

SECTION 1 – MAJOR APPLICATIONS

Item No: 1/01

Address: 221 MARSH ROAD, PINNER (FORMER THE GEORGE PUBLIC HOUSE)

Reference: P/4013/14

Description: REDEVELOPMENT: TO PROVIDE PART FOUR, PART SIX STOREY BUILDING COMPRISING 25 FLATS; FLEXIBLE COMMERCIAL USE (CLASSES A1/A2/A3/A4) ON GROUND FLOOR; PARKING, BIN/CYCLE STORAGE, LANDSCAPING AND REAR COMMUNAL AMENITY SPACE; SOLAR PANELS ON ROOFTOP

Ward: PINNER SOUTH

Applicant: MR STEWART BRADDOCK

Agent: PRESTON BENNETT PLANNING

Case Officer: SUSHILA BHANDARI

Expiry Date: 29/05/2015

RECOMMENDATION A

GRANT permission subject to authority being delegated to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and issue of the planning permission and subject to minor amendments to the conditions or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:

- i) Provision of four affordable rented flats, two shared ownership flats and a contribution of £40,000 towards off-site affordable housing provision, subject to there being a review clause requiring the developer to submit to the Council's Planning Department the actual sales prices achieved upon completion of the sale of the last residential unit and the average sales value per square foot (calculated on net internal sales area for the residential element of the development). Any surplus above the agreed average sales value of £480.00 per square foot(calculated on net internal sales area for the residential element of the development
- ii) In the event that the average sales value achieved is in excess of £480.00 per square foot, the developer is to pay 80% of the surplus sales value above £480.00 per square foot to the Council as a contribution towards the provision of affordable housing in the borough. Should payment be due, this should be paid to the Council within one month of the developer submitting the sales details as prescribed in clause i) above.

- iii) Harrow Employment and Training Initiatives: Contribution of £14,146 towards local training and employment initiatives prior to commencement of development
- iv) The submission of a Training and Employment Plan
- v) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- vi) Planning Administration Fee: Payment of £1,500 administration fee for the monitoring of and compliance with this agreement.

REASON

The proposed development of the site would provide a high quality development comprising of commercial use floorspace at ground floor level with residential floors above within a four to six storey high building. The site is currently vacant and the proposal would enhance the urban environment in terms of material presence, attractive streetscape, and good routes, access and makes a positive contribution to the local area, in terms of quality and character.

The subject site is located within a functional flood plane Flood Zone 3 but also partly within Flood Zone 2 and the River Pinn cuts across the site. The applicant has submitted a Sequential and Exceptions Test in support of this application which demonstrates that there are no other sites available of comparable site area and town centre location that can deliver the development. The applicant, in order to facilitate the development, has agreed to undertake the naturalisation and re-grading of the river banks to help improve flood defence, bring about environmental benefits and improve the ecology and biodiversity value of the site through the provision of suitable native planting.

The proposal would provide affordable housing on site as well as providing a financial contribution for the provision of affordable housing off-site. Overall the number of units proposed would positively add to the Council's housing delivery targets. The re-introduction of a high quality commercial unit (in place of the former public house) on the ground floor of the property would contribute towards employment and the economic vitality of this district town centre.

The proposed redevelopment of the site would result in a modern, contemporary design that responds positively to the local context, and would provide appropriate living conditions and commercial space which would be accessible for all future occupiers of the development.

The layout and orientation of the buildings and separation distances to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the borough.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 2011 (amended in 2013), the Harrow Core Strategy 2012 and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

RECOMMENDATION B

That if the Section 106 Agreement is not completed 29th May 2015 then it is recommended to delegate the decision to **REFUSE** planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to provide an appropriate level of affordable housing on site and a contribution towards off-site affordable housing provision that directly relates to the development, would fail to comply with the requirements of policies 3.11 and 3.12 of The London Plan 2011 and policy CS1.J of the Harrow Core Strategy 2012, which seeks to maximise the provision of affordable housing delivery within the borough.

INFORMATION

This application is being reported to committee as the proposal constitutes development of more than 2 dwellinghouses and therefore falls outside of Category 1(b) of the Scheme of Delegation.

Statutory Return Type: Small Scale Major Development

Council Interest: None

Gross Floorspace: 1949sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £55,370.00

Harrow CIL: Use Class A1/A2/A3/A4; 200sqm: £20,000.00 + Use Class C3; 1382sqm: 152,020.00: Total: £172,020.00

Site Description

- The subject site formerly comprised The George IV Public House, which was a locally listed two storey building that has now been demolished.
- Immediately to the north are elevated railways lines serving the London Underground Metropolitan Line and other regional services.
- Immediately to the south is a four-storey office development known as 'Monument House'.
- The River Pinn runs through the site from north to south.
- The site is mainly with Flood Zone 3 but also partly within Flood Zone 2.
- The site is not in a Conservation Area and there are no protected trees within or in close proximity to the site. It is noted that Pinner High Street Conversation Area is located within the setting of the development site.
- The site is located within an archaeological priority area and is within the boundary of Pinner District Centre.

Proposal Details

- The site is currently vacant and the proposal seeks to construct a building between 4 to 6 storeys high comprising a mixed use development with a commercial use at ground floor and 25 flats above.
- The commercial element would have a floor area of approximately 209sqm, this would be located at ground floor level. The ground floor of the development would also comprise the cycle storage and access/ lift lobby for the upper floor flats and a shared refuse store.
- The proposed new build would have a maximum height of 18.5m, a depth of 4.3m and a width of 25.1m at its widest point.
- The first floor of the building would comprise a total of six flats, of which 3 units would be 2 bed (4 person) units and 3 units would be 1 bed (2 person) units. All the units on

this floor are proposed to be affordable housing.

- The second floor of the building would comprise five 1 bed (2 person) units and three duplex units located on the second and third floors.
- The third floor would in addition to the duplex units noted above comprise a further five 1 bed (2 person) units. The three duplex units would be 1 bed (2 person).
- The fourth floor would comprise three 1 bed (2 person) units.
- The fifth floor would also comprise three 1 bed (2 person) units.
- The proposal would also include the provision of solar panels on the roof top of the 4 storey element of the proposed building.
- The former beer garden would be landscaped with native planting and the bank to the River Pinn would be re-graded.
- Adjacent to the proposed refuse store there would be an area for two disabled parking spaces and combined serving area.

Revisions to Current Application

Following the submission of this application the following minor amendments have been made:

- The refuse store has been set back from the pavement and the proposal would incorporate screening, with access gates to screen the refuse store and servicing area.
- The main entrance to the residential section of the development has been widened and the entrance doors have been recessed back by 0.6m. A small canopy over the entrance is also proposed.
- Changes have been made to the fenestration details to ensure a consistent vertical and horizontal design emphasis.
- The fenestration to the stair core has been widened.
- Each element of the shop front is now shown to be slightly recessed and includes the area for any signage above (also slightly recessed).
- The parapet wall to the flat roof areas have been increased slightly to provide some screening of the solar panels.

Relevant History

HAR/2776

Convert store into w.c. erect new crate store

GRANTED - 03/02/1950

HAR/2776/A

Alterations & additions

GRANTED - 23/08/1961

WEST/399/96/FUL

Part single/part two storey side and rear extensions and attached single storey bottle store/w.c block plus parking

GRANTED - 23/12/1996

P/2251/11

Extension at first floor level to side and alterations to roof to form two rear dormers; new entrance; conversion of upper floors into four flats; external alterations

REFUSED - 27/01/2012

Reasons for Refusal:

1) The proposed development, by reason of an excessive number of rooflights in the

front roof slope, a disproportionately large and prominent front roof alteration and a first-floor rear extension which, due to its excessive bulk and massing, would fail to preserve the features, proportions and informal asymmetry integral to the character and appearance of the existing building, would be a poor design resulting in an unsympathetic and obtrusive development to the detriment of the architectural and historic interest of this locally listed building and the character and appearance of the local area contrary to policy CS1.D of the emerging Harrow Core Strategy (2011-2026), saved policies D4 and D12 of the Harrow Unitary Development Plan (2004), policy 7.8 of The London Plan (2011) and policies HE1, HE6, HE7 and HE8 of PPS5: Planning and the Historic Environment (2010).

- 2) The proposed layout of the proposed flats would create an unacceptable stacking arrangement which would potentially result in unreasonable levels of disturbance being transmitted between the flats to the detriment of the amenity of the potential occupiers of the ground floor flat, contrary to policy 7.15 of The London Plan (2011), saved policy D5 of the Harrow Unitary Development Plan (2004) and the adopted Supplementary Planning Document - Residential Design Guide (2010).
- 3) The proposed rear entrance to the flats, by reason of its location adjacent to the beer garden of the ground-floor public house would result in an inappropriate, poor quality and un-neighbourly entrance to private residential accommodation contrary to policy 7.6B and saved policy D4 of the Harrow Unitary Development Plan (2004) and the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).
- 4) The proposed entrance to the flats at the rear, would result in an unsafe and unsatisfactory living environment leading to a risk or a fear of crime contrary to policy 7.3B of The London Plan (2011) and saved policy D4 of the Harrow Unitary Development Plan (2004).

P/2211/11

Change of use of ground floor from a public house into offices; conversion of upper floors into one flat; new entrances at ground floor level and three rooflights in roofslopes; external alterations

APPEAL ON GROUNDS OF NON-DETERMINATION – ALLOWED ON APPEAL
30/07/2012

P/1523/13

Prior demolition notification for demolition of main building with all ancillary outhouses, storage sheds

GRANTED - 03/07/2013

Pre-Application Discussion (Ref.): P/3581/13/PREAPP and P/1162/14/PREAPP

It is considered that there have been significant changes made to the overall scale and massing of the building and the internal layout to that proposed under pre-application P/3581/13/PREAPP. However, there are still some concerns and further clarification is required in respect of the revised proposals, which are outlined in the report in particular with regard to the size of the 2 bedroom units, the internal layouts of the duplex units, the proposed housing mix and the fenestration discrepancies between the proposed elevations and floor plans. Whilst the overall scale and massing could be supported in principle subject to taking into consideration as already stated under application P/3581/13/PREAPP, the principle to redevelop this site for residential purposes is dependant on the applicant undertaking a full Sequential Test and Exception Test, followed by a fully robust Flood Risk Assessment of the site.

Applicant Submission Documents

Design and Access Statement
Planning Statement
Daylight and Sunlight Assessment
Transport Statement
Sustainability Strategy
Noise Assessment
Flood Risk Assessment
Energy Strategy
Archaeological Evaluation
Sequential and Exception Test

Consultations

The Pinner Association (summarised):

The section of the building adjacent to the railway bridge is proposed to be six storeys high which would be much higher. The proposed building would be overbearing and incongruous to those viewing the site from the High Street Conservation Area, Bridge Street Gardens and the Pinner Memorial Park. The six storey part of the building would protrude above the parapet of the railway bridge when viewed from the Bridge Street and the High Street and the Bridge Street Gardens and would tower above the bridge and appear obtrusive, overbearing and bulky, out of scale and out of place.

The height of the building should respect the height of the already existing commercial and residential buildings in Marsh Road in order to preserve the current street scene.

New building should be restricted to a maximum four storeys across the whole of the site. Concerned with the poor mix of accommodation which would be offered. Central Pinner already has a great many small flats currently being built (71 Bridge Street, Evans House and other offices). When all these flats are constructed and occupied there will be an unbalanced mix of housing in the area, with too many small flats and very little family sized accommodation and there will be a strain on community infrastructure such as GP practices in Pinner.

We ask that the application be referred to Harrow Council Planning Committee for decision.

English Heritage (Archaeology)

First response – received 16 December 2014

No objection subject to recommended conditions

Second response – received by email on 29 January 2015

The archaeological investigation had been completed – can confirm that we are satisfied that there is no archaeological interest and withdraw recommendation for an archaeological condition.

Environment Agency

Awaiting EA's response to the applicant's agreement to meet the EA's (as noted below) requirements and the applicant's request (following the LPA's suggestion) for such matters to be dealt with by condition

Last response received dated 3rd February 2015:

As discussed on the telephone today we are unable to remove our objection on the basis of the letter which we have reviewed. We are pleased to see that some of the requests put forward in our letter dated 1 December 2014 have been taken on board, however there is further work required to fully satisfy our requirements.

Access to the watercourse

We welcome the proposals to provide unrestricted 24 hours access via the western entrance adjacent to the car park. We note the provision of an additional gate in the fencing on the western side of the site. We have further comments in respect of enhancements for the River Pinn and the proposal of the gate further on in this letter. However in terms of flood risk and for optimum access we recommend two gates within the fence located immediately upstream of the culvert inlet and upstream of the footbridge (see attached image for suggested location). The chosen access route should also clearly be demonstrated.

Additional improvements/ecological enhancements to the watercourse

The plans appear to show that planters will be located within the channel. These are unlikely to receive Environment Agency Flood Defence Consent. A small amount of channel capacity will be lost and may present a flood risk as they may catch debris or detach and form an obstruction.

In addition the proposed planters will also offer very little ecological benefit. Such features are not considered to be sustainable as they rely on regular maintenance and upkeep to maintain them. Due to the proximity of the building and steep banks it may be too shaded for the vegetation within the planters to succeed in any case.

Re-naturalisation of the banks of the River Pinn

The letter states that removal of the sheet piling and regrading the banks is disproportionately costly given the small size of the site. Given the very urban nature of the River Pinn catchment, taking the opportunities that small developments present is the main way in which enhancements will ever be secured. The cumulative impact of these small degraded sites have a severe impact on the River Pinn and are contributing to its failure to meet Good Ecological Status under the Water Framework Directive. Harrow's emerging policy DM11 also supports this. Removal of sheet piling and regrading of banks should not be particularly costly or difficult. It would involve the hire of equipment and a driver to pull out the piles and regrade the banks. During the development works, it is likely that such equipment and personnel will already be on site anyway. The cost of machine and driver should only be around £600 - £700 per day.

As stated in our previous letter we welcome your comments on the assessment of the financial viability of regarding of the banks in conjunction with the requirements set out in policy DM11.

With the banks regraded, the river would no longer present such a severe health and safety risk and could be left unfenced for residents to enjoy and for wildlife to freely use the buffer zone. If it is left unfenced, it will need careful management to ensure that the ecological value of the area is protected and is not damaged by too much disturbance.

Bank re-profiling aims to reduce the uniformity of the existing bank profile and re-establish a more natural hydrological gradient suitable for colonisation by a range of species. This measure can help deliver objectives of the Water Framework Directive, by:

- Assisting the recovery of natural channel form and re-establishment of bank adjustment processes. This can have benefits at the site by aiding re-establishment of varied bank profile and flow velocities.
- Re-establishing shallower marginal habitat and a hydrological gradient which is likely to benefit macrophytes, invertebrates and fish. Removal of hard bank protection will also enable re-establishment of vegetation on the bank face and bank top, which

provides shelter and shading along the channel.

- Avoiding knock-on impacts on bank stability further upstream and downstream due to discontinuity in bank characteristics and disturbance of natural bank adjustment processes. This can help avoid instability that may be associated with the presence of bank protection by enabling natural lateral adjustment.
- Improvement in water quality as a result of more varied low flow conditions.
- Increased biodiversity along the river corridor benefiting mammals, such as otters and water voles, and insects.
- Creation of additional channel capacity during high flows through the incorporation of embayments into the design of bank reprofiling works.
- Improvement in the aesthetic appearance of the channel, which may be of particular benefit in an urban environment.
- Potential to incorporate public access and amenity features as part of the works – e.g. provision of viewing platforms.

In addition, bank rehabilitation can be reasonably cheap to implement and is a measure that could potentially be undertaken by local interest groups with appropriate guidance. 4m buffer zones are now provided on either bank which we agree would be acceptable if further mitigation measures can be secured for not providing the full 8m through regarding of the river banks. The 4 metre buffer zone must be designed and managed to foster natural characteristics and maximise ecological value.

Overshading and lighting

We do not agree that there will be ‘no impact expected’ from increased shading. We would however agree to a condition which would minimise the impact of shading and restrict light levels within the buffer zones to 0-2 lux (intrinsically dark). We are pleased to see that every endeavour will be made to minimise any impact that poor specimen trees and additional trees may have on the river corridor.

Green roofs

The letter states that the provision of solar photovoltaic (PV) panels will preclude the provision of green roofs. The Green Roof Organisation’s Green Roof Code (section 2.3 page 8 and section 2.3.11) states that when combined with solar PV panels, green roofs can actually enhance the power production of the PV units due to the cooling nature of the green roof and ability to maintain a more constant temperature regime throughout the day. We therefore encourage the applicant to reconsider the inclusion of green roofs. The Green Roof Code is available here http://www.thegreenroofcentre.co.uk/green_roof_code.

Planting

We are pleased to see that our previous comments have been taken on board.

Thames Water (summarised)

Waste Comments

There are public sewers crossing or close to the development – approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer – Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extension to existing buildings.

Surface Water Drainage

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. Recommended that the storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objections to the above planning application.

No impact piling shall take place until a piling method statement has been submitted to and to and approved in writing by the local planning authority in consultation with Thames Water.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required.

Thames Water recommends the installation of a property maintained fat trap on oil catering establishments. Further recommend in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor.

Thames Water would recommend that petrol/ oil interceptors be fitted in all car parking/ washing/ repair facilities.

Council Drainage Authority

No objection subject to standards conditions and the following requirements:

- A copy of a letter from Thames Water with permission for connections to the public sewers is required. If surface water connection is proposed to River Pinn, the Environment Agency consent should be provided.
- The development is subject to a limitation on a discharge to 5 l/s, consequently there will be a storage implication and the system should be checked for no flooding for a storm of critical duration and period of 1 in 100 years. These storage calculations should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio "r" should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 of The Wallingford Procedure) or a figure of 0.95 should be used for winter and summer. Please note that a value for UCWI of 150 is appropriate when calculating Percentage Runoff (PR) for storage purposes. Please include 30% allowance for climate change.
- Full details of drainage layout including details of the outlet and cross section of proposed storage are required.
- Full details of any flow restrictions (hydrobrake) that are proposed for this scheme need to be submitted together with the relevant graphs

Council's Highways Authority

The Highways Authority has confirmed that the layout is acceptable.

