved A1 / A2 / A3 premises shall not be open at any other time except with the prior agreement in writing of the Local Planning Authority.
REASON: To safeguard the amenities of neighbouring residential occupiers, as required by policies DM1 and DM35 of the Harrow Development Management Policies Local Plan (2013).

8 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 level of the site, have been submitted to, and approved in writing 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 DM42 of the Harrow Development Management Policies Local Plan (2013).

9 Prior to the first occupation of the development hereby permitted, the secure bicycle storage as detailed within approved plan nos: 2006-00-RP-0007-PO1 shall be implemented and retained as approved thereafter.
REASON: To ensure the delivery of a sustainable development which seeks to minimise travel by private car in accordance with policy 6.9 of the London Plan (2011) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

10 No goods, materials, plant or machinery shall be stored within the car park of the approved development without the prior written permission of the Local planning authority.
REASON: In the interests of amenity and to ensure that the areas dedicated for parking and servicing and landscaping within the site are retained, in accordance with policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

11 The development hereby permitted shall be built in accordance with approved document 130312/rp/esdg/v1.2 (Energy Strategy) and BREEAM Report (Sustainability Strategy) submitted to and approved in writing by the Local Planning Authority. The details approved within these documents shall be implemented and retained thereafter. 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 for each phase 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 PPS1 and its supplement Planning and Climate Change, The London Plan (2011) Policies 5.1, 5.2A/B, 5.3A, 5.7B, 5.9B/C, 5.10C and 5.11A, Policy DM12 of the Harrow Development Management Policies Local Plan (2013) and adopted Supplementary Planning Document Sustainable Building Design (2009).

12 The development hereby permitted shall be completed in accordance with the details hereby approved (Storm Water Design Calculations, 12880/GA-700 (REV P5), 12880/GA-701 (REV P5), 12880/GA-702 (REV P5), 12880/01, 12880/02, 12880/03, 12880/04,) with regard to the disposal of surface water and surface water attenuation / storage works. The development shall be completed in accordance with the approved

details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding in accordance with the objectives set out under policies DM9 and DM10 the Harrow Development Management Policies Local Plan (2013).

13 The development hereby permitted shall be implemented in accordance with the details hereby approved within the Construction Environmental Management Plan (Demolition Method Statement/Construction Method Statement/Construction Logistics Plan (CLP)). The approved measures shall be in place prior to demolition or construction on site, and shall be retained as approved until all works within the site have been completed.

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises, the transport network and the local natural environment in accordance with policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).

14 Before the first use of the development hereby permitted, a Delivery and Servicing Plan (DSP) shall be submitted to, and approved in writing by, the local planning authority. The approved DSP shall be adhered to in perpetuity and following occupation.

REASON: To manage the impact of the development upon the local area during its operation in the interests of public amenity and the local natural environment in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

15 The following certificates of compliance shall be submitted to the planning authority for approval before the development is occupied.

1. A test of compliance should be carried out in accordance with BS EN ISO 140-4 1998 "Field measurements of airborne sound insulation between rooms" all test results should be rated in accordance with BS EN ISO 717-1: 1997 "Rating of sound insulation in buildings and of building elements. Part 1 Airborne sound insulation"

2. A test of compliance should be carried out in accordance with BS EN ISO 140-7 1998 "Field measurements of impact sound insulation of floors" all test results should be rated in accordance with BS EN ISO 717-2: 1997 "Rating of sound insulation in buildings and of building elements. Part 2 impact sound insulation"

REASON: To ensure that adequate precautions are taken to avoid noise nuisance between premises and to safeguard the amenity of neighbouring residents in accordance with Harrow Core Policy CS1 (Overarching Policy) K and policy DM1 of the Harrow Development Management Policies Local Plan (2013).

16 Within six months of the permission hereby granted, a Vacancy Strategy shall be submitted to the local planning authority in writing. The Vacancy Strategy shall include (but not be limited to) a scheme to ensure that the approved A1/A2/A3 units that front onto Lyon Road can be utilised for temporary alternative uses in the event that commercial occupiers cannot be found upon completion of the units. The Vacancy Strategy shall be approved in writing by the local planning authority and shall be implemented in strict accordance with the approved details thereafter, unless otherwise agreed in writing with the local planning authority.

REASON: To ensure the vitality and viability of the area and safeguard the appearance of the locality in accordance with The London Plan (2011) policy 4.12 and Policy AAP1 of the Harrow and Wealdstone Area Action Plan (2013).

17 The 287 homes in this development, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter be retained to those standards.

REASON: To ensure provision of 'Lifetime Home' / 'Wheelchair' standard housing in accordance with policies 3.8 and 7.2 of The London Plan (2011), Harrow Core Policy CS1 (Overarching Policy) K and Policies DM1 and DM2 of the Harrow Development

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

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

19 Prior to occupation of the development hereby permitted, the measures submitted within 2006-00-DR-0008-P02 to minimise the risk of crime shall be implemented as approved. Following implementation the approved measures shall thereafter be retained.

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

20 Prior to the first occupation of the development hereby permitted, the details within approved plan no. 130312-SS-001 P2 for communal facilities for television reception shall be implemented. The details within this plan shall be implemented in accordance with plan 130312-SS-001 P2 and retained thereafter. Notwithstanding the provisions of the Part 25 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 other television reception equipment shall be introduced onto the walls or roof of the approved building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building to the detriment of the visual amenity of the area in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

21 Before the development hereby permitted is occupied, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within the Controlled Parking Zone.

REASON: To ensure that the scheme adequately addresses the landscaping and sustainability requirements of Policies DM1 and DM2 of the Harrow Development Management Polices Local Plan (2013).

22 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 24 of Schedule 2 to that Order shall be carried out without the prior written permission of the local planning authority.

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

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

2006-00-DR-0001-P01 Site Plan, 2006-00-DR-0100-P01 Proposed Site Wide Plan Lower Ground-Basement GA Plan, 2006-00-DR-0101-P01 Proposed Site Wide Plan Ground Floor, 2006-00-DR-0114-P02 Proposed Site Wide Plan Roof, 2006-00-DR-0120-P02 Proposed Site Wide Plan Typical Floor, 2006-00-DR-0400-P01 Proposed Site Wide Section AA, 2006-00-DR-0401-P01 Proposed Site Wide Section BB, 2006-00-DR-0600-P02 Lyon Road Elevation (Site Wide West), 2006-00-DR-0601-P02 St John's Road Elevation (Site Wide North), 2006-00-DR-0602-P02 Site Wide East Elevation, 2006-00-DR-0603-P02 Internal Courtyard South Elevation, 2006-00-DR-0604-P02 Internal

Courtyard West Elevation, 2006-00-DR-0605-P02 Internal Courtyard East Elevation, 2006-00-DR-1600-P02 Typical Detailed Section Through Residential Unit External Wall, 2006-00-DR-1601-P02 Typical Detailed Section Through Double Height Shopfront, 2006-00-RP-0005-P02 Design and Access Statement, 2006-00-RP-0006-P01 Discharge of Conditions 2: External Material Details, 2006-00-RP-0007-P01 Discharge of Conditions 9: Cycle Parking, 2006-00-SH-0001-P01 Schedule of Areas and Accommodation, 2006-10-DR-0101-P01 Block A GA Plan Ground Floor, 2006-10-DR-0114-P01 Block A GA Plan Roof, 2006-10-DR-0131-P01 Block A GA Plan Typical Odd Levels, 2006-10-DR-0132-P01 Block A GA Plan Typical Even Levels, 2006-10-DR-0600-P01 Block A North Elevation, 2006-10-DR-0601-P01 Block A East Elevation, 2006-10-DR-0602-P01 Block A South Elevation, 2006-10-DR-0603-P01 Block A West Elevation, 2006-20-DR-0101-P01 Block B GA Plan Ground Floor, 2006-20-DR-0114-P01 Block B GA Plan Roof, 2006-20-DR-0131-P01 Block B GA Plan Typical Odd Levels, 2006-20-DR-0132-P01 Block B GA Plan Typical Even Levels, 2006-20-DR-0600-P01 Block B North Elevation, 2006-20-DR-0601-P01 Block B East Elevation, 2006-20-DR-0602-P01 Block B South Elevation, 2006-20-DR-0603-P01 Block B West Elevation, 2006-30-DR-0101-P01 Block C GA Plan Ground Floor, 2006-30-DR-0102-P01 Block C GA Plan Level 01, 2006-30-DR-0103-P01 Block C GA Plan Level 02, 2006-30-DR-0105-P01 Block C GA Plan Level 04, 2006-30-DR-0109-P01 Block C GA Plan Level 08, 2006-30-DR-0114-P01 Block C GA Plan Roof, 2006-30-DR-0124-P01 Block C GA Plan Typical Upper Levels, 2006-30-DR-0131-P01 Block C GA Plan Typical Odd Lower Levels, 2006-30-DR-0600-P01 Block C North Elevation, 2006-30-DR-0601-P01 Block C East Elevation, 2006-30-DR-0602-P01 Block C South Elevation Tower, 2006-30-DR-0603-P01 Block C West Elevation Tower, 2006-30-DR-0604-P01 Block C North Elevation Tower, 2006-30-DR-0605-P01 Block C West Elevation, 2006-40-DR-0101-P01 Blocks D & E GA Plan Ground Floor, 2006-40-DR-0114-P01 Blocks D & E GA Plan Roof, 2006-40-DR-0121-P01 Blocks D & E GA Typical Floor, 2006-40-DR-0600-P01 Blocks D & E North Elevation, 2006-40-DR-0601-P01 Blocks D & E East Elevation, 2006-40-DR-0602-P01 Blocks D & E South Elevation, 2006-40-DR-0603-P01 Blocks D & E West Elevation, 2006-50-DR-0100-P01 Blocks F & G GA Plan Lower Ground Floor, 2006-50-DR-0101-P01 Blocks F & G GA Plan Ground Floor, 2006-50-DR-0102-P02 Blocks F & G GA Plan Level 01, 2006-50-DR-0114-P02 Blocks F & G GA Plan Roof, 2006-50-DR-0122-P02 Blocks F & G GA Plan Typical Mid Tower levels, 2006-50-DR-0123-P02 Blocks F & G GA Plan Typical Upper Tower Levels, 2006-50-DR-0131-P02 Blocks F & G GA Plan Typical Odd Levels, 2006-50-DR-0132-P02 Blocks F & G GA Plan Typical Even Levels, 2006-50-DR-0400-P02 Blocks F & G Section AA, 2006-50-DR-0600-P03 Blocks F & G West Elevation Tower, 2006-50-DR-0601-P03 Blocks F & G North Elevation Tower, 2006-50-DR-0602-P03 Blocks F & G East Elevation Tower, 2006-50-DR-0603-P02 Blocks F & G East Elevation, 2006-50-DR-0604-P02 Blocks F & G South Elevation, 2006-50-DR-0605-P02 Blocks F & G West Elevation, 2006-50-DR-0606-P01 Blocks F & G South Elevation Tower, 2006-60-DR-0101-P01 Block H GA Plan Ground Floor, 2006-60-DR-0114-P01 Block H GA Plan Roof, 2006-60-DR-0131-P01 Block H GA Plan Typical Odd Levels, 2006-60-DR-0132-P01 Block H GA Plan Typical Even Levels, 2006-60-DR-0600-P02 Block H North Elevation, 2006-60-DR-0601-P02 Block H East Elevation, 2006-60-DR-0602-P02 Block H South Elevation, 2006-60-DR-0603-P02 Block H West Elevation, 2006-70-DR-0120-P01 Lodge GA Plan Ground Floor & Roof, 2006-70-DR-0600-P01 Lodge Elevations, 2006-80-DR-0120-P01 Substation GA Plan Ground Floor & Roof, 2006-80-DR-0600-P01 Substation Elevations. Design and Access Statement, prepared by CZWG
 MCA1814-01D Lyon Road Landscape Design Strategy, MCA1814-02D Courtyard Garden Landscape, MCA1814-03A Lyon Road Planting Plan North, MCA1814-04A Lyon Road Planting Plan South, MCA1814-05A Lyon Road Hard Landscape North, MCA1814-06A Lyon Road Hard Landscape South, MCA1814-07A Lyon Road Tree Protection

(Colour), Landscape Management Plan prepared by MCA Landscape Architects.
Underground Surface Water Drainage Sheets 12880/GA-700, 701 and 702
3523_10_000_2d.dwg Topographical Survey
130312-SS-001 P2 Proposed Site Wide Plan Roof Level TV Satellite Dish & Aerial Array
Locations
Energy Assessment, prepared by Silcock Dawson & Partners
Construction Environmental Management Plan, prepared by Redrow Homes South East
Ltd
Daylight Sunlight Report, prepared by CHP Surveyors Ltd
REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

1 The following the policies are relevant to this decision:

- 2.7 – Outer London: Economy
- 2.13 – Opportunity areas and intensification areas
- 2.15 – Town Centres
- 3.1 – Ensuring equal life chances for all
- 3.3 – Increasing housing supply
- 3.4 – Optimising housing potential
- 3.5 – Quality and design of housing developments
- 3.8 – Housing Choice
- 3.9 – Mixed and balanced communities
- 3.11 – Affordable Housing Targets
- 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 4.1 – Developing London's Economy
- 4.7 – Retail and town centre development
- 4.8 – Supporting a successful and diverse retail sector
- 4.9 – Small shops
- 4.12 – Improving Opportunities for all
- 5.1 – Climate change mitigation
- 5.2 – Minimising carbon dioxide emissions
- 5.3 – Sustainable design and construction
- 5.7 – Renewal energy
- 5.9 – Overheating and cooling
- 5.10 – Urban greening
- 5.11 – Green roofs and development site environs
- 5.12 – Flood risk management
- 6.1 – Strategic approach
- 6.2 – Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.10 – Walking
- 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
- 7.7 – Location and design of tall and large buildings
- 7.13 – Safety, security and resilience to emergency
- 7.14 – Improving air quality
- 7.15 – Reducing noise and enhancing soundscapes
- 8.1 – Implementation
- 8.2 – Planning obligations

Harrow Core Strategy (2012)

- CS1 B/C/D/E Local Character
- CS1 G Open Space, Sport and Recreation
- CS1 H/I/J/K Housing
- CS1 L/M Town Centres
- CS1 N/O/P Economic Development and Employment
- CS1 Q/R/S Transport
- CS1 T Responding to Climate Change
- CS1 U Sustainable Flood Risk Management
- CS 1X Sustainable Waste Management
- CS 1 Z/AA/AB Infrastructure

Harrow & Wealdstone Area Action Plan (2013)

- AAP1 – Development within Harrow Town Centre
- AAP4 – Achieving a high Standard of Development throughout the Heart of Harrow Council
- AAP5 – Density and Use of Development
- AAP6 – Development Height
- AAP7 – Creating a New Public Realm
- AAP8 – Enhancing the Setting of Harrow on the Hill
- AAP9 – Flood Risk & Sustainable Drainage
- AAP13 – Housing within the Heart of Harrow Council
- AAP19 – Transport, Parking & Access within the Heart of Harrow

Harrow Development Management Local Policies Plan (2013)

- DM1 – Achieving a High Standard of Development
- DM2 – Achieving Lifetime Neighbourhoods
- DM3 – Protected Views and Vistas
- DM7 – Heritage Assets
- DM10 – On Site Water management and Surface Water Attenuation
- DM12 – Sustainable Design & Layout
- DM13 – Decentralised Energy Systems
- DM14 – Renewable Energy Technology
- DM22 – Trees and Landscaping
- DM24 – Housing Mix
- DM27 – Amenity Space
- DM28 – Children & Young Peoples Play Facilities
- DM35 – New Town Centre Development
- DM40 – Mixed-Use Development in Town Centres
- DM42 – Parking Standards

DM43 – Transport Assessments and Travel Plans
DM44 – Servicing

Other Relevant Guidance:

Supplementary Planning Document: Residential Design Guide (2010)
Supplementary Planning Document: Accessible Homes (2010)
Supplementary Planning Document Sustainable Building Design (2009)
Supplementary Planning Document: Access for All (2006)
Code of Practice: Refuse Storage and Collection of Domestic Refuse (2008)

2 Please be advised that approval of this application (either by Harrow Council, or subsequently by PINS if allowed on Appeal following a Refusal by Harrow Council) will attract a liability payment of £960,680 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and Section 211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £960,680 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 27,448 sqm.

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

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

3 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

4 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5 THAMES WATER:

There may be public sewers crossing / adjacent to the site, so any building within 3m of the sewers will require an agreement with Thames Water Utilities. The applicant should contact the Area Service Manager, Mogden, at Thames Water Utilities at the earliest opportunity, in order to establish the likely impact of this development upon the sewerage infrastructure. Tel: 0645 200 800

6 THAMES WATER:

The applicant is advised that notwithstanding the approval of details in relation to on site storm water run off/attenuation as required by Condition 12 of approval P/3118/11, Discharge Consent from Thames Water to discharge into their infrastructure is required. A copy of the Discharge Permit from Thames Water shall be provided to the Local Planning Authority for information purposes.

7 PERMEABLE PAVING:

Note: guidance on permeable paving has now been published by the Environment Agency on

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

8 ENVIRONMENT AGENCY NOTE:

This development is located within an area of serious water stress due to limited water resources in the local area and high and growing demand for water. We therefore suggest you investigate the use of water efficiency measures and aim to achieve 105 litres/head/day (l/h/d), equivalent to level 3/4 for water within the Code for Sustainable Homes.

Achieving a water efficiency standard of 105l/h/d within new homes can be accomplished at very little extra cost (under £125 extra per home¹[1]) and typically only involves low/dual flush toilets, low flow/aerated taps and showerheads and efficient appliances (dishwasher and washing machines) and does not require more expensive rain or greywater technologies. The Government's 'Water Calculator' provides information on how to achieve and assess water efficiency within new homes:

http://www.planningportal.gov.uk/uploads/br/water_efficiency_calculator.pdf

1[1] London's draft Water Strategy, GLA, 2009

<http://legacy.london.gov.uk/mayor/environment/water/docs/draft-water-strategy.pdf>

As the proposed development is over six stories we believe that deep piling may be used. Deep piling can result in physical disturbance of aquifers and pose a pollution risk to controlled waters. If piling is proposed, the chosen method must not increase the risk of near-surface pollutants migrating into deeper geological formations and aquifers.

Due to the number of car parking spaces proposed please also refer to our guidance on using oil separators within the drainage scheme.

9 COMPLIANCE WITH PLANNING CONDITIONS

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

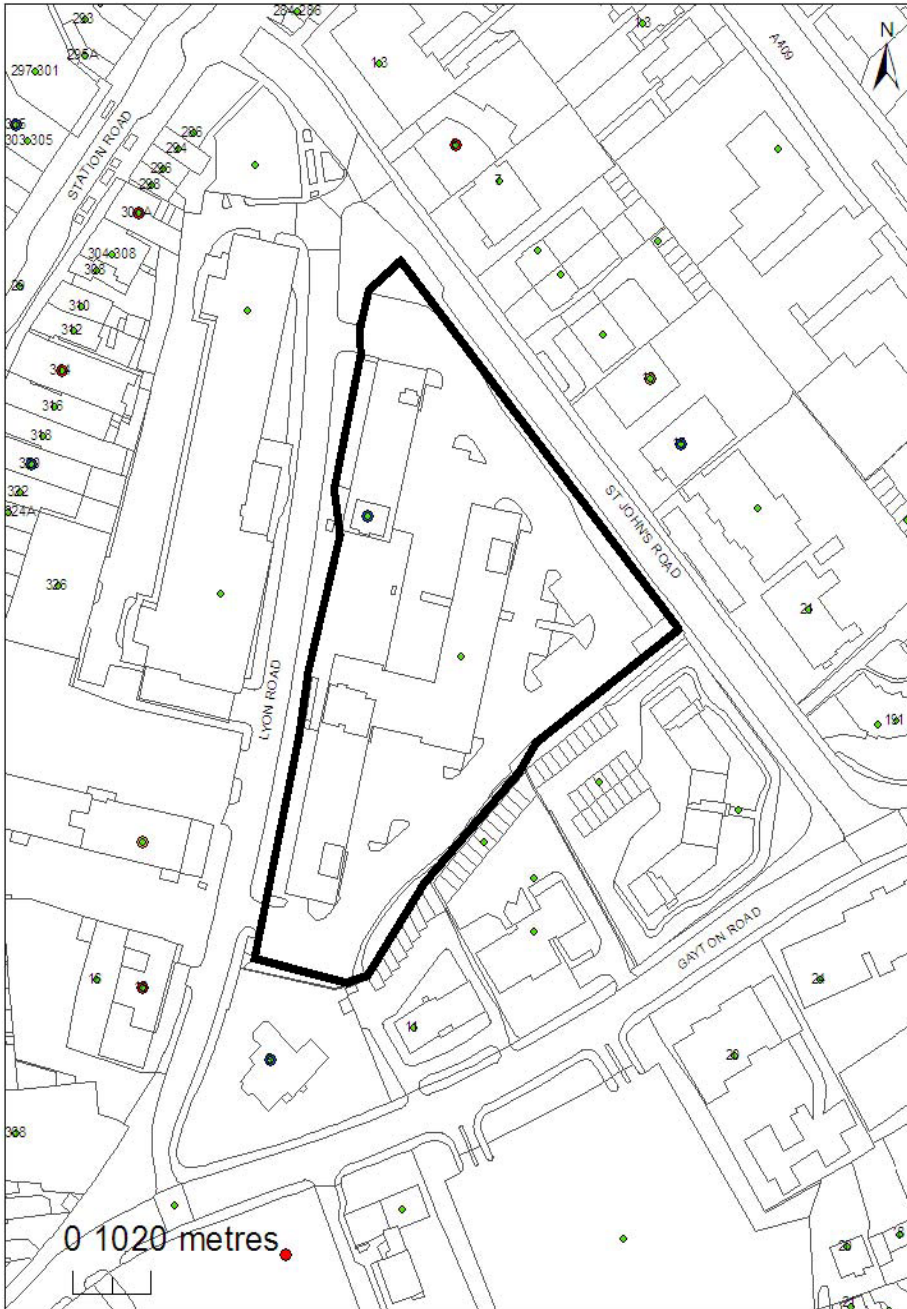
- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of 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: 2006-00-DR-0001-P01 Site Plan, 2006-00-DR-0100-P01 Proposed Site Wide Plan Lower Ground-Basement GA Plan, 2006-00-DR-0101-P01 Proposed Site Wide Plan Ground Floor, 2006-00-DR-0114-P02 Proposed Site Wide Plan Roof, 2006-00-DR-

0120-P02 Proposed Site Wide Plan Typical Floor, 2006-00-DR-0400-P01 Proposed Site Wide Section AA, 2006-00-DR-0401-P01 Proposed Site Wide Section BB, 2006-00-DR-0600-P02 Lyon Road Elevation (Site Wide West), 2006-00-DR-0601-P02 St John's Road Elevation (Site Wide North), 2006-00-DR-0602-P02 Site Wide East Elevation, 2006-00-DR-0603-P02 Internal Courtyard South Elevation, 2006-00-DR-0604-P02 Internal Courtyard West Elevation, 2006-00-DR-0605-P02 Internal Courtyard East Elevation, 2006-00-DR-1600-P02 Typical Detailed Section Through Residential Unit External Wall, 2006-00-DR-1601-P02 Typical Detailed Section Through Double Height Shopfront, 2006-00-RP-0005-P02 Design and Access Statement, 2006-00-RP-0006-P01 Discharge of Conditions 2: External Material Details, 2006-00-RP-0007-P01 Discharge of Conditions 9: Cycle Parking, 2006-00-SH-0001-P01 Schedule of Areas and Accommodation, 2006-10-DR-0101-P01 Block A GA Plan Ground Floor, 2006-10-DR-0114-P01 Block A GA Plan Roof, 2006-10-DR-0131-P01 Block A GA Plan Typical Odd Levels, 2006-10-DR-0132-P01 Block A GA Plan Typical Even Levels, 2006-10-DR-0600-P01 Block A North Elevation, 2006-10-DR-0601-P01 Block A East Elevation, 2006-10-DR-0602-P01 Block A South Elevation, 2006-10-DR-0603-P01 Block A West Elevation, 2006-20-DR-0101-P01 Block B GA Plan Ground Floor, 2006-20-DR-0114-P01 Block B GA Plan Roof, 2006-20-DR-0131-P01 Block B GA Plan Typical Odd Levels, 2006-20-DR-0132-P01 Block B GA Plan Typical Even Levels, 2006-20-DR-0600-P01 Block B North Elevation, 2006-20-DR-0601-P01 Block B East Elevation, 2006-20-DR-0602-P01 Block B South Elevation, 2006-20-DR-0603-P01 Block B West Elevation, 2006-30-DR-0101-P01 Block C GA Plan Ground Floor, 2006-30-DR-0102-P01 Block C GA Plan Level 01, 2006-30-DR-0103-P01 Block C GA Plan Level 02, 2006-30-DR-0105-P01 Block C GA Plan Level 04, 2006-30-DR-0109-P01 Block C GA Plan Level 08, 2006-30-DR-0114-P01 Block C GA Plan Roof, 2006-30-DR-0124-P01 Block C GA Plan Typical Upper Levels, 2006-30-DR-0131-P01 Block C GA Plan Typical Odd Lower Levels, 2006-30-DR-0600-P01 Block C North Elevation, 2006-30-DR-0601-P01 Block C East Elevation, 2006-30-DR-0602-P01 Block C South Elevation Tower, 2006-30-DR-0603-P01 Block C West Elevation Tower, 2006-30-DR-0604-P01 Block C North Elevation Tower, 2006-30-DR-0605-P01 Block C West Elevation, 2006-40-DR-0101-P01 Blocks D & E GA Plan Ground Floor, 2006-40-DR-0114-P01 Blocks D & E GA Plan Roof, 2006-40-DR-0121-P01 Blocks D & E GA Typical Floor, 2006-40-DR-0600-P01 Blocks D & E North Elevation, 2006-40-DR-0601-P01 Blocks D & E East Elevation, 2006-40-DR-0602-P01 Blocks D & E South Elevation, 2006-40-DR-0603-P01 Blocks D & E West Elevation, 2006-50-DR-0100-P01 Blocks F & G GA Plan Lower Ground Floor, 2006-50-DR-0101-P01 Blocks F & G GA Plan Ground Floor, 2006-50-DR-0102-P02 Blocks F & G GA Plan Level 01, 2006-50-DR-0114-P02 Blocks F & G GA Plan Roof, 2006-50-DR-0122-P02 Blocks F & G GA Plan Typical Mid Tower levels, 2006-50-DR-0123-P02 Blocks F & G GA Plan Typical Upper Tower Levels, 2006-50-DR-0131-P02 Blocks F & G GA Plan Typical Odd Levels, 2006-50-DR-0132-P02 Blocks F & G GA Plan Typical Even Levels, 2006-50-DR-0400-P02 Blocks F & G Section AA, 2006-50-DR-0600-P03 Blocks F & G West Elevation Tower, 2006-50-DR-0601-P03 Blocks F & G North Elevation Tower, 2006-50-DR-0602-P03 Blocks F & G East Elevation Tower, 2006-50-DR-0603-P02 Blocks F & G East Elevation, 2006-50-DR-0604-P02 Blocks F & G South Elevation, 2006-50-DR-0605-P02 Blocks F & G West Elevation, 2006-50-DR-0606-P01 Blocks F & G South Elevation Tower, 2006-60-DR-0101-P01 Block H GA Plan Ground Floor, 2006-60-DR-0114-P01 Block H GA Plan Roof, 2006-60-DR-0131-P01 Block H GA Plan Typical Odd Levels, 2006-60-DR-0132-P01 Block H GA Plan Typical Even Levels, 2006-60-DR-0600-P02 Block H North Elevation, 2006-60-DR-0601-P02 Block H East Elevation, 2006-60-DR-0602-P02 Block H South Elevation, 2006-60-DR-0603-P02 Block H West Elevation, 2006-70-DR-0120-P01 Lodge GA Plan Ground Floor & Roof, 2006-70-DR-0600-P01 Lodge Elevations, 2006-80-DR-0120-P01 Substation GA Plan Ground Floor & Roof, 2006-80-DR-0600-P01 Substation Elevations.