Advertisement

Character of Conservation Area

Major Development

Posted: 13.11.2014

Expired: 04.11.2014

Notifications

Sent: 21

Replies: 16

Expiry: 27/11/2014

Addresses Consulted

Marsh Road: 108, 108a, 110, 110a, 112, 114a, Walkies 116, 116a, 116b, 118, 118a, 193, 195, 207, 209, Monument House 215 (including second floor offices)

Chapel Lane: Pinner Village Hall, Pinner Youth Centre

Summary of Responses

- Archaeological report based on false premise – the Rocque’s map of Middlesex (1754) is not a reliable source for determining the existence of a building, the George is one of the omissions – it is shown on the Isaac Messeder’s plan of Harrow drawn in 1759 – doubt if final conclusion of the report would have been much different.
- 6 storey height is too tall and out of scale of the site – we are a village
- Would be harmful from the important views from within the conservation area and would fail to preserve or enhance the heritage asset
- Too ugly
- Lacks any character or charm and is not in keeping character and village feel of Pinner
- Replacement building should have a façade that pays tribute to the history of the area
- A maximum of 5 storeys should be considered
- Four storeys is acceptable and will fit in height of other development in the area
- Affordable housing offer appears low
- Roof of the existing modern buildings do not protrude above the parapet of the bridge – proposal would tower above the bridge and appear overbearing, incongruous and out of place
- No need for Pinner to have a landmark building
- The undercroft with industrial style gates would only increase the brutal and unsympathetic appearance of building
- The lack of 3 bed family size units is also disappointing – the scheme would fail to deliver a mixed and balanced community – proposal does not take into account the other small flats currently being built around Pinner – when these are all built there will be unbalanced mix of housing in the area with too many small flats
- Loss of pub was a real shame – as a community asset and fine heritage building and should have an article 4 direction to prevent the demolition – a massive failure by the council in failing to recognise this
- Effort should be made to ensure that the active space at ground is a success and offers something back to the village community
- We don’t need another coffee franchise – obligation should secure it for an independent occupant
- Retail space is uncalled for when there are vacant shops – Pinner is over supplied with retail units – if the commercial unit is let as office space this would create a blank and unappealing façade
- It will increase the traffic flow to already congested area
- Place additional demand on local services such as primary school places and has the highest average class size of any LEA in the borough
- Demand on local GP

- Where will residents park? – will they be given residents permits to park in the Chapel Lane car park – this will have a huge impact on the local community
- Flats not in keeping with the area
- Location is more suitable for offices which is desperately needed in Pinner following the decision of the council to allow the redevelopment of Evans House and other office blocks into residential into residential – knock on effect that footfall is lost during the week for local retailers
- Already well catered for residential development in Pinner

APPRAISAL

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

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

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

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

Further Alterations to London Plan (FALP) now post examination and may be given significant weight

MAIN CONSIDERATIONS

Principle of Development and Land Uses

Affordable Housing

Housing Density and Unit Mix

Design, Character and Appearance of the Area/ Impact on Conservation Area

Layout and Amenity

Traffic, Safety and Parking

Accessibility

Development and Flood Risk

Archaeological Priority Area

Sustainability

Environmental Impact Assessment

Statement of Community Involvement

Equalities Impact

S17 Crime & Disorder Act

Consultation Responses

Principle of Development and Land Uses

National Planning Policy Framework (2012), The London Plan (2011), The Harrow Core Strategy (2012) and the adopted Development Management Policies Local Plan (2013) all seek to increase housing supply locally, regionally and nationally, and promote the provision of high quality mix of housing.

Policy CS1.A of Harrow's Core Strategy 2012 undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites. Policy CS1.B of the Core Strategy resists development on garden sites, recognising the propensity for such proposals to lead to unmanaged, incremental growth that undermines the spatial strategy. It also resists proposals that would harm the character of suburban areas.

Whilst the site is not an allocated development site as defined within the adopted Site Allocations Local Plan (2013), the site is regarded as previously developed land for the purposes of the policies contained within the National Planning Policy Framework and the Harrow Core Strategy which seeks to redirect all new development on previously developed land. On this basis, the proposal to develop this site for the purposes of a mixed use development is considered to be acceptable in principle

Loss of Public House

The subject site is located within Pinner District Centre and the site is located within the Primary Shopping Area but not within a designated retail frontage. The site is vacant and formally comprised a two storey public house building, with associated car parking at the side and rear of the former building.

It is noted that policy DM47 of the DMP would permit the loss of a public house where evidence of suitable marketing has been provided or evidence that the public house is no longer viable. Proposals would also need to satisfy criterion A(b), (c) and (d) of policy DM47.

The applicant was granted prior approval for the demolition of the former building under application ref: P1523/13. At the time of this application, an extensive amount of opposition was received against the demolition of the locally listed public house and requests were made to place an article.4 direction on the building to prevent the demolition. It was considered at the time that whilst the building was noted for its no-nonsense, un-showy type yet nevertheless of elegant, good quality proportions and detailing, it was not a building that would have met architectural and historical quality worthy of statutory listing. It is considered that having regard to the history pertaining to the site and the fact that the public house no longer exists on this site. the requirements of policy DM47 would no longer apply in this case. Notwithstanding this, the proposal is seeking a mixed flexible commercial use of the ground floor of the building which would also include use class A4 (public houses/ bar). Accordingly, the proposal would to some extent meet the criteria set out under subsection (B) of policy DM47.

Function Flood Plain

The Council's Strategic Flood Risk Assessment maps show that the site is located within floodplain zones 2 and 3. The site is therefore has a Medium – High Probability of flooding and is within the functional floodplain. Only essential infrastructure and water compatible development may be permitted within the functional floodplain. Therefore sites falling within Developed Zone 3 will be treated as having a high probability of flood risk where

water compatible and less vulnerable uses and, subject to the flood risk sequential and exception tests, essential infrastructure and more vulnerable uses may be permitted.

Any development located within floodplains 2 and 3 will require a Sequential test to be applied as required by National Planning Policy Framework (2012), policy DM9 of the DMP and the adopted Strategic Flood Risk Assessment (Level 1 SFRA) Volume 1- Planning & Policy Report (2009). Following the Sequential test, it will also need to be demonstrated that the development would meet the Exception test as set out under the Technical Guidance to the National Planning Policy Framework. This is also in line with the guidance set out in the letters from the Environment Agency dated 13th and 21 November 2013.

With regards to the parameters to base the sequential test on, it is considered that the sequential test should be based on similar size sites across the Borough as a whole, but only restricted to town centre sites only. There is some discretion on the site size; however there is no specific figure, although it is considered 10% discretion maybe appropriate in this case.

The applicant has submitted a Sequential Assessment (SA). Since the submission of this application, the applicant has updated the SA to base their SA on the 2012/13 Annual Monitoring Report's (AMR) five year supply and the Site Allocations and AAP allocated sites, instead of the 2011/ 2012 AMR and just the AAP allocated sites only. The SA looked at sites that are both town and non-town centre locations and which have a comparable site area to that of the subject site (allowing for a 10% discretion). The applicant has detailed why the sites with a lower probability of flooding considered as part of the SA are not suitable for the type of development being proposed. The Council's Planning Policy Officer has scrutinised the submitted SA and has concluded that the SA has passed.

In terms of the Exception Test (ET), the applicant has put forward sound justification to the wider sustainable benefits of the development, which includes the provision of a high quality development in a sustainable location, delivery of new homes and has provided a site-specific flood risk assessment to demonstrate that the proposal will be safe and would not give rise to risk of flooding within the site and elsewhere. The Council's drainage authority is satisfied with the submitted flood risk assessment for the site, subject to the imposition of a number of drainage conditions. The development would (as discussed in detail below) enable the naturalisation of the river banks and therefore enhancing the ecology and biodiversity of the site. On this basis, the ET has also been met.

Proposed Flexible Uses

As noted above the subject site is located within the primary shopping area of the Pinner District Centre, but it is not a designated frontage. Policy DM35 of the DMP relating to new town centre development will support new retail, leisure and cultural development providing that such development is consistent in use and scale with the role and function of the town centre and would not be at odds with the Borough's spatial strategy. The proposed flexible uses that would fall within classes A1, A2, A3 and A4 would be uses that would be suitable for this town centre location and would be consistent with other uses within the town centre. Such uses are in keeping with the overall commercial function and vitality of the town centre. Accordingly, the proposal would give rise to no conflict with policy DM35.

Conclusion

In conclusion, the proposed redevelopment of the vacant site within a functional flood plain has met the requirements of the sequential and exception tests in line with the above policies and with appropriate flood mitigations measures (as discussed in detail) would allow for river corridor enhancement works which would not have been possible had this site not come for redevelopment. The site is regarded as previously developed land and the proposed mix use of development is considered to be acceptable within this town centre context. On this basis, the proposal is considered to be acceptable with regard to the above policies.

Affordable Housing

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

The applicant has submitted a financial viability appraisal for the development site which has been reworked during the course of this application following the comments made by the Council's Housing Enabling Team. The applicant's initial offer of affordable housing was 20% of the overall scheme. Following the correction to the appraisal to remove the double counted contingency, the reworked appraisal sets out the provision of on site affordable housing provision of 24% of the overall scheme. The 24% will be broken down as four affordable rent units and two shared ownership units. All units would be located on the first floor of the building. In addition to this, the applicant will also make a financial contribution of £40,000 towards the provision of off-site affordable housing provision.

Whilst it is noted that the provision of the overall affordable housing percentage would be below the desired 40% set out in the London Plan and the Harrow's Core Strategy, Officers consider that the viability appraisal submitted in respect of the viability of the scheme to be broadly fair. In addition to the above offer, the applicant has agreed to a further review clause within the s.106 agreement whereby the developer will be required to submit details on what sales value were achieved for each unit which would be assessed against the viability appraisal submitted with this application. Following the submission of the final sales value achieved, if there is a surplus achieved above the base figure of £480 per square foot then the developer should pay 80% of any surplus value.

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

Housing Density and Unit Mix

London Plan policy 3.8 and policy DM24 of the DMP require new development to provide a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. London Plan 3.4 sets out a range of

densities for new residential development.

Density

The site is considered to be within an urban location and has a good Public Transport Accessibility Level [PTAL] of 3. The London Plan sets out at Table 3.2 appropriate densities for various different areas. Table 3.2 sets out that a density of 70-170 units per hectare and 200-450 habitable rooms per hectare would be most appropriate for this site. The development proposes a density of 182 u/ha and 394hr/ha, whilst it is noted that the units per hectare to be slightly greater than that set out under the London Plan, the habitable rooms per hectare would be in line with the above standards. The site is located in the district centre and within close proximity to Pinner Underground station. In the context of the design and layout of the development and other site constraints, it is considered that such a density is appropriate in this location.

Unit Mix

The development provides a mix of one-bed and two-bed flats. For a scheme of this scale and location in a town centre location which is likely to be attractive to small family or professional groups, it is considered that the units would be appropriate and would accord with development plan policies.

Whilst it is noted that the scheme would deliver a higher proportional of one-bed units, given the town centre location it is not uncommon to find such size units within such settings.

It is noted that a number of representation have been received with regards to a flatted development, the high number of one-bed sized units and the lack of family sized three-bed units. In addition, comments have been made with regard to in-balance in the community attributed by the high level of one-bed units being developed within the vicinity and that being proposed at the subject site.

Whilst taking note of the local representations made, as part of any development/ site appraisal, the developer will be conscious of the demand of unit sizes within a particular area through evaluating the sales trends of the area or through contacting local estate agents. As part of any development model, it is crucial for a developer to understand the market in terms of supply and demand, in particular with the view to releasing capital from held assets or at least ensuring that the asset would lease/ or rent shortly after completion. Whilst it is noted that there are a number of schemes currently within the area that are delivering one/ two bed units, most notably through the exercise of permitted development in office conversions, Pinner as a whole offers a wide range of housing choice, in particular the outer town centre locations primarily offer family sized units.

The construction of smaller sized units is considered to be appropriate in town centre locations, given the access to public transport. On the contrary, the smaller units provide opportunity for first time buyers to purchase a property in a well sought location such as Pinner, which may otherwise not be possible due to the number of larger homes that fall outside of the first time buyer's capacity. It is considered, that whilst the smaller units maybe concentrated within the town centre location, when looked against the wider area of Pinner, the balance in housing sizes and community would be achieved overall.

Design, Character and Appearance of the Area/ Impact on Conservation Area

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

existing spaces and streets in orientation, scale, proportion and mass.

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

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

Marsh Road is characterised by a mixed pattern of development with varying styles of buildings depicting the era that the buildings were built in. Directly adjacent to the site and to the south is Monument House, which a 4 storey 1980's purpose built office block. Directly opposite the site, are a parade of 2 storey terraced properties, comprising of ground floor commercial units with residential/ offices above. These appear to be 1920's/ 30's construction. Further south along Marsh Road is characterised by two/ three storey developments. On the northern side of the railway bridge is Bridge Street and High street which fall within the boundary of Pinner High Street Conservation Area.

The building being at a maximum height of six storeys would be the tallest buildings along Marsh Road and Bridge Street. However, the site due to its location hard against an elevated railway bridge and railway lines which broadly provide some buffer and separation between the older part of Pinner namely the High Street and its medieval buildings and the later era developments to the south of the railway bridge, would present an opportunity to create a higher building at this location. The six storey element would only be for part of the development width, with the remaining building being 4 storeys in height which would be in keeping with the prevailing scale of development in the area.

It is noted that a number of objections have been received with respect to the six storey height of the building being inappropriate for the area, in particular its impact in terms of the view in and from the adjacent conservation area. In addition to this, comments have been made with the scale of the building being inappropriate within a village setting. Whilst it is noted that many local residents still associate Pinner as a village, it is important to point out that for the proposes of the development plan, this section of Pinner is within a designated district town centre and whilst there are examples of the old village mainly around the High Street area, the area is densely developed to the extent that it would now be categorised as an urban area due to the varying scale and uses that are more associated with an urban form of development.

It is noted that this building would be the tallest within the vicinity and in particular against the backdrop of the adjacent conservation area. However, the proposed building would as noted above be buffered by the existing railway bridge and railway lines which in itself offers no positive feature to the area and could arguably appear more visually obtrusive when viewed from the adjacent conservation area. Furthermore, it is considered that the landscaped Bridge Gardens and the distance maintained between the site and Pinner High Street would ensure that there would be no immediate impact on the keys views of the conservation area.

In terms of the appearance of the building, the applicant is seeking to use a high quality brick finish to the building throughout. The proposed window reveals, recessed shop front and main entrance to the residential use would provide articulation to the façade of the

building, helping the building to achieve its own identity in an area which is characterised by a varied pattern of development.

It is considered that the overall scale, design and appearance of the proposed building would be appropriate within the wider context of the site and would not appear unduly obtrusive or bulky given its location. It is also considered that the proposal would be sufficiently set away from the main conservation area and therefore there would be no impact in this regard.

Landscaping and the Public Realm

Following the recommendation of the Environment Agency (discussed in detail below), the development would provide a green roof, re-grading of the river banks and the planting of native species within the rear communal garden area. Whilst the rear landscape garden would not be visible from the Marsh Road frontage, the rear landscaped area would provide a private communal amenity area and would enhance the appearance of the scheme. A condition is attached to ensure that the detailed planting and green roof is submitted to the LPA for approval.

As the building on the site would abut the boundaries of the site, no provision is made for the setting of the building, in common with other surrounding buildings in the town centre. Though the high quality design of the building would ensure that any adverse impacts upon the character of the area are minimised.

Refuse and Servicing

The applicant has amended the ground floor layout to now show that refuse storage set back further within the site and it is proposed to install perforated metal screening of an appropriate colour to provide access to the refuse storage and servicing area directly from Marsh Road. Whilst it is noted that the metal screening along the frontage would be modern in appearance and can if not appropriately considered in terms of design and colour, appear as a harsh addition to the building. However, it is considered that subject to use of appropriate high quality screening which will be controlled by condition, this aspect of the proposal would ensure that the overall design and appearance of the building would be of a high standard of finish and the overall design ethos is not compromised. The refuse store would be adequate for the purposes of the development and would ensure servicing arrangements would not be compromised.

Solar Panels

As discussed, below, in order to meet Code Level 4 for Sustainable Homes, the applicant is proposing to install solar panels on the roof of the proposed building. These are unlikely to be perceptible at street level as such panels would be set in from the roof edges and the applicant has shown a parapet detail to provide some additional screening. It is considered that the proposed solar panels would have not adverse impact upon the character of the area or the appearance of the completed development.

In conclusion, the proposed development would provide a high quality development on the vacant site. The contemporary design of the building would add positively to the built form within the town centre, setting out a high quality contemporary design that other developments in the town centre will set as a standard. It is considered that the development proposal would be appropriate and would accord with policies 7.4.B and 7.6.B of the London Plan 2011, policy CS1.B of The Harrow Core Strategy 2012 and policy DM1 of the Development Management Policies Local Plan 2013.

Residential Amenity

Residential Amenity of Future Occupiers

Policy 7.6B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

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

Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people’s needs. In this regard, minimum gross internal areas (GIA) are required for different types of accommodation, and new residential accommodation should have a layout that provides a functional space. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA’s as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. This is supported by policy DM1 of the DMP. 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 room sizes are set out below:-

Type and GIA	Kitchen/Living/Dining	Bedroom
Flat 1 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 26sqm (23sqm)	Double 12sqm (12sqm)
Flat 2 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 27sqm (23sqm)	Double 12sqm (12sqm)
Flat 3 (2 bedroom, 4 person) 66sqm (70sqm)	4 Person 26sqm (27sqm)	Double 13sqm (12sqm) Double 15sqm (12sqm)
Flat 4 (2 bedroom, 4 person) 65sqm (70sqm)	4 Person 27sqm (27sqm)	Double 12sqm (12sqm) Double 14sqm (12sqm)
Flat 5 (2 bedroom, 4 person) 62sqm (70sqm)	4 Person 26sqm (27sqm)	Double 12sqm (12sqm) Double 13sqm (12sqm)
Flat 6 (2 bedroom, 4 person) 65sqm (70sqm)	4 Person 28sqm(27sqm)	Double 12.sqm(12sqm) Double 12.sqm(12sqm)
Flat 7 (1 bedroom, 2 person) 58sqm (50sqm)	2 Person 26sqm (23sqm)	Double 19sqm (12sqm)
Flat 8 (1 bedroom, 2 person) 54sqm (50sqm)	2 Person 25sqm (23sqm)	Double 18sqm (12sqm)
Flat 9 (1 bedroom, 2 person) 54sqm (50sqm)	2 Person 24sqm (23sqm)	Double 18sqm (12sqm)
Flat 10 (1 bedroom, 2 person) 53sqm (50sqm)	2 Person 26sqm (23sqm)	Double 15sqm (12sqm)
Flat 11 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 30sqm (23sqm)	Double 13sqm (12sqm)
Flat 12 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 23sqm (23sqm)	Double 12sqm (12sqm)

Flat 13 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 30sqm (23sqm)	Double 12sqm (12sqm)
Flat 14 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 26sqm (23sqm)	Double 12sqm (12sqm)
Flat 15 (1 bedroom, 2 person) 55sqm (50sqm)	2 Person 29sqm (23sqm)	Double 16sqm (12sqm)
Flat 16 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 28sqm (23sqm)	Double 13sqm (12sqm)
Flat 17 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 23sqm (23sqm)	Double 12sqm (12sqm)
Flat 18 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 30sqm (23sqm)	Double 12sqm (12sqm)
Flat 19 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 28sqm (23sqm)	Double 12sqm (12sqm)
Flat 20 (1 bedroom, 2 person) 55sqm (50sqm)	2 Person 25sqm (23sqm)	Double 20sqm (12sqm)
Flat 21 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 28sqm (23sqm)	Double 14sqm (12sqm)
Flat 22 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 23sqm (23sqm)	Double 14sqm (12sqm)
Flat 23 (1 bedroom, 2 person) 55sqm (50sqm)	2 Person 28sqm (23sqm)	Double 17sqm (12sqm)
Flat 24 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 27sqm (23sqm)	Double 13sqm (12sqm)
Flat 25 (1 bedroom, 2 person) 50sqm (50sqm)	2 Person 23sqm (23sqm)	Double 14sqm (12sqm)

The proposed one bedroom units would each meet the minimum GIA of 50sqm as set out in the London Plan and the adopted Residential Design Guide SPD. In assessing the internal standards of the individual rooms to each unit, all of the units would meet and in some cases exceed the minimum standards set out in the Mayors SPG.

With regards to the proposed two bedroom (4 person) units, these units would all be marginally below the minimum standard of 70sqm as set out in the London Plan and the adopted Residential Design SPD. However, the individual rooms for Flats 4 and 6 meet the space standards set out in the Mayors Housing SPD. With regards to flats 2 and 5, the open plan living and kitchen area to each of these units would be 26sqm which would be 1sqm less than the 27sqm set out in the Mayors Housing SPD. However for Flat 2, both bedrooms would exceed the minimum space standard of 12sqm (13sqm and 15sqm respectively) and for Flat 5, one of the bedrooms to this unit would be 13sqm. Whilst taking note of the short fall in the overall GIA for each of these two bedroom units, overall the layout of each unit would be good and would offer a satisfactory level of circulation within the units. Based on these factors it is considered that a refusal on grounds of the units not meeting the minimum GIA cannot be substantiated in this case, given that other aspect of the development area considered acceptable.

Layout and Stacking

Paragraph 4.55 of the Residential Design Guide SPD specifies that 'the vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms,

kitchens and bathrooms, as well as communal areas such as halls and stairs’.

The proposed development would stack appropriately in a vertical fashion therefore there would be no vertical stacking issues.

It is noted that most of the units would be single aspect given the constraints of the site. Whilst the preference would be dual aspect units, the proposed units would have east and west facing aspects and thereby each unit would receive adequate levels of natural daylight and sunlight. It is considered that the single aspect nature of this development would be off-set by the good internal layout and circulation for each of the units.

Outdoor Amenity Space

Policy DM1 of the DMP seeks to *inter alia* ensure that development proposals provide an appropriate form of useable outdoor space. This is further reinforced under paragraph 4.64 of the SPD requires that residential development should provide appropriate amenity space. In case of town centre locations, alternative forms of outdoor amenity such as balconies should be explored.

In this case, due to the site constraints, the applicant has shown the provision of balconies for the units located at the rear of the building and the duplex apartments located on the second/ third floor only (18 units in total). It is considered that the lack of an external amenity area for the front facing units would be offset by the provision of a communal garden within the rear of the site and the town centre location which provides other forms of amenity. Furthermore, Pinner Memorial Park is located at the rear of the subject site. On this basis, the proposed development is considered to be acceptable in this regard.

Noise Impact

Policy DM1 of the DMP, states under sub-section D (h) that when assessing privacy and amenity it will have regard to the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution. This is further supported under The London Plan policy 7.15B.

Due to the siting close to the railway line and busy road, the applicant has submitted a noise assessment report to determine whether any mitigation is necessary to achieve reasonable internal and external noise levels. The report concludes that based on the noise from the adjacent road and railway line, noise must be considered and attenuation must be provided. In order to meet a ‘good’ standard internal noise environment, the development should incorporate a good quality acoustic standard primary double glazed window unit and the provision of passive ventilation. Subject to incorporating such measure the noise environment internally should not be a constraint. It is noted that however, externally, the noise environment would not achieve a reasonable standard due to the close siting of the road and railway line. It is recommended that such measures are secured by way of a suitable condition.

In terms of the noise impact between the different uses within the building, it is considered that appropriate conditions can be attached to ensure that the commercial operating hours do not give rise to any unacceptable harm on the amenities of the future occupiers.

Impact on neighbouring properties

The site backs on to a public car park at the rear and a railway line to the north, therefore there would be no impact in this regard.

To the south, is Monument House which is a purpose built office block. The windows located closest to the proposed building serve a stairwell. The main office windows are set at least 3 metres from the party boundary. The proposed projecting balconies would project beyond the rear building line of this neighbouring building. However, it is considered that the distance between the main windows of the office and the oblique relationship would mitigate any perceived impact.

The applicant has submitted a sunlight and daylight assessment which has assessed the potential impact upon the front facing windows of the buildings located directly opposite the subject site (Nos.116, 118 and 120 Marsh Road). The report notes that in assessing the Vertical Sky Component (VSC) for each of six windows facing the site would be broadly acceptable for majority of the windows. The only two windows located at 120 Marsh Road would see a reduction in the VSC marginally below the acceptable ratio of 0.80. The VSC of the two windows to 120 Marsh Road would see a reduction by 0.76 and 0.78 respectively below the existing VSC level. However, it is considered that the distance between the properties opposite and the proposed development would ensure that there would be no adverse impact.

In conclusion, the proposed development would have an acceptable impact upon adjoining neighbouring buildings

Traffic, Safety 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 applicant has submitted a Transport Statement in support of this application which sets out the various modes of transport available to serve the development which will be a car free development.

The applicant, following the comments raised by the Council's Highway's Authority has amended the layout of the disabled parking bays and relocated the refuse store, which has result in a much better parking and servicing arrangement for the development.

The site is well served by public transport both in bus and rail terms with relatively extensive parking controls surrounding the location, all of which encourage a lesser dependency on the private motor car. Given this high sustainability of the site in transport terms, the quantum is therefore considered acceptable. The extensive surrounding parking controls will reduce the likelihood of any undesirable displacement on the highway network with the on-site parking quantum proposed. The provision of two off street

disabled spaces would accord with the requirement for Wheelchair Homes standards.

It is noted that from local representations received that concerns have been raised with the increase in traffic and the reduction in public parking spaces within the Chapel Lane car park located at the rear of the site should residents parking permits be issued. Whilst it is acknowledged that traffic through Marsh Road can be busy during peak periods, the development with the exception of disabled parking requirement will essentially be a 'car free' development. There is limited resident parking bays immediately in the vicinity of the site. There are no proposals to issue any form of permits to park in the Chapel Lane car park which is essentially a public car park. Although it is noted that outside the restricted times, anyone can park in this car park. As stated above, given the close proximity to public transport services, it is unlikely that the development would give rise to any detrimental impact upon the existing highway network or parking to warrant a refusal on such basis.

As a result of the mix of units there would be a requirement to provide some 25 secure and accessible spaces in accord with the LP 2011. The applicant has shown that secure cycle storage would be located within the ground floor of the building which would be accessible via the main access lobby. In this regard the proposal is considered to be acceptable.

Given the established commercial/ restaurant attractions in the town centre area which act as an existing draw to the area creating potential 'linked trips' to the area coupled with ample local off street parking facilities there are no specific concerns with regard to the lack of on-site parking for this element. As noted above, the extensive surrounding parking controls will reduce the likelihood of any undesirable parking displacement onto the highway network.

Currently there are two access points that emerge directly onto Marsh Road. The access adjacent to the bridge is to remain with the other point being made redundant. Owing to the low level of on-site parking provision and associated low vehicle activity there are no specific concerns in this respect. The remaining access arrangement is therefore considered fit for purpose as it fulfils and complies with operational and highway safety parameters. The redundant access will require the raising of the existing highway drop kerb with making good of the footway at the applicants expense.

An indication as to how the site is serviced has been shown with a 'Transit' type service vehicle entering and leaving the site in a forward gear which complies with recommended best safety practice.

Given to physical site constraints and the traffic sensitivity of the site location, a construction management plan would need to be secured via planning condition to help ensure minimal disruption to the local public realm.

In conclusion, given the town centre location with good access to public transport links and with limited on site parking (disabled parking only), it is considered that the proposal would give rise to no conflict with the above.

Accessibility

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2011) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of

accessibility and inclusion.

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

The Council's has adopted a Supplementary Planning Document 'Access for All' 2006, which provides detailed guidance on achieving an accessible design.

The Design and Access Statement and the submitted plans demonstrate that all residential units would be Lifetime Homes and 3 units would be wheelchair homes. The commercial unit would also benefit from level access.

On this basis, the proposed development will give rise to no conflict with the above stated policies.

Development and Flood Risk

As noted above, the Council's Strategic Flood Risk Assessment maps show that the site is located within floodplain zones 2 and 3. The site is therefore has a Medium – High Probability of flooding and is within the functional floodplain. Only essential infrastructure and water compatible development may be permitted within the functional floodplain. Therefore sites falling within Developed Zone 3 will be treated as having a high probability of flood risk where water compatible and less vulnerable uses and, subject to the flood risk sequential and exception tests, essential infrastructure and more vulnerable uses may be permitted.

The applicant has met the requirement of the Sequential and Exception Test. As such, the principle to develop on this site could be supported subject to a robust Flood Risk Assessment for the site.

The River Pinn also cuts across the site and therefore this application will be required to be assessed against Policy DM11 of the DMP, which requires *inter alia* in the case of sites containing main river within the site boundary to maintain an undeveloped buffer zone of 8 metres either side of a main river, or an appropriate width as may be agreed by the Environment Agency (EA), which manages the main river. Sub-section (B) of policy DM11, goes on to state that in the case of major development on sites containing a main river will be required to have regard to *inter alia* the London River Restoration Action Plan, investigate and, where feasible secure the implementation of environmental enhancements to open sections of the river.

In their first consultation response (dated 1 December 2014), the EA objected to the proposal on the following reasons:

1. The development as submitted restricts access for essential maintenance and during emergencies, and would be unlikely to receive Environment Agency consent. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works.
2. Inadequate buffer zone and provision of ecological enhancements for the River Pinn. In addition to the above they set out a number of methods to overcome the above objections. The EA acknowledged that the site constraints within the site boundaries meant that a full 8m buffer zone cannot be achieved. However, in order to accept a reduced buffer zone, the EA require the developer to provide additional improvements to

compensate for not providing the full buffer. The EA have suggested the following areas in which the applicant should consider in demonstrating that the maximum ecological enhancements have been achieved:

- Re-naturalisation of the banks of the River Pinn
- Overshading and lighting
- Green roof
- Planting

Following the above objection, the applicant sought to address some of the concerns raised by the EA, which included the provision of an unrestricted 24 hour access to the River, additional enhancement to the watercourse and planting of native species to enhance biodiversity and ecology value of the site.

Following the applicant's response, the EA have provided their response (as stated under the consultation section above), which basically still objects to the reduced buffer zone in the absence of appropriate mitigation works to include re-naturalisation of the river banks as noted above. Following this second objection from the EA, the applicant has agreed to re-grade the banks in order to naturalise the channel as far as possible, which would negate the requirement for the fencing and use of planters (both elements which the EA objected too). In addition to this, the applicant will accept an appropriate condition to minimise the impact of shading within the buffer zone through appropriate planting. The applicant is also agreeable with the provision of a green roof along side the photovoltaic panels where possible.

Officers have forwarded on the applicant's in principle agreement to the EA for their consideration and have requested that such matter is dealt with by way of suitably worded conditions, which was a similar approach undertaken under application ref: P/3418/11, which has similar site circumstances as that of the subject site. Whilst Officers await a formal response to this principle agreement, it is considered that the requirement of the said mitigations works can be dealt with by appropriate conditions and subject to the developer satisfying the requirements of such conditions, the proposal would satisfy the objectives set out under policy DM11 of the DMP and therefore considered acceptable.

Archaeological Priority Area

Policy DM7 of the DMP indicates that when considering proposals affecting an archaeological priority area, the Council will have regard to:

- a. the known or anticipated significance of the archaeology;*
- b. the likely implications of the proposal upon the archaeology; and*
- c. the need to preserve the archaeology in situ; or*
- d. the adequacy of arrangements for the investigation, recording, archiving and (where appropriate) curation of archaeology not requiring preservation in situ.*

The applicant has undertaken an archaeological evaluation report for this site prior to the submission of this application in consultation with the Greater London Archaeological Advisory Service (GLAAS).

GLAAS are satisfied with the report submitted and have confirmed that no further archaeological work is necessary.

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. For 'major' developments (i.e. 10 or more dwellings) 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. Overall, The London Plan (2011) requires a 40% reduction in carbon dioxide emissions over Building Regulations 2010 Target Emissions Rate (TER), and to achieve Code for Sustainable Homes (CSH) Level 4 (for residential) and BREEAM Very Good (for the commercial uses).

Policy DM12 of the DMP requires the design and layout of development proposals to *inter alia* utilise natural systems such as passive solar design, incorporate high performing energy retention materials, incorporate techniques that enhance biodiversity, such as green roofs and green walls.

The applicant has submitted an energy strategy for the building which indicates that the residential units will achieve Code for Sustainable Homes Level 4 and will achieve a 37.9% reduction in target carbon emissions set out in 2013 Building Regulations. This would be marginally short of the desired 40% target reduction set out in the London Plan, however, the development is located in a district centre and would essentially be promoted as a 'car free' development and would include the provision of on-site cycle parking. In addition, the developer will be providing other environmental enhancement on the site associated with the River Pinn and when viewed holistically the site would offer other site wide benefits which would off-set the short fall in the overall carbon emissions target.

However, whilst it is noted that a thorough assessment has been undertaken with respect to the residential aspect of the development, there is very limited information with respect to the ground floor commercial unit. Thus it is not clear whether the commercial unit will achieve a 'very good' BREEAM rating. To ensure compliance with the relevant BREEAM standards, a condition is attached requiring a post occupation assessment of energy ratings, demonstrating compliance with the relevant standards. Subject to the developer complying with such condition, the proposal would give rise to no conflict with the above stated policies.

Environmental Impact Assessment

The application has been screened under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 (as amended) and it is considered that the development does not constitute Environmental Impact Assessment (EIA) Development as the development would have relatively low impact on the wider environment. The associated environmental impact associated within the site itself and more specifically associated with the management of the River Pinn would be addressed through appropriate conditions in order to enhance the ecology and biodiversity value of the site.

Statement of Community Involvement

The NPPF, Localism Act and the Council's Statement of Community Involvement encourage developers, in the case of major applications such as this to undertake public consultation exercise prior to submission of a formal application. Unfortunately the applicant did not undertake a public consultation exercise prior to the submission of this application.

Whilst it is noted that the point of public consultation is to engage the local community within the development process prior to any formal submission, there is no recourse within

the legislation to impose applicants to undertake public consultation prior to submission of a formal application. It is unfortunate that in this case public consultation has not been undertaken prior to the submission of this application; however, this has not prejudiced anyone in making comments on the formal application.

Equalities Impact

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

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

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

S17 Crime & Disorder Act

Policies 7.3.B and 7.13.B of The London Plan and policy DM2 of the DMP require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal.

The applicant has set out in their Design Access Statement, the measures that would be put in place to achieve a Secure by Design scheme, which would include *inter alia* appropriate height boundary treatments, access controlled doorways and secure cycle storage. The front entrance of the building would benefit from natural surveillance. It is considered that the development design would not result in any specific concerns in this respect of the above policies. Nonetheless, it should be demonstrated in detail that the development would accord with 'Secured by Design' principles. It is considered that this requirement could be secured by condition. Accordingly, and subject to a condition, it is considered that the proposed development would not increase crime risk or safety in the locality, thereby according with the policies stated above.

Consultation Responses

All material planning consideration have been addressed in the above report.

CONCLUSION

The proposed development of the site would provide a high quality development comprising of commercial use floorspace at ground floor level with residential floors above within a four to six storey high building. The site is currently vacant and the proposal would enhance the urban environment in terms of material presence, attractive streetscape, and good routes, access and makes a positive contribution to the local area, in terms of quality and character.

The subject site is located within a functional flood plane Flood Zone 3 but also partly within Flood Zone 2 and River Pinn cuts across the site. The applicant has submitted a Sequential and Exception Test in support of this application which demonstrates that there are no other sites available of comparable site area and town centre location that can deliver the development. The applicant in order to facilitate the development has agreed to undertake the naturalisation and re-grading of the river banks to help improve

flood defence, bring about environment benefits and improve ecology and biodiversity value of the site through the provision of suitable native planting.

The proposed would provide affordable housing on site as well as providing financial contribution for the provision of affordable housing off-site. Overall the number of units proposed would positively add to the Council's housing delivery targets. The re-introduction of a high quality commercial unit (in place of the former public house) on the ground floor of the property would contribute towards employment and economic vitality for this district town centre.

The proposed redevelopment of the site would result in a modern, contemporary design that responds positively to the local context, and would provide appropriate living conditions and commercial space which would be accessible for all future occupiers of the development.

The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers and the development would contribute towards the strategic objectives of reducing the carbon emissions of the borough.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 2011 (amended in 2013), the Harrow Core Strategy 2012 and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

CONDITIONS

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

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

2 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence beyond damp proof course level until samples of the materials to be used in the construction of the external surfaces noted below have been submitted to, and approved in writing by, the local planning authority:

- a. facing materials for the building
- b. windows/ doors
- c. boundary fencing
- d. ground surfacing
- e. balcony screens
- f. projecting canopy over residential entrance
- g. proposed metal screening to refuse/ servicing area

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 and to ensure a satisfactory form of development in accordance with policy 7.4B of The London Plan 2011, policy CS.1B of the Harrow Core Strategy and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

3 The development hereby permitted shall not be occupied until there has been

submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

4 All planting, seeding or turfing comprised in the approved details of green roofs and landscaping plans 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 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, thereby according with policy 7.4.B of The London Plan 2011, policy CS1.B of the Harrow Core Strategy 2012 and policies DM1 and DM22 of the Harrow Development Management Policies Local Plan 2013.