Design and Access Statement, prepared by CZWG
MCA1814-01D Lyon Road Landscape Design Strategy, MCA1814-02D Courtyard
Garden Landscape, MCA1814-03A Lyon Road Planting Plan North, MCA1814-04A Lyon
Road Planting Plan South, MCA1814-05A Lyon Road Hard Landscape North, MCA1814-
06A Lyon Road Hard Landscape South, MCA1814-07A Lyon Road Tree Protection
(Colour), Landscape Management Plan prepared by MCA Landscape Architects.
Underground Surface Water Drainage Sheets 12880/GA-700, 701 and 702
3523_10_000_2d.dwg Topographical Survey
130312-SS-001 P2 Proposed Site Wide Plan Roof Level TV Satellite Dish & Aerial Array
Locations
Energy Assessment, prepared by Silcock Dawson & Partners
Construction Environmental Management Plan, prepared by Redrow Homes South East
Ltd

EQUITABLE HOUSE, LYON ROAD, HARROW



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SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No: 2/01
Address: 12 BETHECAR ROAD, HARROW
Reference: P/3462/14
Description: CERTIFICATE OF LAWFUL DEVELOPMENT (PROPOSED):
SINGLE STOREY REAR EXTENSION
Ward: MARLBOROUGH
Applicant: MR SALEH EMRAN
Case Officer: LIAM MCFADDEN
Expiry Date: 21/11/2014

GRANT a Certificate of Lawful Proposed Development.

INFORMATION:

This application is reported to the Planning Committee because the applicant is an employee of Harrow Council.

Statutory Return Type: 26: Other
Council Interest : None

Site Description

- The subject property is a two storey semi-detached single family dwellinghouse facing southeast onto Bethecar Road
- The property has not been previously extended
- The property is not a listed building and not in a conservation area or within any other land designated under Article 1(5) of the GPDO 1995 (as amended).
- It is not subject to an Article 4 Direction and has not otherwise had its permitted development rights removed or restricted by reason of a condition attached to a previous planning permission.

Proposal Details

- The proposal is for a single storey rear extension with two rooflights in its rear roofslope and a window in the southwest facing flank elevation.
- The proposed rooflights would be flush with the roofslope of the proposed single storey rear extension
- It would extend 6m beyond the rear elevation of the existing dwellinghouse
- It would have an eaves height of 2.52m and a maximum height of 3.36m

Relevant History

P/2893/13 - Single storey rear extension: 6 metres deep 3.36 Metres maximum height and 2.53 Metres high to the eaves

Pre-Application Discussion

- None

Applicant Statement

- N/A

Consultations

No consultation is required or undertaken for a Certificate of Lawful Proposed Development application

MAIN CONSIDERATIONS AND POLICIES

Compliance with Permitted Development Limitations

APPRAISAL

1 Compliance with Permitted Development Limitations

Proposed Single Storey Rear Extension

In relation to compliance with **Class A**, the proposed single storey rear extension is appraised as follows:

A.1

- a) The proposed extension, together with other buildings within the curtilage would not occupy an area greater than 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).
- b) The height of the enlarged part of the dwellinghouse would not exceed the height of the highest part of the roof of the existing dwellinghouse.
- c) The height of the eaves of the enlarged part of the dwellinghouse would not exceed the height of the eaves of the existing dwellinghouse.
- d) The proposed single storey rear extension would not extend beyond a wall which fronts a highway and forms a principal or a side elevation of the original dwellinghouse
- e) The proposed single storey rear extension would exceed 3 metres beyond the rear wall of the original dwellinghouse. Sub paragraph (ea) of the General Permitted Development Order 2013 (as amended) permits until 2016, for a dwellinghouse not on article 1(5) land nor on a Site of Special Scientific Interest, the enlarged part of the dwellinghouse would have a single storey and would:
 - (ea)(i) not extend beyond the rear wall of the dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse
 - (ea)(ii) not exceed 4 metres in height

In order for the development to be lawful under A.1 (ea), the development must meet the conditions set out under paragraph A.4 which sets out the prior notification process, including the time frame for the notification being 42 days prior to commencement of any development relating to Class A.1 (ea). The applicant had submitted a prior notification which was received by the LPA on 20/09/2013. There was no objection raised to the 21 day notification that was sent to the adjoining owners and subsequently prior approval

was established by default once the 42 days had lapsed.

- (e) (ii) The proposed extension would not exceed 4 metres in height when measured from the highest point of the natural ground level adjacent to the original dwellinghouse.
- f) N/A - The extension would not have more than one storey.
- g) The proposed single storey rear extension would be within 2 metres of the boundary of the curtilage of the dwellinghouse and the height of the eaves of the enlarged part would not exceed 3 metres.
- h) The proposed single storey rear extension would not extend beyond a wall forming a side elevation of the original dwellinghouse.
- i) The proposed single storey rear extension would not include the construction or provision of a veranda or balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil and vent pipe.

A.2

Not applicable as the dwellinghouse is not on Article 1(5) land.

A.3

- a) Annotations on the proposed plans indicate that the materials to be used in any exterior work are of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
- b) N/A - The extension would be single storey
- c) N/A - The extension would be single storey

A.4

The prior notification required by this section has been undertaken.

CONCLUSION

For all the reasons considered above, the development complies with the relevant limitations set out in Schedule 2, Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995, as amended by The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 relating to development within the curtilage of a dwellinghouse. It is therefore recommended that a Certificate of Lawful Proposed Development be issued.

CONDITIONS

- 1 The proposed single storey rear extension is within the tolerances of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.
- 2 The Development is therefore a lawful development.

INFORMATIVES

1 INFORMATIVE:

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:

0800-1800 hours Monday - Friday (not including Bank Holidays)

0800-1300 hours Saturday

2 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>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

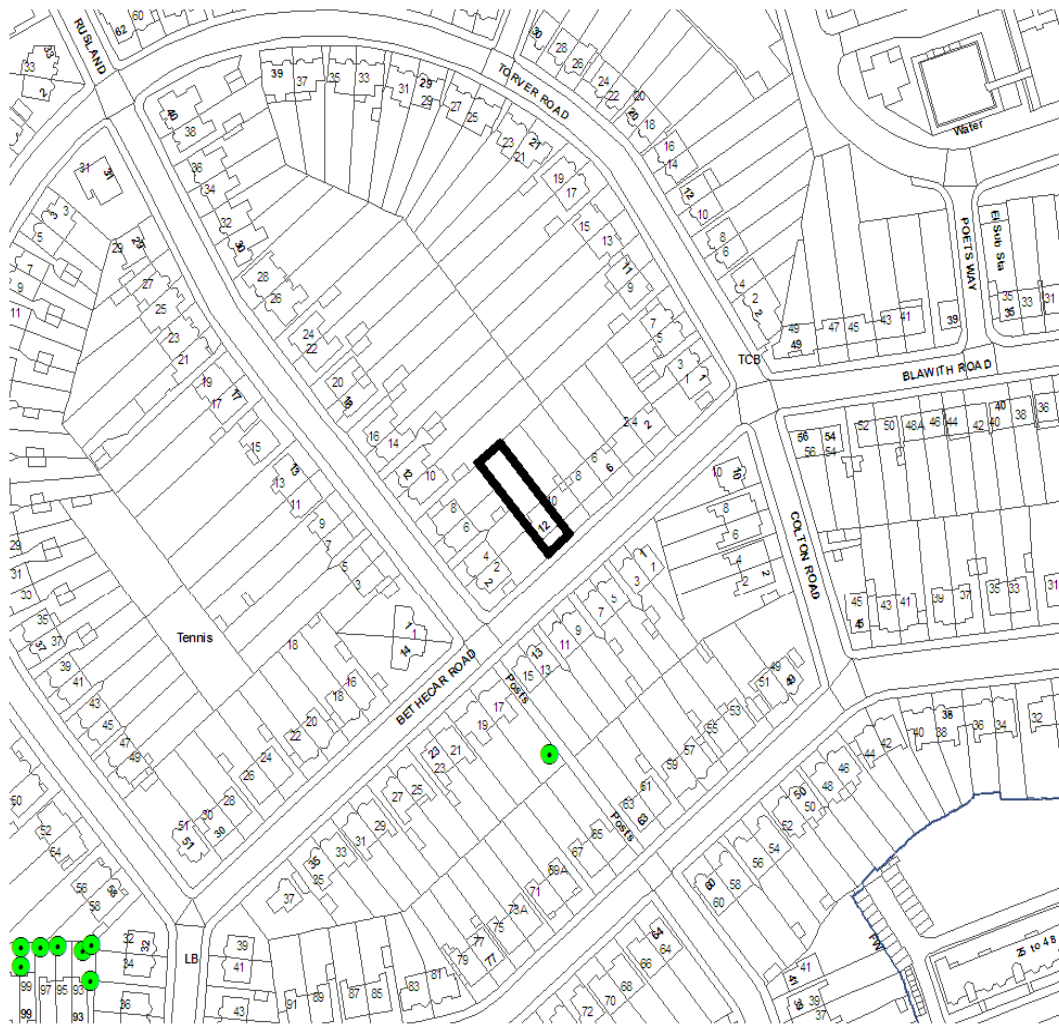
E-mail: communities@twoten.com

3 INFORMATIVE:

The applicant is reminded that, to comply with Condition A.4. (10) & (11) of Part 1 (Class A) to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as inserted by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, the development must be completed on or before 30th May 2016 and that the developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.

Plan Nos: Site Plan, 332/01, 332/02, 332/03

12 BETHECAR ROAD, HARROW



Item No: 2/02
Address: LAND ADJACENT 14 – 16, MASONS AVENUE, HARROW
Reference: P/1832/14
Description: USE OF VACANT LAND ADJACENT TO 14-16 MASONS AVENUE FOR PARKING AND STORING OF VEHICLES IN CONNECTION WITH THE MOT TESTING AND VEHICLE REPAIR GARAGE AT 14-16 MASONS AVENUE (ANCILLARY B2 USE)
Ward: HARROW WEALD
Applicant: MR MOHAMMED ABDUL-RAZZAK
Case Officer: OLIVE SLATTERY
Expiry Date: 7th NOVEMBER 2014

RECOMMENDATION

GRANT planning permission for the development described in the application and submitted plans, subject to condition(s).

INFORMATION

This application is reported to the Planning Committee as the application site is owned by the Council and the site area exceeds 100m². The application therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type: E(18) Minor Development

Council Interest: The Council is the landowner.

Net additional Floorspace: 0 sqm

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

Site Description

- The current planning application relates to No. 14 – 16 Masons Avenue and the adjacent parcel of land located immediately to the east.
- Masons Avenue is a predominantly residential street although the area in the immediate vicinity of the application site is more mixed, with commercial premises predominately to the west and north-west of the site. Generally, to west of the George Gange Way flyover (closer to Wealdstone town centre) the street is largely characterised by a range of commercial premises whereas to the east of the flyover, two-storey Victorian terraced dwellings predominate.
- No. 14 – 16 Masons Avenue is used as a single planning unit for vehicle repairs (Use Class B2).
- A Certificate of Lawful Proposed Development (reference no. P/0402/11) was issued by the Council on 27th April 2011 and this confirmed that the 'proposed use of part of the Vehicle Repair garage (Use Class B2) as an MOT Testing station would be

ancillary to the lawful use of the land, and would fall within Use Class B2 of The Town and Country Planning (Use Classes) Order 1987'.

- The land adjacent to No. 14 – 16 Masons Avenue is currently vacant. According to its planning history, this land has a B1 use. It has an irregular shape. It is 49m wide across the Masons Avenue frontage, and there is a vehicle cross-over and entrance gates across this frontage.
- The site extends from Masons Avenue to a pedestrian access at the rear which links Herga Road to the George Gange Way flyover. This flyover is located above the application site.
- Planning permission was granted on 16th July 2012 for the use of vacant land adjacent to No. 47 Masons Avenue for the parking of vehicles in connection with the application site, No. 14-16 Masons Avenue, Wealdstone, HA3 5AP. This has not been implemented.
- The land adjacent to No. 27 – 33 Masons Avenue is in use for the storage and parking of vehicles in connection with No. 27 – 33 Masons Avenue and the application site, No. 14-16 Masons Avenue.

Proposal Details

- The current planning application proposes to use the vacant land adjacent to 14-16 Masons Avenue for parking and storing of vehicles in connection with the MOT testing and vehicle repair garage at 14-16 Masons Avenue (ancillary B2 use).
- It is not proposed to make any external alterations to the site.
- The submitted application form advises that 10 car parking spaces, 4 light goods vehicles and 5 motor cycles would be stored on this piece of land.

Relevant History

14-16 Masons Avenue:

P/0402/11 - Certificate of lawful proposed development: use of part of ground floor vehicle repair garage as a mot station

Granted – 27-April-2011

Land adjacent to 14-16 Masons Avenue:

P/3647/07 - Change of use from light industry (B1) to parking/storage of vehicles (cabs/minibuses) (Sui Generis)

Granted - 29-Feb-2008

Formal Pre-Application Discussion

- N/A

Applicant Submission Documents

- Highways Supporting Information

Consultations

- Environmental Health – No objections
- Highways Authority - No objections
- Drainage Department – No objections

Advertisement

General Notification – Site Notice posted on 08/10/2014 Expires on 29th October 2014

Notifications

Sent: 8
Replies: 0
Expiry: 09.10.2014

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 the Change of Use

Character and Appearance of the Area and Residential Amenity

Traffic, Parking and Drainage

Equalities and Human Rights

S17 Crime & Disorder Act

Consultation Responses

Principle of the Change of Use

The land adjacent to No. 14 – 16 Masons Avenue is currently vacant. According to its planning history, this land has a B1 use. As such, the current planning application proposes to change the use of this vacant land from a B1 use to an ancillary B2 use.

Policy AAP3 of the Harrow & Wealdstone Area Action Plan (2013) states that 'Proposals for the development of identified Opportunity Sites should be in general conformity with the site objectives and development parameters for each site set out in Chapter 5'. The application site has, in association with three other nearby sites, been identified in the adopted Area Action Plan (AAP) as a development site (Site 6: Palmerston Road / George Gange Way). The AAP designation is for the leading land use on these sites to be B1 office use or B2 industrial use with enabling C3 residential use, D1 training/education use and student accommodation as supporting land uses. The purpose of this is to provide a renewal of the commercial floorspace that currently exists on these sites.

The current application proposes to retain the commercial / employment floorspace on the application site. On this basis, the proposal would comply with the policy objectives of the Harrow & Wealdstone Area Action Plan (2013), and the objectives of the Development Management Local Policies Plan 2013 which seeks to support economic

activity and development (Policy DM31).

Policy AAP4 (c) of the Harrow & Wealdstone Area Action Plan (2013) states that 'development that would prejudice the future development of other parts of a site, adjoining land, or which would frustrate the delivery of adopted plans and allocated Opportunity Sites in Chapter 5, will be resisted'.

It is considered that the current proposal would not have any implications for the delivery of adopted plans or this allocated opportunity site, as it is not proposed to alter the existing site or to construct any structures on site. Furthermore, the vacant part of the site is owned by the Council and as such it is possible to re-view the lease for the site should an appropriate, high-quality development opportunity come forward for consideration.

Character and Appearance of the Area and Residential Amenity

Policy DM1 of the Harrow Development Management Local Policies Plan 2013 (DMP) requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. Policy DM1 reflects policies 7.4.B and 7.6.B of The London Plan 2011 and policy CS1.B of the Harrow Core Strategy 2012 which seeks to ensure that development respects local character and enhances the public realm. Policy AAP3 of the Harrow & Wealdstone Area Action Plan (2013) requires development proposals to (amongst other criteria) 'contribute to the enhancement of the urban realm and visual amenity of the district centre as a key transport gateway into the Heart of Harrow'.

It is not proposed to alter the existing site or to construct any structures on site. The site which is currently vacant would be used for the parking and storage of vehicles. This would result in the coming and going of vehicles and in an ongoing change in appearance of the site depending on the amount of vehicles being stored at any one time. However, it is considered that this would not give rise to any greater negative impact on the character and appearance of the area than the existing situation.

It is therefore considered that the current proposal would not result in demonstrable harm to the character and appearance of the surrounding area therefore complying with policies 7.4B and 7.6B of The London Plan (2011), policy DM1 of the Harrow Development Management Local Policies Plan 2013 and policies AAP3 and AAP4 of the Harrow & Wealdstone Area Action Plan (2013)

Policy 7.6B of The London Plan (2011) seeks to protect the amenity of neighbouring occupiers. Following on from this, Policy DM1 of the Development Management Policies Local Plan states that 'all development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted'.

Masons Avenue is a predominantly residential street, although the area in the immediate vicinity of the application site is more mixed, with commercial premises predominating to the west and north-west of the site. As such, this part of Masons Avenue is a transitional area where small scale business/industrial premises and residential properties are sited quite close to one and other. The residents therefore experience a higher level of noise and disturbance than would typically be experienced in an entirely residential street in a suburban location.

The closest residential properties to the application site front onto Herga Road. The rear gardens of these properties (No's 8 and 10 Herga Road) are orientated towards the application site. However, these rear gardens are buffered from the application site by a detached building at No. 30 Masons Avenue (a separate vehicle repair centre). Having regard to this, and the existing levels of background noise that arise from the surrounding highway network and from existing nearby commercial uses, it is considered that the current proposal would not have any undue impacts on amenity of the occupiers of these properties, No's 8 and 10 Herga Road, in terms of noise or disturbance.

No's 47 – 53 Masons Avenue are residential dwellings which face towards the application site. Masons Avenue separates the application site from the front elevation of these properties providing a separation distance of approximately 15m between both. It is considered that Masons Avenue would provide a buffer between the activities at the application site and the residential properties opposite the application site. On the basis of this and the background noise from the surrounding highway network and from existing nearby commercial uses, it is considered that the current proposal would not unduly impact upon the amenities of the occupiers of the residential properties opposite the application site, in terms of noise or disturbance.

It is considered that the proposed ancillary B2 use would be sited at a sufficient distance from the other nearby residential properties in the area to prevent loss of amenities to these properties.

In conclusion, it is considered that no significant harm to the residential amenities of neighbouring occupiers would occur, subject to the imposition of appropriate conditions. Such conditions would include restrictions on the movement of vehicles to and from the site between evening and early morning hours and the prior agreement of a maximum number of vehicles to be parked on the site at any time along with the requirement to demonstrate a safe and practical parking layout.

Traffic, Parking and Drainage

The London Plan, the adopted Core Strategy and the Development Management Policies Local Plan encourage and advocate sustainable modes of travel and require that each development should be assessed on its respective merits and requirements. Policy DM43 of the Development Management Policies Local Plan states that 'Proposals that fail to satisfactorily mitigate the transport impacts of development will be resisted'.

Masons Avenue is quite a heavily-trafficked narrow street. The application site is served by an existing dropped kerb onto Masons Avenue. The current planning application does not propose to alter this access arrangement.

The submitted planning application form advises that ten car parking spaces, four light goods vehicles and five motor cycles would be stored on the application site (i.e. on the land adjacent to No's 14 – 16 Masons Avenue) at any one time.

The submitted planning application form advises that the existing MOT servicing centre has a total of five onsite carparking spaces and one onsite space for a light goods vehicle. The submitted supporting documents advise that these are stored opposite the application site on the land adjacent to No. 27 – 33 Masons Avenue. It further advises that any excess cars are stored inside No. 14 – 16 Masons Avenue and on surrounding highways. This gives rise to traffic congestion, particularly in the morning and evening, when there is a need to clear the building to carry out car repairs.

The land adjacent to No. 27 – 33 Masons Avenue is in use for the storage and parking of vehicles in connection with No. 27 – 33 Masons Avenue and the application site, No. 14-16 Masons Avenue. The Highways Authority have advised that this use does at times create some disruption to general traffic flows in both directions albeit short term in nature when vehicles are being moved into and out of the garage. This is in part due to the presence of existing on-street parking bays located at either side of the entrance to this facility. There are no on-street parking bays at either side of the existing vehicle access to the application site. In this respect, the current application does not therefore raise any concerns in relation to the provision of appropriate visibility splays at the site entrance, and it is likely that the current proposal would not create any significant traffic disruption.

The Highways Authority have not raised any objection to the current application. However, it is considered necessary to impose a condition requiring the submission of an acceptable parking layout permitting all parked vehicles to enter and leave the site in forward gear with a low frequency of activity. Subject to this condition, it is considered that the current proposal would not impact on highway/pedestrian safety or the free flow of traffic. The proposal would therefore comply with policies 6.3 and 6.13 of The London Plan (2011) and Policy DM43 of the Development Management Policies Local Plan.

The application site is within flood zone 2, 3 and 3b, as shown on maps in Harrow Council's Strategic Flood Risk Assessment (SFRA) and Environment Agency Flood Zone Maps. The application has been referred to the Drainage Department of the Council who have raised no objections to the proposal, since it is not proposed to carry out any alterations to the site or to construct any buildings on site. Having particular regard to these comments, it is considered that the proposal would be compliant with policy DM 9 of the Development Management Policies Local Plan and would therefore be acceptable.

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.

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 there are no equality impacts as part of this application.

S17 Crime & Disorder Act

Policy 7.3.B of The London Plan and policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that

the current proposal would not adversely affect crime risk, as the proposal is for the site to remain secure with boundary treatment.

Consultation Responses

Responses to the neighbouring consultation process have not been received. Responses received from internal consultees have been included in the relevant sections of this appraisal.

CONCLUSION

For these reasons, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out above, it is considered that the development is justified in this instance and the 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 be carried out in accordance with the following approved plans and documents: Application Supporting Documents titled 'Addressing Highway Agency Concerns' (2 pages); MAR/PA14/100 (Site Plan)

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

3 The use hereby permitted shall not commence until a parking layout for the site has been submitted to, and agreed in writing by, the Local Planning Authority. The development shall only be implemented in accordance with the agreed parking layout, which shall show the maximum number of vehicles to be parked on the site at any one time. The parking spaces shown on the agreed parking layout shall be permanently marked out and used for no other purpose, at any time, without the further written permission of the Local Planning Authority.

REASON: In order to ensure that the development would not prejudice highway safety or the free flow of traffic or cause inconvenience to other highway users in accordance with policy 6.3 of The London Plan (2011) and Policy DM43 of the Development Management Policies Local Plan.

4 No vehicles shall be moved onto or off the site outside of the following times:

Monday-Friday: 09:00-19:00 hrs;

Saturday: 09:00-18:00 hrs

Sunday and Bank Holidays: 10:00-16:00 hrs

REASON: To safeguard the amenity of neighbouring residents and businesses in accordance with policy 7.15 of The London Plan (2011) and Policy DM1 of the Development Management Policies Local Plan.

5 The use of the land hereby approved shall be for the parking of vehicles in connection with the provision of MOT testing services within the existing vehicle repair garage at 14-16 Masons Avenue, Wealdstone, HA3 5AP and for no other purpose.

REASON: To safeguard the amenity of neighbouring residents and businesses, and to avoid frustrating the delivery of adopted plans and allocated Opportunity Sites, in accordance with policy 7.15 of The London Plan (2011), Policy DM1 of the Development Management Policies Local Plan and Policies AAP3 and AAP4 of the Harrow &

Wealdstone Area Action Plan (2013).

6 The premises shall only be used for the storage of cars, as specified in the application [ancillary Class B2 use] and for no other purpose, including any other purpose in Class B 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 businesses, and to avoid frustrating the delivery of adopted plans and allocated Opportunity Sites, in accordance with policy 7.15 of The London Plan (2011), Policy DM1 of the Development Management Policies Local Plan and Policies AAP3 and AAP4 of the Harrow & Wealdstone Area Action Plan (2013).

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy

National Planning Policy Framework 2012

The London Plan [2011]:

5.12 Flood risk management

6.3 Assessing effects of development on transport capacity

6.13 Parking

7.3 Designing out crime

7.4 Local character

7.6 Architecture

7.15 Reducing Noise and Enhancing Soundscapes

The Harrow Core Strategy 2012

CS1 Overarching Policy

CS2 Harrow and Wealdstone

Development Management Policies Local Plan (2013)

DM1 Achieving a High Standard of Development

DM9 Managing Flood Risk

DM 31 Supporting Economic Development and Activity

DM43 Transport Assessments and Travel Plans

Harrow & Wealdstone Area Action Plan (2013)

AAP3 Wealdstone

AAP4 Achieving a High Standard of Development Throughout the Heart of Harrow

AAP15 Supporting the Business Sector in Wealdstone

2 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.