5 No plant or machinery, including that from fume extraction, ventilation and air conditioning, which may be required by reason of granting this permission, shall be installed within the building without the prior written approval of the local planning authority. Any approved plant or machinery shall be operated only in accordance the approved details.

REASON: To ensure that the proposed development does not give rise to noise or odour nuisance to neighbouring residents, thereby according with policies 7.6B and 7.15B of The London Plan 2011 and policy DM1 of the Development Management Policies Local Plan 2013.

6 Notwithstanding the approved plans, no ventilation, extraction systems or associated ducting shall be introduced onto the exterior elevations of the building without the prior written permission of the Local Planning Authority.

REASON: To ensure an appropriate standard of development which provides a high quality appearance in the interests of the visual amenity of the area, thereby according with according with policy 7.4B of The London Plan 2011, policy CS.1B of the Harrow Core Strategy and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

7 The development hereby permitted shall not commence beyond damp proof course level until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the 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 which would be harmful to the character and appearance of the building and the visual amenity of the area, thereby according with policy 7.4.B of The London Plan 2011 and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

8 Prior to the development hereby approved being brought into use, details of a scheme for external lighting to the site shall be submitted to an approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that lighting within the site does not cause unacceptable nuisance to residents of the development, thereby according with policy 7.6B of The London Plan 2011 and policy DM1 of the Development Management Policies Local Plan 2013.

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

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

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the properties on the site, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013

10 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).

11 The flexible Classes A1, A2, A3 and A4 use hereby permitted on the ground floor of the development hereby approved shall only be open to customers within the following hours:

0800 and 2300hrs on Mondays to Sundays and Bank Holidays;

No deliveries shall take place outside of these hours.

REASON: To safeguard the neighbouring and future occupiers of the residential units on the site from undue levels of noise and disturbance, thereby according with policies 7.6B and 7.15.B of The London Plan 2011.

12 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).

13 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).

14 Prior to the commencement of the development hereby permitted, measures to minimise the risk of crime in a visually acceptable manner and meet the specific security needs of the development shall be installed in accordance with details to be submitted to and approved in writing by the local planning authority. Any such measures should follow the design principles set out in the relevant Design Guides on the Secured by Design website: <http://www.securedbydesign.com/guides/index.aspx>

The development shall be carried out in accordance with the approved details and 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 saved Policy D4 of the Harrow Unitary Development Plan (2004), and Section 17 of the Crime & Disorder Act 1998.

15 The 25 residential units in this development, as detailed in the submitted and approved drawings, shall be built to Lifetime Home Standards, and thereafter retained to those standards.

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

16 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 SB 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 SB 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).

17 The development hereby permitted shall be built in accordance with approved document Energy Strategy (REV 2.0) and Sustainability Statement (REV 2.0) 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 the development 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).

18 Notwithstanding the approved plans, prior to development beyond damp course proof level, details for a scheme for works for the disposal of surface water and surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

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

19 The development hereby permitted shall be carried out in accordance with the following documents and plans: P-X-D-029, E-E-D 020 (REV B), E-E-D 020.2 (REV B), P-05-D-017 (REV D), P-04-D-016 (REV E), P-03-D-015 (REV E), P-02-D-014 (REV E), P-01-D-013 (REV F), P-00-D-012 (REV J), P-B-D-011 (REV A), X-AA-D-008, X-BB-D-009, P-Si-D-001, P-Si-D-002, P-SL-D-028 (REV A), Transport Assessment (447/2013), Sustainability Statement (REV 2.0), Energy Strategy (REV 2.0), Daylight/Sunlight Assessment (H1795 VO3), Noise Assessment (H1795 VO2), Flood Risk Assessment (REV 2) & Sequential & Exceptions Test, Archaeological Evaluation), Design & Access Statement, Planning Statement.

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

INFORMATIVES

1 INFORMATIVE:

The following the policies are relevant to this decision:

National Planning Policy Framework 2012

The London Plan 2011: 3.3, 3.5, 5.1, 5.2, 5.12, 6.3, 6.9, 6.13, 7.3.B, 7.4.B, 7.6.B, 7.8.C/D/E

Harrow Core Strategy 2012: CS1.B/K/O/P, CS4.D

Harrow Development Management Policies Local Plan (2013): DM1, DM2, DM9, DM10, DM11, DM12, DM42.

Supplementary Planning Document: Residential Design Guide 2010

Supplementary Planning Document: Sustainable Building Design 2009

Supplementary Planning Document: Accessible Homes 2010

Mayors Housing Supplementary Guidance 2012

2 INFORM_PF1

Grant with pre-application advice

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

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. 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 £55,370.00 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 £55,370.00 for the application, based on the levy rate for Harrow of £35/sqm and the residential floor area of 1582sq.m.

4 Harrow CIL

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

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Harrow CIL Liability for this development is: £172,020.00

5 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.

6 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

7 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

8 INFORMATIVE:

The applicant is advised following Condition 18 of the following:

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

A copy of a letter from Thames Water with permission for connections to the public sewers is required. If surface water connection is proposed to River Pinn, the Environment Agency consent should be provided.

The development is subject to a limitation on a discharge to 5 l/s, consequently there will be a storage implication and the system should be checked for no flooding for a storm of critical duration and period of 1 in 100 years. These storage calculations should include all details of inputs and outputs together with impermeable and permeable areas drained. Please note that the M5-60(mm) is 21 and the Ratio “r” should read 0.43 for this region. Similarly the Volumetric Run-off Coefficient should be substantiated by calculations (Reference to Chapter 13 of The Wallingford Procedure) or a figure of 0.95 should be

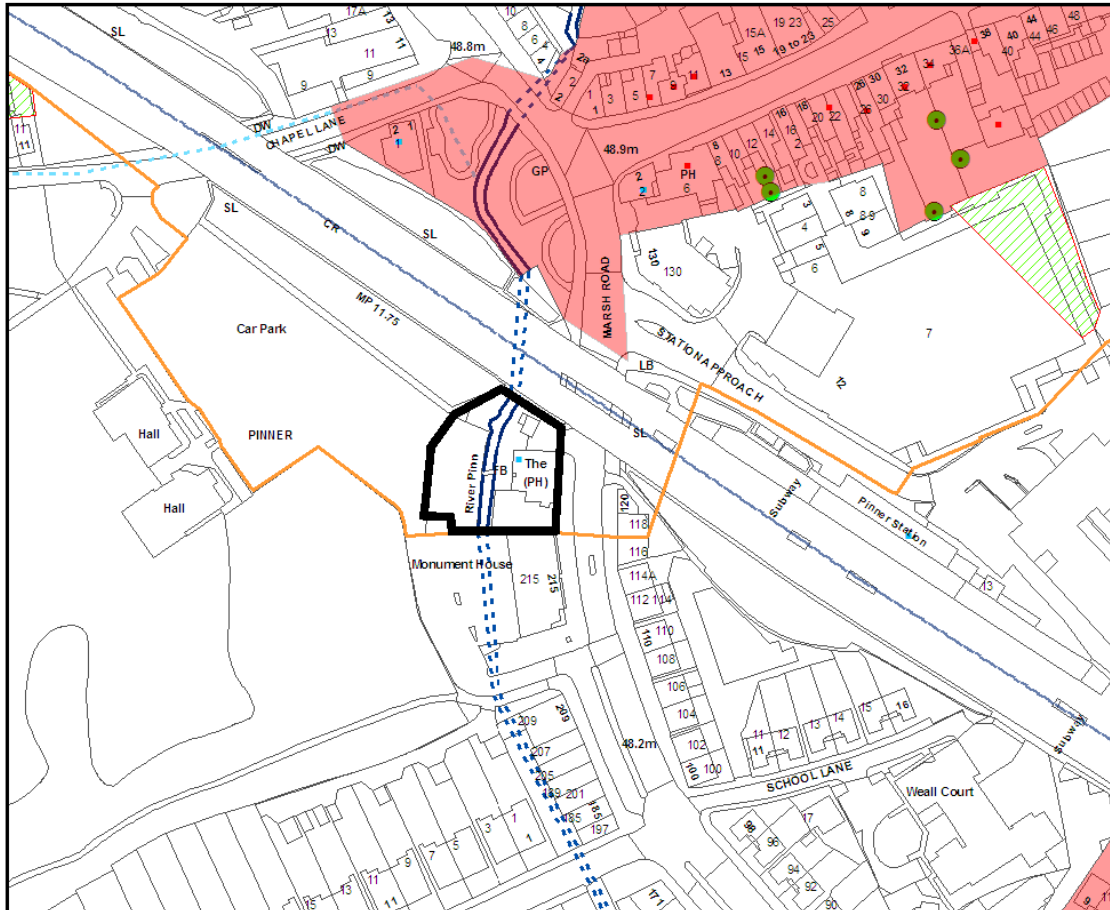
used for winter and summer. Please note that a value for UCWI of 150 is appropriate when calculating Percentage Runoff (PR) for storage purposes. Please include 30% allowance for climate change.

Full details of drainage layout including details of the outlet and cross section of proposed storage are required.

Full details of any flow restrictions (hydrobrake) that are proposed for this scheme need to be submitted together with the relevant graphs

Plan Nos: P-X-D-029, E-E-D 020 (REV B), E-E-D 020.2 (REV B), P-05-D-017 (REV D), P-04-D-016 (REV E), P-03-D-015 (REV E), P-02-D-014 (REV E), P-01-D-013 (REV F), P-00-D-012 (REV J), P-B-D-011 (REV A), X-AA-D-008, X-BB-D-009, P-Si-D-001, P-Si-D-002, P-SL-D-028 (REV A), Transport Assessment (447/2013), Sustainability Statement (REV 2.0), Energy Strategy (REV 2.0), Daylight/Sunlight Assessment (H1795 VO3), Noise Assessment (H1795 VO2), Flood Risk Assessment (REV 2) & Sequential & Exceptions Test, Archaeological Evaluation), Design & Access Statement, Planning Statement.

221 MARCH ROAD, PINNER



Appeal Decision

Site visit made on 10 July 2012

by Martin Whitehead LLB BSc(Hons) CEng MICE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 July 2012

Appeal Ref: APP/M5450/A/12/2169809

King George IV Public House, Marsh Road, Pinner, Middlesex HA5 5NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Stewart Braddock against the Council of the London Borough of Harrow.
 - The application Ref P/2211/11 is dated 9 August 2011.
 - The development proposed is the conversion and extension of an existing public house and residential upper parts to create ground floor offices and one self-contained residential flat.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion and extension of an existing public house and residential upper parts to create ground floor offices and one self-contained residential flat at the King George IV Public House, Marsh Road, Pinner, Middlesex HA5 5NE in accordance with the terms of the application, Ref P/2211/11, dated 9 August 2011, subject to the conditions in the attached schedule.

Preliminary Matter

2. Subsequent to the appeal, the Council resolved that it would have refused planning permission for the following reason: *'The proposed change of use would result in the loss of a local community facility and would fail to preserve the special architectural and historic interest of the locally listed building, contrary to PPS5: Planning and the Historic Environment policies HE1, HE7.2, HE7.4, HE8.1, the PPS5 Practice Guide, Policy EC.13 of PPS4: Planning for Sustainable Economic Growth, the draft National Planning Policy Framework, policies 7.1 and 7.8 of the London Plan (2011), core policy CS1.D of the Harrow Core Strategy and saved policy D12 of the Harrow Unitary Development Plan (2004).'*

Main Issues

3. The main issues are the effect of the proposal on community facilities in the area; and its effect on the character and appearance of the existing building.

Reasons

4. At my site visit, I observed that the appeal building is in active use as a public house and offers an attractive amenity area at the rear, adjacent to the River Pinn. The appellant has suggested that the property was vacant when it was acquired in 2008 and that a temporary licensee was initially installed, with the

www.planningportal.gov.uk/planninginspectorate

current tenant guarantor being served with a winding up petition on 21 October 2011. The Council has not disputed this claim, which indicates that the current use of the building as a public house is not viable.

5. The proposal would change the use of the ground floor to offices and use the first floor, most of which is currently in use as the manager's accommodation, for a residential flat. As such, the use of the first floor would effectively not be altered. Although the inside of the public house appeared to me to be in good condition, with reasonably up-to-date furnishings, the Council has not contested the appellant's claim that its use could be changed to Class A1, A2 or A3 use under permitted development rights. Consequently, its continued use as a public house is not guaranteed.
6. The building is located within what appears to me to be a thriving District Centre. Also within this District Centre are 2 other public houses: The Queens Head and Oddfellows, as well as the Vintage Wine Bar. In addition, there are restaurants with bars and cafes that are near to the appeal building. Therefore, although the National Planning Policy Framework (Framework) paragraph 70 includes public houses as one of the examples of community facilities, the evidence before me does not show that the appeal building offers a valuable local community facility as a public house that would not be able to be provided by other facilities within the locality.
7. The Council has referred to its draft Development Management Policies Development Plan Document Policy 41, which seeks to resist the loss of a public house. However, this Document is at a relatively early stage of its preparation. Consequently, only limited weight can be attached to the Policy, in accordance with paragraph 216 of the Framework.
8. Although the building is locally listed, the local list description does not relate to it being in use as a public house but to its age and architectural features, which the Council has accepted would largely be unaltered under the proposal. By securing a viable use of the building, the proposal would ensure its continued maintenance while preserving its noted heritage value.
9. The Council has indicated that it has a surplus of office stock and gives as an example vacant space at Monument House, which is a purpose built office block adjacent to the appeal building. At the time of my site visit, an advertisement on Monument House indicated that there was only one remaining suite available to let. The use of the appeal building as offices should be attractive, as it is in a relatively sustainable location near to an underground station, bus stops, shops and restaurants. This, combined with the Council's acceptance that its Employment Land Study identifies a need for a modest increase in office floorspace in the long term, demonstrates to me that the proposed offices would represent a viable and sustainable use of the building.
10. The Council has not provided sufficient evidence to attach any significant weight to its concerns that, should planning permission be granted for the proposal, pressure would be brought to extend and alter the building. With regard to its concerns that the proposal would result in the loss of public access to the River Pinn, I have not been given any guarantee that public access to this area would continue should the appeal be dismissed.
11. Based on the above, I find that the proposal would retain most of the building's important external features and would represent an appropriate District Centre

use. It would accord with paragraph 126 of the Framework, as it would conserve the building as a heritage asset in a manner appropriate to its significance. Therefore, I am satisfied that the proposal would preserve the character and appearance of the building.

12. For the reasons given, I have found that the proposal would not have an adverse effect on community facilities in the area or on the character and appearance of the existing building. As such, it would accord with Harrow Unitary Development Plan Policy D12, as it would preserve the local historic and architectural interest of the building; The London Plan Policy 7.1, with regard to its effect on local community; The London Plan Policy 7.8, as it would sustain a heritage asset; and Harrow Core Strategy Core Policy CS 1 D, as it would not harm the significance of a heritage asset. I am satisfied that the proposal would represent sustainable development in accordance with the Framework. Therefore, having regard to all matters raised, I conclude that the appeal should succeed.

Conditions

13. I have considered the 11 conditions suggested by the Council should the appeal be allowed, including the standard time for commencement of development. A condition to ensure compliance with the plans is necessary for the avoidance of doubt and in the interests of proper planning. A condition regarding boundary treatment, refuse and cycle storage and car parking is necessary to safeguard the amenities of the occupiers of the residential flat and the character and appearance of the building and the locality, and ensure the satisfactory provision of parking areas in the interests of highway safety.
14. A condition to ensure the provision of Lifetime Homes standard housing is necessary to accord with development plan policies and guidance. Conditions regarding materials, including fenestration, the retention of signage, and controlling the erection of satellite dishes, antennas and other communications equipment are necessary to protect the character and appearance of the building and the surrounding area. I am satisfied that all these conditions are reasonable and necessary. I have combined some of the suggested conditions and worded them to reflect the advice in Circular 11/95: *The Use of Conditions in Planning Permissions*.
15. A condition to secure noise insulation is unnecessary to ensure the provision of a reasonable internal noise environment for occupants of the building, as the residential use of the first floor of the building would be largely unchanged by the proposal and building regulations should adequately deal with this matter. The Council has not provided any details to support the need for a condition that would control the issue of resident's parking permits in order to address local parking pressures. A condition to prevent the use of any part of the building as a balcony or roof garden is unnecessary to protect the amenities of the occupiers of the building, as there appears to me to be no public access onto roofed areas and the only residents that would have their amenities affected by such a use would be those of the proposed flat.

M J Whitehead

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 459B Location, 459/E000, 459/E001, 459/E002, 459/E003, 459/E004, 459/E099, 459/E101, 459/E201, 459/P000, 459/P001, 459/P002, 459/P003, 459/P004, 459/P099, 459/P101 and 459/P201.
- 3) No development shall take place until there have been submitted to and approved in writing by the local planning authority detailed plans indicating:
 - (a) the position, type, design and materials of boundary treatment to be erected;
 - (b) refuse and recycling storage areas for the flat and the offices;
 - (c) cycle storage areas for the flat and the offices; and
 - (d) the layout and allocation of car parking spaces.

The boundary treatment, refuse/recycling storage areas, cycle storage areas and car parking layout shall be completed in accordance with the approved plans before either the first occupation of the offices or the first occupation of the residential flat, whichever is the sooner and shall be retained for these purposes thereafter.
- 4) No development shall take place until a schedule of information accompanied by detailed drawings indicating how and to what extent the residential flat hereby permitted would comply with the Lifetime Homes standard has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and drawings and shall thereafter be retained to those standards.
- 5) No development shall take place until details and/or samples of the materials, including fenestration, to be used in the construction of the external surfaces of the extension and alterations hereby permitted have been submitted to and approved in writing by the local planning authority. The details shall include a 1:20 scale section and elevation drawing of the new windows hereby permitted to be inserted in the rear elevation of the building at ground floor. The rooflights hereby approved shall be the 'conservation' style that lie flush with the roof slope. Development shall be carried out in accordance with the approved details.
- 6) The timber fascia sign sited over the front entrance and the hanging 'public house' sign attached to the front wall of the building shall be retained in their existing positions as part of any future signage scheme (into which they would be incorporated) for the office use hereby permitted and shall not otherwise be removed.
- 7) No satellite dishes, antennas or other communications equipment shall be erected on any part of the building.