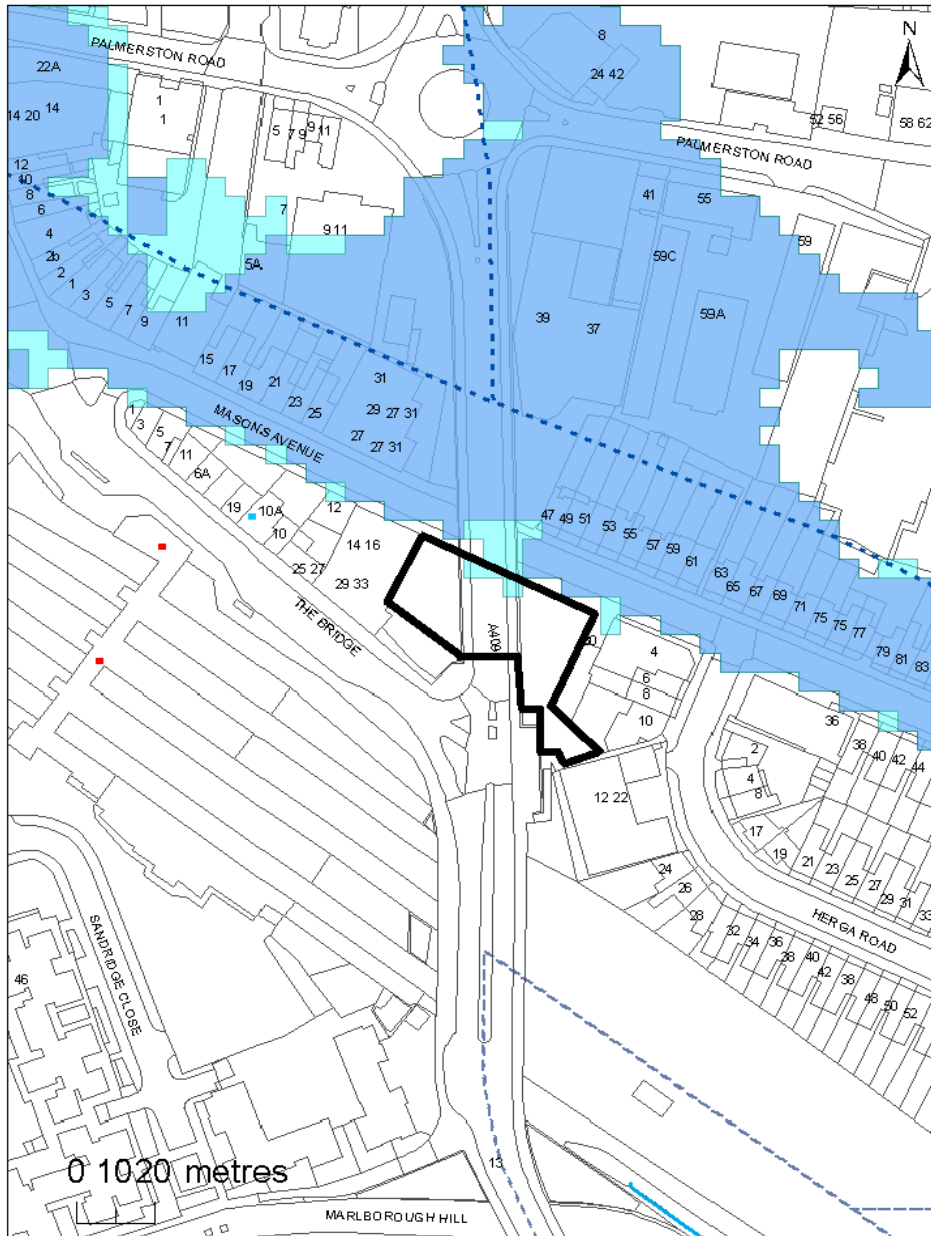
3 The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

4 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: Application Supporting Documents titled 'Addressing Highway Agency Concerns' (2 pages); MAR/PA14/100 (Site Plan)

LAND ADJACENT 14-16 MASONS AVENUE, HARROW



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Item No. 2/03
Address: VARIOUS SITES PINNER & DISTRICT SYNAGOGUE
Reference: P/2650/14
Description: CONSTRUCTION OF POLE AND WIRE GATEWAYS AND STEEL POSTS TO FORM AN ERUV FOR PINNER
Ward: PINNER SOUTH
Applicant: PINNER ERUV COMPANY LIMITED
Agent: ROSENFELDER ASSOCIATES
Case Officer: CALLUM SAYERS
Expiry Date: 3RD AUGUST 2014

RECOMMENDATION

GRANT permission for the development described in the application, subject to conditions.

Reason:

The decision to grant planning permission has been taken having regard to national planning policy, the policies of The London Plan 2011, the policies in the Harrow Core Strategy 2012 and the policies of the Harrow Development Management Policies Local Plan 2013 (listed in the informatives), as well as to all relevant material considerations including any responses to consultation. The proposal would facilitate the creation of an Eruv in the Pinner and Hatch End area, which would have an identified benefit to members of the local Jewish community and would have no unduly detrimental impacts on the character and appearance of the area, heritage assets, and the amenities of residents or highway safety.

INFORMATION

This application is reported to Planning Committee as in the opinion of the Divisional Director of Planning it is likely to be of significant public interest and therefore falls outside of proviso E of the Scheme of Delegation.

Summary

Statutory Return Type: (E)18: Minor Development
Council Interest: Highways land

Site Description

The application comprises 44 separate sites across the Borough, as set out below:

Proposal Details

The formation of an Eruv around the Pinner and Hatch End areas, which comprises 44 locations in total.

The poles would be 76mm in diameter and would be 5.5m high (unless specified) with connecting thin wire to create a 'gateway'

Each of the poles would be grey in colour, unless specified below. Nylon wire would be located between the two poles.

The site-specific details are as follows:

Site 01	163 and 165 Albury Drive (Flank Fences) (Pinnerwood Farm Conservation Area and the locally listed Pinnerwood Lodge.)
Site 02	14/16 and 19/21 Albury Drive. 5.5m high, green coloured and tapered pole. (Setting of Pinnerwood Park Conservation Area)
Site 03	School House across Latimer Gardens to 91 Pinner Hill (Setting of Pinnerwood Park Conservation Area)
Site 04	69 – 71 Pinner Hill Road
Site 06	5.5m tapered pole located between Maple Court and Tudor House
Site 07	Located between 14/16 Pinner Green and Viewpoint Court.
Site 08	Located between 46/52 and 81/87 Hazeldene Drive
Site 10	Located between Cuckoo Hill flank boundaries of 60 and 62 High View
Site 11	5.5m high green tapered pole. Located between 56/58 and 51/53 High View
Site 12	Footpath between the rear boundaries of 57 High View & 51 Birchmead Avenue. 3.5m high poles.
Site 13	Located between 30/36 and 31/33 Birchmead Avenue.
Site 13A	Footpath between 51 & 53 Cuckoo Hill Road. 3.5m high poles.
Site 15	Located between flank boundaries of 39 Rochester Drive and 1 Cranbourne Road. 3.5m high poles.
Site 16	5.5m high green, tapered poles. Located between 145/147 and 154/156 Eastcote Road. (Setting of West Towers Conservation Area)
Site 17	Located along flank boundary of No. 7 Cannonbury Avenue and across to entrance of Cannonbury School and 16 Cannonbury Avenue.
Site 18	Located adjacent to flank boundary of 54 Eastern Avenue and between 59/61 Eastern Avenue
Site 20	Footpath along western side of Common Lane across to adjacent to Telephone Exchange
Site 22	Located across service road adjacent to 1 Village Way and rear of 491 Rayners Lane.
Site 23	Adjacent to Costa Coffee and to opposite side of Railway Bridge. (Setting of Rayners Lane Conservation Area and Grade II Listed Building)
Site 24	Located across The Ridgeway to the rear 124 Fernbrook Drive on the western side, and then perpendicular across to the eastern side.
Site 26	Located between 15 and 17 Imperial Drive.
Site 27	Located to on rear flank boundary of 70 Station Road and adjacent to rear of Imperial Drive and front of 1 Argyle Road.
Site 28	Located beneath the Railway Bridge at North Harrow Tube Station. 1m high poles.
Site 29	Located between the flank boundaries of 49 & 51 Station Road, but crossing Cambridge Road
Site 30	Located on flank of 1 the Broadway and 17 Broadwalk, Pinner Road. 3.8m High Pole.
Site 31	Located on flank boundary of 40 Woodlands and frontage of 63/65

	Woodlands.
Site 32	Located on flank boundary of 30 and frontage of 470/472 of Pinner Road.
Site 33	Footpath leading from George V Avenue to Pinner Village. 3.5m high poles.
Site 37	Pathway on west side of George V Avenue on existing stile. 2.5m High Poles
Site 38	Spanning George V Avenue
Site 40	Woodridings Ave and Wellington Road Junction Footpath. 3.5m high poles.
Site 41	Located flank boundary of 37 Park View and frontage of 3/5 Park View.
Site 42	Located flank boundary of 1 Anselm Road across Uxbridge Road to west end of Homehayes House.
Site 42A	Located flank boundary of 8 Hillview Close across to frontage of 5/6 Hillview Close.
Site 43	Located between 92 Hillview Road and crossing Colburn Avenue to frontage of No. 2 Colburn Avenue. 5.5m high black pole.
Site 44	Walkway off Grimsdyke Road leading into Pinnerwood Farm. 3.5m high poles

Relevant History

P/0266/13

Construction of pole and wire gateways and steel posts to form an Eruv for Belmont
Granted: 04/06/2013

P/1462/13

Construction of pole and wire gateways and steel posts to form an Eruv for Bushey
Granted: 11 September 2011

P/1039/14

Construction of pole and wire gateways and steel posts to form an Eruv for Pinner
Withdrawn

Pre-Application Discussion

- None

Revisions to previous withdrawn application (p/1039/14)

- Relocation and removal of some non-essential gateways.
- Use of differing colours (Green & Black) to assist in assimilating the poles into the existing streetscene
- Use of tapered poles to further assist in assimilating poles into the existing streetscene

Applicant Statement

- One of the fundamentals of Judaism is the observance of the Sabbath from sunset on Friday until nightfall on Saturday. Among the basic rules defining this observance is a prohibition of the use of any form of transport and, in addition, the carrying or moving of any object from a private domain other than within an enclosed area.
- The qualifying definition of an enclosure includes, in addition to walls or fences at least 1 metre in height, a structure technically known as a 'gateway', which to qualify needs to comprise no more than a thin wire spanning between the tops of two poles.
- The formation of an 'enclosure' of an area encompassing a large number of properties is of great benefit to Sabbath observant people, importantly non-ambulant persons like wheelchair users and babies in pushchairs.
- In recent years, an Eruv has been approved in NW London, Edgware, Stanmore and Borehamwood, and approved in Barnet, Mill Hill and Woodside Park.
- The large majority of the 'enclosure' required utilises existing walls and fences as illustrated on the General Arrangement Plan.
- There unavoidably remain a number of locations where no existing enclosure exists, principally across roads and for which pairs of poles and a nylon fluorocarbon monofilament are proposed.
- The poles would have the narrowest possible diameter (76mm) and are generally painted dark grey (RAL7024) to conform to other street furniture. The wire spanning between the poles is less than 0.5mm fishing line, which is visually imperceptible.
- The height of the poles would be 5.5 metres being the preferred height to achieve clearance even for exceptionally overheight vehicles.
- In more sensitive locations such as conservation areas, tapered poles and/or different colour schemes have been proposed to further minimise any visual impacts.
- On non-public highways, 1.0m, 2.5, and 3.5m poles are used.
- The siting has been carefully considered to minimise visual impact and avoid trees.

- The Jewish community within the Pinner area comprises a congregation of 1,028.

Consultations:

Highways Authority: No objections, a license would be required under the Highways Act post planning permission.

Conservation Officer: Comments as Follows:

Location 1 (Pinner Wood Lodge/Albury Drive)

This is within the setting of the Pinnerwood Farm Conservation Area and the locally listed Pinnerwood Lodge. The siting of the poles is relatively concealed and subtle and set slightly away from the heritage assets so would be acceptable on balance.

Location 2 (Latimer Gardens/Albury Drive)

These poles would be particularly visible and sensitive given their siting in front of the cottage style houses within the Pinnerwood Park Conservation Area whose character stems from continuity and absence of street furniture. However, if poles are necessary in this location, the siting chosen seems to be the most sympathetic given their siting amongst vegetation or immediately between a semi-detached pair of buildings. Their green colour and tapered character here would help.

Location 3 (Latimer Gardens)

This proposal is within the Pinnerwood Park Conservation Area again. Given the proposed siting against a tall timber fence for both near the junction with Pinner Hill Road their impact would be minimal.

Location 6 (Pinner Hill Road/Tudor Road)

This proposed pole is within the setting of the locally listed Tudor House on Pinner Hill Road. The local list description reads: 'Designed by L.J Starkey in 1928 as flats, the building is part white rendered and part timber framed, 3 gabled with square and diamond shaped leaded light and small paned casement windows'. The proposal is to put a pole on the corner outside this house so it would be visible in views towards it. However, it would be set in front of greenery, painted black and would be tapered to minimise its impact. The other poles opposite would have no impact.

Purely in terms of the locally listed building it would be preferable if this pole could be avoided. This could be achieved by placing two further down Tudor Road (if this is necessary as this is a dead end?) and to slightly further along Pinner Hill Road out of site of this locally listed building. This could create a slightly larger 'enclosed space' for the purposes of the ERUV whilst avoiding harm to the setting of the locally listed building.

Location 16 (145/147 Eastcote Road)

One of these poles is proposed to be between numbers 145 and 147 of Eastcote Road. This is within the West Towers Conservation Area whose special interest rests with 'the outstanding and unaltered quality of architectural detailing in a Metroland style and the surrounding public and private areas of greenery that soften the street scene. The uniformity and regularity in the design, scale, layout and plan form of the area also provides an important distinct physical identity and architectural cohesiveness to the area'. Its quality relates in part to the absence of street furniture.

It is considered that this pole should be relocated to between numbers 92 and 151 since this would be outside of the conservation area and would not be too obtrusive. There is considered to be insufficient apparent justification for this pole to be sited so prominently

within the conservation area. The associated pole across the road could similarly be moved further along the road.

Location 23 (Rayners Lane)

These poles are within the Rayners Lane Conservation Area and immediately within the setting of the Rayners Lane Station which is grade II listed. The conservation area appraisal and a management strategy makes a point that street clutter does harm the conservation area so it is a shame to add to the street furniture here. However, if the poles are needed here then the siting chosen has been sensitively considered and is the least obtrusive that it could be.

The Pinner Association: No Comment Received

Advertisement:

Press Notice:

Expires: 28 August 2014

Site Notice(s) (Character of a Conservation Area):

Address; 145 & 154 Eastcote Road
Expiry: 26 September 2014

Address; Latimer Gardens/Albury Drive
Expiry: 26 September 2014

Address; Latimer Gardens
Expiry: 26 September 2014

Address; Pinner Wood Road/Albury Drive
Expiry: 26 September 2014

Address; Rayners Lane
Site Notice Expiry: 23 October 2014
Press Release: 28 October 2014

Comments received from this consultation will be reported to planning committee via addendum.

Notifications:

Sent: 426

Replies: Support: 69; Object: 26

Expiry: 25th August 2014

Addresses Consulted:

Please refer to appendix 1 of this report for detailed list of consultations.

Summary of Response:

Comments in Support

- Would enhance the lives of Jewish Faith observers
- Those with mobility impairments will be able to attend religious occasions
- Those with mobility impairments would be able to travel on the Sabbath
- Would enable infants to be pushed in a buggy on the Sabbath
- Would not impact anyone outside of the Jewish religion
- Increase religious devotion in society
- Allow wider social interaction between families of this faith
- Enable leisure activities to be pursued
- Enable transportation of necessary articles such as food, water, medicine
- Positions have been carefully selected to ensure minimal visual impact. Wires are virtually invisible.
- Enhance the viability and vitality of the local community
- Build a stronger and more cohesive community
- Works well in other parts of London

Comments Objecting

- Erection of an ERUV is not necessary
- Increase in street furniture/clutter
- May result in a ghetto effect in a conservation area
- The large area coverage of the ERUV would be detrimental to the conservation area
- Inappropriate use of public highway, and should only be permitted on private property
- Religious devices and contraptions are potentially contentious and divisive
- Would result in aerial obstruction crossing the highway without public benefit and would be an unnecessary hazard to emergency services
- Result in a obstruction to disabled and pedestrians generally
- Harrow Council struggles to meet their obligations to maintained footpaths after utilities works and this would only add to this.
- Would result in an unattractive addition to the streetscape.
- Poles in front of residential properties would be unsightly and obtrusive
- The proposed pole would render some letter boxes inaccessible.
- The pole will attract dogs to foul which is unhygienic
- Poles will impact emergency services deploying ladders and aerial equipment
- Harmful of view from front rooms
- Entrance to properties with a pole located between two properties will have it as a focal point
- Resale value of the will be impacted
- Will potentially hinder future renovations to dwellings
- Would make the area in site the ERUV private, and what implications
- Bending the rules of religion to meet modern day life
- Pinner Wood Park Estate is conservation area and the proposal should comply with the rules and regulations of this area
- Who will maintain the ERUV
- Will restrict access to properties
- Distraction to motorists on the road
- Hazardous when entering a residential driveway in a car
- Do not provide a benefit to all in the public
- Could existing telephone wires be used
- Impede guide dogs
- Impact on telephone lines at the expense of private property owners
- Photos in the supporting information show a tree on the common boundary which has been removed and as such would not hide the pole.
- They can't afford to maintain it

Other matters raised:

Objections were received which commented on the quality of consultation undertaken as part of this planning application. The comments noted;

- Vague description with 'various scheme' and letters could have included 'direct impacts to your property'
- Vague descriptions would have resulted in those consulted not giving the letters due attention.
- Application address is it the Henry Jackson Centre, with information only within the attached documents online.
- Submitted information does not detail what the impacts on properties would be impacted.
- Community in support has been informed to provide co-ordinated response in support of the application.
- Poor timing of application as people on holiday and people can't comment
- Everyone inside the boundary should be consulted
- Pinner Wood School closed so not able to comment
- Fair and proper consultation has not been undertaken
- Changes ownership from public to private – therefore requires a public debate to determine its appropriateness.
- Planning application allows for comments from miles away from the scheme
- If emotional, psychological or religious desires of special interest groups are being afforded equal weighting to material considerations of residents directly affected the natural rights of Harrow residents are being violated.

The Local Planning Authority has carried out consultation in line with its Statement of Community Involvement. The details of the residents consulted number 426 within the local community, and are those that are adjoining the proposed development sites. However, it was considered by officers prudent to extend the consultations either side of the adjacent properties. Further to this, and in line with the Councils Statutory Obligations, the locations either within, or within the setting of a Heritage Asset were also given due publication both within the Local Press and Site Notices.

Given the extent of area the proposed ERUV would cover, it is not considered that consultation of every resident would be appropriate. The letters that are sent with regard to any planning application are standard template letters, which are a notification to occupiers that a development is proposed to occur near their respective properties. The consultation letter provides a brief description of the proposal and information how to find out further information. This letter invites comments from residents on how a proposed development may impact on them, it is not for the Local Planning Authority to assert that the proposed development would impact on their properties. Furthermore, the Local Planning Authority cannot control when applications are submitted, and must undertake the required consultation, as detailed above, once the application has been considered as valid.

The majority of the poles have been proposed within the back of footpaths, and within land owned by the Local Authority. A license to occupy this area will still be required even in the event of planning permission being granted. The proposal would provide a structure that would result in a symbolic feature for the purposes of a specific religion, it would not result in a change in the ownership of that land. Indeed, much of the 'enclosure' is made up of the boundaries of privately owned properties, with the pole and

wires only forming a gateway to ensure the 'gaps' formed by roads and walkways are connected up.

In terms of assessing the planning application in front of the Local Planning Authority, consideration can only be given to material planning considerations and the policy framework adopted.

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

Ethnic and Community Development

Character and Appearance of the Area, Public Realm and Conservation Areas

Residential Amenity

Highway Safety

S17 Crime and Disorder Act

Equalities Statement

Consultation Responses

Principle of Development

The principle of the development is considered acceptable. A similar scheme was approved in 2009 (and amended in 2010) to provide an Eruv for Stanmore and Canons Park, and another in Bushey in 2012. A further scheme was approved in 2013 for Belmont. Similar facilities exist in other areas of London and are established elements of the streetscene. Core Policy CS1Z supports the provision or expansion of community infrastructure. Detailed consideration of the visual and other impacts of the installations is undertaken in the below appraisal sections.

Ethnic and Community Development

The proposed creation of the Eruv involves the formation of a 'complete' boundary around a town or district that will allow the Jewish orthodox community to carry on the Jewish Sabbath by denoting the area of the Eruv as a single unified domain for the purposes of Jewish rabbinic observance. The day of the Jewish Sabbath is Friday evening until Saturday evening.

Amongst the restrictions accepted by the orthodox Jewish community are prohibitions on carrying objects from public spaces to private spaces and vice versa. The practical implications on these restrictions means that the mobility impaired (elderly, disabled and very young children) that rely on assisted mobility are not able to leave their homes (private space) without transgressing some of the restrictions of the Sabbath. This means that these people are house bound during the Sabbath and are unable to participate in social occasions, attend Synagogue or visit friends and family for one day of the week.

The proposal under consideration would provide an Eruv for much of Pinner and Hatch End. The vast majority of the boundary comprises existing garden and boundary fencing and the only gaps are where the Eruv route crosses public streets and footpaths. The proposals involve physical development to complete the gaps in the Eruv boundary, comprising the construction of two 5.5 metre high poles either side of the road with a thin connecting wire between. On non-public highways, such as footpaths/walkways and service lanes, lower poles are proposed to be used. In conservation areas, and other specific locations, it is proposed to use a different colour and/or a tapered pole to further minimise any potential impacts.

Policy DM46 of the Development Management Policies Local Plan supports the provision of new community facilities where:

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

The application does provide a new religious facility, albeit an unconventional one. The Eruv would enable members of the Jewish community living within its boundary to go about their normal business on days of the Sabbath, without being restricted to their homes. The benefits for the disabled, elderly and young children are particularly evident.

The physical development required to construct the Eruv is considered to be minimal and the proposed development is considered to comply with criteria a) and c) of policy DM46 as set out above. With regards to criterion a), the Pinner area contains a large Jewish community, with the Synagogue having a membership of over 1,000. This is also evidenced by the support comments received, many from residents within the proposed Eruv boundary. Although the area of the Eruv does not have the high levels of public transport accessibility that exists in other Eruvs (such as Belmont), the individual sites of the Eruv poles are not destinations in and of themselves. It is considered that the proposal would not adversely affect neighbouring properties or visual amenity (discussed in more detail in appraisal sections 3 and 4), and the proposed structures would not adversely affect highway safety (discussed in more detail in appraisal section 5), in accordance with criterion c).

The principle of the development has been accepted by the grant of planning permission for the Stanmore and Canons Park and the Belmont Eruvs. It is considered that the proposed development would be of benefit to the local Jewish community and would have no unduly detrimental impacts upon the needs of different ethnic groups locally or elsewhere. In principle therefore, the proposed development is considered to be consistent with policy DM46 of the Harrow Development Management Plan (2013).

Character and Appearance of the Area, Public Realm and Conservation Areas

Four of the proposed locations are within Conservation Areas, or located within proximity of Conservation Areas. Locations are either within or within the setting of Pinner Wood Park Conservation Area, West Towers Conservation Area, and Rayners Lane Conservation Area (Grade II Listed Building). It is noted that the Location within the Rayners Lane Conservation Area is within the setting of a Grade II Listed Building, being the Rayners Lane Tube Station.

Policy DM1 of the DMP requires all new development to provide a high standard of design and layout, respecting the context, siting and scale of the surrounding environment. This policy broadly reflect policies 7.4.B and 7.6.B of The London Plan 2011 and gives effect to policy CS1.B of the Harrow Core Strategy 2012, policies which seek to ensure that development respects local character and provide architecture of proportion, composition and scale that enhances the public realm. Policy DM7 of the Harrow Development management Plan (2013) provides further, specific guidance for developments that may potentially impact on the setting of a heritage asset, either being a Listed Building or Conservation Area.

In this case, it is considered that the proposals for each of the sites represent the least harmful impact on the street scene in terms of the locations of the poles/posts, the size of the poles and the span of the wire gateways. Within the Conservation Areas the appearance of the poles has been changed in colour to either be a dark green (RAL6005) or black (RAL9005), which assists in minimising any visual impact within the area. Furthermore, these poles have been tapered to again minimise the visual impact of them within these areas.

As mentioned previously, the location adjacent to the Rayners Lane Underground Station is within the setting of a Grade II Listed Building, being the Underground Station itself. The proposed pole on this side of Imperial Drive, would be set within an existing recess adjacent to the Costa Coffee Shop which is located on the southern end of the shopping parade. It is noted that this pole would be located directly adjacent to an existing galvanised pipe work rising vertically before crossing the building horizontally. It is considered that the proposed location of this pole, would be a sensitive addition to the setting of the Grade II Listed building by reason of its appropriate siting within an existing recess, and adjacent to existing pipe work. Furthermore, it is noted that the proposed pole would not be physically attached to the building and as such would not result in any damage alteration to the fabric of this building.

It is noted above that the Conservation Officer has objected to the placement of the single pole outside of No.s145/145 Eastcote Road, which is located within the West Towers Conservation Area. It is noted that the proposed location of the pole on the south side would be located immediately on the boundary of this conservation area. However, given that the pole has been amended to be tapered in width the higher it gets, it would appear less visually intrusive within the streetscene. Furthermore, on its own would not be a reasonable reason for refusal of the entire scheme.

The proposed poles and posts, due to the slender diameter of the poles, and those located within conservation areas would be of an appropriate colour and appearance against their backdrop, and be of a tapered nature to assist in reducing their scale even further. The proposed wire is a clear nylon fishing line, which is all but invisible. It is considered that the proposed

It is noted that the poles are similar to other items of street furniture (such as telegraph poles and lampposts), but would increase street clutter. However, other examples of Eruvs in London have shown that these features are quickly assimilated into the street scene, as any other piece of street furniture would be. Individual site visits have confirmed that the installations would be sited to minimise clutter with other objects and the poles would be as slender as possible. The size of the Eruv poles would be modest compared to the majority of existing street furniture and would be set back from the public highway so as to be as discreet and unobtrusive as possible. The wires would not be overly visible.

It is noted that when undertaking the installation of the Eruv poles (subject to separate Highways Licence), it is possible that the precise locations shown on the submitted drawings may be unsuitable due to the uncertainty about the location of underground utilities and services, which are only likely to become clear when works are underway at each site. It is therefore considered that a small tolerance of 500mm would be appropriate, to enable the poles to be re-sited close to their approved locations as necessary.

Overall the individual sites that make up the proposed Eruv are considered to represent minor development that would not result in unacceptable impact on their surroundings and would have a significant community benefit. Furthermore, on balance the proposal would preserve the character of the conservation areas in which they sit. The proposed development is therefore considered to comply with policies DM1 and DM7 of the Development Management Policies Local Plan, London Plan policies 7.4, 7.5 and 7.8 and Core Policy CS1B/F of the Harrow Core Strategy.

The submitted drawings indicate that the installations will be painted to harmonise with the surroundings of each site. Given that the finishes have been specified on the drawings, a standard condition requiring the development to be completed in accordance with the approved plans is considered sufficient to safeguard the character and appearance of the area.

In instances where excavation takes place within the crown spread of a tree, hand tools should be used and the Council's Tree Officer notified before any roots are severed. A condition is recommended accordingly. It is also considered necessary to impose a condition to ensure the installations are maintained in a clean and tidy condition.

Residential Amenity

The poles have been sited to minimise any impact on the outlook of residential occupiers, being sited between the boundaries of properties where they are to the front. Given the size, nature and location of the poles, it is considered that there would be no discernible impact on residential amenity, particularly when compared to existing lamp posts, street lights etc. The plans confirm that the poles would be sited at least 150mm from any private property boundary. On balance it is considered that any impact on residential amenity from the Eruv structures would be minimal.

Highway Safety

It is noted that a number of objections have been raised in relation to the impact of the proposed poles on both highway safety and the accessibility of emergency services with such features in place.

The proposed gateways would be 5.5 metres in height over public highways, and it is proposed to use a fishing line type wire to connect each of the pair of poles. This height is considered acceptable, given the types of traffic using the highways and access roads that the gateways would span.

Objections have been received in relation to the obstruction that the proposed poles within the footpaths would cause to pedestrians. The poles would be no wider than 76mm in diameter and would be placed at the back of the footway. It is therefore considered that the impact on highway visibility would be minimal and would indeed be less than a typical streetlight installation, which is commonplace on all streets. The location at the back of the footpath, in conjunction with the narrow diameter of the poles, would not result in an obstruction to users of the public footpath.

A number of objections have been received with regard to the proposed poles providing an obstruction for emergency services, and issues with aerial fire fighting equipment. Emergency services have been consulted, and have confirmed that the height of the poles, and the subsequent wire between them, would not present an issue to the emergency vehicles. Specifically, it was raised that the Eruv would provide an obstruction to aerial fire fighting equipment. However, as above, the fire service has been consulted who have confirmed that the proposal would not lead to an obstruction with ladders or other aerial equipment in the event of a fire.

It is therefore considered that the proposed poles and wire gateways, notwithstanding the objections received, would not impede the free flow of highway traffic or pedestrian movement or impede access to properties by emergency service vehicles. Where development works are located on the public highway, the applicant will need to obtain a license under the Highways Act 1980 (s178) from the highways authority (Harrow) post planning permission.

S17 Crime & Disorder Act

It is considered that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

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 and the impact of the proposal on ethnic groups is discussed in the appraisal section 2. 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 an Equalities Impact Assessment.

Consultation Responses

Support

The comments received in support of the planning application are noted.

Objections

- Erection of an ERUV is not necessary

The application supporting information identify that there is a sizeable population within the Pinner and Hatch End area that observe the Jewish Faith. As such, it is considered that the proposal would be located within an identified community. Notwithstanding this, it is not a requirement that a proposal be a 'necessity' to be compliant with planning policy.

- Increase in street furniture/clutter

It is acknowledged that the proposals would lead to an increase in street furniture within the area. However, it is considered that, and in line with other existing examples, would easily assimilate into the streetscene.

- May result in a ghetto effect in a conservation area

It is considered that the proposed poles would, where located within or adjacent to heritage assets within the borough, would preserve the character of these assets. Furthermore, there is no evidence how the proposal would result in a ghetto effect on the conservation.

- Inappropriate use of public highway, and should only be permitted on private property

From a planning perspective, the scheme has not been found to conflict with planning policy, nor been found to unacceptably harm the amenities of neighbours, or character of the area. Notwithstanding the acceptability of the scheme in planning terms, a license from highways would still be required to occupy the land owned by the Local Authority.

- Religious devices and contraptions are potentially contentious and divisive

The current policy framework promotes facilities for ethnic or minority groups. As such, would not prevent other religious or ethnic facilities being considered.

- Would result in aerial obstruction crossing the highway without public benefit and would be an unnecessary hazard to emergency services

Addressed under Section 5 of the above appraisal.

- Result in a obstruction to disabled and pedestrians generally

The proposed locations are all at the back of the footpath, and would have a diameter of 76mm. Such a depth of a structure would not result in an obstruction or free flow of the public footpath.

- Harrow Council struggles to meet their obligations to maintained footpaths after utilities works and this would only add to this.

The proposal would not be the responsibility of Harrow Council to maintain.

- Would result in an unattractive addition to the streetscape.

Addressed under section 3 of the above appraisal.

- Poles in front of residential properties would be unsightly and obtrusive

Addressed under section 3 of the above appraisal.

- The proposed pole would render some letter boxes inaccessible.

The proposed locations would have a tolerance of 500mm to ensure that there would be no obstruction to private property.

- The pole will attract dogs to foul which is unhygienic

Not a material planning matter

- Poles will impact emergency services deploying ladders and aerial equipment

Addressed under section 5 of the above appraisal

- Harmful of view from front rooms

Addressed under section 4 of the above appraisal

- Entrance to properties with a pole located between two properties will have it as a focal point

The proposed pole would sit between the two properties driveway, with the entrances to the respective dwellings either side. It is considered that given the slender nature of the pole, it would not be as readily visible within the streetscene as the houses that would be situated behind it.

- Resale value of the will be impacted

Not a material planning matter

- Will potentially hinder future renovations to dwellings

No evidence to suggest that this would be the case.

- Would make the area in site the ERUV private, and what implications

The proposal does not alter the legal nature of the property.

- Bending the rules of religion to meet modern day life

The proposal is assessed against the current planning policy in place, and material planning considerations.

- Pinner Wood Park Estate is conservation area and the proposal should comply with the rules and regulations of this area

A number of the locations are within, or adjacent to heritage assets, including conservation areas. As detailed under section 3 of the above appraisal, the scheme is considered on balance to preserve the character of any of the conservation areas or listed buildings that they are located in or adjacent to.

- Who will maintain the ERUV

The ERUV will be maintained by the applicant.

- Will restrict access to properties

None of the proposed locations are within an access way to private property, and as such would not result in a structure across a private access.

- Distraction to motorists on the road

Addressed under section 5 of the above appraisal

- Hazardous when entering a residential driveway in a car

The poles are 76mm in diameter and are located at the back of the footpath, which would allow a satisfactory view of the public footpath and highway.

- Do not provide a benefit to all in the public

Like many planning applications, the proposal is not required to demonstrate a benefit to all public. However, as discussed in section 2 of the above appraisal, it must be located within the community in which it is indeed to serve.

- Could existing telephone wires be used

The application is assessed and a recommendation made based on the plans and supporting documentation submitted. The application proposes poles and Nylon wire.

- Impede guide dogs

The proposed locations are all at the back of the footpath, and would have a diameter of 76mm. Such a depth of a structure would not result in an obstruction or free flow of the public footpath.

- Impact on telephone lines at the expense of private property owners

The proposed development would not impede telephone lines

- Photos in the supporting information show a tree on the common boundary which has been removed and as such would not hide the pole.

It was noted on the site visit that the tree mentioned at the above site has been removed. Notwithstanding this, it is considered that the proposed location of the pole would be appropriate and would not unacceptably harm the amenities of the adjacent occupiers or character of the streetscene.

- They can't afford to maintain it

The onus is on the consent holder to ensure that the permissions carried out in accordance with the approved plans, and retained in such a manner. Furthermore, a condition has been attached to the permission requiring that the approval shall be maintained in a manner that is satisfactory to that of the Local Planning Authority. Should this not be achieved, then the Applicant, as the holder of the planning permission, may be liable to enforcement action.

CONCLUSION

In summary, the proposal would facilitate the creation of an Eruv in Pinner & Hatch End area, which would have an identified benefit to members of the local Jewish community and have no unduly detrimental impacts upon the wider community or the character and appearance of the area.

CONDITIONS

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

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

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

860-51A, 860_01, 860_02A, 860_03, 860_04, 860_06A, 860_07, 860_08, 860_10, 860_11A, 860_12, 860_13, 860_13A, 860_13B, 860_15, 860_16B, 860_17A, 860_18, 860_20, 860_22, 860_23, 860_24, 860_26, 860_27, 860_28, 860_29A, 860_30A, 860_31, 860_32, 860_33, 860_37, 860_38, 860_40, 860_40A, 860_41, 860_42, 860_42A, 860_43, 860_44, P.860, Schedule of Pole Locations (REV B).

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

3 Within the crown spread of trees (greater than 75cm in diameter at 1.5m off the ground) pole foundation excavations must be dug by hand and no tree roots over 25mm diameter shall be severed as a result of the development works without the prior written agreement of the Council's Tree Officer.

REASON: In the interests of tree protection and the character and appearance of the area, in line with policies DM1 and DM22 of the Harrow Development Management Policies Local Plan (2013).

4 Any poles, posts or wires erected and any site used for the erection of the installations shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

REASON: To protect the character and appearance of the streetscene at each site, in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2011): 7.3, 7.4, 7.6, 7.16

The Harrow Core Strategy (2012): Core Policies CS 1, CS 7

Development Management Policies Local Plan (2013): DM1, DM2, DM22, DM46

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

3 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.

4 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>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5 INFORMATIVE:

The applicant is advised that no part of the development hereby permitted shall be begun on highway land until written permission is obtained from the relevant Highways Authority.

Plan Nos: 860-51A, 860_01, 860_02A, 860_03, 860_04, 860_06A, 860_07, 860_08, 860_10, 860_11A, 860_12, 860_13, 860_13A, 860_13B, 860_15, 860_16B, 860_17A, 860_18, 860_20, 860_22, 860_23, 860_24, 860_26, 860_27, 860_28, 860_29A, 860_30A, 860_31, 860_32, 860_33, 860_37, 860_38, 860_40, 860_40A, 860_41, 860_42, 860_42A, 860_43, 860_44, P.860, Schedule of Pole Locations (REV B)



PINNER ERUY POLE LOCATIONS - SCALE 1:10000 @ A2

DRAWING REF: 860_01

Item No: 2/04
Address: HILLSIDE, BROOKSHILL, HARROW WEALD
Reference: P/2103/14
Description: REDEVELOPMENT OF THE SITE: THREE STOREY BUILDING WITH LOWER GROUND FLOOR FOR SEVEN SELF-CONTAINED FLATS (FIVE X THREE-BED, TWO X TWO-BED) (DEMOLITION OF LOCALLY LISTED HILLSIDE MANSION REMAINS); REFURBISHMENT AND CONTINUED USE OF LOCALLY LISTED GARDENER'S COTTAGE AS A SINGLE DWELLINGHOUSE; REFURBISHMENT AND USE OF GRADE II LISTED COACH HOUSE AND STABLES AS A SINGLE DWELLINGHOUSE; ASSOCIATED HARD AND SOFT LANDSCAPING, BIN AND CYCLE STORAGE, CAR PARKING
Ward: HARROW WEALD
Applicant: HERONSLEA GROUP
Agent: DRK PLANNING LTD
Case Officers: VICTOR UNUIGBE AND LUCY HAILE
Expiry Date: 25/08/2014

RECOMMENDATION

GRANT planning permission subject to conditions.

INFORMATION

The applications are reported to the Planning Committee as the proposals constitute development of more than six residential units. They therefore fall outside of Categories 1(b) and 1(d) of the Scheme of Delegation.

Statutory Return Type: (E)13: Minor Dwellings

Council Interest: None

Net additional Floorspace: 1,038 sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £36331.75

Harrow Community Infrastructure Levy (CIL) Contribution (provisional):
£114,180.00

Site Description

- The application site is located on the western side of Brookshill and is situated within the Green Belt.
- The site comprises a coherent complex of heritage assets namely: the ruins of Hillside (the former principal mansion house on the site) and associated ancillary remains of brick and flint terraces and walls, ice house and mound, Gardener's Cottage and the largely intact Grade II listed Coach House and stables to Hillside and associated forge/smithy.
- The grounds form part of the complex of heritage assets reflecting historic landscaping, including driveway.
- The site is located in a mixed area of open fields, former farmland and buildings, stables and grazing land and woodland, which is covered by a blanket Tree Preservation Order (TPO).
- To the south of the site is an adjacent site of nature conservation importance.
- The lie of the site is such that the ground levels fall in both a north to south direction and east to west direction.

• Significance

- National and local architectural, historic and archaeological interest for forming one of the last remnants of Harrow Weald's once extensive series of Victorian grand mansions and outbuildings associated with a highly regarded contemporary extremist architect, born in Harrow, possibly their only country house complex design.
- There is group value as each element relates to and complements history and use of the other.
- This is emphasised by the coach house and stable's list description, which states one reason for listing is its setting since: 'although the house is a shell, the picturesque layout of house, stable yard and grounds is still intact and compares with the 1868 OS map'.

• The Coach House and Stables

- These were built for Hillside and are the most significant part of the group becoming Grade II listed on 23rd February 2010.
- It is roughly 'Z'-shaped in three ranges, with the main central section aligned on a WNW-ENE axis.
- Its list description explains much of its significance, which relates principally to its architect and architectural details, its historic use, surviving layout and historic interest of its owners.
- There is good banding detail of plain and scalloped clay tiles.
- The list description reads: 'Coach house and stables. Probably 1868 by RL Roumieu who designed the now ruined house, in Tudor Gothic manner.
- MATERIALS: Red brick with blue brick banding, stone kneelers, alternating bands of plaintile and fishscale tile roofs, some replaced with corrugated sheeting. Diagonally boarded timber doors. Cast iron and timber stable fittings and Dutch tile flooring.
- PLAN: An informal picturesque group set round two sides of a yard facing south-east overlooking the drive. The northern range comprises of a two-storey coach house and coachman's house above it and to the north of it a single storey stable block of looseboxes. To the south are loose boxes, possibly formerly a cart house and storage. The west range comprises a single storey range, now used as loose boxes and storage. Attached to the north of the coach house and stables is a single storey barn.
- EXTERIOR: The coach house, stables and barn have shaped gables with stone kneelers; the coach house and stables have flush blue brick banding. The carriage

doors have diagonally-set boarding, the left-hand door is said to be replaced and has a glazed upper panel, and both have long strap hinges. To the right, a door and window have flush pointed arches of alternating red and blue brick, the door has a plain overlight. Above are tall loading doors similar to the carriage doors, and a two over two pane sash. The stables to the north-east have a single split stable door, also diagonally boarded. The stables to the south-west have a pair of split doors and a pair of single doors, also diagonally boarded. The west range is simply fitted with stable doors and has a shaped southern gable. To the rear of the coach house the attached barn is similar in manner to the loosebox range and has a pitch hole in each gable.

- INTERIOR: Loose boxes have cast iron posts and timber partitions and linings, and Dutch tile floors.
- HISTORY: Hillside was built in 1868 on behalf of Thomas Francis Blackwell, of Crosse and Blackwell, for his daughter-in-law Mrs Charles Blackwell and her daughters. The house was occupied by the second daughter and oldest surviving member of the family until her death in 1955. It was designed by Robert Louis Roumieu. The site as a whole survives complete with the shell of the house and stables and with the layout of the drive and some of the planting, which compare well with the 1896 OS map, which marks the house which looked south-west over gardens and open ground with a carriage sweep set in landscaped grounds on the north-east, road side. The stables and coach house enclosed the northern side of the approach. Photographs taken in 1969 and 1973 show the stark Gothic shell of the house, with shaped gables and a conical roofed turret. It is now much overgrown within the remnants of later-C19 planting and the fabric appears to be severely depleted. To the east of the stables is a detached building in similar manner which is also shown on the 1896 OS map.
- RL Roumieu (1814-1877) trained under Benjamin Wyatt. He formed the partnership of Roumieu and Gough, whose broad spectrum of work included the austere neoclassical Milner Square Islington of 1839-44, the Almeida Theatre Islington (1837-8) and the Gothicising of Barry's St Peter's church Islington in the mid-1840s. Roumieu was surveyor to the French Hospital Estate, building in Hackney in 1865, and to the Hawley Charity estate.
- SOURCES: The Architect's, Engineer's and Building Trades' Directory, (1868), 134 Directory of British Architects, 1834-1914, RIBA, (2001), 508 Bridget Cherry & Nikolaus Pevsner, London 3: North West,(1991), 277
- REASONS FOR DESIGNATION The coach house and stables at Hillside are designated as Grade II for the following principal reasons: * Architectural interest: the coach house and stables, complete with some fittings, reflect the Tudor Gothic manner of the house; * Setting: although the house is a shell, the picturesque layout of house, stable yard and grounds is still intact and compares with the 1868 OS map; * Historic interest: association with the Blackwell family, well-known food manufacturers.
- Selected Sources Book Reference - Author: Pevsner, N and Cherry, B - Title: The Buildings of England: London 3 North West - Date: 1991 - Page References: 277'
- The courtyard in front of the coach house and stables is clearly historic with remains of cobbles partly exposed and a historic stable yard drain remains in front.
- **Small brick built forge or kiln to the east of the coach house and stables**
- Curtilage listed as it dates to the 19th century or earlier within the curtilage of the coach house and stables, and so is an ancillary pre-1948 structure.
- Historic interest for its age, surviving fabric and association with the listed building.
- **Hillside**
- This is south of the Coach House and stables and locally listed.
- It is English Heritage's view that the building is curtilage listed being within the

- curtilage of the listed building.
 - Of importance for forming remains of the principal Victorian house on the site to which the remaining buildings/structures were ancillary to.
 - Harrow Weald once had a number of grand Victorian mansions. Apart from Grimsdyke, most are now gone.
 - Its contribution to the setting of the coach house and stables was one of the reasons for listing.
 - It is clear from the remnants remaining that Hillside was of high quality Tudor Gothic design with a mixture of shaped gables, decorative chimneys, polychromatic brickwork and diaper work, using high quality materials. Historic photos show cantilevered bays, conical turret and asymmetrical massing that was eclectic and interesting.
 - It was home of the Blackwell family, of Crosse & Blackwell fame, giving it national importance and further local significance.
 - Ruination reduces architectural significance, but the complex remains legible, and its ruined nature adds a layer of historic significance in terms of the melancholy mid-twentieth century history of decay of larger British houses.
 - The former mansion house prospect is obscured by spread of historic planting.
- **Ice-house and surrounding mound and terraces / retaining walls to Hillside**
 - The ice-house and mound is east of Hillside – toward the centre of the former carriage sweep.
 - They form an important part of the heritage complex.
 - The ice-house was not spotted during the assessment of the proposal to list the coach house and stables given surrounding vegetation.
 - Tudor Gothic detailing mirrors that of Hillside and its coach house and stables.
 - The original terraces with red brick with flint panelled retaining walls and a surmounting iron rail are to the rear of Hillside and are a heritage asset.
 - It is not considered curtilage listed since whilst within the same site as the listed coach house and stables and pre-dating July 1948, they were never ancillary in use.
- **Gardener's Cottage east of the stables**
 - Former gardener's cottage to Hillside and locally listed.
 - The coach house list description notes it is detached, constructed in a '*similar manner*'.
 - This has numerous architectural features and details of interest but much is obscured by plant growth. These and retention of its historic fabric is a large part of significance.
 - It is not considered curtilage listed since whilst within the same site as the listed coach house and stables and pre-dating July 1948, it was never ancillary in use.
- **Condition**
 - All heritage assets in poor condition structurally and generally given vegetation growth, fire damage and subsequent decay, presenting enhancement potential.
 - **The Coach House and Stables'** poor condition relates to:
 - failed rainwater goods; lath and plaster ceilings; spawled brickwork; poor pointing; excessive vegetation; failure of the weatherproofing of gables; structural decay; weakened east gable wall; covered area to the rear; leaking roofs; settlement cracks and open joints; corrugated roofing in place of clay tiles; and damaged fireplace.
 - The **forge/smithy** is partly covered in vegetation but appears in reasonable condition.
 - **Hillside** is in the worst condition being:
 - roofless shell; internal floors and finishes lost; cracking throughout; vegetation growth.
 - the valuer's survey and a site visit show little integrity.

- The 2010 coach house list description notes Hillside is a 'shell of a house' and fabric appears '*severely depleted*' but substantial parts of Hillside's terraces remain.
- **Gardener's cottage** is not depleted to the extent of Hillside – retaining its roof but is similarly derelict given biological growth; needs for structural work; cracking; eroded bricks, slipped tiles, plaster failed; all internal floors, staircases and ceilings will require attention, as will external drains timber windows and roof-spread, foundation settlement and tree root damage.
- **Use**
- All derelict and unused with the exception of the coach house and stables, used as part livery stable and part storage/unused. Historically it was a mixture of storage of carts and agricultural produce/implements, stabling and coachman's accommodation.

Proposal Details

- **Hillside**
- Demolition of the existing shell of the principal Hillside mansion, and construction of a replacement three-storey building with similar footprint to contain 7 residential units.
- The proposed building would have a lower ground floor converted from part of the existing full basement of the mansion house, to form one of the proposed 7 units.
- The proposed 7 units within the replacement building would comprise:
 - 2 x 2 bed flats;
 - 5 x 3 bed flats
- The proposed building would have a pitched roof with a varied profile, which would incorporate shaped gables, brick chimneys, a conical turret (south elevation) and brick roundels as corner features.
- An entrance would be inserted in the eastern elevation of the proposed building, so that the eastern elevation forms the front elevation of the building (the former mansion had its principal entrance orientated in the southern elevation). The lower ground unit would have an entrance to the southern elevation.
- The roof of the proposed building would have a maximum height of 10.9m at the front and rear (western elevation), and maximum heights of 12.65m and 13.26m at the northern and southern elevations (including chimney and turret).
- The difference in heights is due to the difference in ground levels across the site and the proposed replication of features such as the chimneys, turret and shaped gables on the same elevations of the former original mansion building.
- The proposed building would have a maximum depth of 15.3m at ground floor and first floor levels, and the widest part of the building would be 24.3m at ground floor and first floor levels.
- The second floor of the building would be set in 1.0m from the main front and rear walls of the proposed building.
- The proposed building would be set back approximately 33.0m from the eastern boundary of the site, which abuts the Brookshill highway. It would be set back approximately 17.4m from the western boundary.
- The building would be set back 6.1m and 28.5m from the staggered southern boundary at the nearest and farthest points. The building would be set back 3.25m from the staggered northern boundary at the nearest point.
- The three units on the lower ground and ground floor would have direct access to private external amenity spaces to the western side of the building, while the two units on the second floor would have private amenity spaces provided in the form of terraced balconies.
- An internal cycle store for the 7 units would be sited adjacent to a staircase and lift in

the central core of the proposed building.

- A palette of traditional materials, including red brickwork that can be retained and reused (where possible) is proposed for the external surfaces of the building.
- **Coach House and Stables:**
- Retention, repair and alterations to allow its conversion into a three-bedroom dwellinghouse with internal cycle store.
- Multiple repairs outlined in the surveyor's schedule of recommendations, including those to the flank wall and gables.
- Installation of insulation.
- Non-original corrugated roof material to be replaced with matching clay tiles.
- Two proposed roof lights.
- Four new windows on the rear (north) elevation, one being below a surviving brickwork arch and the other behind an existing grille.
- On the first floor internally: install a shower room.
- On the ground floor internally: retain original cast iron dividing bays but run a new partitions.
- Create new walls and doors to create a new layout for two new bathrooms.
- Re-hang an original stable door to open the other way.
- Create one new internal door opening either side of the entrance hall to the coach house and a new opening between the proposed dining and living room.
- Remove the non-original partition currently subdividing the proposed dining room.
- From the western most side of the south elevation, a new single timber door and a new double timber doors are to be installed to replace the existing non-original ones.
- New glazed screens on the south elevation are to be installed within the existing openings behind original stable and hayloft doors.
- Otherwise original external doors and windows to be repaired and restored.
- **Gardener's Cottage**
- Survey, retain and repair the locally listed Gardener's Cottage and reuse as a two-bedroom dwellinghouse.
- Repairs would include:
- Vegetation growth and existing security bar removal.
- Loose bricks repaired and made good while roofing and hung-tiled facades repaired.
- Windows replaced matching double glazed timber windows.
- Restore timber porch, dormer and rainwater goods and replace / restore doors.
- **Ice house, smithy and terraces**
- Retain, consolidate and repair.
- Install metal estate rail fencing above to at least 1.1m in height.
- **Landscaping**
- Partly recreate historic landscaping as lawn and formal terrace reinstated to the rear (western side) of Hillside, whilst the cobbled stable yard would be retained and restored with reclaimed brick setts.
- the existing driveway access to the east (off the highway) would be upgraded with the use of Resin bonded porous gravel surface.
- Additional hard surfacing is proposed to include a brick paved courtyard and on-site car parking area to the east of the front elevation of the proposed building. A total of 12 parking spaces (including 2 for wheelchair users) would be provided.

- The courtyard would have a central landscaped mound that would enclose the retained ice-house.
- Stone flagged paths are proposed in front of the Gardener's cottage and adjacent to the front elevation of the proposed building.
- The mesh boundary fencing facing Brookshill would be replaced with new 1.8m fencing (green mesh on timber posts).
- An existing 1.5m high wall to the south of the proposed building, which contains the fall in site levels along that elevation, would be repaired and adjusted to new landscaped site levels.
- A refuse / recycling store to accommodate 10 wheelie bins would be provided close to the eastern boundary of the site.
- Two 1.2m high new gates in decorative iron railings, stone flagged patios and stone steps to enclose the amenity spaces to the west of the proposed building are proposed.

Relevant History

P/2276/14 – Listed Building Consent: Internal And External Alterations To Grade II Listed Coach House And Stables Including Refurbishment And Repair And Reconfiguring Layout (Including Removal Of Some Historic Walls/Features); Hard Surfacing Works; Provision Of Cycle Storage; Demolition of Curtilage Listed Remains of Hillside Mansion House – The application is linked to this planning application and is also being reported to Committee.

Pre-Application Discussion (Reference P/1190/14/PREAPP)

Conclusion as follows for the Heritage appraisal:

- The proposal to add new flats to replace Hillside, albeit in a design character to match the existing shell of a house will greatly alter and undermine the historic character and layout of the site due to the proposed intensification of use, thereby harming the setting of the listed building. Therefore the key to this scheme will be that it is made clear that strong heritage benefits decisively outweigh this harm by, namely:

1) Suitable repair and upgrading of the highest standard. This would be essential. Currently the coach house and stables, gardener's cottage, historic walls and railings and ice house would benefit from numerous appropriate repairs that follow conservation principles having suffered extensive decay. In order to identify these, a thorough historic buildings survey should be provided by a historic buildings surveyor, with associated appropriate repairs identified as part of the proposals for this scheme in a method statement. For example:

- Existing inappropriate pointing wearing away brickwork and broken bricks would need to be addressed.
- There is evidence of damp to the walls to the stables. It is likely that the current hardsurfacing right up to the wall is contributing to this. This needs to be considered with appropriate resurfacing.
- Also, the hardsurfacing currently in place is not the original in front of the stables and therefore resurfacing in an appropriate material in terms of enhancing the setting of the listed building should be considered.
- Historic floor surfacing within the stables which are to be used as cycle storage is an attractive feature that forms part of the character of the building and should be repaired, preserved and left exposed.
- The curtilage listed walls should be kept and restored and details provided for this.
- The vegetation needs to be carefully removed from all elevations of the buildings

before the survey is undertaken to allow identification of problems.