Item No: 1/02

Address: ST MICHAELS CHURCH, 95 BISHOP KEN ROAD, HARROW WEALD

Reference: P/3450/14

Description: REDEVELOPMENT: FOUR TWO STOREY SEMI DETACHED DWELLINGS WITH ATTACHED CAR PORTS; PART THREE/PART TWO STOREY BUILDING FOR EIGHT FLATS, ADDITIONAL PARKING, ASSOCIATED CYCLE AND REFUSE STORAGE AND HARD AND SOFT LANDSCAPING; PROVISION OF NEW BOUNDARY TREATMENT; PART DEMOLITION AND RECONSTRUCTION OF ADJOINING COMMUNITY HALL; SINGLE STOREY EXTENSIONS TO FRONTAGE OF CHURCH AND SOUTHERN AND NORTHERN ELEVATIONS; EXTERNAL ALTERATIONS TO EXISTING CHURCH; NEW VEHICULAR ACCESS FROM BISHOP KEN ROAD

Ward: WEALDSTONE

Applicant: ASRA HOUSING GROUP

Agent: CgMs Ltd

Case Officer: NICOLA RANKIN

Expiry Date: 16TH MARCH 2015 (EXTENDED EXPIRY)

RECOMMENDATION A

GRANT planning permission subject to conditions and the completion of a Section 106 agreement by 11th May 2015. Delegated 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.

INFORM the applicant that:

1. The proposal is acceptable subject to the completion of the Legal Agreement to include the following Heads of Terms:
 - I. **Affordable Housing:** The provision of a minimum of 40% of the units to be affordable.
 - II. The submission of a final **Community and Event Management Strategy** and implementation upon first occupation of the development.
 - III. **Retention of the main entrance doors** on the front elevation of the church contained within the lobby as shown on the approved plans.
 - IV. **Legal Fees:** Payment of Harrow Council's reasonable costs in the preparation of the S106 Legal Agreement.
 - V. **Planning Administration Fee:** A £500 fee payable to the Local Planning Authority for monitoring of and compliance with the agreement.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 11th May 2015 then it is recommended to delegate the decision to **REFUSE** Planning permission to the Divisional Director of Planning on the grounds that:

The proposed development, in the absence of a legal agreement to secure appropriate affordable housing, a community and event management strategy and retention of the main front entrance doors to the church, would fail to address the strategic housing objectives of the borough including the provision of mixed, balanced and sustainable communities, would have the potential to result in unacceptable detrimental impacts on the neighbouring occupiers and future occupiers of the site and would fail to preserve or enhance the character and appearance of the locally listed church, contrary to the National Planning Policy Framework (2012), policies 7.4B 7.6B, 7.8 C, 7.8 D, 3.11, 3.12, 3.13 and 8.2 of The London Plan (2011) and core policies, CS1 (B), CS 1(D) CS1(I) and CS1(J) of The Harrow Core Strategy (2012) and policies DM 1 and DM 7 of the Harrow Development Management Polices Local Plan (2013).

INFORMATION

The application is reported to the Planning Committee because the application is for a major development and therefore the proposal falls outside of the scheme of delegation under Part 1,1(b).

Statutory Return Type: Small-scale Major

Council Interest: None

Gross Floorspace: to follow on addendum

Net additional Floorspace: to follow on addendum

GLA Community Infrastructure Levy (CIL) Contribution (provisional): to follow on addendum

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): to follow on addendum

Site Description

- The site is located on the western side of Bishop Ken Road, near the junction with College Hill Road.
- The site is currently occupied by St. Michael's Church and the attached building, know as Wykeham Hall. The buildings are locally listed.
- Wykeham Hall was built in the early 1930s and was the original church on the site. The current St. Michael's Church building was built in the 1950s. In terms of historical merit, the St Michael's church building is considered to be of greater merit.
- The existing buildings on the site occupy almost the entire length of the site. The Wykenham hall has a pitched roof with a maximum ridge height of 9 metre. Single storey flat roof additions are present on the front and the northern side elevation.
- The existing church building has a shallow pitched roof with a maximum ridge height of 9.83 metres.
- The Wykeham Hall building has a more linear relationship with the street, whilst the St. Michael's hall building has a more transverse relationship with the highway.
- The surrounding area is predominantly typical 'metroland' residential development and consists of a mixture of terraced and semi detached dwellings and three storey blocks of flats on the opposite side of the road.
- The rear garden boundaries of the terraced properties No's 25 to 57 College Hill Road adjoin the northern boundary of the site and the rear garden boundaries of the

terraced dwellings, No's 1 to 15 Adderley Road adjoin the western boundary of the site. A group of terraced dwellinghouses, fronting Bishop Ken Road, adjoins the southern boundary of the site.

- On the opposite side of the road are five, three storey blocks of flats which have a unique character and appearance, slightly anomalous from the metro land character of the area.
- The site has a PTAL rating of 1b.
- The site lies within a critical drainage area but is not within a flood zone.

Proposal Details

- The subject application proposes a redevelopment of the site for four two storey semi detached dwellings with attached car ports, a part three/part two storey building for eight flats, additional parking, associated cycle and refuse storage, hard and soft landscaping and provision of new boundary treatment. In addition, part demolition and reconstruction of adjoining community hall is proposed together with single storey extensions to the frontage of church and its southern and northern elevations with associated external alterations to the existing church. A new vehicular access is proposed from Bishop Ken Road.
- The proposed semi detached dwellinghouses would be located adjacent to the northern boundary of the site. Each dwellinghouse would contain 3 bedrooms.
- Each pair of semi detached dwellings would have a pitched gable end roof and would be two storey in height with attached single storey projections on the flank walls. Each dwellinghouse would have a maximum height of 8.23 metres to the ridge with an eaves height of 5.4 metres.
- The proposed two storey element of each dwellinghouse would have a maximum width of 6.15 metres and a maximum depth of 8.8 metres. The additional single storey projection to each of the flank wall would have a maximum width of 2.15 metres and a maximum depth of 5.22 metres. They would be set back from the main front elevation of each dwellinghouse by 3.5 metres and would align with the main rear walls of the properties.
- A car port would be attached to the side of each dwellinghouse with a flat roof to match the height of the single storey side projections and would provide space for one vehicle per dwellinghouse.
- Each dwellinghouse would have a small front porch which would project 1 metre from the main front wall. Some raised planters and soft landscaping would be provided to the front of each property.
- The proposed apartment block would consist of a part two, part three storey building which would be sited in the north eastern corner of the site. The building would provide 8 x 2 bedrooms flats, including the one wheelchair accessible flat.
- The proposed apartment block would have a flat roof. The two storey part of the building would have a maximum height of 6.2 metres and the three storey element would have a maximum height of 9.2 metres. The proposed two storey part of the building would have a maximum width of 11.46 metres and a maximum depth of 12.17 metres and the three storey element of the building would have a maximum width of 11.74 metres and a maximum depth of 18.6 metres.
- A refuse and cycle parking area would be provided in the north eastern corner of the site. The refuse store would have a width of 4.2 metres and a depth of 2 metres. The structure would have a flat roof to a height of 2.3 metres.
- The adjoining community hall would be part demolished and reconstructed. To the rear of the proposed retained Wykeham room, single storey extensions would be added to the northern elevations. The extensions would have a stepped appearance

and would project an additional 10.3 metres beyond the existing northern elevation and would have a maximum project of 14.7 metres to the rear of the retained part of Wykeham hall. They would have shallow sloping pitched roof concealed behind a perimeter parapet wall of between 3 and 4.6 metres in height from ground level. The extensions would provide a side chapel, a kitchen together with ancillary refuse and storage spaces.

- To the front of the Wykeham room, a further single storey extension is proposed (the Garden Room). This would have a depth of 5.6 metres and width of 8 metres. Arch head window would also be constructed in the front elevation of the proposed garden room.
- The southern elevation of the church would also be extended with the addition of a single storey side extension, adjacent to the boundary with No. 93 Bishop Ken Road. This element would have a maximum depth of 10.8 metres and a maximum width of 4.2 metres. It would have a flat roof to a maximum height of 3 metres.
- Further alterations are proposed to the frontage of the church including a single storey glazed porch extension to enclose the existing main entrance to the church. This would have a flat roof to match the height of the existing single storey front projections which will be retained as part of the proposal.
- An access ramp is proposed to be constructed adjacent to the main front entrance lobby as well as extension of the existing access steps.
- Four ancillary car parking spaces for the church is proposed, adjacent to the rear church garden area and western boundary of the site and a further two spaces within the south eastern corner of the site.
- Additional landscaping is proposed to the boundaries of the site to provide some boundary screening. A low brick wall and planter is proposed adjacent to the northern elevation of the church which would enclose a soft landscaped garden. The brick wall would have a maximum height of 0.86 metres.
- A new vehicle access is proposed from Bishop Ken Road to a new internal access road within the site which would provide separation from the proposed houses to the north and the church to the south.

Amendments since initial submission:

- Four two storey semi detached dwellings are now proposed as opposed to six two storey mews dwellings.
- The scale and bulk of the dwellings has been reduced and the design amended.
- The siting of the proposed dwellings has been moved further towards the northern boundary of the site to provide more soft landscaping to the front of the dwellings and greater separation from the church and proposed community facilities.
- The separation between the western boundary of the site and the proposed dwellings has been increased.
- The design, scale and bulk of the apartment block has been amended including the roof design from a mixture of pitched and flat roofs to a part two/part three storey flat roof building.
- The chamfered northern elevation of the proposed extensions to the church has been amended to a stepped appearance and the roof height and design refined and reduced. Additional fenestration detailing has been added to the northern elevation.
- The pitched roof of the proposed garden room extension has been amended to a flat roof and the height reduced. The fenestration treatment to the front elevation of the proposed garden room has been altered to arch head windows as opposed to rectangular window.
- The depth and height of the single storey extension to the south of the church has

been reduced.

- Additional landscaping has been proposed adjacent to the northern elevation of the church.

Relevant History

HAR/11731 EXTENSION TO EXISTING CHURCH

GRANTED 07.05.1959

HAR/11731/A EXTENSION TO CHURCH

GRANTED 15.02.1957

LBH/6102/2 ERECTION OF SINGLE-STOREY EXTENSION TO PROVIDE KITCHEN, TOILET, STORE AND MEETING ROOM FACILITIES

GRANTED 12.08.1974

LBH/6102/4 ERECTION OF SHED AT REAR OF CHURCH HALL FOR STORAGE OF PLAYGROUP EQUIPMENT

GRANTED 20.08.1976

LBH/6102/5 CONTINUED USE OF HALL FOR PRE-SCHOOL PLAYGROUP (WYKEHAM HALL)

GRANTED 15.07.1977

LBH/6102/6 RETENTION AND CONTINUED USE OF SINGLE STOREY EXTENSION AND ADDITIONAL HALL FOR SCOUTING AND GUIDING PURPOSES

GRANTED 07.10.1977

Pre-Application Discussion P/1594/13/PREAPP (Summary)

The proposed redevelopment of the site raises issues in relation to the principle of development. Notwithstanding these issues, it is considered that appropriate re-provision of community facilities on the site, demonstration of the deteriorating structural integrity (as you indicated) of the heritage asset and sympathetic treatment of the remain heritage asset could overcome these issues in relation to the principle of development. The Council has outlined concerns around the overall design of development and its consequential impacts on the character of the locality and the amenity of neighbouring occupiers and these issues require revision before the submission of a potential application.

In relation to transport, affordable housing and sustainability uses, little detail is provided on these issues and these issues should be addressed in any submission.

As submitted at this point in its current form, it is considered that officers would be unlikely to support the scheme as it does not address the issues outlined above appropriately.

Applicant Submission Documents

- ❖ Design and Access Statement
- ❖ Planning Statement
- ❖ Heritage Statement
- ❖ Arboricultural Report
- ❖ Ecological Assessment
- ❖ Bat Survey

- ❖ Transport Assessment
- ❖ Community Facilities Statement
- ❖ Church Structural Survey

Consultations:

Conservation Officer: The proposal is acceptable as long as materials and details are conditioned to match and a legal agreement is made that doors, walls and doorways behind the new porch are retained.

Housing Enabling: The affordable housing offer from ASRA the applicant represents 67% of the total development of 12 homes. 4 apartments (including 1 x 2b 4p wheelchair apartment) will be for affordable rent and 4 apartments for shared ownership. This offer is acceptable. We have asked the applicant to provide the wheelchair apartment to comply with the Council's suite of relevant documents, including Housing Enabling's Wheelchair Housing Design Guide.

Highways Authority: No objections, we expect that there will be some impact on on-street parking but there is capacity in the surrounding roads. A travel plan should be provided.

Drainage Authority: No objections, subject to conditions in respect of surface water drainage and attenuation proposals and details of disposal of sewage.

Thames Water: There are public sewers crossing or close to the proposed development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water. The applicant is advised to contact Thames Water to discuss the options available at the site. With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

Biodiversity officer: There is a list of recommendations within the Preliminary Ecological Assessment (August 2014) that must be undertaken if we wish this proposal to align with our policies DM20 and DM21 and to ensure works will not breach any current UK and EU legislation. The Daytime Bat Survey (August 2014) states there is a low possibility that the main church building could provide roost sites for bats. In line with current good practice it recommends that one dusk-dawn bat activity survey is undertaken (May through September). All the recommendations of the Preliminary Ecological Assessment should be undertaken, and before any work commences a bat activity survey must be undertaken and the recommendations of the bat ecologist adhered to.

Landscape Architect: Comments to follow

Arboricultural Officer: Comments to follow

Advertisement

Press advert: Major Development/Setting of a Listed Building Expiry: 13.11.2014

Site Notices: Major Development/Setting of a Listed Building Expiry: 13.11.2014

Notifications

Sent: 80

Objections Received: 10

Supports Received: 1

Expiry: 11.03.2015

Addresses Consulted

- An extensive consultation has been carried out which covers a wider area surrounding the site, along College Hill Road to the north, Adderley Road to the west and Bishop Ken road to the south and east of the site. A plan of the consultation area is appended to this report.

Summary of Responses

Objections:

- The proposed development will result in a loss of privacy to my house and garden.
- Additional parking and vehicles entering the site and the occupiers of the proposed flats and houses will result in noise and disturbance.
- The proposed development will result in additional light pollution to my property
- The development will result in a loss of value to my house.
- The proposed development is not in keeping with the character of the surrounding residential streets.
- All the houses have been built with gardens adjoining gardens and the proposed development will mean that our garden will back onto a road and the side of a house.
- The proposed development will result in a greater security risk as intruders will be able to gain access to our garden by accessing a public road.
- The details of the proposed boundary treatment are unclear.
- The proposal will result in a loss of sunlight and daylight to our garden and property.
- The current view at the back of our house is a row of trees and the roof of the current church buildings. Under the current proposals all we will see is a brick wall at the side of house, a road and cars as all the trees will be removed.
- The proposal is an overdevelopment and too many houses have been squeezed in to a small area.
- Although there is one integral space for the houses, there are none for the flats. The proposal will result in additional parking pressure on the surrounding roads.
- The outside area of the church has been used for community events which will be lost and there are few places in our area of a similar nature.
- Although the developers state this is not a flood risk area, the back gardens of 1-15 Adderley Road continually flood due to the clay make up of the soil. The proposed development is likely to cause greater impact on the rear gardens.
- The church and church hall are both locally listed. The listed buildings SPD outlines that the Council will strongly discourage the demolition of any buildings on the local list and will seek to encourage their retention, restoration and continued beneficial use wherever possible.
- The removal of trees in the immediate vicinity of our rear outbuilding would result in possible damage to its foundations.
- The majority of surrounding neighbouring houses are original 1930s two storey houses and there are no purpose built flats.
- The proposed development would completely alter the outlook from the rear gardens in Adderley Road.
- The proposed three storey flat roof block of flats would be completely out of character.

It would have a flat roof and there are no other flat roofs in the locality.

- The proposed density of development on this site is not in keeping with historic character and nature of residences in the immediate neighbourhood.
- The proposal will be detrimental to the surrounding environment due to the permanent loss of trees and existing quiet open spaces on the site.
- The proposed flats would be overbearing and visually obtrusive to surrounding residents.
- It appears that the only changes to the revised plans are to reduce the amount of houses and to provide some additional parking and this does not overcome our previous objections with regard to overdevelopment, loss of privacy and increased noise.

-

Supports:

- The proposed scheme will provide new sustainable accommodation that will provide welcome and attractive spaces for worship and wider community use.
- The mixed development in partnership with ASRA Housing Association will enable St Michael's church and Hall to be improved and will also provide good housing accommodation.

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].

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

Further Alterations to London Plan (FALP) are now post examination and may be given significant weight

MAIN CONSIDERATIONS

Principle of the Development
Character and Appearance of the Area
Residential Amenity
Traffic and Parking
Development and Flood Risk
Accessibility

Affordable Housing
Sustainability
Biodiversity Trees and Landscaping
S17 Crime & Disorder Act
Equalities and Human Rights
Consultation Responses

Principle of the Development

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

Paragraph 12 of the NPPF states that: 'This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.'

In this instance there are three specific issues which go to the principal of the development: (1) the loss of the existing heritage asset, (2), the loss of the existing community facility and (3) the use of land for residential development.

(1) - Loss of Heritage Asset

The buildings on the site are locally listed and therefore represent heritage assets¹ (a non designated asset as opposed to a designated asset) and there is a presumption therefore against the loss of such a building. Paragraphs 135 and 136 of the National Planning Policy Framework [NPPF] consider the loss of heritage assets and consider that the local planning authority must make a balanced judgment in considering the impacts on heritage assets whilst ensuring that the loss of heritage assets would not occur without taking reasonable steps to ensure new development would proceed after the loss has occurred.

Though the Council consider St. Michael's Church rather than Wykeham Hall to have greater significance in architectural terms, in order to justify the loss of the heritage asset and enable the Council to make a balanced judgment on the acceptability of the loss, a heritage statement together with further justification has been submitted by the applicant in the accompanying Design and Access Statement, Planning Statement and structural report for the buildings.

The supporting documentation sets out that the existing Wykeham Hall is in a poor condition which detracts from its overall significance and appearance and this can be attributed to its own mediocre build quality, driven by its swift construction. Wykeham Hall is relatively under used, providing a large quantity of substandard community space. The current floor space is deemed to be unsuitable and not fit for purpose as a community centre. The rooms are considered to be too small to meet the current needs of the community.