- Lathe and plaster ceilings require suitable repair.
- Leaking roofs need addressing
- Repair to internal joinery including roof trusses is needed
- Cracked walls indicate possible movement that needs addressing.
- Repair to the brick built kiln/forge in front of Gardener's cottage is needed.
- If windows are to be replaced clear justification for each one should be provided given the state of repair of the existing.
- Replacement of the corrugated iron roof with clay tiles would be welcomed.
- Repairs are most necessary for the coach house and stables given they are of the highest significance on the site but the other heritage assets are also very important particularly as their survival as a group adds to the significance of the grade II listed building.
- Reversibility alone should not be used to justify proposals in accordance with guidance contained within the National Planning Policy Framework.

2) The historic layout and features of the stables and coach house should be preserved. This will mean using the existing space more flexibly and to a lesser intensification ie fewer bedrooms. The proposal for this building should be about creative reuse, not getting rid of features but working with them:

- Currently the proposed floor plans would see some original walls, fireplaces and the kennels lost or relocated for example, and the staircase demolished and another built elsewhere. These important fittings and the original layout need to be retained as far as possible since they are as important intact fittings, reflecting the previous use and layout of the building. If anything was to be removed it would need to be shown that it was beyond repair. A later email submitted as part of the pre-application proposals states the horse bay partitions would be retained albeit relocated which would be an improvement but it is considered that relocation is not necessary if the space is reused more flexibly thereby retaining greater interest.
- For the staircase, whilst lifetime homes, building regulations and accessibility are important considerations there are some exceptions for listed buildings so greater justification would be required for the loss of this feature by expanding upon this point against some more consideration of the age and importance of this feature.
- The grill opening in the gable end to the north elevation should be retained in place as an original feature albeit to make it more airtight glazing could be proposed on the inside.
- For alterations to the north elevation, option 1 for the north elevation is the better option provided since it does not propose introducing windows that were not ever in place before. Comparing the proposed elevation 2 with a floor plan it seems the addition of one window may be necessary to the kitchen but given the openings on the other side for the other rooms, no more than this seem necessary.
- There is some concern with the proposed internal glazed lobby behind the south elevation door mentioned in the later email but not shown on the plans since again this alters historic character and it is considered suitable draught proofing could adequately address heat loss without harm.
- The site visit was useful but access could not be provided all of the listed stables so it is not possible to be more exhaustive in the response here but retention of historic features and fabric is the basic principle to be followed.
- There is some concern with the slit windows on the west elevation for the bike store. It may be that rooflights would be better as this could retain more historic fabric.

3) It is understood that currently the proposal would see the ice house lost. However, there is not clear justification for this. The remnants of the historic ice house are considered an important heritage asset. It has historic interest for its former use, its design clearly reflects the Tudor Gothic style of the main house and a large part of this remains. It has group value as it remains with the associated buildings and as per the list description for the coach house forms part of the picturesque layout of the house, stables and grounds. This ice house is not mentioned in any of the assessments of the proposal to list Hillside or the coach house and stables so it is considered highly likely that it was not assessed against the criteria for listing in the past. It may be curtilage listed due to its association with the coach house and stable. It is therefore recommended that if the proposal is to remove this would need to be included in the Listed Building Consent application. In terms of proposed alterations to the site, the front layout should be reconsidered to retain this ice house and associated repair works considered to stabilise this building and incorporate into proposals. This may mean that the orientation of Hillside would need to follow more closely the original orientation.

4) In terms of Hillside whilst it is recognised that this cannot be retained given its state of decay careful recording would be required as well as detailed plans recreating decorative features to the same or very high standard as is currently in place.

Subsequent formal and informal meetings with Officers and English Heritage since the submission of these applications have resulted in revisions to the scale and design of the proposed replacement building, car and landscape provision and retention of heritage assets such as the ice-house.

Applicant Submission Documents

- Sustainability Statement
- Transport Statement
- Arboricultural Impact Assessment / Arboricultural Method Statement
- Daylight and Sunlight Assessment
- Heritage Statement
- Design and Access / Planning Statement
- Flood Risk Assessment
- Phase 1 and Phase 2 Habitat Surveys
- Historic Features Photo Sheet
- Coach House and Stables Energy Statement / Site Code for Sustainable Homes Assessment
- Building Survey and Report

Consultations

External Consultees

English Heritage

Confirmed view is that the main house is listed as curtilage building and therefore English Heritage's consent is required to demolish it.

It would be too onerous to require the retention of the ruins as they are not listed, and this would mean building elsewhere on the site (and therefore further damage to the landscape) and a new building in the style of the old house is sufficient to provide the setting in principle. But it must be of the highest quality, and that there should also be a good restoration of the stables, the Gardener's cottage, the ice house and a first rate landscaping scheme, so that the whole country house complex is clearly legible.

Internal Consultees

Highway Authority: No objection, subject to conditions.

Landscape Architect: No objection, subject to conditions.

Tree Officer: No objection.

Biodiversity Officer: No objection, subject to conditions.

Drainage Engineer: No objection, subject to conditions.

Advertisement: Setting of a Listed Building

Published: 31st July 2014 (Harrow Observer and Harrow Times)

Expiry: 21st August 2014

Site Notice(s) Erected: 25th July 2014 and 5th September 2014 (Setting of a Listed Building)

Expiry: 15th August 2014 and 26th September 2014

Notifications

Sent: 26

Replies: 0

Expiry: 12th August 2014

Neighbours Consulted

Brookshill – Brookshill Gate (Apartments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18), Oak Cottage, North Lodge, Oak Lodge, Wykeham, Roxey, Brookshill Avenue – 38, 40, 41.

Summary of Response(s):

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) 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. From this date, the REMA are operative as formal alterations to The London Plan and therefore form part of the development plan for Harrow.

MAIN CONSIDERATIONS

Principle of Development

Impact on the Openness and Visual Amenity of the Green Belt

Design, Character and Appearance of the Area and Impact of the Proposal on the Heritage Assets

Residential Amenity and Accessibility

Transport Impacts of Development

Development and Flood Risk

Impact on Biodiversity

Sustainability

Equalities Implications

S17 Crime & Disorder Act

Consultation Responses

Principle of Development

The NPPF sets out a presumption in favour of 'sustainable development'. The NPPF defines sustainable development as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'. The NPPF sets the three tenets of sustainable development for planning to be; to play an economic role, social role and environmental role. The NPPF, following the deletion of the Planning Policy Statements and Guidance Notes, continues to advocate that new development should firstly be directly towards previously developed land, recognising that sustainable development should make use of these resources first.

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.

The Harrow Core Strategy sets out the spatial vision for the borough and along with The London Plan, identifies a deficiency in housing quantum for the borough. Policy CS1.A of the Harrow Core Strategy undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow and Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites.

The application site constitutes previously developed land in the Green Belt, which is occupied by permanent structures with redundant and continuing uses. The application proposal seeks to construct a replacement three-storey building to house residential units on similar siting and footprint as those of the former redundant Hillside mansion house, which was the historic principal dwelling on the site. The proposed use of the locally listed Gardener's Cottage would remain within its existing lawful use as a single dwellinghouse. The applicants have submitted that the stables have been used as ancillary recreational use to the principal dwelling use of the Grade II listed Coach House for many years. The applicants have also submitted that equestrian use on any commercial basis is no longer viable in the area and has not been for some time. The proposal would therefore remain consistent with the historical residential use of the site.

Although the proposal would result in development on previously developed land and would therefore not conflict with Core policy CS1A of the Harrow Core Strategy, the

proposed replacement building will be considered in relation to the Green Belt designation of the site and its impact on the setting on the Grade II listed Coach House and stables in the succeeding sections below.

Having regard to the NPPF, The London Plan and the Council's policies and guidelines, it is considered that the proposal would provide an increase in smaller to medium scale housing stock within the Borough. The proposed provision of 9 residential units would contribute towards the Borough's delivery of homes between 2009 and 2026, in accordance with the housing growth objectives and policy 3.3 of The London Plan and the spatial strategy set out in the Harrow Core Strategy.

On the basis of these considerations, the construction of a new three-storey building to replace the roofless shell of the Hillside mansion house and refurbishment of the listed buildings on the application site to provide 9 residential units is therefore supported.

Impact on the Openness and Visual Amenity of the Green Belt

Paragraph 87 of the NPPF specifies 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.
- the replacement of a building, provided the new building is in the same use and not materially larger **than the one it replaces** (bullet point 4 of paragraph 89).

Policy 7.16B of The London Plan states that "the strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances". This is reiterated in policy CS.1 F of the Harrow Core Strategy. Policy DM16 of the Development Management Local Plan Policies also emphasizes the importance of maintaining the openness of the Green Belt. Policy DM16 (A) gives advice that the redevelopment or infilling of previously-developed sites in the Green Belt will be supported where the proposal would not have a greater impact on the openness of the Green Belt, and the purposes of including land within it, than the existing development, having regard to:

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

The determination of whether a replacement building would not be materially larger than the building it would replace requires a purely technical assessment – it would be necessary to compare the footprint and volume of the existing building and to compare this to the footprint and volume of the proposed building. As a rule-of-thumb, an increase of approximately 20% - 30% over the footprint, floorspace and volume of the existing building would generally be acceptable.

The proposed conversion and use of the Gardener's Cottage and Coach House and stables as dwellings would not involve any physical development beyond their existing footprints.

It is acknowledged that the proposed replacement building would be mainly sited in a similar position on site as the shell / ruin of the existing building, and that its external design features would mainly replicate those that previously existed (as confirmed by a review of submitted historic photographs). There are no objections to this part of the proposal.

The submitted existing floor plans infer an approximate footprint of 277.0 sqm for the existing Hillside building ruin on the site. The proposed three-storey building would have an approximate footprint of 308 sqm, which would represent an increase of 10% over the footprint of the existing building ruin. The submitted existing and proposed elevation plans demonstrate that the proposed building would maintain the same height as the existing building across most of its varied roofscape. The applicants have provided historic photographs that show a varied roofscape of the existing building, and a reduction in height of the proposed building by 1.0m is proposed over part of the western and eastern elevations (to the corners closest to the Coach House). This reduction in height would be achieved by the replacement of the shaped gables on those elevations closest to the Coach House with smaller and lower-set gables.

The applicants have submitted that the volume of the proposed building would be approximately 20% less than the volume of the existing building; an estimated existing volume of 3,563 cubic metres compared to a proposed volume of 2,797 cubic metres. This difference in volume percentage is mainly due to the existing full basement that extends over the full footprint of the existing building, but which would be partly utilized to form one of the residential units in the proposed building. The difference in volume percentage also takes into account the completely submerged basement unit below ground level, which would therefore not make the difference in volume percentage apparent.

Given that the proposed building seeks to respect the design of the former Hillside mansion house by retaining a varied roof profile in terms of character, and the fact that the proposed building would be no higher than the existing shell comprising the ruin of the former mansion house, it is considered that the proposed building would not detract from the function of the site to maintain the openness of the Green Belt. The shaped gables to the ends of the western and eastern elevations of the proposed building closest to the Grade II Coach House and stables would be lowered by approximately 1.0 from the original features on the existing building. The reduction in height and scale of the gables on those elevations would help to create a more harmonious transition from the proposed building to the lower listed building.

It is considered that the proposed use of stone flagged paths / steps and resin bounded porous gravel for hard surfacing of the driveway / car park area are acceptable, as they are materials that would cushion the visual impact of the hard landscaping on the visual amenity of the Green Belt. The siting of the proposed refuse store under a tree canopy is also considered acceptable, as it would reduce its prominence on the openness and visual amenity of the Green Belt.

The proposed low gates in decorative iron railings and repaired dwarf wall to the southern side of the proposed building would replicate original features that enclosed the area to

the western side of the existing building, which used to form an associated garden area.

Having regard to the above factors, it is considered that the overall scale and mass of the proposed replacement three-storey building would be acceptable and would not have a detrimental impact on the openness and visual amenity of the Green Belt. Given the modest overall size of the proposal in relation to the size of the site and sheltered nature of the development site, it is considered that the proposed development would not constitute inappropriate development in the Green Belt, and the proposal would not therefore have a detrimental impact on the character and openness and visual amenity of the Green Belt, in compliance with the policies outlined above.

Design, Character and Appearance of the Area and Impact of the Proposal on Heritage Assets

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 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 DM1 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'.

The proposals see the demolition of the curtilage listed and locally listed ruins of Hillside and its replacement with flats and the change of use and associated repair and upgrading of the statutory listed coach house and stables. Proposals see the repair and reuse of the locally listed Gardener's Cottage, the repair and retention of the curtilage listed smithy/forge to the coach house and stables and the repair and retention of the heritage assets of the terrace to Hillside and ice house and mound. It is also for revised landscaping.

According to paragraph 129 of the National Planning Policy Framework (NPPF): 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal...taking account of the available evidence and any necessary expertise'. According to the NPPF's definition of 'significance', this is 'the value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic

or historic'. This collection of heritage assets on site forms one of the last remnants of Harrow Weald's once extensive series of nineteenth century grand houses. Their individual and group significance is outlined within the site description section above, with the coach house and stables displaying the most value given their nationally listed status.

In assessing the acceptability of the proposals, the need to preserve the special significance of the listed coach house and stables and to conserve significance of the other heritage assets and their settings must be balanced against public benefits, having particular regard to national and local planning policy and guidance.

Relevant policy and guidance includes the National Planning Policy Framework (NPPF) paragraph 131 which states 'In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Similarly, paragraph 132 applies which 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset'. Paragraphs 133 and 135 are also relevant.

Similarly The London Plan policies apply. Policy 7.8 C states: 'Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate' and 'Development affecting heritage assets...should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'. Harrow Core Strategy policy CS.1 part D applies which 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'. Likewise development management policy 7 A states: 'Proposals that secure the preservation, conservation or enhancement of a heritage asset..., or which secure opportunities for sustainable enjoyment of the historic environment, will be approved'. And preference 'is to be afforded to proposals that both conserve and sustain heritage assets'; and 'a. pay special attention to the building's character and any features of special architectural or historic interest which it possesses'.

Preserving Special Interest of the Listed Coach House and Stables

The change of use of the listed coach house and stables from use as a livery to a single family dwelling house would be harmful in principle by taking the building away from what remains of its original intended use. Conservation principles hold that the original use is always best if it is viable. Also, this conversion would necessarily cut through some of the original layout, thereby causing the loss of some historic fabric and plan form. This is harmful as paragraph 182 of the Planning Policy Practice Guide states 'The plan form of a building is frequently one of its most important characteristics and internal partitions,...and other features are likely to form part of its significance. Indeed they may be its most significant feature. Proposals to remove or modify internal arrangements...will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations'. Similarly, paragraph 179 of the Practice Guide which states: 'The fabric will always be an important part of the asset's significance. Retention of as much historic fabric as possible is therefore a fundamental part of any good alteration or conversion'. Similarly, DM 7 B part b. states the impact of proposals affecting heritage assets will be assessed having regard to: b. relevant issues of design, appearance and character including ...historic fabric, use, features, ...layout, [and] plan form.'

Since some special interest would be lost a condition is recommended for a complete archaeological record of the building prior to any works starting. This is in accordance with NPPF paragraph 141 which states Local Planning Authorities 'should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. This is also in accordance with English Heritage's 2006 publication namely: *Understanding Historic Buildings A guide to good recording practice*.

Nevertheless, the PPS5 Planning Practice Guide (still nationally adopted) states that recording should never be justification for loss of significance. The harm as outlined would be less than significant. Paragraph 134 of the NPPF states that '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, including securing its optimum viable use'. As outlined under the 'condition' heading of the site description, much repair and many restoration works are needed to put the listed coach house and stables in good order. The repairs are costed out within the schedule of repairs to the coach house and stables. It is considered that use as a livery is not viable to generate this income to put the building back in good order. A valuer's survey stated that given the current economic climate, demand for stables is very poor and there seems little opportunity to operate a successful operation of this type in the area. Retail and warehouse use were discounted given their location and listed status. Accordingly residential use is presented as the optimum viable use. Indeed, the Victorian Society's consultation response agrees that 'As far as the stables are concerned, the idea of converting it into residential use is sensible'. Residential use for the coach house and stables would generate sufficient income to ensure the repair and restoration of it to ensure its long term conservation. This brings great public benefit of securing the future of this listed building. The conversion is therefore on balance appropriate if the repairs of the listed coach house and stables can be ensured and if harmful changes to create domestic living space is minimised. This helps to offset any possible harm via conversion to residential use.

So, the repairs and upgrading would be ensured by recommended conditions. Many repairs are outlined as necessary for long-term conservation of the building in the structural surveyor's report. These are proposed as part of the conversion works (see the letter to the Council dated 5th September) including some repointing, replacement of spawled brickwork and repair of the east flank wall and some gables. It also includes replacing inappropriate hardsurfacing in the stable yard which is contributing to damp. It would be important that all the proposed repair works were carried out using a suitable conservation approach, therefore a suitable condition is recommended.

By extension, it is also a fundamental part of the proposal that the curtilage listed smithy be repaired and retained as proposed. The same condition therefore ensures that suitable proposals for repair are agreed with the Local Planning Authority beforehand and these are carried out prior to occupation of the coach house and stables.

By careful design and conditions attached to the Listed Building Consent the proposed conversion ensures the special interest of the listed building is preserved as far as possible for example by minimising openings and alterations to facilitate this change of use. This is in accordance with English Heritage Guidance on the Conversion of Traditional Farm Buildings: A guide to good practice published 29/09/2006. This is

explored in detail within the appraisal to the linked Listed Building Consent application.

Consultation responses for the Listed Coach House and Stables

Whilst agreeing in principle to the change of use, the Victorian Society raised some objections to the proposed works to allow the conversion of the coach house and stables. The Victorian Society go on to argue that this harm would be acceptable if 'counterbalanced by a full scholarly restoration of the exterior of the building including repair of the curvy shaped gables that have had their rounded tops squared off and the reinstatement of the missing shaped gable that at some stage has been replaced by a utilitarian triangular gable. It should also include the reinstatement of the missing chimney. This should be based on the design of the chimneys of the main house, scaled down appropriately'. However, this assertion is not supported by the Local Planning Authority. There is concern that, however scholarly, some of these restoration works would necessarily be based on conjecture and guesswork, particularly for the chimneys. There is also concern as to how well this could blend in with the historic fabric and whether some historic fabric would be lost as a result of such works. It is also noted that the PPS5 Planning Practice Guide (still adopted nationally) provides guidance on restoration which states restoration is acceptable if for example: 'The work proposed is justified by compelling evidence of the evolution of the heritage asset, and is executed in accordance with that evidence'. However, it is not clear that such compelling evidence currently exists.

Nevertheless, as acknowledged in the above appraisal, the Victorian Society's concern that repair works are carried out to the listed coach house and stables as part of the proposals is supported by the Local Planning Authority. It is agreed that it is fundamental that repair works are undertaken to the listed coach house and stables in order to help counterbalance the harm caused by the conversion to residential use. Therefore, the proposal is for repair works to the gables as requested by the Victorian Society and a condition is recommended to ensure this. Also suitable conditions are included to ensure that as per the Victorian Society's request 'the brickwork repairs needed and the repairs to the roof, including retention of the current banding of plain and scalloped tiles' are carried out.

Consultation responses for the statutory listed coach house and stables and cartilage listed smithy otherwise refer to matters that only concern the linked Listed Building Consent so these are addressed in the linked report.

Public benefits outweigh the harm to special interest of other heritage assets

The wider planning application includes both the proposals for the listed building and those for the other heritage assets on site. These proposals would therefore be harmful since they would see the change of use of the coach house and stables to a residential unit as assessed in detail above. Also it would see the loss of the locally listed and, in English Heritage's view, curtilage listed shell of Hillside. This is of high local significance and of national significance as, whilst being in a ruined state, it is the product of an important Victorian architect (born in Harrow) and, as stated by the list description of the coach house and stables, whilst being a shell 'the picturesque layout of house, stable yard and grounds is still intact and compares with the 1868 OS map'.

The proposal is also harmful as it would add flats to replace the ruined house of Hillside, albeit in a design character to match the existing shell of a house. This would undermine the historic character of the site by introducing a proposed intensification of use that is not, and has never been, characteristic of the complex of heritage assets. The multiple

division of the building would introduce a different character of building and site with much greater pressure for associated alterations such as garden wall divisions, bins and car parking than single family dwelling use for example. Therefore the principle of the development would harm the setting of the listed coach house and stables and the other heritage assets on site, that currently form this coherent group of heritage assets forming the remains of the Hillside mansion house complex.

The principle of demolition is supported by LAMAS, English Heritage and the Local Planning Authority however. This is due to Hillside's condition, the fact that it is not listed in its own right and its siting. In terms of condition, the Victorian Society raise concerns that there has not been a structural surveyor's report of the building and that potentially the building could be retained and rebuilt or, if need be, levelled off and retained in part. However, as confirmed by a site visit and as outlined by the valuer's survey provided, the shell of Hillside is in a fundamentally poor and dilapidated state. This is because the roof is no longer in place and what remains of the walls of the building appear unsafe. The acro-props in place do not appear to have been successful and collapse appears imminent in places. In places vegetation appears to be all that holds this up. The valuer's report states that it is not considered economically viable to refurbish it.

In terms of the loss of significance the harm is considered to be less than significant but it is noted that the Victorian Society consider the harm to be substantial. Public benefits therefore need to be weighed against the harm again in accordance with paragraphs 134, and 135. If the harm was considered substantial then paragraph 133 is relevant which states: 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss'. Positively, the proposal would see substantial public benefits to outweigh the harm regardless of whether the harm was considered substantial or less than substantial.

This is because this proposal would see proposed repair and retention of the other heritage assets on site, namely the coach house and stables, smithy/forge, terraces to Hillside, Gardeners cottage and the ice house and mound. In order to outweigh the harm it would be fundamentally important that the repair and retention of the other heritage assets on site was ensured. A suitable planning condition is recommended to ensure this prior to occupation of the replacement flat. LAMAS agree that the financial burden of retaining the ruin would be great, and outweighed by public benefits of finance to restore the coach house and stables.

These repair works would need to be informed by an understanding of the fullest condition and history of the assets and clearly the proposals would see the loss of some special interest. Therefore it would be important that a suitable requirement for an archaeological survey was conducted so a suitable condition is recommended. This is in accordance with NPPF paragraph 141 which states Local Planning Authorities 'should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. This is also in accordance with English Heritage's 2006 publication namely: *Understanding Historic Buildings A guide to good recording practice*.

The proposal would also see public benefits to outweigh the harm since it would see the reinstatement of a principal building in place of Hillside, in a similar form. Whilst it would

not be the same Victorian high Gothic building that was once in place, it would see use the old architectural features (such as gables and tall chimneys) to fit in and to give an impression of the form that is there now. Whilst it is not necessarily the design that was originally in place, it would certainly echo what was previously there. In this sense it would be preserving that special interest of the existing locally listed ruin of Hillside that is noted within the list description, and thus preserving the setting of the other heritage assets.

The Victorian Society's concerns are supported that the proposed replacement building would need to be of high quality and closely follow the original building, with much detail provided to ensure this is the case, in order to outweigh the harm caused by this proposal and to preserve the setting of the adjacent heritage assets. There would be the danger otherwise that this proposal would appear as a standard block of flats, poorly attempting to imitate what used to be on site in a much more poor quality fashion, which (particularly compared to the existing locally listed ruin which was evidently of the highest quality) would harm the setting of the heritage assets on site. This has been emphasised to the applicant since the pre-application stage. Despite this, currently the plans are very vague and so do not show a sufficient detail to ensure this is the case. Without sufficiently detailed plans, there is a danger that the Victorian Society's concerns would be borne out ie 'the approach taken for the new building is likely to result in a new building that vaguely follows the massing of the old building but which is dramatically different and inferior in terms of materials, mortar type, detailing and landscaping'. The Victorian Society note that 'the submitted drawings are wholly inadequate in terms of the level of detail shown. In order to be an acceptable foil to the stables and to compensate for the harm done by the demolition of the locally listed building, the new building would need to match the massing, form, materials and detailing of Roumieu's mansion'. The Victorian Society note that 'There is enough information in terms of the surviving fabric to establish this'.

Therefore it would be very important that every detail is carefully provided to the Local Planning Authority for approval before commencing the work. For example as per the Victorian Society's reply: 'The historic bricks would need to be matched exactly. The historic chimneys with their elaborate detailing would need to be replicated precisely. The structural polychromy, with bands of darker and lighter brick and brick diapering would need to be replicated. The shaped gables would need to be carefully detailed. The elaborate bays, with their oversailing bracketed roof dormers, would need to be reconstructed in replica. Many working drawings would be needed for the stone dressings... It is all possible. And given the likely prices of the flats it may well be economically viable'. The other patterned brickwork would also need to be replicated. Reproduction stone dressings for example would not have the same impact. It would be important have diaper work and panels of high quality brickwork detail as per the original external joinery and patterned brickwork detail would be needed.

It would also be important that the brickwork bond matched the likely original and was not of obvious lower quality and so was Flemish and not stretcher bond for example. It would also be important that brickwork size, texture and colour were of suitable design including consideration of brick pattering. It would be important that all services to be installed were rationalised and minimised and installed in such a way as to not be obtrusive on the new design. New pipework and gutters would need to be of high quality ie cast iron in order to match the character and quality of the original. It would be important that original diaper work and polychromatic brickwork details were replicated and that sufficient external joinery detail were added to link this in with the original design. It would be important that chimney design and chimney pots closely followed the originals which

were of high quality Tudor Gothic design. It would be important that rather than appearing as flats the buildings appear as a single principal house, as per the ruins of the house it is replacing and so details for door bells and letter boxes should be conditioned.

In order to retain historic significance as far as possible it would be important that as much historic fabric and features were retained and reused as possible. Therefore a suitable condition is recommended.

It would be similarly important that the landscaping details replicated the originals as closely as possible and that great care was taken to achieve cycle and bin storage that blends in. The Victorian Society raise valid concerns that 'the landscaping proposed is unimaginative, rectilinear and dominated by parking, which would be very damaging. The historic maps show the original landscaping of the building, with a picturesque feel. The curved lines of the historic drive should be reinstated, and if marking out of parking bays is necessary this should be done subtly, with setts, rather than with white paint, and should not become dominant'.

Therefore extensive conditions are required relating to the details of this proposal prior to commencement in order to ensure that this proposal preserves the setting of the listed coach house and stables and outweighs the harm to the loss of the locally listed Hillside. The level of car parking no longer needs to be conditioned since this has been reduced to the maximum of 12 spaces required by The London Plan standards. These conditions cover all the above details.

It is acknowledged that the Victorian Society have requested that on the basis of the lack of detail currently provided and the current extent of design work that the application is refused. As they note 'the elevational drawings are basic and schematic and show none of the details needed'. However, since then more detailed drawings of a tower and turret have been submitted. Also, it is considered that subject to all the above conditions, and the amended elevations submitted with annotations to indicate many such details will be provided in any case for approval, the high quality design and appearance of this replacement building would be ensured, being one that would preserve the setting of the heritage assets and of sufficient quality to outweigh the loss of the locally listed ruin.

The Victorian Society are further concerned though that notwithstanding details, the current proposed design is inappropriate given the deviations shown between their proposed design and the original design of Hillside as: 'The changes made from the original design all degrade it – they show a standard block of developer's executive flats with a few gestures at copying Hillside like the shaped gables. There is no comparison in terms of quality between Roumieu's design and what is proposed'. However, whilst it is agreed that a design that closely follows the original is necessary in order to create the impression of the grandeur and quality of the principal mansion house that was once on site, and remains in part today, it is not considered necessary to ensure an identical building to that which has long been in ruins, as per LAMAS' comments, this would not be possible given the ruinous fabric, the lack of evidence, and Roumieu's position as a "rogue architect". However, LAMAS go further stating: any attempt to replicate the previous design, even less precisely would be inappropriate and the current proposal 'produced a confused design without any proper heritage justification' and so instead a modern design should be explored instead. However, it is considered that the deviations from the original design ensure that the proposal does not wholly attempt to recreate what was once there but is one that places a new take on it that is not out of keeping with the original. As stated, by following the original form, architectural features and high

quality materials it would echo what was previously there in the same way as the current ruin does and thus have the same positive impact on the setting of the other heritage assets. At the same time, the extensive planning conditions will ensure the quality of detail matches the originals.

Alternatively LAMAS state a similar intervention to that used at Astley Castle by retaining the ruins with a contemporary house inserted behind and around the crumbling walls could be used instead. Again though it is considered that cost of making the ruins safe would make this not practicably possible.

Since the quality of the proposed replacement building could be ensured, the harm caused by the loss of the locally listed Hillside and the conversion of the stable would be minimised. However, there would still be harm caused by this proposal which suitable retention and repair of the other heritage assets on the site would outweigh.

Residential Amenity and Accessibility

Policy 7.6B, subsection D, of The London Plan 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, siting and design of the proposed three-storey building has been informed by the scale, siting and design of the existing Hillside building ruin on the site.

The location and orientation of the application site is such that the nearest residential development to the south (Brookshill Gate) is sited over 60.0m away, and is shielded from views from that development by an intervening woodland on the southern boundary. To the west of the application is a vast expanse of open fields and woodland, and to the northwest, the nearest residential dwellings on Brookshill Drive are sited over 100.0m away. There are therefore no immediate residential developments in the vicinity of the proposed replacement building on the application site. These separation distances together with the sheltered nature of the site are such that there are no concerns to address in respect of the mitigation of any intervisibility for the proposed building.

It is considered that the buildings on the opposite side of Brookshill would be sited a sufficient distance from the application site to prevent any undue loss of amenity to the occupiers. The northern flank wall of the proposed three-storey building would maintain the same separation distance away from the end of the stable block attached to the Coach House as that of the existing Hillside building. Given that the height of the proposed building would be lower than the height of the existing building by approximately 1.0m over parts closest to the stables and Coach House, it is considered that the proposed building would not have any undue impact on the Coach House over what is presently experienced from the existing building.

The applicants have submitted a Daylight and Sunlight Assessment for the proposed building as well as for the proposed dwellings in the Gardener's Cottage and listed Coach

House. The assessment concludes that the proposed development will not affect the amenity of any neighbouring dwellings (given the site's remote location), and that the internal daylight levels to the proposed and refurbished buildings are considered to be very good and in excess of the recommended levels for new builds.

Amenity of Future Occupiers

Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation that is adequate to meet people's needs. In this regard, minimum Gross Internal Areas (GIAs) 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 Council's adopted Supplementary Planning Document (SPD): Residential Design Guide. 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 flats in the proposed building and the refurbished Coach House and Gardener's Cottage are 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 SPD Standards (m²)
Flat 1 (Lower Ground)	3 bedroom, 5 persons	148.46	86
Flat 2 (Ground)	3 bedroom, 5 persons	138.45	86
Flat 3 (Ground)	3 bedroom, 5 persons	138.45	86
Flat 4 (First)	3 bedroom, 5 persons	138.45	86
Flat 5 (First)	3 bedroom, 5 persons	138.45	86
Flat 6 (Second)	2 bedroom, 4 persons	110	70
Flat 7 (Second)	2 bedroom, 4 persons	110	70
Coach House / Stables	3 bedroom, 5 persons	124.63	96
Gardener's Cottage	2 bedroom, 2 persons	72.28	Not specified

The London Plan (2011), the Housing Supplementary Planning Guidance (2012) and the Council's adopted SPD (2010) specify a minimum GIA of 83 sqm for a 2 bedroom, 4 persons dwelling in a two storey house. The proposed GIA of the Gardener's Cottage is 72.28 sqm, but it is noted that the bedrooms proposed are single bedrooms. The layouts of the bedrooms are similar to the layouts of the existing first floor rooms in the Cottage, and the proposed bedrooms exceed the minimum floor area of 8 sqm required for single bedrooms.

Given the table above, it is considered that the adequate GIAs 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. All the 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 considered that the vertical and horizontal stacking of rooms between the flats in the proposed building is well designed, and outlook from habitable rooms would generally be adequate.

It is noted that two of the bedrooms in one of the flats on the ground floor would have flank windows in the northern side of the proposed building looking out to the northern boundary of the site. One of the flank windows would be a secondary opening for the bigger bedroom and it is considered that the outlook from those flank windows would not be severely restricted, given that the windows would be sited more than 3.0m from the northern boundary.

The flats on the lower ground, ground and second floors would have private external amenity space provided in the form of separate gardens and terraced balconies. Terraced balconies have not been provided for the first floor flats, but the flats would have access to the large communal grassed area to the west of the site, which would adequately provide for the amenity needs of the future occupiers. The grassed area to the north and west of the Coach House and Gardener's Cottage would provide adequate private amenity spaces for the occupiers of both dwellings.

The proposal would therefore comply with policy DM27 of the Development Management Policies Local Plan (2013).

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) seek to ensure that buildings and public spaces are readily accessible to all.

All the flats in the proposed replacement building 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 central core of the building would provide satisfactory access (in addition to the staircase) to the flats on the upper floors. Two parking spaces to accommodate wheelchair users would be provided in close proximity to the access path leading to the front elevation entrance.

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

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 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, 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 on-site parking provision would comply with the London Plan maximum standards. Twelve on-site car parking spaces are proposed to serve the development. Two of the proposed spaces would be allocated spaces to accommodate wheelchair users.

Cycle storage for the residential units (20 bicycles) would be sited in a cycle store in the central core of the proposed building and in an internal area of the converted stables. This proposed cycle parking provision would exceed the London Plan requirement of 15 bicycles for the proposed mix of residential units.

A Transport Statement has been submitted as part of the current application. A moderate uplift in traffic generation may be expected at peak traffic times as compared to the existing stable use on the site. However this would be anticipated as marginal owing to the scale of the proposal. The Highways Authority has commented that the proposal would not be detrimental to highway safety, given the fact that vehicles entering and leaving the site will be able to do so in a forward gear. An on-site turning facility would be provided to facilitate this forward gear exit and entry of vehicles. Net trip generation is anticipated to be in the order of 4 vehicles entering or leaving the site during morning and afternoon traffic peak times. This is considered di-minimis in the context of the scale of existing traffic flows on Brookshill.

The main existing gated access point onto Brookshill meets national sight-line safety standards and would suffice in meeting operation demands of the proposed development. It is understood that any necessary changes to the access involving highway land that may be required would be executed under an s278 agreement under the Highways Act 1980. The gated arrangement would remain albeit in a revised format, which would entail electronic operation which is absent at present. This is welcomed as it encourages the effective discharge of a vehicle entering the site from the highway which reduces potential accident conflicts. Intrinsic to this aspect a gate setback into the site of at least 1 car length (~5m) is also required to accommodate site bound vehicles, thereby avoiding potential highway obstruction. The existing visibility sightlines at the access conform to Department of Transport standards and are therefore considered 'fit for purpose' in safety and operational terms.

Separate refuse storage areas are proposed for the residential and commercial uses. 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 highway collection point for refuse vehicles 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. The Highways Authority considers this is acceptable given the already established pattern of collection at this location. For a flatted development such as this, one large blue refuse container of 1,280 litres would be required for materials for re-use and recycling and one of 1,100 litres for residual waste. The applicants have advised that one 1,280 litre bin and one 1,100 litre bin would be provided in the refuse store for the communal use of the 7 flats in the proposed building. The applicants have also advised that six 240 litre bins (brown, blue and grey) would be provided for the Gardener's Cottage and Coach House dwellings in the refuse store.

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, it 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, it could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall.

The applicants have submitted a Flood Risk Assessment (FRA) and the Council's Drainage Team has recommended conditions to ensure that the 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 the guidance contained in the NPPF, The London Plan policy 5.12.B/C/D, and policy DM10 of the Harrow Development Management Policies Local Plan.

Impact on Biodiversity

The NPPF states that the planning system should contribute to and enhance the natural environment (paragraph 109), recognising that distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status (paragraph 113). The NPPF also applies the following principles to the determination of planning applications (paragraph 118):

- if significant harm cannot be avoided, adequately mitigated or (lastly) compensated, then permission should be refused;
- if an adverse effect on a Site of Special Scientific Interest (SSSI) is likely, either individually or in combination with other developments, the development should not normally be permitted;
- opportunities to incorporate biodiversity should be encouraged; and
- development resulting in the loss or deterioration of irreplaceable habitats should be refused unless the need for, and benefits of, the development in that location clearly outweigh the loss.

Policy 7.19.C of The London Plan requires development proposals to make a positive contribution to the protection, enhancement, creation and management of biodiversity, wherever possible. Policy CS1 of the Harrow Core Strategy seeks to safeguard ecological interests and, wherever possible, provide for their enhancement. Policies DM20 and DM21 of the DMP (2013) seek the protection and enhancement respectively of biodiversity and access to nature.

When determining a planning application for a development which has an impact on European Protected Species, the Local Planning Authority (LPA) has a legal duty under the Conservation of Habitats and Species Regulations 2010 to take into account the three derogation tests contained within Article 16 the Habitats Directive 1992.

Ecological designations:

- There are no international or national ecological designations on the application site. The site lies adjacent to a site of nature conservation importance to the south.

The demolition or renovation of buildings containing bat roosts has the potential to cause an offence under the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations).

In support of the planning application, two Bat and Great Crested Newts Habitat Survey reports have been undertaken. The reports surveyed the existing ruin of the Hillside mansion, the Gardener's Cottage, the Coach House, a cold store room and part of the woodland along the centre and western side of the site. The applicants have submitted that all the surveys were conducted in suitable weather and no bat has been recorded emerging or re-entering any of the buildings, despite the moderate to high potential for bats to roost in them. Furthermore, there did not appear to have been any historical presence of bats within the listed farm outbuildings. The surveys recommend that if a bat is seen during any works permitted for the application, then work should be suspended pending advice from a bat worker.

The Council Biodiversity Officer has reviewed the evidence submitted and has considered that the assessment is sound. The Biodiversity Officer however recommends that conditions are attached, which amongst other requirements allows for hibernation checks to be conducted between a specified period, the restriction of lighting particularly towards the western side of the mansion building and use of bat bricks within the proposed three-storey building. It is also suggested that the applicants' ecological consultant gives any contractors a toolbox talk on bats and great crested newts and what to look for prior to the commencement of works on site.

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. Nonetheless, it is considered that this could be addressed by way of appropriate planning condition and an appropriately worded condition is therefore suggested.

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 it is considered that the proposal would accord with these principle

Consultation responses

None received from notified neighbouring properties.

CONCLUSION

The proposed development would re-use a previously developed site in the Green Belt in an effective and efficient manner, and would provide an increase in the housing stock for the borough in a sustainable location.

Furthermore, the proposed development would provide suitable living accommodation for future occupiers, and would not unacceptably harm the character or appearance of the area or the amenities of future or existing neighbouring occupiers. The proposed development would preserve the character and special interest of the Grade II Listed Coach House and Stables building and ensure its long-term conservation.

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

CONDITIONS

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

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

2 The development hereby permitted shall be carried out in accordance with the following documents and plans: PL-001 Rev P1 (Location Plan), PL-002 Rev P1 (Existing Site Plan), PL-003 Rev P1, PL-004 Rev P1, PL-005 Rev P1, PL-006 P1, PL-007 Rev P1, PL-008 Rev P1, PL-009 P5, PL-011 Rev P1, PL-012 Rev P2, PL-013 Rev P1, PL-015 Rev P1, PL-017 Rev P1, PL-018 Rev P1, PL-022 Rev P1, PL-009 Rev P5, PL-010 Rev P2, PL-014 Rev P3, PL-016 Rev P6, PL-019 Rev P7, PL-020 Rev P5, LP/HBHHW/020 B, TPP/HBHHW/010 C, Design and Access / Planning Statement (dated October 2014), Heritage Statement THA Ref: 2014/5006(c) (dated October 2014), Transport Statement (dated June 2014), Daylight and Sunlight Assessment (dated June 2014), Coach House and Stables Energy Statement / Site Code for Sustainable Homes Assessment (dated October 2014), Code for Sustainable Homes Pre assessment Estimator Tool, Building Survey and Report (Documents 1 and 2 dated August 2014), Stables and Coach House Stairs Statement (dated August 2014), Flood Risk Assessment (dated June 2014), Arboricultural Report: Arboricultural Impact Assessment / Arboricultural Method Statement (dated October 2014), Extended Phase 1 Habitat Survey, Phase 2 Surveys: Bat emergence, Botanical and Habitat Suitability Index for Great Crested Newts (dated September 2014), Historic Features Photo Sheet, Refuse Storage Details Contained in Applicants Email (dated 8th October 2014).

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

3 The development hereby permitted shall not commence until a full Archaeological survey of the heritage assets on the site (Coach House and Stables, smithy/forge, Gardeners Cottage, terraces and walls, Ice house and mound and Hillside) to a Level 4, in accordance with English Heritage guidance on building recording (see 'Understanding Historic Buildings' a guide to good recording practice 2006) has been carried out and submitted to and approved in writing by the local planning authority.

REASON: To ensure a record of the curtilage listed Hillside building, as well as the smithy/forge, Gardeners cottage, ice house and mound and Coach House and stables, to help inform best practice in terms of the schedule of repair and works to the locally listed and Grade II listed buildings on the application site in accordance with the National Planning Policy Framework (2012), London Plan Policy 7.8 (2011), Harrow Core Strategy Core Policy CS1.D and Harrow Development Management Policies Local Plan Policy DM7 (2013).

4 Detailed drawings, method statements, specifications, samples of materials and condition surveys in respect of the comprehensive proposed repairs to the Grade II listed Coach House and Stables, Gardener's Cottage, smithy/forge, Ice house and mound shall be:

A) provided for approval to, and agreed in writing by, to the Local Planning Authority prior to the commencement of this aspect of the proposal

B) completed and agreed by the Local Planning Authority prior to occupation of the replacement three-storey building hereby permitted.

REASON: To ensure that the necessary and sympathetic repairs are conducted to the listed Coach House and stables and to bring about the public benefits that would outweigh the harm caused by the alterations for the conversion to a dwellinghouse, in accordance with the National Planning Policy Framework (2012), London Plan Policy 7.8

(2011), Harrow Core Strategy Core Policy CS1.D and Harrow Development Management Policies Local Plan Policy DM7 (2013).

5 Notwithstanding the details on the approved plans, detailed drawings, specifications, or samples of materials as appropriate in respect of the following shall be agreed in writing by the local planning authority before the relevant part of the work is begun for:

- a). all external materials including mortar, tiles, bricks and external joinery
- b). brickwork bond
- c). decorative brickwork panels
- d). all services to be fixed to the building
- e). rainwater goods
- f). coping details
- g). windows and doors including timber design and arches to be placed above windows
- h). porches
- i). gables
- j). balconies
- k). bay windows
- l). chimneys and chimney pots
- m). door bells and letter boxes
- n). bin store
- o). cycle store
- p). Boilers and external flues

REASON: In order to preserve the setting of the nearby heritage assets including the Grade II listed Coach House and stables and locally listed buildings, in accordance with National Planning Policy Framework (2012), London Plan Policy 7.8 (2011), Harrow Core Strategy Core Policy CS1.D and Harrow Development Management Policies Local Plan Policy DM7 (2013).

6 Notwithstanding the details on the approved plans, the condition of the remaining fabric of Hillside shall be surveyed and this condition survey and proposals for reuse wherever possible, presented to and agreed in writing by the local planning authority before this part of the work is begun.

REASON: In order to preserve the setting of the heritage assets on site in accordance with National Planning Policy Framework (2012), London Plan Policy 7.8 (2011), Harrow Core Strategy Core Policy CS1.D and Harrow Development Management Policies Local Plan Policy DM7 (2013).

7 Notwithstanding the details shown on the approved plans, diaper work and polychromatic brickwork of a similar level and quality of the original shall be proposed as part of the design of the replacement three-storey building hereby permitted via detailed drawings, specifications, or samples of materials as appropriate and agreed in writing by the local planning authority before this part of the work is begun.

REASON: In order to preserve the setting of the heritage assets on site in accordance with National Planning Policy Framework (2012), London Plan Policy 7.8 (2011), Harrow Core Strategy Core Policy CS1.D and Harrow Development Management Policies Local Plan Policy DM7 (2013).

8 Notwithstanding the details shown in the approved plans, stone dressing shall be proposed to the windows and turret as part of the design of the replacement three-storey building hereby permitted via detailed drawings, specifications, or samples of materials as appropriate and agreed in writing by the local planning authority before this part of the work is begun.

REASON: In order to preserve the setting of the heritage assets on site in accordance with National Planning Policy Framework (2012), London Plan Policy 7.8 (2011), Harrow Core Strategy Core Policy CS1.D and Harrow Development Management Policies Local Plan Policy DM7 (2013).

9 Notwithstanding the details shown on the approved plans, no water tanks or air conditioning units may be installed without being agreed in writing by the local planning authority before this part of the work is begun.

REASON: In order to preserve the setting of the heritage assets on site in accordance with National Planning Policy Framework (2012), London Plan Policy 7.8 (2011), Harrow Core Strategy Core Policy CS1.D and Harrow Development Management Policies Local Plan Policy DM7 (2013).

10 Notwithstanding the details shown on the approved plans, no wall, fences, ground surfaces, treatment for balconies and terraces or other boundary treatments within the curtilage of the three-storey replacement building hereby permitted shall be constructed prior to the commencement of works, without the agreement in writing by the local planning authority. 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: In order to preserve the setting of the heritage assets on site in accordance with National Planning Policy Framework (2012), London Plan Policy 7.8 (2011), Harrow Core Strategy Core Policy CS1.D and Harrow Development Management Policies Local Plan Policy DM7 (2013).

11 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.

12 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 Harrow Development Management Policies Local Plan (2013).

13 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. 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 Harrow Development Management Policies Local Plan (2013).

14 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 Harrow Development Management Policies Local Plan (2013).

15 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).

16 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 Harrow Development Management Policies Local Plan (2013).

17 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 Harrow Development Management Policies Local Plan (2013).

18 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 Harrow Development Management Policies Local Plan (2013).

19 The construction of the three-storey 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 Harrow Development Management Policies Local Plan 2013.

20 The construction of the replacement three-storey 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.

21 The development hereby permitted shall make provision for:

a). two hibernation checks to be conducted between November and March Cold store room (ideally January and February).

b). the use of bat bricks within the approved three-storey building and limit the lighting particularly towards the western side of the building. That lighting should be LED, any UV output 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.

c). retention of the existing corridor of trees or shrubs in the centre of the site for foraging and commuting links for bats.

d). the implementation of precautionary measures such as those suggested under paragraph 5.3 of the Phase 2 Surveys report, as according to Natural England guidelines, the application site has an Amber risk level for Great Crested Newts.

Details explaining how these features are to be provided shall be implemented prior to occupation of the approved building or area to which the mitigation measures relate.

REASON: To ensure that the development contributes to improving the ecology and biodiversity of the area, in accordance with Policy 7.19 of The London Plan (2011) policy 7.19, Core policy CS1 of the Harrow Core Strategy (2012) and Policy DM21 of the Harrow Development Management Plan (2013).

22 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).

23 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.

24 Notwithstanding the information submitted, a revised Sustainability Strategy for the three-storey building hereby permitted 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 Harrow Development Management Policies Local Plan (2013).

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (2011) and Policy DM1 of The Harrow 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)

- 3.1 Ensuring equal life chances for all
- 3.5 Quality and design of housing developments
- 3.7 Large Residential Developments
- 3.8 Housing Choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 6.9 Cycling
- 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
- DM7 Heritage Assets
- DM9 Managing Flood Risk
- DM10 On Site Water Management and Surface Water Attenuation
- DM12 Sustainable Design and Layout
- DM16 Maintaining the Openness of the Green Belt and Metropolitan Open Land
- DM20 Protection of Biodiversity and Access to Nature
- DM21 Enhancement of Biodiversity and Access to Nature
- DM22 Trees and Landscaping
- DM23 Streetside Greenness and Forecourt Greenery
- DM24 Housing Mix
- DM27 Amenity Space
- DM42 Parking Standards
- DM44 Servicing
- DM45 Waste Management

Other Relevant Guidance:

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

Supplementary Planning Document Residential Design Guide (2010)

Supplementary Planning Document Accessible Homes (2010)

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 £36,331.75 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 £36,331.75 for the application, based on the levy rate for Harrow of £35/sqm and the residential floor area of 1,038 sqm.

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: £114,180.00

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:

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

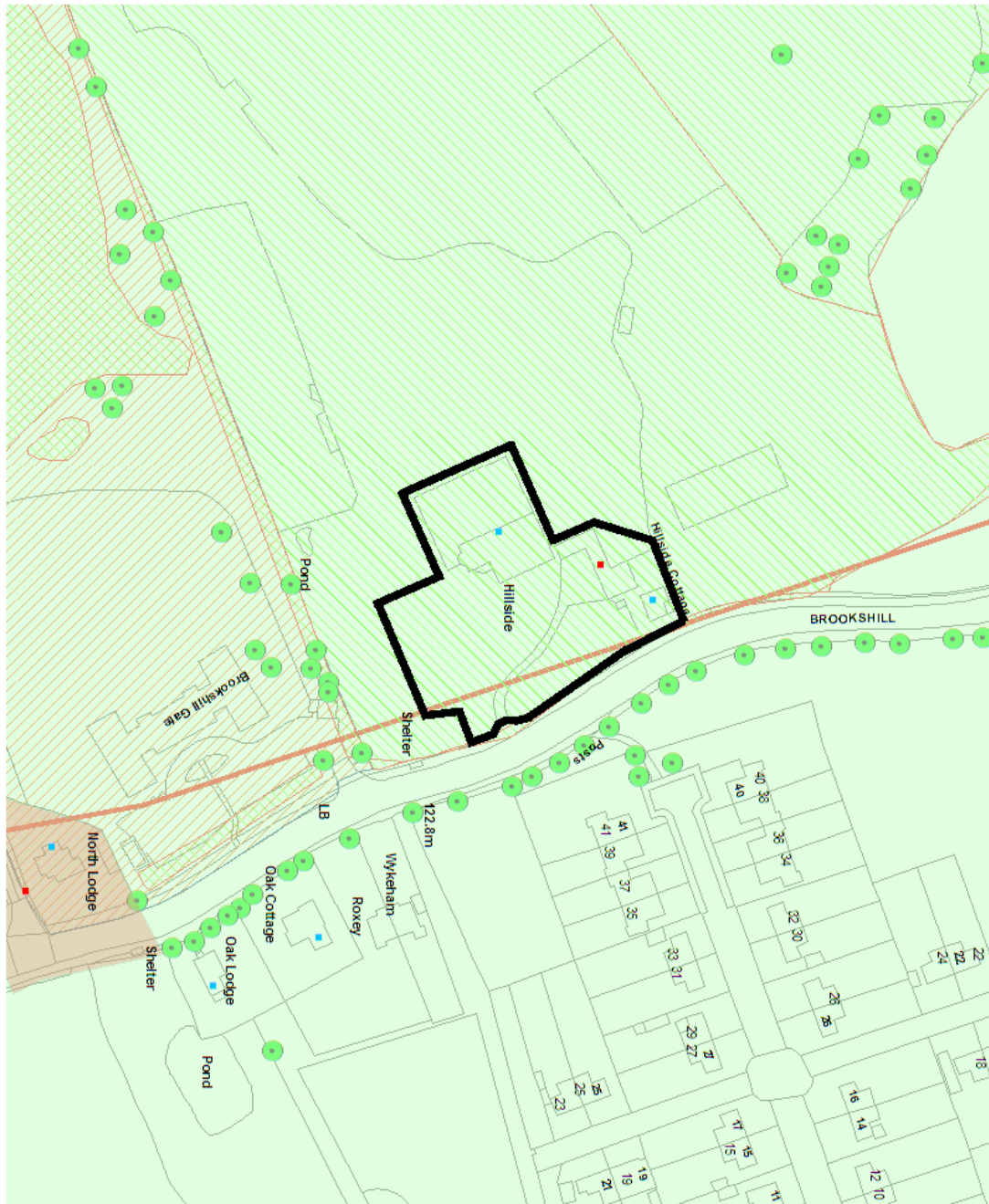
9 INFORMATIVE:

With regards to the implementation of Condition 23 in respect of the ecology of the area, the applicant is advised that 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. The applicant is also advised to give contractors a toolbox talk on bats and great crested newts and what to look for prior to works commencing.