The removal of the Wykeham hall would provide a number of public benefits and will provide the finance to ensure the conservation of St Michaels and All Angels which is the most significant part of the site. It will create the space for the northern part of the site to be utilised more efficiently including the provision of four dwellings and eight affordable flats and new more useable and attractive community space.

The new elements are considered to be of good architectural quality which will enhance the contribution to the site and the wider townscape. The new additions to the locally listed church are considered to be of sufficiently good quality to ensure the preservation of the church and will allow for the retention of the most significant aspects. The proposals will rationalise the provision of space within the site with better quality space that is more likely to be in regular use by the community. For these reasons it is considered that the proposal would not be harmful to the remaining assets significance and in this case the loss of the existing Wykeham hall would be outweighed by a number of other public benefits as discussed in more detail below.

(2) - Loss of Community Facilities

The uses of the buildings on the site represent 'community uses'. Policy CS1.Z of the Harrow Core Strategy 2012 [CS] sets out a presumption that "the loss of community facilities will be resisted unless adequate arrangements are in place for their replacement or the enhancement of other existing facilities."

Policy DM47 of the Development Management Policies Local Plan 2013 [DMP] gives effect to this presumption and states that the loss of community facilities will only be permitted if development would satisfy one of the following requirements: (i) there is no longer a need for the facilities; (ii) there are adequate similar facilities available in the area; (iii) activities are inconsistent with the area; or (iv) redevelopment would provide an overriding public benefit.

The proposed re-development would provide replaced community floor space in a more condensed and consolidated form. The applicants outline that the proposed community floor space will be adaptable for a range of community uses, including a cafe, Sunday school, and general meeting space as outlined in the supporting Community facilities Statement. The proposals represent a marginal loss of circa 40sqm of floor space, however the reconfiguration of space allows intensification of use for a variety of local user groups. The principal space available for community use of all kinds amounts to approximately 180sqm. The proposed community spaces will be provided in the form of a series of smaller interlinked areas to the existing church which are likely to better suit the proposed intended community user groups. In addition the applicants have highlighted that the main Nave will be furnished with stacking chairs, offering an additional 200sqm of community space when not being used for worship. As such, in this case officers consider that the re-provided consolidated community space will provide better and more accessible community facilities and the benefits proposed would outweigh the marginal shortfall in space terms.

(3) - The Use of the Land for Residential Development

Policy 3.8 of The London Plan (2011) also encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy CS(I) states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and

to maintain mixed and sustainable communities’.

The site is not allocated for development but represents ‘a previously developed’ site, however the redevelopment of the site and the provision of new dwellings on the site are considered to represent a ‘windfall development’ as outlined in the Core Strategy. The use of the land for residential uses could therefore be supported in principle and would make an important contribution to the housing stock in the borough, including affordable housing, particularly having regard to the increased housing target identified within the Further Alterations to the London Plan (FALP).

As such overall, the principle of the re-development of the site is considered to be acceptable by officers, subject to consideration of further policy requirements as detailed below.

Character and Appearance of the Area

The NPPF makes it very clear that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making better places for people.

The London Plan (2011) policies 7.4B and 7.6B set out the design principles that all boroughs should seek to ensure for all development proposals. The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. The London Plan (2011) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation. Policy 7.8D of The London Plan (2011) states that ‘Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail’.

Core Policy CS(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.’

Core Policy CS 1.D states that ‘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’. This emphasised further in policy DM 7 of the Harrow Development Management Policies Local Plan (2013).

Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) reinforces the principles set out under The London Plan (2011) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surrounding, and should have a satisfactory relationship with adjoining buildings and spaces.

Siting, Scale and Massing

The proposed dwelling houses will be situated to the north of the site and the apartment block will be sited towards the north eastern corner towards Bishop Ken Road. The

private gardens of the houses and the apartment block would adjoin the rear gardens of the houses in College Hill Road to the north, thereby providing separation. The proposed back to back residential layout is typical of many suburban locations and the siting and layout of this aspect of the scheme is considered by officers to be appropriate. The proposed dwellings would be two storey in height and the proposed ridge heights, eaves height and plot widths of the dwellings would reflect the scale of the surrounding residential properties which adjoin the site in Adderley Close, College Hill Road and Bishop Ken Road.

The apartment block would occupy the corner of the site. In addition to providing an active frontage to Bishop Ken Road, it will also make a clear architectural transition to the setting of the private houses of College Hill Road. The subservient two storey element will be sited closest to the northern boundary and the three storey element will be similar to the height of the existing church. The apartment building would be set well back from the back edge of the public pavement and would allow for a landscaped frontage, proposed to run the length of the site. Overall, officers consider that the scale, mass articulation and use of materials for the proposed apartment block would ensure an acceptable appearance in the street scene and a satisfactory transition between the larger church to the south and smaller scale houses in College Hill Road.

As outlined above the loss of the existing Wykeham hall is not considered to be detrimental to the character and appearance of the development or the locality, having regard to its limited architectural merit, historical significance and its dilapidated state as highlighted by the submitted structural survey. The latter church is considered to be of primary significance and will be retained and enhanced. The retention of the chapel and the existing single storey front projection on the main front elevation, together with the modest additions proposed on the southern and northern elevations of the church will preserve the setting of the locally listed building. The addition of the garden room to the former chapel will include large arch head windows on the front elevation which will provide an active frontage and allow the community spaces to be clearly visible from Bishop Ken Road.

The existing garden amenity space which runs adjacent to the southern boundary of the site and to the rear of the church will be reduced but will be landscaped to improve its quality. The additional landscaping will enhance the visual setting of the surrounding development.

Density

Table 3.2 of the London Plan (2011) set out sustainable residential quality density ranges. The site has a PTAL rating of 1b and would be classed as a suburban category of development. The scheme proposes a residential density of 121 habitable rooms per hectare (hr/ha) (provision of 39 habitable rooms) which is at the lower end of the prescribed density for the site characteristics and the proposal would therefore accord with the London Plan (2011) and is acceptable in this regard.

Design and Appearance

The proposed dwellings would have pitched gabled roofs and would be finished in brick with glazed brick detailing. Porch canopies and raised planters to the frontages would enhance their visual setting. Car ports would be integrated between the units to conceal cars and refuse bins and due to their light weight appearance would not add significantly to the scale and bulk of the dwellings and are therefore considered to have an acceptable appearance.

The proposed new housing would complement the surrounding suburban architecture, whilst respecting the prominence and design of the existing church building. Red brick with contrasting mortar and render would be used for the main materials which are considered to be appropriate to the surrounding context.

A glazed porch is proposed to the frontage of the church which enables the entrance facade, an important feature to the character of the original building to be clearly visible. The retention of this important original feature of the heritage asset can be secured by a section 106 obligation as set out under the recommendation above.

The proposed new front hall (the Garden Room) would have a simple brick facade including arched window openings to reflect those inside the church and on the existing front elevation. The proposed extensions to the rear of the Wykeham Hall would have flats roof and simple clean lines. Glazed brick detailing would be provided on the northern elevation to provide further articulation.

The apartment block is smaller in scale the previously proposed. It is proposed to use red brick and white render to reflect the buildings architectural context. In addition white glazed brick detailing and chamfered window reveals would add character and visual interest to the facades. Each unit would have an inset external terrace to avoid cantilevered balconies which is considered by officers to respond appropriately to the surrounding architectural context.

The design and appearance of the proposed development is considered to be acceptable, subject to a condition to secure final details of proposed materials, which would be attached to the permission, should approval be granted.

Landscaping

There are a number of trees along the western and northern boundaries of the site. None of the trees are protected by tree preservation orders but nevertheless make an important contribution to the visual amenity of the area. The proposal would result in the removal of some of the trees including some of the self seeded saplings. However, it is proposed to provide additional tree planting to mitigate the loss and as far as possible retain levels of screening for the properties of Adderley Road and College Hill Road and to preserve the visual amenity of the area. Notably, the group of substantial trees in the rear gardens of the easterly group of houses in college hill road which will be unaffected by the works as outlined in the accompany Arboricultural Report. As such, this group of trees will continue to provide screening towards the site for the occupiers of these properties. The dwellinghouse will have there own landscaped gardens. In addition, all the units of the flats would benefit from a private amenity space in the form of a ground floor or inset terrace. Unit 3 (proposed wheelchair flat) and unit 2 would also benefit from an additional private rear amenity space. The setting of the church would be enhanced by a landscaped garden and raised planter around the northern elevation to provide clear separation from the share surface roadway. Further landscaping also proposed to the frontage of the site adjacent to Bishop Ken Road.

In summary, it is considered that the design of proposed development would make a positive contribution to the character of the area and would reinforce the positive aspects of local distinctiveness. In officer's opinion the re-development of the site would provide an increased sense of place, vibrancy and identity within the community and would successfully integrate into the surrounding suburban context. Furthermore, a high quality

landscape scheme is proposed around the site would provide an attractive setting for the building and enhance the ecological value of the site. The proposed buildings and extensions due to their scale, design and siting would be sympathetic to the adjacent locally listed Church and the public benefits arising from the proposal would in officers opinion significantly outweigh the loss of part of the existing heritage asset on site. As such, the proposal is considered to comply with The National Planning Policy Framework (2012), policies 7.4B, 7.6B and 7.8 C and D of The London Plan (2011) core policy CS1 B and D of the Harrow Core Strategy (2012) and policies DM1 and DM 7 of the Harrow Development Management Polices Local Plan (2013).

Residential Amenity

Policy 7.6 of The London Plan (2011) states that “Buildings and structures should not cause unacceptable harm to the amenity of the surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”.

Policy DM 1 of the Harrow Development Management Polices Local Plan (2013) requires that: “*All development and change of use proposals must achieve a high standard of privacy and amenity of neighbouring occupiers*”. “The assessment of the design and layout of proposals will have regard to: “the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers”.

Amenity impacts in relation to scale, massing and siting

The separation distances between the proposed dwellings and the apartment block and the adjoining properties to the north fronting College Hill Road are considered to be acceptable. The rear elevations of the dwellings would be sited between 26 and 29 metres from the rear elevations of this group of dwellings. With regard to the apartment block the three storey corner of the building would be sited approximately 26 metres from the nearest neighbouring occupiers along College Hill Road, whilst the two storey section of the building would be located a distance of between approximately 23 and 27 metres away.

In terms of the dwellinghouses which adjoin the western boundary of the site, along Adderley Road, the impact of the development would be most pronounced for the occupiers of No. 1 -7 Adderley Way which would face towards the western flank wall of the closest dwellinghouse (unit 4) and the proposed new access road and parking area to the rear of the church. The western flank wall of the proposed two storey element of the dwellinghouse (unit 4) would be sited a minimum of 32 metres front the rear first floor facades of the group of properties No’s 1-7 Adderley Way and the additional single storey side projection approximately 30 metres away. The two storey western flank wall of unit 4 would be set off the western boundary of the site by between 4.6 and 3.5 metres. Having regard to these distances, it is considered that proposed dwellinghouses and apartment block would not give rise to any detrimental impact on the neighbouring occupiers in terms of loss of light, overshadowing, loss of privacy or by means of an overbearing impact.

The application is supported by a Daylight and Sunlight Assessment which outlines that none of the windows in the surrounding properties will be materially affected. The analysis is based on best practice guidance contained in the Building Research Establishment (BRE) Digest 209 ‘Site Layout Planning for Daylight and Sunlight’ (2011). Since the initial submission, revised plans have been received which has resulted in the

reductions of the scale of the houses and the apartment block which will further reduce the impact of the development for the neighbouring occupiers.

It is acknowledged that a number of representations have been received with regard to concerns over loss of privacy. The first floor windows of the proposed dwellinghouses would be sited approximately 11 metres from the rear garden boundaries of the adjoining properties along College Hill Road and a minimum of 26 metres from their rear elevations. These distances together with the distances discussed in relation to the proposed apartment block are considered to be adequate to ensure that no unreasonable undue harm would result from overlooking and loss of privacy. The proposed first and second floor inset terraces would either face towards the Church or Bishop Ken Road which would reduce impacts of perceived loss of privacy.

A number of representations have been submitted by the surrounding neighbouring occupiers of College Hill Road and Adderley Close who have raised specific concerns with the amount of development as well as impact on outlook and loss of the green open space from their properties. It is acknowledged the new buildings will undoubtedly change the views and outlook from a small number of surrounding properties. However, the planning system is not able to safeguard or protect specific views from private houses. The separation between the existing and proposed buildings has been set out above and it is considered to be sufficient so as not to result in any undue harm on neighbouring amenity in terms of loss of light, outlook and overshadowing. The relationship is considered to be typical of many suburban locations. It is acknowledged that the proposal would result in a loss of some trees along the western and northern boundary. However, the application proposes further tree planting and landscaping to mitigate the loss and to help soften the appearance of the development over time as well as providing some mitigation for residents and an attractive setting for the buildings. Subject to conditions on final materials and landscaping details, the development should successfully integrate into the character of the surrounding suburban context.

The proposed extensions on the northern elevation and front elevation of the church, due to their modest scale and siting would not result in any detrimental impacts on the adjacent occupiers. The proposed single storey side extension on the southern side of church would be sited on the boundary with No. 93 Bishop Ken Road. It would have a maximum height of 3 metres on the boundary and would project 3.5 metres beyond the rear elevation of No. 93. Having regard to the siting of the extension to the north and its modest height and projection, it is considered that this element of the proposal would not result in any unreasonable detrimental impacts on the occupiers of No. 93.

Vehicle Access, Noise and Disturbance

The proposed residential use is considered to be appropriate in this location and is compatible within the church and community use which is intended to serve the residents within the vicinity of the site. Although the flats and dwellings would generate more activity outside of normal working hours and into the evening and weekends, it is not expected that they would generate unacceptable levels of activity or noise and disturbance, given the existence of similar residential properties close to the site.

Six on site parking spaces are proposed for visitors to the community centre and visitors to the residents of the dwellings. Four spaces are proposed to the rear of the church and would adjoin the garden boundary of No. 9 Adderley Road. A further two spaces would be provided on the frontage of the site adjacent to Bishop Ken Road. In addition each dwellinghouse would have one parking space. Given the modest number of spaces

proposed officers consider that the development would not result in unreasonable levels of vehicles movements and noise and disturbance for surrounding neighbouring occupiers.

Street lighting will be achieved using low and high level external light fittings. It is considered that the details for the proposed lighting arrangement can be secured through an appropriate planning condition as set out below. Subject to this, it is considered that the proposed development would not result in any undue disturbance or unreasonable light pollution to the adjacent neighbours.

Community Use of Facilities

The application is supported by a community facilities statement which outlines the types of activities the church intends to accommodate, including community groups such as cubs, scouts guides, evening classes, medical clinics and meeting space for hobby clubs. The statement highlights that the majority of activities will take place during the day and will not take place outside unsocial hours, after 11pm. It is proposed to restrict the use of the rear garden area to the church to a maximum time of 7pm.

With regard to the community element of the proposal, a section 106 obligation is recommended in order to secure a community and event management strategy which will enable the local planning authority to agree reasonable hours of usage, number of patrons attending events and types of activities. Subject to this section 106 obligation, it is considered that the proposal would not be unduly detrimental to the residential amenities of the neighbouring occupiers in terms of noise and disturbance.

Amenity Impacts on the Future Occupiers of the Flats and Dwellings

Policy DM 27 of the Harrow DMP LP (2013) states that: "*Residential development proposals that provide appropriate amenity space will be supported. The appropriate form and amount of amenity space should be informed by*

- a. the location and dwelling mix;*
- b. the likely needs of future occupiers of the development;*
- c. the character and pattern of existing development in the area;*
- d. the need to safeguard the privacy and amenity of neighbouring occupiers; and*
- e. the quality of the space proposed including landscaping (see Policy DM22 Trees and Landscaping)."*

As discussed above, all of the residential units will have access to their own private amenity space which is considered to be appropriate in size and form for each of the proposed dwelling types and would accord within the minimum standards set out in the Mayoral Housing SPG (2012).

Table 3.3 of the adopted London Plan (2011) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan (2011) specifies that these are minimum sizes and 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 SPD.

In addition, paragraph 59 of the National Planning Policy Framework (2012) (NPPF) states that local planning authorities should consider using design codes where they could help deliver high quality outcomes. Policy 3.5C of The London Plan (2011) also specifies that Boroughs should ensure that, amongst other things, new dwellings have adequately sized rooms and convenient and efficient room layouts. In view of paragraph 59 of the NPPF and Policy 3.5C of The London Plan (2011), and when considering what

is an appropriate standard of accommodation and quality of design, the Council has due regard to the Mayor of London's Housing Supplementary Planning Guidance (SPG) (November 2012).

The room sizes of the flats are shown in the table below, along with the minimum floor areas for rooms as recommended by the Housing SPG (2012):

Flat Number	Type	Floor Area	LP (2011) and SPD Standards
Flat 1	2 bedroom, 3 persons	63m ²	61m ²
Flat 2	2 bedroom, 3 persons	63m ²	61m ²
Flat 3 (Wheelchair)	2 bedroom, 4 persons	88m ²	70m ²
Flat 4	2 bedroom, 3 persons	63m ²	61m ²
Flat 5	2 bedroom, 3 persons	63m ²	61m ²
Flat 6	2 bedroom, 3 persons	66m ²	61m ²
Flat 7	2 bedroom, 3 persons	63m ²	61m ²
Flat 8	1 bedroom, 2 persons	66m ²	61m ²
Houses 1 – 4	3 bedroom, 5 persons	102m ²	96 m ²

With reference to the above table, it is considered that the adequate Gross Internal Area and the adequate room sizes of the flats and dwellinghouses as demonstrated above would result in an acceptable form of accommodation.

Stacking Arrangements

Paragraph 5.12 of the Council's adopted Supplementary Planning Document – Residential Design Guide (2010) states that 'The vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. The vertical stacking of rooms is well designed and is considered to be acceptable. In terms of the horizontal stacking of rooms, there is some marginal overlap, however a refusal on this issue is not considered to be justified, particularly having regard to the technical provisions of Building Regulations.