Plan Nos: PL-001 Rev P1 (Location Plan), PL-002 Rev P1 (Existing Site Plan), PL-003 Rev P1, PL-004 Rev P1, PL-005 Rev P1, PL-006 P1, PL-007 Rev P1, PL-008 Rev P1, PL-009 P5, PL-011 Rev P1, PL-012 Rev P2, PL-013 Rev P1, PL-015 Rev P1, PL-017 Rev P1, PL-018 Rev P1, PL-022 Rev P1, PL-009 Rev P5, PL-010 Rev P2, PL-014 Rev P3, PL-016 Rev P6, PL-019 Rev P7, PL-020 Rev P5, LP/HBHHW/020 B, TPP/HBHHW/010 C, Design and Access / Planning Statement (dated October 2014), Heritage Statement THA Ref: 2014/5006(c) (dated October 2014), Transport Statement (dated June 2014), Daylight and Sunlight Assessment (dated June 2014), Coach House and Stables Energy Statement / Site Code for Sustainable Homes Assessment (dated October 2014), Code for Sustainable Homes Pre assessment Estimator Tool, Building Survey and Report (Documents 1 and 2 dated August 2014), Stables and Coach House

Stairs Statement (dated August 2014), Flood Risk Assessment (dated June 2014), Arboricultural Report: Arboricultural Impact Assessment / Arboricultural Method Statement (dated October 2014), Extended Phase 1 Habitat Survey, Phase 2 Surveys: Bat emergence, Botanical and Habitat Suitability Index for Great Crested Newts (dated September 2014), Historic Features Photo Sheet, Refuse Storage Details Contained in Applicants Email (dated 8th October 2014).

HILLSIDE, BROOKSHILL, HARROW WEALD



Item No: 2/05
Address: HILLSIDE BROOKSHILL HARROW WEALD
Reference: P/2276/14
Description: LISTED BUILDING CONSENT: INTERNAL AND EXTERNAL ALTERATIONS TO GRADE II LISTED COACH HOUSE AND STABLES INCLUDING REFURBISHMENT AND REPAIR AND RECONFIGURING LAYOUT (INCLUDING REMOVAL OF SOME HISTORIC WALLS/FEATURES); HARD SURFACING WORKS PROVISION OF CYCLE STORAGE. DEMOLITION OF CURTILAGE LISTED REMAINS OF HILLSIDE MANSION HOUSE.
Ward: HARROW WEALD
Applicant: HERONSLEA GROUP
Agent: DRK PLANNING LTD
Case Officer: LUCY HAILE
Expiry Date: 25/08/2014

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, the Harrow Core Strategy and the Harrow Development Management Policies Local Plan (2013).

INFORMATION

The application is reported to the Planning Committee since the linked planning application constitutes development of more than 6 residential units / flats. The overall number of units proposed is 9 (7 in the old ruined building and 2 in the coach house and stables). It therefore falls outside of Categories 1(b) and 1(d) 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 site is on the west side of Brookshill.
- It comprises a coherent complex of heritage assets namely: the ruins of Hillside, Brookshill (the former principal mansion house on the site) and associated ancillary: remains of brick and flint terraces and walls, ice house and mound, gardener's cottage and the largely intact coach house and stables to Hillside and associated forge/smithy.
- The grounds form part of the complex of heritage assets reflecting historic landscaping, including driveway.

- **Significance**

- National and local architectural, historic and archaeological interest for forming one of the last remnants of Harrow Weald's once extensive series of Victorian grand mansions and outbuildings associated with a highly regarded contemporary extremist architect, born in Harrow, possibly their only country house complex design.
- There is group value as each element relates to and complements history and use of the other.
- This is emphasised by the coach house and stable's list description which states one reason for listing is its setting since: 'although the house is a shell, the picturesque layout of house, stable yard and grounds is still intact and compares with the 1868 OS map'.

- **The Coach House and Stables**

- These were built for Hillside and are the most significant part of the group becoming grade II listed on 23rd February 2010.
- It is roughly 'Z'-shaped in three ranges, with the main central section aligned on a WNW-ENE axis.
- Its list description explains much of its significance which relates principally to its architect and architectural details, its historic use, surviving layout and historic interest of its owners.
- There is good banding detail of plain and scalloped clay tiles.
- The list description reads: 'Coach house and stables. Probably 1868 by RL Roumieu who designed the now ruined house, in Tudor Gothic manner.
- MATERIALS: Red brick with blue brick banding, stone kneelers, alternating bands of plaintile and fishscale tile roofs, some replaced with corrugated sheeting. Diagonally boarded timber doors. Cast iron and timber stable fittings and Dutch tile flooring.
- PLAN: An informal picturesque group set round two sides of a yard facing south-east overlooking the drive. The northern range comprises of a two-storey coach house and coachman's house above it and to the north of it a single storey stable block of looseboxes. To the south are loose boxes, possibly formerly a cart house and storage. The west range comprises a single storey range, now used as loose boxes and storage. Attached to the north of the coach house and stables is a single storey barn.
- EXTERIOR: The coach house, stables and barn have shaped gables with stone kneelers; the coach house and stables have flush blue brick banding. The carriage doors have diagonally-set boarding, the left-hand door is said to be replaced and has a glazed upper panel, both have long strap hinges. To the right, a door and window have flush pointed arches of alternating red and blue brick, the door has a plain overlight. Above are tall loading doors similar to the carriage doors, and a two over two pane sash. The stables to the north-east have a single split stable door, also diagonally boarded. The stables to the south-west have a pair of split doors and a pair

of single doors, also diagonally boarded. The west range is simply fitted with stable doors and has a shaped southern gable. To the rear of the coach house the attached barn is similar in manner to the loosebox range and has a pitch hole in each gable.

- INTERIOR: Loose boxes have cast iron posts and timber partitions and linings, and Dutch tile floors.
- HISTORY: Hillside was built in 1868 on behalf of Thomas Francis Blackwell, of Crosse and Blackwell, for his daughter-in-law Mrs Charles Blackwell and her daughters. The house was occupied by the second daughter and oldest surviving member of the family until her death in 1955. It was designed by Robert Louis Roumieu. The site as a whole survives complete with the shell of the house and stables and with the layout of the drive and some of the planting, which compare well with the 1896 OS map which marks the house which looked south-west over gardens and open ground with a carriage sweep set in landscaped grounds on the north-east, road side. The stables and coach house enclosed the northern side of the approach. Photographs taken in 1969 and 1973 show the stark Gothic shell of the house, with shaped gables and a conical roofed turret. It is now much overgrown within the remnants of later-C19 planting and the fabric appears to be severely depleted. To the east of the stables is a detached building in similar manner which is also shown on the 1896 OS map.
- RL Roumieu (1814-1877) trained under Benjamin Wyatt. He formed the partnership of Roumieu and Gough, whose broad spectrum of work included the austere neoclassical Milner Square Islington of 1839-44, the Almeida Theatre Islington (1837-8) and the Gothicising of Barry's St Peter's church Islington in the mid-1840s. Roumieu was surveyor to the French Hospital Estate, building in Hackney in 1865, and to the Hawley Charity estate.
- SOURCES: The Architect's, Engineer's and Building Trades' Directory, (1868), 134 Directory of British Architects, 1834-1914, RIBA, (2001), 508 Bridget Cherry & Nikolaus Pevsner, London 3: North West,(1991), 277
- REASONS FOR DESIGNATION The coach house and stables at Hillside are designated at Grade II for the following principal reasons: * Architectural interest: the coach house and stables, complete with some fittings, reflect the Tudor Gothic manner of the house; * Setting: although the house is a shell, the picturesque layout of house, stable yard and grounds is still intact and compares with the 1868 OS map; * Historic interest: association with the Blackwell family, well-known food manufacturers.
- Selected Sources Book Reference - Author: Pevsner, N and Cherry, B - Title: The Buildings of England: London 3 North West - Date: 1991 - Page References: 277'
- The courtyard in front of the coach house and stables is clearly historic with remains of cobbles partly exposed and a historic stable yard drain remains in front.
- **Small brick built forge or kiln east of coach house**
- Curtilage listed as it dates to the 19th century or earlier within the curtilage of the coach house and stables, and so is an ancillary pre-1948 structure.
- Historic interest given its age, surviving fabric and association with the listed building.
- **Hillside**
- This is south of the coach house and stables and locally listed.
- English Heritage's view is that the building is curtilage listed being within the curtilage of the listed building.
- Of importance for forming remains of the principal Victorian house on the site to which the remaining buildings/structures were ancillary to.

- Harrow Weald once had a number of grand Victorian mansions. Apart from Grimsdyke, most are now gone.
 - Its contribution to the setting of the coach house and stables was one of the reasons for listing.
 - It is clear from the remnants remaining that Hillside was of high quality Tudor Gothic design with a mixture of shaped gables, decorative chimneys, polychromatic brickwork and diaper work, using high quality materials.
 - Historic photos show cantilevered bays, conical turret and asymmetrical massing that was eclectic and interesting.
 - It was home of the Blackwell family, of Crosse & Blackwell fame, giving it national importance and further local significance.
 - Ruination reduces architectural significance, but the complex remains legible, and its ruined nature adds a layer of historic significance in terms of the melancholy mid-twentieth century history of decay of larger British houses.
 - The former mansion house prospect is obscured by spread of historic planting.
- **Ice-house and surrounding mound and terraces / retaining walls to Hillside**
 - The ice-house and mound is east of Hillside – toward the centre of the former carriage sweep.
 - They form an important part of the heritage complex.
 - They are not considered curtilage listed since whilst within the same site as the listed coach house and stables and pre-dating July 1948, they were never ancillary in use.
- **Gardener's Cottage east of the stables**
 - Former gardener's cottage to Hillside and locally listed.
 - The coach house list description notes it is detached, constructed in a '*similar manner*'.
 - It is not considered curtilage listed since whilst within the same site as the listed coach house and stables and pre-dating July 1948, it was never ancillary in use.
- **Condition**
 - All heritage assets in poor condition structurally and generally given vegetation growth, fire damage and subsequent decay, presenting enhancement potential.
- **The Coach House and Stables'** poor condition relates to:
 - failed rainwater goods; lath and plaster ceilings; spawled brickwork; poor pointing; excessive vegetation; failure of the weatherproofing of gables; structural decay; weakened east gable wall; covered area to the rear; leaking roofs; settlement cracks and open joints; corrugated roofing in place of clay tiles; and damaged fireplace.
 - The **forge/smithy** is partly covered in vegetation but appears in reasonable condition.
- **Hillside** is in the worst condition being:
 - roofless shell; internal floors and finishes lost; cracking throughout; vegetation growth.
 - the valuer's survey and a site visit show little integrity.
 - The 2010 coach house list description notes Hillside is a 'shell of a house' and fabric appears '*severely depleted*' but substantial parts of Hillside's terraces remain.
 - **Gardener's cottage** is not depleted to the extent of Hillside – retaining its roof but is similarly in a poor state.

- **Use**

All derelict and unused with the exception of the coach house and stables, used as part livery stable and part storage/unused. Historically it was a mixture of storage of carts and agricultural produce/implements, stabling and coachman's accommodation.

Proposal Details

- **Hillside**

- Demolition of the existing ruins of the principal house, Hillside.
- Materials are to be retained and reused where possible in construction of the replacement block of flats.

- **Coach House and Stables:**

- Retention, repair and alterations to allow the conversion into one unit with integral cycle store
- Multiple repairs outlined in the surveyor's schedule of recommendations, including those to the flank wall and gables.
- Installation of insulation.
- Non-original corrugated roof material to be replaced with matching clay tiles
- Two proposed roof lights
- Four new windows on the rear (north) elevation, one being below a surviving brickwork arch and the other behind an existing grille.
- On the first floor internally: install a shower room
- On the ground floor internally: retain original cast iron dividing bays but run a new partitions
- Create new walls and doors to create a new layout for two new bathrooms.
- Re-hang an original stable door to open the other way.
- Create one new internal door opening either side of the entrance hall to the coach house and a new opening between the proposed dining and living room.
- Remove the non-original partition currently subdividing the proposed dining room
- From the western most side of the south elevation, a new single timber door and a new double timber doors are to be installed to replace the existing non-original ones
- New glazed screens on the south elevation are to be installed within the existing openings behind original stable and hayloft doors.
- Otherwise original external doors and windows to be repaired and restored.
- On the ground floor externally, remove the tarmac/concrete hardsurfacing and retain and repair the historic cobbles and drain and lay some more cobbles.

- **Forge**

- Carry out any necessary repairs.

Revisions to Previous Application

- N/A

Relevant History

Linked Planning Application reference:

P/2103/14 for REDEVELOPMENT OF THE SITE: THREE STOREY BUILDING WITH LOWER GROUND FLOOR FOR SEVEN SELF-CONTAINED FLATS (FIVE X THREE-BED, TWO X TWO-BED) (DEMOLITION OF LOCALLY LISTED HILLSIDE MANSION REMAINS); REFURBISHMENT AND CONTINUED USE OF LOCALLY LISTED GARDENER'S COTTAGE AS A SINGLE DWELLINGHOUSE; REFURBISHMENT AND

USE OF GRADE II LISTED COACH HOUSE AND STABLES AS A SINGLE DWELLINGHOUSE; ASSOCIATED HARD AND SOFT LANDSCAPING, BIN AND CYCLE STORAGE, CAR PARKING

Decision due: 25/08/2014

Pre-Application Discussion (Ref. P/1190/14/PREAPP)

Heritage appraisal

- The proposal to add new flats to replace Hillside, albeit in a design character to match the existing shell of a house will greatly alter and undermine the historic character and layout of the site due to the proposed intensification of use, thereby harming the setting of the listed building. Therefore the key to this scheme will be that it is made clear that strong heritage benefits decisively outweigh this harm by, namely:
 - 1) Suitable repair and upgrading of the highest standard. This would be essential. Currently the coach house and stables, gardener's cottage, historic walls and railings and ice house would benefit from numerous appropriate repairs that follow conservation principles having suffered extensive decay. In order to identify these, a thorough historic buildings survey should be provided by a historic buildings surveyor, with associated appropriate repairs identified as part of the proposals for this scheme in a method statement. For example:
 - existing inappropriate pointing wearing away brickwork and broken bricks would need to be addressed.
 - there is evidence of damp to the walls to the stables. It is likely that the current hardsurfacing right up to the wall is contributing to this. This needs to be considered with appropriate resurfacing.
 - Also, the hardsurfacing currently in place is not the original in front of the stables and therefore resurfacing in an appropriate material in terms of enhancing the setting of the listed building should be considered.
 - Historic floor surfacing within the stables which are to be used as cycle storage is an attractive feature that forms part of the character of the building and should be repaired, preserved and left exposed.
 - The curtilage listed walls should be kept and restored and details provided for this.
 - The vegetation needs to be carefully removed from all elevations of the buildings before the survey is undertaken to allow identification of problems.
 - Lathe and plaster ceilings require suitable repair.
 - Leaking roofs need addressing
 - Repair to internal joinery including roof trusses is needed
 - Cracked walls indicate possible movement that needs addressing.
 - Repair to the brick built kiln/forge in front of Gardener's cottage is needed.
 - If windows are to be replaced clear justification for each one should be provided given the state of repair of the existing.
 - Replacement of the corrugated iron roof with clay tiles would be welcomed.
 - Repairs are most necessary for the coach house and stables given they are of the highest significance on the site but the other heritage assets are also very important particularly as their survival as a group adds to the significance of the grade II listed building.
 - Reversibility alone should not be used to justify proposals in accordance with guidance contained within the National Planning Policy Framework.
 - 2) The historic layout and features of the stables and coach house should be preserved. This will mean using the existing space more flexibly and to a lesser intensification ie

fewer bedrooms. The proposal for this building should be about creative reuse, not getting rid of features but working with them:

- Currently the proposed floor plans would see some original walls, fireplaces and the kennels lost or relocated for example, and the staircase demolished and another built elsewhere. These important fittings and the original layout need to be retained as far as possible since they are as important intact fittings, reflecting the previous use and layout of the building. If anything was to be removed it would need to be shown that it was beyond repair. A later email submitted as part of the pre-application proposals states the horse bay partitions would be retained albeit relocated which would be an improvement but it is considered that relocation is not necessary if the space is reused more flexibly thereby retaining greater interest.
 - For the staircase, whilst lifetime homes, building regulations and accessibility are important considerations there are some exceptions for listed buildings so greater justification would be required for the loss of this feature by expanding upon this point against some more consideration of the age and importance of this feature.
 - The grill opening in the gable end to the north elevation should be retained in place as an original feature albeit to make it more airtight glazing could be proposed on the inside.
 - For alterations to the north elevation, option 1 for the north elevation is the better option provided since it does not propose introducing windows that were not ever in place before. Comparing the proposed elevation 2 with a floor plan it seems the addition of one window may be necessary to the kitchen but given the openings on the other side for the other rooms, no more than this seem necessary.
 - There is some concern with the proposed internal glazed lobby behind the south elevation door mentioned in the later email but not shown on the plans since again this alters historic character and it is considered suitable draught proofing could adequately address heat loss without harm.
 - The site visit was useful but access could not be provided all of the listed stables so it is not possible to be more exhaustive in the response here but retention of historic features and fabric is the basic principle to be followed.
 - There is some concern with the slit windows on the west elevation for the bike store. It may be that rooflights would be better as this could retain more historic fabric.
- 3) It is understood that currently the proposal would see the ice house lost. However, there is not clear justification for this. The remnants of the historic ice house are considered an important heritage asset. It has historic interest for its former use, its design clearly reflects the Tudor Gothic style of the main house and a large part of this remains. It has group value as it remains with the associated buildings and as per the list description for the coach house forms part of the picturesque layout of the house, stables and grounds. This ice house is not mentioned in any of the assessments of the proposal to list Hillside or the coach house and stables so it is considered highly likely that it was not assessed against the criteria for listing in the past. It may be curtilage listed due to its association with the coach house and stable. It is therefore recommended that if the proposal is to remove this would need to be included in the Listed Building Consent application. In terms of proposed alterations to the site, the front layout should be reconsidered to retain this ice house and associated repair works considered to stabilise this building and incorporate into proposals. This may mean that the orientation of Hillside would need to follow more closely the original orientation.
- 4) In terms of Hillside whilst it is recognised that this cannot be retained given its state of

decay careful recording would be required as well as detailed plans recreating decorative features to the same or very high standard as is currently in place.

Applicant Submission Documents

- Design and Access Statement

Consultations

The following groups were consulted and any response was due by 22nd September 2014 but to date no responses have been received:

The Society for the Protection of Ancient Buildings

Ancient Monuments Society

Hatch End Association

Council for British Archaeology

Advertisement

Harrow Observer

Harrow Times

Site Notice

Expiry:14th October, 2014

Notifications

N/A

Summary of Responses

English Heritage responded on 11th September 2014 to state:

'I can confirm that my view is that the main house is listed as a curtilage building and therefore English Heritage's consent is required to demolish it'.

English Heritage responded on 29th September 2014 to state:

It would be too onerous to require the retention of the ruins as they are not listed, and this would mean building elsewhere on the site (and therefore further damage to the landscape) and a new building in the style of the old house is sufficient to provide the setting in principle. But it must be of the highest quality, and that there should also be a good restoration of the stables, the gardener's cottage, the ice house and a first rate landscaping scheme, so that the whole country house complex is clearly legible. Suggest applicants submit some more detailed drawings, a schedule of proposed materials, as well as a better landscaping scheme, so that we can get a bit more certainty. Stables works should be completely satisfactory if the ruins are allowed to go.

The Victorian Society responded on 8th September 2014 to state:

- This application raises a large number of issues which I will deal with in order. I grew up very close to this site and explored it as a child, so I know it as well as anyone.
- As far as the significance of the architect goes, the heritage statement is flawed on a number of grounds. R L Roumieu was undoubtedly at the extreme end of the spectrum in terms of Gothic architects; his buildings are frequently more spiky and Gothic than those of almost any other architect. However, today it is precisely this character that gives them their interest and charm. His vinegar warehouse at 33-35 Eastcheap is Grade II* listed; as the list description notes it is "perhaps one of the most dramatic and remarkable examples of Gothic style applied to a commercial building". Another of his major buildings is the French Hospital in Victoria Park Road, Hackney. The Victorian Society recently applied for this to be upgraded and it was

indeed upgraded to Grade II* on 28 August 2014. The list description describes it as “a showpiece of High Victorian ‘rogue’ Gothic, and a major work by one of the architectural extremists of the age.” These Grade II* listings are a measure of the high regard in which Roumieu’s work is held today. The quotations in the heritage assessment are highly selective and out of context. Sir John Summerson, for example, was a confirmed classicist who did not have a high regard for Victorian architecture and who was writing a very long time ago in an age when it was unfashionable. It should also be noted that Roumieu was born in Harrow, which gives him added local significance.

- The heritage statement is similarly flawed about the significance of the building. Roumieu’s oeuvre is not particularly well-documented, but his work is concentrated in London, and to the best of my knowledge Hillside was his only country house. It was certainly one of his major works. Its mixture of shaped gables with the cantilevered bays, turret and asymmetrical massing is eclectic and interesting. There can be no doubt that if Hillside survived intact today it would be at least Grade II listed; if the interior was of high quality it may even have been worthy of Grade II* listing. The two poor quality photos from the 60s and 70s in the heritage statement are enough to show its interest and quality, even in a ruined state. Hillside was not listed in 2010 because of the degradation of its fabric, not because of the quality of the building. The heritage statement attempts to cast doubt on the attribution of the stables to Roumieu (3.10). Both buildings show characteristic Roumieu detailing and materials. On mapping and stylistic evidence it is very clear that the stables are by the same architect as the main house and built at the same time as an integral part of the complex.
- The heritage statement suggests that the coach house and stables should be considered in isolation from the main house (3.10). This is a ludicrous assertion. Hillside can only be evaluated sensibly as an integrated complex of country house, ancillary buildings, garden structures and grounds. This is what gives it meaning and significance. The northern parts of Harrow Weald were peppered with large houses in grounds – Harrow Weald Park, Whyteways, Grimsdyke, The Cedars to name but a few. Apart from Grimsdyke, most are now gone, adding to the significance of Hillside. It also has importance as home of the Blackwell family, of Crosse & Blackwell fame, giving it national importance and further local significance. Crosse & Blackwell are of course buried at All Saints church, Harrow Weald. The ruination of Hillside has reduced its architectural significance, but the complex remains legible, and the ruined nature of the mansion does add another layer of historic significance in terms of the melancholy mid-twentieth century history of decay of larger houses in Britain.
- Hillside mansion is locally listed, so even in its ruinous state it is clearly of local importance. In my view it is also curtilage listed, being in the same ownership as the stables at the time of listing and, as a ruin, being subsidiary to what is now in functional terms the main building, ie the stables. It is clearly a very important element in the setting of the listed stables. For all these reasons the starting point for any scheme for this site should be its retention. This gives two basic options – its retention as a ruin and the repair and augmentation of the remains as a building. Its retention as a ruin would preserve its current significance, but the history of the building since the fire suggests that this may not be a viable long-term option, given the lack of any incentive to maintain a ruin. The applicants have suggested that it is not structurally possible to incorporate the remains in situ in a new building. However,

they have not presented adequate evidence for this. The report submitted is by a RICS Registered Valuer, not by a chartered structural engineer specialising in historic buildings. In order to establish whether or not it is possible to reuse the remains of the building it would be necessary to remove the vegetation and get a full report from a structural engineer specialising in historic buildings. There has been no serious assessment submitted of the structural feasibility or economic viability of the retention and repair option.

- However, given the state of the building it may be that reuse is not possible. If this is the case, in the long term the ruins are likely to continue to collapse. They could be levelled off to a safe height and incorporated into the garden of the stables, preserving a degree of their significance. Their removal and the erection of a new building on the site would only be acceptable if it is a scholarly replica of the exterior of the historic mansion. This would preserve the significance of the listed building by restoring the visual and architectural relationship and design intention between the mansion and its ancillary historic buildings.
- The current application has a number of problems. As far as the stables are concerned, the idea of converting it into residential use is sensible. The removal of the original stairs and insertion of new windows and rooflights and covering of original floors would cause some harm. This would be acceptable if it is counterbalanced by a full scholarly restoration of the exterior of the building. This should include the repair of the curvy shaped gables that have had their rounded tops squared off and the reinstatement of the missing shaped gable that at some stage has been replaced by a utilitarian triangular gable. It should also include the reinstatement of the missing chimney. This should be based on the design of the chimneys of the main house, scaled down appropriately. It should also include the brickwork repairs needed and the repairs to the roof, including retention of the current banding of plain and scalloped tiles. The new windows should be based on the design of the historic ground floor windows of the stables, ie with pointed arched window heads.
- As far as the new building is concerned, it has **not** been submitted that it is enabling development, ie that it is economically necessary to erect it in order to make the repair of the listed building economically viable. And the guidelines in English Heritage's guidance document on enabling development have not been followed. So the new building must be judged on its own merits, in terms of its impact on the locally listed building and its impact on the setting of the listed building. In my view, the approach taken for the new building is likely to result in a new building that vaguely follows the massing of the old building but which is dramatically different and inferior in terms of materials, mortar type, detailing and landscaping. The submitted drawings are wholly inadequate in terms of the level of detail shown. In order to be an acceptable foil to the stables and to compensate for the harm done by the demolition of the locally listed building, the new building would need to match the massing, form, materials and detailing of Roumieu's mansion. There is enough information in terms of the surviving fabric to establish this. In my view such a reconstruction could only be adequately done by a conservation architect with extensive experience of working with historic buildings. The historic bricks would need to be matched exactly. The historic chimneys with their elaborate detailing would need to be replicated precisely. The structural polychromy, with bands of darker and lighter brick and brick diapering would need to be replicated. The shaped gables would need to be carefully detailed. The elaborate bays, with their oversailing bracketed roof dormers, would need to be reconstructed in replica. Many working drawings would be needed for the stone

dressings. This would all be expensive and require a lot of work. For example, given the elaboration of the structural polychromy, Roumieu's original elevation drawings would probably have showed *each individual brick*. It is all possible. And given the likely prices of the flats it may well be economically viable. But the extent of the design work required means that this cannot be dealt with by means of detailed conditions. The current scheme does not even appear to have been drawn up by a chartered architect. The elevational drawings are basic and schematic and show none of the details needed. The changes made from the original design all degrade it – they show a standard block of developer's executive flats with a few gestures at copying Hillside like the shaped gables. There is no comparison in terms of quality between Roumieu's design and what is proposed. Look at the photos of Hillside on p17 of the heritage assessment and compare them with the elevations as proposed! Additionally the landscaping proposed is unimaginative, rectilinear and dominated by parking, which would be very damaging. The historic maps show the original landscaping of the building, with a picturesque feel. The curved lines of the historic drive should be reinstated, and if marking out of parking bays is necessary this should be done subtly, with setts, rather than with white paint, and should not become dominant.

- The replacement of the locally listed ruins of Hillside, with its important relationship to the listed stables, with a new building of such low quality would cause substantial harm to the setting of the listed stables, as well as destroying a locally-listed building, and would remove the integrity and meaning from this important historic complex. I recommend that the application is refused because of the harm caused to designated and undesignated heritage assets as outlined above.