Privacy and outlook for Future Occupiers

All the habitable rooms for the dwellings and flats are considered to provide good levels of outlook and the majority of habitable rooms are dual aspect. There are number of secondary windows on the western flank wall of the proposed apartment block (serving units 3, 5, 6 and 8) which could result in potential impacts of perceived overlooking for the occupiers of dwellinghouse – Unit 1 and the proposed private amenity spaces which adjoin the northern boundary of the site. In the interests of safeguarding privacy for the future occupiers, a planning condition is recommended to ensure that these windows are obscure and non opening below a height of 1.7 metres above the internal finished floor

level. It is considered that internal light to the flats will not be unduly affected by this as they are served by a second window, either on the southern or northern elevations.

Refuse

A refuse store will be provided for the flats adjacent to Bishop Ken Road which provide a convenient place for collection. The refuse storey would be a sufficient size to accommodate two large refuse containers which would provide sufficient capacity for the number of flats. There would space available at the side of each dwellinghouse for 3 refuse and recycling bins which is considered to be acceptable and would accord with the Council's refuse standards.

In summary, officers consider that the proposal would accord with the National Planning Policy Framework (2012), policies 3.5C and 7.6B of The London plan (2011), policies DM 1 and DM 27 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Guidance: Housing Design Guide (2012) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

Traffic and Parking

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The London Plan (2011) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel and ensure that development proposals will not adversely impact on the transport capacity and the transport network, at both corridor and local level. This is further emphasised by policy core policy CS 1 R of the Harrow Core Strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

Policy DM 43 of the HDMP LP (2013) requires that proposals for major development should provide a transport assessment in order to quantify the impacts of the proposal upon public transport, the highway network, the cycle network and upon conditions for pedestrians.

The site has a PTAL rating of 1b and therefore a fairly low level of public transport accessibility. Nevertheless, the application is supported by a Travel Assessment. The statement demonstrates that there is sufficient on street parking capacity to accommodate the additional parking requirements associated with the development both in relation to the residential and community aspect of the proposal. The assessment also concludes that the proposal will only have a very limited impact on both the immediate and wider locality in respect of vehicle/person trips and parking demand with sufficient available space to accommodate the proposed uses. The proposal has been compared against a similar function/community use and concludes that additional parking and vehicle access will be immaterial. The details of the proposal have been reviewed by the local Highways Authority who are satisfied that the proposal would not result in a detrimental impact on the surrounding highway network.

8 cycle parking spaces will be provided for residential use and 6 for community use to encourage sustainable travel. The levels of cycle parking can be secured by a planning condition as outlined below. In addition 1 electric vehicle charging point is proposed which and a planning condition is also imposed in relation to this to ensure its

implementation.

It is considered that travel plan should be provided to further encourage sustainable modes of transport and provide additional mitigation to the surrounding roads, particularly for the community element of the proposal and a condition is recommended in relation to this.

Overall, it is considered that the proposal will have only a limited impact on the surrounding transport infrastructure. Consequently there should be no transport-related reason for refusing the Planning Application. The transport impacts accordingly need to be weighed against the contribution that the proposals will make towards affordable housing and improved community facilities. Subject to the provision of a travel plan, which can be secured by a condition, for the reasons outlined above the transport impacts of the proposal are considered to be acceptable, having regard to the aims and objectives of policy 6.3 of The London Plan, core policy CS 1 R of the Harrow Core Strategy, and policies DM 42 and 43 of the Harrow Development Management Policies Local Plan (2013).

Flood Risk and Drainage

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

The site lies in flood zone 1 and therefore has a low risk of fluvial flooding. However, the site does lie within a critical drainage area and as such is at risk from flooding due to surface water. As such, there are no restrictions in planning policy for construction of the buildings on the site, subject to surface water management controls. The application has been referred to the Council’s Drainage Engineers who are satisfied with the principal of the proposals, subject to further details being provided by condition.

To this end, planning conditions are recommended for further details to be provided for the disposal of sewage and surface water attenuation and storage in order to achieve a discharge rate of 5 l/s which will meet the required greenfield run off rates. It is acknowledged that concerns have been raised in relation to increased flood impacts; however, it is considered that appropriate sustainable drainage measures to control the rate and volume of surface water run off will ensure no increase to the risk of flooding within or on the adjacent neighbouring sites.

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

Accessibility

The London Plan (2011) requires all new development in London to achieve the highest

standards of accessibility and inclusive design as outlined under policy 7.2. Policy DM 2 of the Harrow Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

Alterations to the church frontage include an external entrance ramp which will make the existing building accessible to all. It is proposed to use contrasting materials to indicate a separation between pedestrian and vehicular access. All residential units have been designed to lifetime home standards with one purpose built wheelchair accessible unit at ground floor level. Level access would be provided for the apartment building and to the refuse and cycle parking area. An accessible lift would be provided adjacent to the main stairwell. In addition, two disabled parking spaces would be provided for the church and community users.

These measures are considered to be satisfactory and would meet the requirements of policy 7.2 of the London Plan (2011) and policy DM 2 of the Harrow DMPLP (2013).

Affordable Housing

Core Policy CS1J of the Harrow Core Strategy (2012) seeks the maximum reasonable amount of affordable housing on all development sites, with a Borough-wide target of 40%. Appendix 2 of the Planning Obligations SPD sets out the Council's target mix of units for affordable housing. It states the priority is for 2 bedrooms and family sized units (3 plus bedrooms). DM policy 24 states that proposals that secure an appropriate mix of housing on site and which contribute to the creation of mixed and inclusive communities will be supported.

The eight flats have been provisionally designated as affordable housing, therefore providing a maximum 66% affordable housing. The flats have been provisionally designated as 50% affordable rent and 50% shared ownership. The proposed target tenure mix is considered to be appropriate and would accord with the SPD (2013). Since the initial plans were submitted the number of units has been reduced from 14 to 12. As such, the final amount of affordable housing requires further consideration. Nevertheless, the scheme will deliver at least a minimum of 40% in accordance with the development plan and this can be secured through the provision of a section 106 obligation as set out under the recommendation.

Subject to this, the proposal is considered to comply with policy 3.11 of The London Plan (2011), Core Policy CS1J of the Harrow Core Strategy (2012) and Supplementary Planning Document: Planning Obligations (2013).

Sustainability

London Plan policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Policy 5.2 B outlines the targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations. Currently the target is a 40% reduction for all major development proposals. Policy 5.2 C outlines that "Major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions are to be met within the framework of the energy hierarchy".

Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to

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

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

The application is accompanied by a Sustainability Assessment and Energy Strategy which identifies improvements above the baseline energy consumption and CO2 emissions. The report indicates the development can achieve a 37.8% reduction in carbon dioxide emissions above standard building regulations which on balance is considered to be acceptable, having regard to the other sustainability benefits of the scheme. A number of renewable energy technologies have been considered. Photovoltaic panels are proposed for both the apartment block and the individual houses. In order to ensure the proposed energy reduction is achieved, a condition is recommended in respect of this, should approval be granted. The proposed dwellings are targeted to achieve code level 4 of the code for sustainable homes which will ensure the properties are built to a good level of sustainable design.

For these reasons and subject to the above condition, officers therefore consider that the proposal is in accordance with policies 5.2 and 5.3 of The London Plan, core policy CS1 T, policies DM 12 and DM 14 of the Harrow Development Management Policies Local Plan and the Councils adopted SPD Sustainable Building Design.

Policy 5.11 of the London Plan (2011) seeks to ensure development proposals provide site planting and increase biodiversity, for sustainable urban drainage and improve the character and appearance of the area. Although some trees on the site will need to be removed for development purposes, these will be replaced. A landscaping scheme for the site can be secured by a planning condition to ensure additional tree and shrub planting is implemented on the site. Subject to these conditions, it is considered that the proposal will result in enhancement and diversification of the site and will make a positive contribution to the character of the area in accordance with policy 5.11.

Biodiversity, Trees and Landscaping

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

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

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

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

a. Is appropriate to the character of the area;

b. Is well laid out in terms of access, car parking and the living conditions of future occupiers and neighbours;

- c. Achieves a suitable visual setting for the building(s);
- d. Provides for sufficient space for new or existing trees and planting to grow; and
- e. Supports biodiversity.”

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

None of the trees on the site are protected by a tree preservation order but nevertheless they make a positive contribution to the amenity value of the adjacent area as well as providing wildlife habitats and screening for the adjacent properties.

The application is accompanied by an Arboricultural Impact Assessment which concludes that majority of the trees on the site can be retained and replacement trees can be planted to mitigate the loss and replace any lost visual amenity and wildlife habitat potential. At the time of writing this report, comments are awaited from the Council’s Arboricultural Officer and this will be reported via the committee addendum.

Policies DM 20 and DM 21 seek to ensure the protection of biodiversity and access to nature. Policy DM 20 requires that *“The design and layout of new development should retain and enhance any significant features of biodiversity value within the site. Potential impacts on biodiversity should be avoided or appropriate mitigation sought”*. Policy DM 21 outlines that proposals should secure the restoration and recreation of significant components of the natural environment. The application has been referred to the Council’s biodiversity officer who considers that the list of recommendations within the Preliminary Ecological Assessment should be undertaken to ensure the proposal will align with policy DM 20 and DM 21 and to ensure works will not breach any current UK and EU legislation. The submitted Daytime Bat Survey states there is a low possibility that the main church building could provide roost sites for bats. In line with current good practice it recommends that one dusk-dawn bat activity survey is undertaken (May through September). As such, conditions are recommended to ensure that all the recommendations of the Preliminary Ecological Assessment shall be undertaken, and before any work commences a bat activity survey must be undertaken and the recommendations of the bat ecologist adhered to.

Subject to conditions in respect of the above matters, officers consider that the ecological and aesthetic value of the area would be significantly enhanced and the development would thereby comply with policies 7.21 and 7.19 of The London plan (2011) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

S17 Crime & Disorder Act

It is considered that this proposal would not lead to an increase in perceived or actual threat of crime.

Equalities and Human Rights

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

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality impact assessments play an important role in the formulation of planning policies;

however their use in respect of this specific application is very much the exception rather than the norm. Taking proper account of the guidance contained in the London Plan Supplementary Guidance on Planning for Equality and Diversity in London (and in particular paragraph 2.6) the Council considers that there is no requirement for a Race Equalities Impact Assessment.

Consultation Responses

- The proposed development will result in a loss of privacy to my house and garden.
- ***This is discussed in section 2 and 3 of the above appraisal.***
- Additional parking and vehicles entering the site and the occupiers of the proposed flats and houses will result in noise and disturbance.
- ***This is discussed in section 3 of the above appraisal.***
- The proposed development will result in additional light pollution to my property.
- ***This is discussed in section 3 of the above appraisal. A planning condition is attached in relation to a lighting scheme to ensure this will not result in unreasonable impacts.***
- The development will result in a loss of value to my house.
- ***This is not a material planning consideration.***
- The proposed development is not in keeping with the character of the surrounding residential streets.
- ***This is discussed in section 2 of the above appraisal.***
- All the houses have been built with gardens adjoining gardens and the proposed development will mean that our garden will back onto a road and the side of a house.
- ***This is discussed in section 2 and 3 of the above appraisal.***
- The proposed development will result in a greater security risk as intruders will be able to gain access to our garden by accessing a public road.
- ***It is considered that the proposed development will result in much greater levels of surveillance of the neighbouring properties compared to the existing situation.***
- The details of the proposed boundary treatment are unclear.
- ***This can be secured by a planning condition.***
- The proposal will result in a loss of sunlight and daylight to our garden and property.
- ***This is discussed in section 3 of the above appraisal.***
- The current view at the back of our house is a row of trees and the roof of the current church buildings. Under the current proposals all we will see is a brick wall at the side of house, a road and cars as all the trees will be removed.
- ***This is discussed in sections 2, 3 and 9 of the above appraisal.***
- The proposal is an overdevelopment and too many houses have been squeezed in to a small area.
- ***This is discussed in section 2 of the above appraisal.***
- Although there is one integral space for the houses, there are none for the flats. The proposal will result in additional parking pressure on the surrounding roads.
- ***This is discussed in section 4 of the above appraisal.***
- The outside area of the church has been used for community events which will be lost and there are few places in our area of a similar nature.
- ***This is discussed in section 1 of the above appraisal.***
- Although the developers state this is not a flood risk area, the back gardens of 1-15 Adderley Road continually flood due to the clay make up of the soil. The proposed development is likely to cause greater impact on the rear gardens.
- ***This is discussed in section 5 of the above appraisal.***

- The church and church hall are both locally listed. The listed buildings SPD outlines that the Council will strongly discourage the demolition of any buildings on the local list and will seek to encourage their retention, restoration and continued beneficial use wherever possible.
- ***This is discussed in section 2 of the above appraisal.***
- The removal of trees in the immediate vicinity of our rear outbuilding would result in possible damage to its foundations.
- ***This would be covered by separate legislation under the party wall act.***
- The majority of surrounding neighbouring houses are original 1930s two storey houses and there are no purpose built flats.
- ***This is discussed in section 2 of the above appraisal.***
- The proposed development would completely alter the outlook from the rear gardens in Adderley Road.
- ***This is discussed in section 3 of the above appraisal.***
- The proposed three storey flat roof block of flats would be completely out of character. It would have a flat roof and there are no other flat roofs in the locality.
- ***It is acknowledged that the majority of development in the surrounding area has a pitched roof form. Nevertheless, it is considered that the proposed use of materials and design would still have a positive impact and the flat roof would not be detrimental to the locality.***
- The proposed density of development on this site is not in keeping with historic character and nature of residences in the immediate neighbourhood.
- ***This is discussed in section 1 of the above appraisal.***
- The proposal will be detrimental to the surrounding environment due to the permanent loss of trees and existing quiet open spaces on the site.
- ***This is discussed in section 3 and 9 of the above appraisal.***
- The proposed flats would be overbearing and visually obtrusive to surrounding residents.
- ***This is discussed in section 3 of the above appraisal.***
- It appears that the only changes to the revised plans are to reduce the amount of houses and to provide some additional parking and this does not overcome our previous objections with regard to overdevelopment, loss of privacy and increased noise.
- ***This is discussed in section 2, 3 and 4 of the above appraisal***

CONCLUSION

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

CONDITIONS

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

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

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

permitted is carried out.

a: the external surfaces of the buildings

b: the ground surfacing

c: the boundary treatment

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

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

3 Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out in accordance with the approved plans: Preliminary Code For Sustainable Homes Assessment by AJ Energy Consultants Ltd (dated August 2014); Energy Strategy by AJ Energy Ltd (dated August 2014); Quinquennial Inspection Report (February 2013); Design and Access Statement (February 2015); 010/P(Site Location Plan); 100/P; 101/P; 102/P; 103/P; 104/P; Planning Statement (February 2015); Heritage Statement (February 2015); Document titled Report No. 2242 by A Billingham; Preliminary Ecological Assessment-Report No: RT-MME-117553-01 (dated August 2014); Transport Statement; Report on Daylight and Sunlight; Daytime Bat Survey-Report No: RT-NME-117811-01; Arboricultural Report and Impact Assessment - Report No: RT-MME-117553-02 (August 2014); Letter from Diocese of London, dated 8th September 2014; Document titled: Proposals for a Declaration of Closure and Regular Public Workshop and Appropriation to an Alternative Use by Diocese of London; Site Plan; 200/P Rev C; 201/P Rev C; 202/P Rev C; 203/P Rev C; 204/P Rev B; 205/P Rev B; 206/P Rev B; 207/P Rev B; 300/P Rev B; 301/P Rev C; 302/P Rev B; 303/P Rev C; 304/P Rev B; 305/P Rev B; Document titled St Michaels and All Angels Housing (Accommodation Schedule); Community Facilities Statement (January 2015)

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

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

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

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

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

6 Prior to the commencement of the development, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to, and approved in writing by, the local planning authority.

The boundary treatment shall be completed in accordance with the approved details and

thereafter retained.

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

7 The development hereby permitted, shall be undertaken in accordance with the recommendations of the Arboricultural Report and Impact Assessment - Report No: RT-MME-117553-02 (August 2014). This will include that replacement tree planting is provided and that the details are submitted for approval in accordance with condition 4 of this permission, arboricultural supervision is undertaken throughout the project and the development shall be carried out in accordance with the Method Statement and Tree Protection Plan. The tree protection measures shall be erected before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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

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

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

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

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

10 The development shall not be occupied until a Travel Plan has been submitted to and approved by the Local Planning Authority. ii) No part of the development shall be occupied prior to implementation of the Approved Travel Plan [or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation]. Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the details therein and shall continue to be implemented as long as any part of the development is occupied. iii) The records of implementation shall be made available to the Local Planning Authority at anytime upon request.

REASON: To promote sustainable transport and reduce the impact of the development

on the surrounding road network in accordance with London Plan polices 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

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

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

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the adjoining properties, in accordance with policies 7.4 and 7.6 of The London Plan 2011 polices DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013).

12 The development hereby permitted shall be undertaken in accordance with the details outlined in the submitted Sustainability Statement and Energy Strategy unless otherwise agreed in writing with the local planning authority. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development, a post construction assessment shall be undertaken demonstrating compliance with the approved Sustainability and Energy 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 DM 12 of the Harrow Development Management Policies Local Plan 2013.

13 The dwellinghouses hereby permitted shall be constructed to meet at least Level 4 of Code for Sustainable Homes. To this end the applicant is required to provide a design stage interim certificate of compliance demonstrating compliance with code level 4 prior to the occupation of the building.

REASON: To ensure that the development meets the highest standards of sustainable design and construction in accordance with policy 5.2 of The London plan (2011), policy DM 12 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document Sustainable Building Design [May 2009].

14 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. The development shall be carried out in accordance with the approved details.

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, as required by policies DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013).

15 Prior to the commencement of the development, the recommendations set out within the Preliminary Ecological Assessment-Report No: RT-MME-117553-01 (dated August

2014 shall be undertaken and adhered to.

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

16 Prior to the commencement of the development, a bat activity survey shall be undertaken and the recommendations of the bat ecologist adhered to. The details shall be submitted and approved in writing by the local planning authority.

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

17 Prior to the commencement of the development, details of the secure cycle parking spaces for the proposed development, in accordance with London Plan (2011) standards, shall be submitted to and approved in writing by The Local Planning Authority. The cycle parking shall be implemented on site in accordance with the approved details and shall be retained thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan 2011 and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

18 Prior to the commencement of the development, details of electric vehicle charger point/s for the proposed development in accordance with London Plan Standards 2011, shall be submitted to and approved in writing by The Local Planning Authority. The electric vehicle charger point/s shall be implemented on site in accordance with the approved details and shall be retained thereafter.

REASON: In the interests of sustainable transport in accordance with policy 5.8 and 6.13 of The London Plan (2011).