The London and Middlesex Archaeology Society responded on 9th October to state:

After much in depth discussion it was confirmed that:

- (i) The proposals for the Grade II Listed Stables/Coach house were acceptable in principle though details should be Conditioned covering structural repairs, door and window details, materials and the retention of historic fittings internally.
 - (ii) The proposals for the Cottage were similarly acceptable in principle although there was more doubt about the structural stability of the building given its over-grown condition. If there were problems, then a new Application might be required.
 - (iii) The main house is also Locally Listed but in a ruinous condition. The Committee considered three options (a) to rebuild the house in facsimile, (b) to leave it as a romantic ruin, and (c) to replace the ruin with a new building.
- (a) This option was felt to be problematic given the ruinous fabric, the lack of evidence, and Roumieu's position as a "rogue architect". These factors combined to make it difficult to accurately guess the original design, and a replica would therefore lack validity
 - (b) This option was not considered practical given the continued expenditure that would be needed to retain the ruin in its present state, and to keep it safe. It was felt that likely that this financial burden would detract from the restoration of the Listed Stables
 - (c) That left replacing the ruin with a new building, within the constraints of green belt policy. If a new building – rather than a replica was to be considered then the important point would be the impact on the setting of the Listed Stable/Coach house block.

This led the Committee to conclude that trying to replicate the Roumieu design was inappropriate and that the Application scheme, in trying to incorporate features used by Roumieu, produced a confused design without any proper heritage justification.

The Committee therefore felt that a bolder approach was needed either by producing a modern design of lighter appearance, taking account of the setting of the Listed Stables, or perhaps by a similar intervention to that used at Astley Castle retaining the ruins with a contemporary house inserted behind and around the crumbling walls.

APPRAISAL

MAIN CONSIDERATIONS

Heritage Appraisal

The proposals see the demolition of the curtilage listed and locally listed ruins of Hillside (accompanied by its replacement with flats in a linked planning application) and the change of use and associated repair and upgrading of the statutory listed coach house and stables. Proposals see the repair and retention of the curtilage list smith/forge. It is also for repair and reinstatement of hardsurfacing in front of the stables.

According to paragraph 129 of the National Planning Policy Framework (NPPF) 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal...taking account of the available evidence and any necessary expertise'. According to the NPPF's definition of 'significance', this is 'the value of the heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic'. This collection of heritage assets on site forms one of the last remnants of Harrow Weald's once extensive series of nineteenth century grand houses. Their individual and group significance is outlined within the site description section above, with the coach house and stables displaying the most value given their nationally listed status.

In assessing the acceptability of the proposals, the need to preserve the special significance of the listed coach house and stables and to conserve significance of the other heritage assets and their settings must be balanced against public benefits, having particular regard to national and local planning policy and guidance.

Relevant policy and guidance includes the National Planning Policy Framework (NPPF) paragraph 131 which states 'In determining planning applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Similarly, paragraph 132 applies which 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset'. Paragraphs 133 and 135 are also relevant.

Similar London Plan policy applies. Policy 7.8 C states: 'Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate' and 'Development affecting heritage assets...should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'. Harrow Core Strategy policy CS 1 part D applies which 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'. Likewise development management policy 7 A states: 'Proposals that secure the preservation, conservation or enhancement of a heritage asset..., or which secure opportunities for sustainable enjoyment of the historic environment, will be approved'. And preference 'is to be afforded to proposals that both conserve and sustain heritage assets'; and 'a. pay special attention to the building's character and any features of special architectural or historic interest which it possesses'.

Preserving Special Interest of the Listed Coach House and Stables

The change of use of the listed coach house and stables from use as a livery to a single family dwelling house would be harmful in principle by taking the building away from what remains of its original intended use. Conservation principles hold that the original use is always best if it is viable. Also, this conversion would necessarily cut through some of the original layout, thereby causing the loss of some historic fabric and plan form. This is harmful as paragraph 182 of the Planning Policy Practice Guide states 'The plan form of a building is frequently one of its most important characteristics and internal partitions,...and other features are likely to form part of its significance. Indeed they may be its most significant feature. Proposals to remove or modify internal arrangements...will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations'. Similarly, paragraph 179 of the Practice Guide which states: 'The fabric will always be an important part of the asset's significance. Retention of as much historic fabric as possible is therefore a fundamental part of any good alteration or conversion'. Similarly, DM 7 B part b. states the impact of proposals affecting heritage assets will be assessed having regard to: b. relevant issues of design, appearance and character including ...historic fabric, use, features, ...layout, [and] plan form.'

Since some special interest would be lost a condition is recommended for a complete archaeological record of the building prior to any works starting. This is in accordance with NPPF paragraph 141 which states Local Planning Authorities 'should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. This is also in accordance with English Heritage's 2006 publication namely: *Understanding Historic Buildings A guide to good recording practice*.

Nevertheless, the PPS5 Planning Practice Guide (still nationally adopted) states that recording should never be justification for loss of significance. The harm as outlined would be less than significant. Paragraph 134 of the NPPF states that '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, including securing its optimum viable use'. As outlined under the 'condition' heading of the site description, much repair and many restoration works are needed to put the listed coach house and stables in good order. The repairs are costed out within the schedule of repairs to the coach house and stables. It is considered that use as a livery is not viable to generate this income to put the building back in good order. A valuer's survey stated that given the current economic climate, demand for stables is very poor and there seems little opportunity to operate a successful operation of this type in the area. Retail and warehouse use were discounted given their location and listed status. Accordingly residential use is presented as the optimum viable use. Indeed, the Victorian Society's consultation response agrees that 'As far as the stables are concerned, the idea of converting it into residential use is sensible'. Residential use for the coach house and stables would generate sufficient income to ensure the repair and

restoration of it to ensure its long term conservation. This brings great public benefit of securing the future of this listed building. The conversion is therefore on balance appropriate if the repairs of the listed coach house and stables can be ensured and if harmful changes to create domestic living space is minimised. This helps to offset any possible harm via conversion to residential use.

So, the repairs and upgrading would be ensured by recommended conditions. Many repairs are outlined as necessary for long-term conservation of the building in the structural surveyor's report. These are proposed as part of the conversion works (see the letter to the Council dated 5th September) including some repointing, replacement of spawled brickwork and repair of the east flank wall and some gables. It also includes replacing inappropriate hardsurfacing in the stable yard which is contributing to damp. It would be important that all the proposed repair works were carried out using a suitable conservation approach, therefore a suitable condition is recommended.

By extension, it is also a fundamental part of the proposal that the curtilage listed smithy be repaired and retained as proposed. The same condition therefore ensures that suitable proposals for repair are agreed with the Local Planning Authority beforehand and these are carried out prior to occupation of the coach house and stables.

By careful design, the proposed conversion ensures the special interest of the listed building is preserved as far as possible by minimising openings and alterations to facilitate this change of use. This is in accordance with English Heritage Guidance on the Conversion of Traditional Farm Buildings: A guide to good practice published 29/09/2006. For example, the proposal would retain the cast iron horse bays and posts in the north-east stable range with new doors and walls being placed alongside. Original quarry and Dutch tiles would be retained and remain exposed in the north-east range, as would the hay feed holder and iron rings on the walls. Downstairs where there are new openings these are to be as narrow as possible ie no wider than door openings and only one between each wall to create a continuous access to inside living space.

In terms of ensuring light to the building, new openings to the roofs and external walls are proposed only by reusing existing openings or as a bare minimum. So, new openings have been proposed where there was previously a window opening on the north elevation (given evidence of an existing brick arch above) and the one to the kitchen will sit behind an existing grill. Other than that two new window openings are proposed on the north elevation to provide necessary light to two bedrooms. Otherwise two rooflights are proposed but these would be where existing corrugated iron roofing would overall be replaced with clay tiles which would represent an improvement. Also they would be sited to the rear and thus be less overt siting.

In order to maximise light, glazed screens are also to be put in the existing stable door openings which would ensure the retention of the original doors whilst allowing as much light as possible into the existing structure. All existing windows would be retained and repaired and only two doors to the front elevation would be replaced since the existing are not originals that are in keeping with the original building.

Also it is proposed to ensure that borrowed light is used as much as possible by installing glazed panels in the upper part of the proposed new partitions dividing the bedrooms and bathrooms. This is also important that this glazing is as large as possible and is transparent to ensure the characteristic openness of the stables and the unity of the space is retained as far as possible. Details for how this would be designed to achieve

this, and not harm any existing historic features, have not yet been provided and therefore a suitable condition is recommended.

Although the proposal has been designed with care, it would be very important that suitable details are used for the alterations and repairs in order to preserve the special interest of the listed building and therefore a thorough set of conditions is recommended to cover this. For example, to ensure that the installation of the new partition walls (including glazing above) does not necessitate the removal, damage or relocation of any historic features or fixtures such as timber wall panelling, floor tiles or cast iron details a suitable condition is recommended. This would ensure sections and elevations are provided for approval to the Local Planning Authority to show how the new walls would be installed in relation to the existing historic fabric. This would help to ensure that their installation is reversible.

Similarly, it would be important that the details for the rainwater goods be provided to the Local Planning Authority and approved in writing by them beforehand to ensure they are of a suitable quality and in keeping with the character of the listed building.

It would be important that existing historic roof tiles were reused wherever possible and that any new roof tiles were in keeping with the design, material, texture and pattern of the originals and therefore a suitable condition is recommended.

In terms of windows and doors, it would be similarly important that new ones are in keeping with the existing and that rooflights are conservation rooflights, therefore a suitable condition is recommended to ensure that these are appropriate. There is concern that the proposed glazing shown on the proposed elevations as to be installed inside the existing stable door openings would not reflect the siting of the divisions of the existing stable doors and, in one case, would have two divisions instead of existing characteristic one of the doors in front. To avoid presenting an out of character appearance, any division should be in line with the current division between the existing timber stable doors which will be retained. It would also be important to keep the divisions here to a minimum to ensure the characteristic openness of the openings here when the doors are open. It would also be important that installation of the glazed screens also did not harm the character or fabric of the existing door and window surrounds. Therefore a suitable condition is recommended to ensure that their design and method of installation is approved prior to works.

It would be important that wall insulation and finishes that are proposed do not harm the character of the rooms or any fixtures or features for example, the exposed brickwork, horse feed holders, metal rings attached to the walls in the stables, the cast iron and timber horse bays and timber panelling referenced in the list description. Therefore, a suitable condition is recommended to cover this detail. It would be similarly important that floor and roof insulation details and finishes are in keeping in terms of character and do not harm any historic features such as the lathe and plaster ceiling, timber beams and quarry tiles and therefore the same condition would ensure this.

The lathe and plaster ceilings are an important original feature. These need to be retained wherever possible and so a suitable condition is recommended.

The proposed plan indicates the original cast iron and timber doors to the stables in the northeast range would be retained as part of proposals. It is understood though that the cast iron and timber stable doors in the northeast range would need to be upgraded

somehow or a creative solution applied in order to ensure these could remain and function as bedroom doors and provide sound proofing. There is important decorative cast iron work above which needs to be retained. Therefore a suitable condition is recommended to ensure that details are provided for approval so that this aspect of the special interest of the building is not harmed.

It would be likely that new services will be required and great care will need to be taken to ensure these do not harm any features of interest physically and that wherever these are installed they do not harm the special character of the listed building. Therefore a suitable condition is recommended to ensure that where these run is managed and number is rationalised. Similarly the installation of the kitchen units, shower, toilets and baths could harm features of interest unless care is taken and therefore a suitable condition is recommended.

Although access was gained to the site on several occasions, as the coach house and stables are used for storage access could not be gained to all areas and so there may be unknown evidence that arises that affects this proposal. For this reason a suitable condition is recommended for dealing with this in the context of the scheme if approved.

On the ground floor externally, the proposal would remove the tarmac/concrete hardsurfacing and retain and repair the historic cobbles and drain and lay some more cobbles. The plans provided do not show precisely what is proposed here but in principle this would be acceptable. It is therefore conditioned that details are provided for this.

Subject to the above provisions the proposed works to the listed coach house and stables and the curtilage listed smithy/forge would on balance, preserve the special interest of the listed building and any harm would be outweighed by the public benefits of the repair works. This is because these would ensure the long-term conservation of the heritage assets.

Consultation responses for the Listed Coach House and Stables

The London and Middlesex Archaeology Society request that a condition is put in place to ensure all fixtures and fittings are retained, therefore a suitable condition is recommended.

Whilst agreeing in principle to the change of use, the Victorian Society raised some objections to the proposed works to allow the conversion of the coach house and stables. They note 'removal of the original stairs and insertion of new windows and rooflights and covering of original floors would cause some harm'. However, proposals have been amended to greatly lessen this harm. The original stairs are now to be retained as part of the proposals and the original floors in the northeastern range of the stables (the only original areas originally proposed to be covered) will now be left exposed. Also as addressed above, new windows and rooflights have been absolutely minimised to two rooflights, and two of the four new windows being either where a window was before or hidden behind an existing grill. Also, it is recommended that their design be conditioned. However, it is acknowledged in the above appraisal that there would be some harm caused by the proposed conversion to residential use.

The Victorian Society go on to argue that this harm would be acceptable if 'counterbalanced by a full scholarly restoration of the exterior of the building including repair of the curvy shaped gables that have had their rounded tops squared off and the reinstatement of the missing shaped gable that at some stage has been replaced by a

utilitarian triangular gable. It should also include the reinstatement of the missing chimney. This should be based on the design of the chimneys of the main house, scaled down appropriately'. However, this assertion is not supported by the Local Planning Authority. There is concern that, however scholarly, some of these restoration works would necessarily be based on conjecture and guesswork, particularly for the chimneys. There is also concern as to how well this could blend in with the historic fabric and whether some historic fabric would be lost as a result of such works. It is also noted that the PPS5 Planning Practice Guide (still adopted nationally) provides guidance on restoration which states restoration is acceptable if for example: 'The work proposed is justified by compelling evidence of the evolution of the heritage asset, and is executed in accordance with that evidence'. However, it is not clear that such compelling evidence currently exists.

Nevertheless, as acknowledged in the above appraisal, the Victorian Society's concern that repair works are carried out to the listed coach house and stables as part of the proposals is supported by the Local Planning Authority. It is agreed that it is fundamental that repair works are undertaken to the listed coach house and stables in order to help counterbalance the harm caused by the conversion to residential use. Therefore, the proposal is for repair works to the gables as requested by the Victorian Society and a condition is recommended to ensure this. Also suitable conditions are included to ensure that as per the Victorian Society's request 'the brickwork repairs needed and the repairs to the roof, including retention of the current banding of plain and scalloped tiles' are carried out and that 'The new windows should be based on the design of the historic ground floor windows of the stables, ie with pointed arched window heads'.

Harm to special interest is outweighed by public benefits

These proposals would therefore be harmful since they would see the change of use of the coach house and stables to a residential unit as assessed in detail above. Also it would see the loss of the locally listed and, in English Heritage's view, curtilage listed shell of Hillside. This is of high local significance and of national significance as, whilst being in a ruined state, it is the product of an important Victorian architect (born in Harrow) and, as stated by the list description of the coach house and stables, whilst being a shell 'the picturesque layout of house, stable yard and grounds is still intact and compares with the 1868 OS map'.

However, the principle of demolition is supported by LAMAS, English Heritage and the Local Planning Authority. This is due to Hillside's condition, the fact that it is not listed in its own right and its siting. In terms of condition, the Victorian Society raise concerns that there has not been a structural surveyor's report of the building and that potentially the building could be retained and rebuilt or, if need be, levelled off and retained in part. However, as confirmed by a site visit and as outlined by the valuer's survey provided, the shell of Hillside is in a fundamentally poor and dilapidated state. This is because the roof is no longer in place and what remains of the walls of the building appear unsafe. The acro-props in place do not appear to have been successful and collapse appears imminent in places. In places vegetation appears to be all that holds this up. The valuer's report states that it is not considered economically viable to refurbish it.

Whilst LAMAS do state a similar intervention to that used at Astley Castle by retaining the ruins with a contemporary house inserted behind and around the crumbling walls could be used instead, it is considered that cost of making the ruins safe would make this not practicably possible.

In terms of the loss of significance the harm is considered to be less than significant but it is noted that the Victorian Society consider the harm to be substantial. Public benefits therefore need to be weighed against the harm again in accordance with paragraphs 134, and 135. If the harm was considered substantial then paragraph 133 is relevant which states: 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss'. Positively, the proposal would see substantial public benefits to outweigh the harm regardless of whether the harm was considered substantial or less than substantial.

This is because this proposal for demolition needs to be seen in the context of this Listed Building Consent's proposals to repair and retain the coach house and stables and the smithy/forge (as well as the proposal to retain/repair the other heritage assets and replace Hillside with a building of similar design, as covered by the linked planning application). In order to outweigh the harm it would be fundamentally important that the repair and retention of these heritage assets on site was ensured. A suitable condition is recommended to ensure this prior to occupation of the replacement flat. LAMAS agree that the financial burden of retaining the ruin would be great, and outweighed by public benefits of finance to restore the coach house and stables.

These repair works would need to be informed by an understanding of the fullest condition and history of the assets and clearly the proposals would see the loss of some special interest. Therefore it would be important that a suitable requirement for an archaeological survey was conducted so a suitable condition is recommended. This is in accordance with NPPF paragraph 141 which states Local Planning Authorities 'should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. This is also in accordance with English Heritage's 2006 publication namely: *Understanding Historic Buildings A guide to good recording practice*.

The proposal would also see public benefits to outweigh the harm since it must be viewed as part of the wider proposal for the site (being assessed under the linked planning application) which would see the reinstatement of a principal building in place of Hillside in a similar form and repair and retention of other heritage assets. Therefore the harm caused by the loss of the curtilage listed Hillside and the conversion of the stable would again be minimised.

On balance therefore, subject to conditions recommended, the harm caused by this proposal would be outweighed by public benefits.

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 as set out above, it is considered that the proposal would preserve the character and special interest of the Listed Building. Accordingly, this application is recommended for grant.

CONDITIONS for Listed building consent:

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 The works hereby approved shall not commence until a full Archaeological survey to a Level 4, in accordance with English Heritage guidance on building recording see 'Understanding Historic Buildings' a guide to good recording practice (2006) has been carried out and submitted to and approved in writing by the local planning authority.

REASON: To ensure a record of the special interest of the Listed Building and to help inform best practice in terms of the schedule of repair and works to the listed and curtilage listed building hereby approved subject to conditions in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

3 Detailed drawings, method statements, specifications, samples of materials and condition surveys in respect of the proposed repairs to the coach house and stables itemised within the schedule of recommendations (within section 18 of the Building Survey and Condition Report Document 1 August 2014 – James Weir for the Coach House and Stables), and the proposed repair works to the curtilage listed smithy shall be:

A) provided for approval to, and agreed in writing by, to the Local Planning Authority prior to the commencement of this aspect of the proposal

B) completed and agreed by the Local Planning Authority prior to occupation of the listed building.

REASON: To ensure that the necessary and sympathetic repairs are conducted to the listed coach house and stables to bring about the public benefits that would outweigh the harm caused by the alterations for the conversion to a residential unit and the demolition of the curtilage listed Hillside in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

4 Notwithstanding the proposals shown in the plans provided as part of this application, detailed drawings (including sections and elevations), specifications, or samples of materials as appropriate in respect of the following shall be agreed in writing by the local planning authority before the relevant part of the work is begun for:

new partition walls including glazing panels above

a) rainwater goods

b) condition of the existing roof tiles (including plain and scalloped) and proposals for their reuse and new roof tiles where the existing cannot be reused

c) new windows, new window openings and rooflights (including any window arches)

d) new and replacement doors and doorways (inside and out)

e) floor treatments inside and in the stable yard

f) baths, toilets, shower and kitchen units

REASON: to ensure the special interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

5 Notwithstanding the details shown on the plans hereby approved, all historic fixtures and fittings shall be retained as part of this proposal.

Reason: to preserve the special interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

6 Notwithstanding the detail shown on the plans hereby approved, the design of glazed screens and how these are to be fixed within existing openings is to be provided for approval to, and agreed in writing by, the Local Planning Authority prior to the commencement of this aspect of the proposal via the provision of a method statement and detailed elevations/sections as appropriate.

REASON: to ensure the installation: does not physically damage the historic window and door openings; the divisions are in keeping with the existing divisions of the stable doors and does not spoil the special character of the listed building as stables in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

7 Notwithstanding the details shown in the plans hereby approved, the location and nature of the wall, floor and roof insulation and the finishes to the walls, floors and ceilings are to be provided for approval to, and agreed in writing by, to the Local Planning Authority prior to the commencement of this aspect of the proposal via the provision of method statements, specifications and plans and sections as appropriate.

REASON: to ensure that historic features and fabric remains exposed, and in good order, wherever possible including the quarry tiles, Dutch tiles, timber panelling and exposed brickwork in order to preserve the special interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

8 Notwithstanding the details shown in the plans hereby approved, details for how the original cast iron and timber stable doors shall be retained and remain on display whilst being made suitable for use as bedroom doors, as well as any partition to be installed above them shall be provided for approval to, and agreed in writing by, to the Local Planning Authority

REASON: to ensure that historic features and fabric remains exposed, and in good order in order to preserve the special interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

9 Suitable precautions shall be taken to secure and protect interior 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: To protect the special architectural or historic interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

10 The position, type and manner of installation of all new and relocated services and related fittings shall be adequately specified in advance of any work being carried out, and the prior written approval of the local planning authority shall be obtained wherever

these installations are to be visible or where ducts or other methods of concealment are proposed.

REASON: To protect the special architectural or historic interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

11 No plumbing or pipes, other than rainwater pipes, shall be fixed to the external faces of the building unless shown on the approved drawings.

REASON: To protect the special architectural or historic interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

12 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: To protect the special architectural or historic interest of the listed building in accordance with National Planning Policy Framework, London Plan policy 7.8, Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7.

13 Demolition work shall be carried out by hand tools or by tools held in the hand, other than power-driven tools.

REASON: To protect the special architectural or historic interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

14 Notwithstanding the details shown on the plans hereby approved, all existing lathe and plaster ceilings shall be retained and repaired.

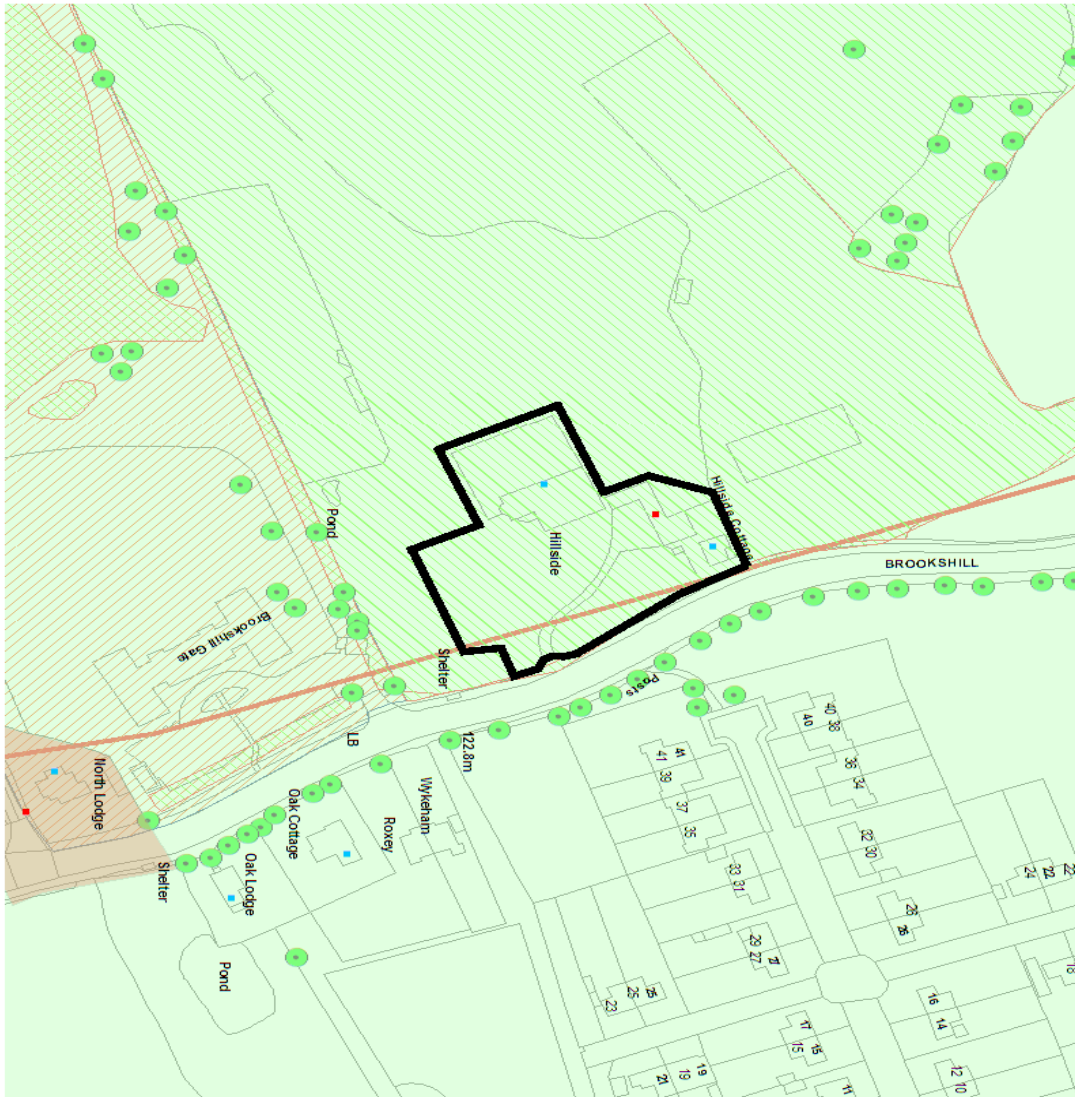
REASON: To protect the special architectural or historic interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

15 Notwithstanding the details shown on the plans hereby approved, plans, sections, details and/ or a method statement as appropriate shall be provided for the retention and repair of the historic cobbles and drain in front of the coach house and stables and the laying of additional cobbles and the removal of the existing tarmac/concrete immediately adjacent the coach house and stables.

REASON: To protect the special architectural or historic interest of the listed building in accordance with National Planning Policy Framework (March 2012), London Plan policy 7.8 (July 2011), Harrow Core Strategy policy CS1 D and Development Management Policies Local Plan policy DM 7 (2013).

Plan Nos: PL-001 Rev P1 (Location Plan); PL-002 Rev P1 (Existing Site Plan); PL-003 Rev P1; PL-004 Rev P1; PL-005 Rev P1; PL-006 Rev P1; PL-008 Rev P1; PL-009 Rev P5; PL-010 Rev P2; PL-014 Rev P3; PL-019 Rev P7; PL-020 Rev P6; PL-021 Rev P5; LP/HBHHW/020 B; Historic Features Photo Sheet; Report in respect of Hillside House pages 1-11 dated 7th May 2014; Building survey and report Coach house and stables

HILLSIDE, BROOKSHILL, HARROW WEALD



SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.