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

REASON: To ensure that the proposed development does not give rise to undue noise nuisance to neighbouring residents, in accordance with policy 7.6B of the London Plan (2011) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

20 Prior to the commencement of the development, a detailed light strategy for the proposed development shall be submitted and approved in writing by the Local Planning Authority. The lighting strategy shall be implemented in accordance with the approved details and thereafter retained.

REASON: To ensure that the proposed development does not give rise to undue disturbance to neighbouring occupiers, in accordance with policy 7.6B of the London Plan (2011) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

21 The windows in the western flank elevation of the apartment block shall:

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

REASON: To safeguard the amenity of neighbouring residents, in accordance with policy

DM 1 of the Harrow Development Management Policies Local Plan (2013).

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouses hereby permitted without the prior written permission of the local planning authority.

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of the dwellinghouses in relation to the size of the plot and availability of amenity space and to safeguard the amenity of neighbouring residents, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

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

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

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy:

National Planning Policy Framework (2012)

The London Plan (2011):

- 3.16 – Protection and Enhancement of Social Infrastructure
- 5.2 – Minimising carbon dioxide emissions
- 5.3 – Sustainable design and construction
- 5.7 – Renewable Energy
- 5.10 – Urban Greening
- 5.11 – Green roofs and development site environs
- 5.13 – Sustainable Drainage
- 6.3 – Assessing effects of development on transport capacity
- 6.9 – Cycling
- 6.10 – Walking
- 6.13 – Parking
- 7.1 – Building London’s neighbourhoods and communities
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local character
- 7.5 - Public Realm
- 7.6 – Architecture
- 7.8 - Heritage Assets
- 7.15 – Reducing noise and enhancing soundscapes
- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

Harrow Development Management Policies Local Plan (2013):

Policy DM 1 – Achieving a High Standard of Development
Policy DM 2 – Achieving Lifetime Neighbourhoods
Policy DM 7 – Heritage Assets
Policy DM 10 – On Site Water Management and Surface Water Attenuation
Policy DM 12 – Sustainable Design and Layout
Policy DM 14 – Renewable Energy Technology
Policy DM 20 – Protection of Biodiversity and Access to Nature
Policy DM 21 – Enhancement of Biodiversity and Access to Nature
Policy DM 22 – Trees and Landscaping
Policy DM 23 – Streetside Greenness and Forecourt Greenery
Policy DM 24 - Housing Mix
Policy DM 27 – Amenity Space
Policy DM 42 – Parking Standards
Policy DM 43 – Transport Assessments and Travel Plans
Policy DM 45 – Waste Management
Policy DM 46 – New Community Sport and Educational Facilities
Policy DM 47 -Retention of Existing Sport, Community and Education Facilities
Policy DM 50 - Planning Obligations

Other Relevant Guidance:

Supplementary Planning Document – Access for All (2006)
Supplementary Planning Document - Sustainable Homes (2010)
Supplementary Planning Document – Sustainable Building Design (2009)
Supplementary Planning Document – Residential Design Guide (2010)
Supplementary Planning Document - planning Obligations (2013)
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)
Mayor of London’s Housing Supplementary Planning Guidance (November 2012)

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

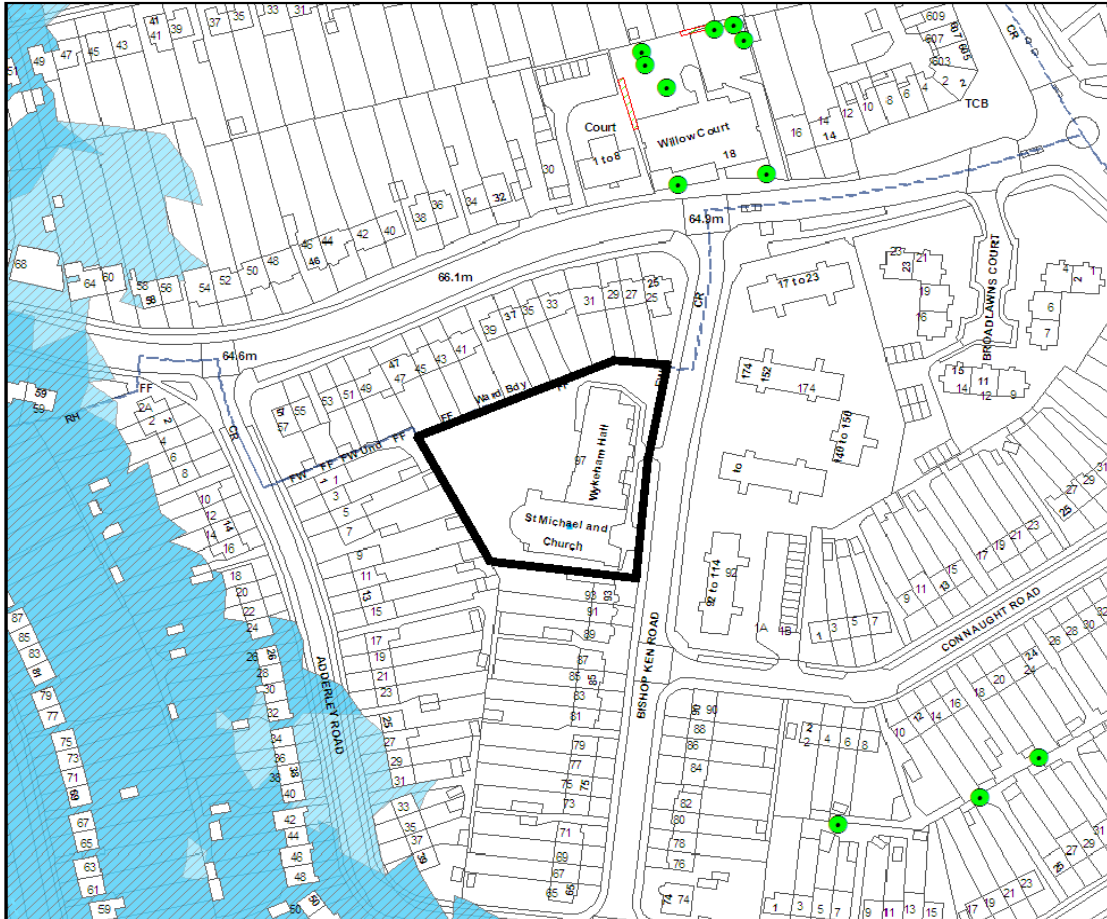
5. DUTY TO BE POSITIVE AND PROACTIVE

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

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

Plan Nos: Preliminary Code For Sustainable Homes Assessment by AJ Energy Consultants Ltd (dated August 2014); Energy Strategy by AJ Energy Ltd (dated August 2014); Quinquennial Inspection Report (February 2013); Design and Access Statement (February 2015); 010/P(Site Location Plan); 100/P; 101/P; 102/P; 103/P; 104/P; Planning Statement (February 2015); Heritage Statement (February 2015); Document titled Report No. 2242 by A Billingham; Preliminary Ecological Assessment-Report No: RT-MME-117553-01 (dated August 2014); Transport Statement; Report on Daylight and Sunlight; Daytime Bat Survey-Report No: RT-NME-117811-01; Arboricultural Report and Impact Assessment - Report No: RT-MME-117553-02 (August 2014); Letter from Diocese of London, dated 8th September 2014; Document titled: Proposals for a Declaration of Closure and Regular Public Workshop and Appropriation to an Alternative Use by Diocese of London; Site Plan; 200/P Rev C; 201/P Rev C; 202/P Rev C; 203/P Rev C; 204/P Rev B; 205/P Rev B; 206/P Rev B; 207/P Rev B; 300/P Rev B; 301/P Rev C; 302/P Rev B; 303/P Rev C; 304/P Rev B; 305/P Rev B; Document titled St Michaels and All Angels Housing (Accommodation Schedule); Community Facilities Statement (January 2015)

ST MICHAELS CHURCH, 95 BISHOP KEN ROAD, HARROW WEALD



SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

Item No: 2/01
Address: 88 SUFFOLK ROAD, HARROW
Reference: P/5043/14
Description: TWO STOREY SIDE TO REAR EXTENSION; SINGLE STOREY SIDE EXTENSION: EXTERNAL ALTERATIONS
Ward: HEADSTONE NORTH
Applicant: MR RAJEEV PANDEY
Agent: P.R. ARCHITECTURE
Case Officer: GRAHAM MANSFIELD
Expiry Date: 23/02/2015

RECOMMENDATION

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

REASON: The extension is a proportionate and appropriate addition to the dwellinghouse. It maintains the character and appearance of the area and there are no unreasonable impacts on neighbouring residential amenities. The development is in accordance with policies contained in the National Planning Policy Framework 2012, London Plan 2011, Harrow Core Strategy 2012, Harrow Development Management Policies Local Plan 2013 and the Harrow Residential Design Guide Supplementary Planning Document 2010.

INFORMATION

This application is reported to planning committee due to the call in as requested by a nominated member under Part 1 Proviso B of the scheme of delegation dated 29th May 2013

Statutory Return Type: 21 (Householder)

Council Interest: None

Gross Floorspace: 100 sqm

Net additional Floorspace: 72 sqm

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

Harrow CIL: N/A, as proposed development will add less than 100sqm to the property

Site Description

- The application site comprises a detached house on the north side of Suffolk Road
- The character of properties on Suffolk Road are predominately detached properties of a 1930's Metroland Style

- The property has not been previously extended and maintains an original kitchen projection at the rear
- The property benefits from an original single storey garage attached to the west elevation of the dwellinghouse
- The adjacent property at no. 86 to the east has been extended at the rear and benefits from a full width two storey rear extension at a depth of 3.0 metres
- The adjacent property at no. 86 benefits from a single storey garage on the side elevation and a conservatory on the rear of the garage which serves a utility room.
- The adjacent property to the west at no. 90 benefits from a two storey rear extension which is 3.0m deep.
- The application site and both neighbouring properties have raised patio to the rear with the adjacent patios at the neighbouring properties set slightly higher than that at 88.
- The dwellinghouse has a large garden to the rear which abuts the Yeading Walk
- The property is not listed or located in a conservation area
- The property is not located in the critical drainage area of Harrow

Proposal Details

- The application proposes a single storey side extension and a two storey side to rear extension

Proposed Side to rear extension (Ground Floor Element)

- The proposed single storey side to rear extension would be attached to the west elevation of the existing dwellinghouse
- The proposed single storey side to rear extension would run along the common boundary with no. 90 Suffolk Road by approximately 12.45m
- The proposed single storey side to rear extension would be at a width of 2.45m with the proposed front elevation being on the same level as the front entrance door of the dwellinghouse
- The proposed ground floor element of the proposed side to rear extension would wrap around the existing rear elevation of the dwellinghouse to occupy a width of 8.8m.
- The existing rear single storey kitchen projection and single storey garage on the side elevation would be demolished

Proposed Side to Rear Extension (first floor element)

- The proposed first floor element of the side to rear extension would be set back from the front corner of the front elevation of the dwellinghouse and would be set off the common boundary between no. 88 and no. 90 by 1.0m
- The proposed width of the first floor element of the side to rear extension would be 1.45m on the front elevation and run adjacent to the common boundary with no. 90 for a depth of 9.7m.
- The proposed rear element of the first floor side to rear extension would be approx 7.1m in width and would project from the original first floor elevation by 4.0m in depth adjacent to the boundary with no. 86.
- It is proposed to extended the existing roof to the rear to form a hipped roof over the extended rear portion of the dwellinghouse.
- It is proposed to construct a subordinate roof over the first floor side element of the side to rear extension.

Revisions to Previous Application

- N/A

Relevant History

P/0280/07; Part single; two storey rear extension; alterations to roof to form gable ends and rear dormer; Refused; 26/03/2007

Reason For Refusal: The proposed roof alterations including gable ends and rear dormer, by reason of prominent siting, unsatisfactory design and excessive bulk, would be unduly overbearing and obtrusive in the streetscene and when viewed from adjacent gardens, and would be detrimental to the amenities of the occupiers of the adjacent properties, the character of the locality and the property contrary to policies SD1, D4, D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: 'Extensions a householders guide'.

Pre-Application Discussion (Ref.)

- A scheme for a two storey side to rear and single storey side extension was considered and deemed acceptable in principle.

Applicant Submission Documents

- N/A

Consultations

- N/A

Advertisement

- N/A

Notifications

Sent: 2

Replies: 2

Expiry: 05/02/2015

Addresses Consulted

86 Suffolk Road, Harrow, HA2 7QG

90 Suffolk Road, Harrow, HA2 7QG

Summary of Responses

- Proposals for a two storey rear extension differs from other extensions which have only been allowed 3 metres at two storey level
- Proposal for 1st floor extension above the garage is out of character with other properties in Suffolk Road
- Proposed 1st floor side extension is close to the boundary with no. 90 and would only be 2.0m from the side elevation of no. 90.
- Potential loss of light to the windows in the flank wall of 90 at first floor level
- The 1st floor side extension would give rise to terracing effect
- Two storey rear extension is out of scale with neighbouring properties as it would occupy almost the whole width of rear garden
- Proposed two storey rear extension is out of scale
- Loss of light to conservatory, bedroom and living room at no. 86

MAIN CONSIDERATIONS

Character and Appearance of the Area

Character and Appearance of the Area

The National Planning Policy Framework 2012 advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.

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

Policy DM1 of the Council's Development Management Policies Local Plan 2013 states that 'All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted'

The Council has adopted Supplementary Planning Document – Residential Design Guide 2010 [SPD] requires extensions to dwellinghouses to harmonise with the scale and architectural style of the original building. The Residential Design Guide SPD states that side extensions have considerable potential to cause harm to both the amenity of adjacent residents and the character of the street scene. The visual impact of side extensions, particularly first floor and two-storey, will be assessed against the pattern of development in the immediate locality, and the potential to dominate the appearance of the street scene. In relation to any nearby 'protected' windows on adjacent properties site considerations will be used in conjunction with the appropriate 45 Degree Code to determine the likely impact on neighbouring amenity.

The proposed ground floor element of the proposed two storey side to rear extension is considered to be an acceptable addition to the existing dwellinghouse. It is proposed to bring the front elevation of the side extension forward by 3.6m in line with the front elevation of the dwellinghouse. It is noted that other properties on Suffolk Road have side extensions at ground floor level which meet the front elevation of the property and therefore the proposed development would not harm the host dwellinghouse or streetscene in terms of character. Furthermore the garage doors are to remain as part of the proposal therefore ensuring that the proposed ground floor element of the side to rear extension would harmonise the neighbouring properties in terms of scale and character.

An objection highlights that the proposed side to rear extension at first floor level would be out of character with the rest of Suffolk Road as none of the houses have side extensions at first floor above the garages. However, it is considered that this reason alone would not be a cause for refusal. The purpose of the Harrow Residential Design Guide SPD (2010) is to achieve high standards in design and layout in residential development and amplifies the considerations already set out in DM1 of the Harrow

Development Management Policies. Consideration is given to the pattern of development when dealing with proposals and the level of impact a proposal would have on an area. In this case it is considered that the proposal for two storey side element would not have an unreasonable impact on the character of the area or streetscene.

Furthermore the proposal complies with paragraphs 6.45 and 6.46 of the Harrow Residential design guide SPD (2010) whereby the proposed first floor side extension would be set back 1.0m from the first floor front wall behind the adjacent rear corner and would have a subordinate roof. Therefore it is considered that proposed first floor extension would not unduly harm the existing streetscene or cause a terracing effect.

It is also noted from objections that the proposed extension at first floor level would close the gap between no. 88 and 90. However it is considered that sufficient space in the form of a 1.0m gap would maintain the appearance and character of the host dwellinghouse within the streetscene.

At the rear of the property it is proposed to attach a two storey rear extension to the existing dwellinghouse. It is noted that many houses along Suffolk Road have had full width extensions to the rear of the properties both at ground floor and first floor. Objections highlight that the proposed two storey rear extension at no. 88 Suffolk Road would be out of scale with the neighbouring properties. It is considered that the proposed extensions at no. 88 would be in proportion and would not harm the host dwellinghouse or area. The existing dwellinghouse is unextended at the rear and the proposal seeks to attach 4.0m at ground floor level, which would therefore comply with paragraph 6.59 of the Harrow Residential Design Guide SPD (2010). The proposed first floor rear addition is considered not to unduly harm the host dwellinghouse or area as both neighbours have two storey rear extensions. Furthermore due to the large gardens the proposals would not appear cramped in their proposed locations and a sufficient space would be provided at first floor level on the side elevations of the property.

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

Residential Amenity

Policy 7.6B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Following on from this, Policy DM1 of the Development Management Policies Local Plan states that 'all development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted'.

The adopted SPD: Residential Design Guide (2010) states that the erection of side extensions in relation to any nearby 'protected' windows on adjacent properties site considerations will be used in conjunction with the appropriate 45 Degree Code to determine the likely impact on neighbouring amenity. Rear extensions are considered to have the greatest potential to harm the amenities of neighbouring residents.

The proposed rear element of the side to rear extension would project from the rear of

the existing dwellinghouse by 4.0m. It is considered that the rear element of the two storey side to rear extension would not unduly harm the occupiers of no. 90 Suffolk Road in terms of outlook or overshadowing. It is noted that no. 90 Suffolk Road has an existing two storey rear extension which projects 3.0m from the original rear elevation, therefore only 1.0m of the flank wall on the proposed two storey side to rear extension would be exposed when viewed from the patio area of number 90.

An objection received highlighted concerns that the proposed two storey rear element would project 4.0m rather than the 3.0m that was allowed for no. 90. However, policy has undoubtedly changed since 2008 when the extension at no. 90 was granted. In line with the Harrow Residential Design Guide SPD (2010) the proposed ground floor element would comply with paragraph 6.59 whereby the proposed depth at ground floor would not exceed 4.0m for a detached property. At first floor level, due to site circumstances, it is considered that at a depth of 4.0m the first floor element would not harm the amenity of the neighbouring property at no.90 as any potential harm would be off-set by the existing two storey 3.0m deep extension.

Furthermore, the proposed two storey side to rear extension would comply with paragraph 6.31 of the Harrow Residential Design Guide SPD (2010) whereby the proposed two storey side to rear extension would not interrupt a 45 degree splay from the first floor corner of the adjacent corner of no.90. It is also noted that the nearest window at first floor level adjacent to the boundary of no. 90 and 88 serves a bathroom. Therefore this window for the purposes of the Harrow Residential Design Guide SPD (2010) is considered as not a 'protected' source of light in accordance with paragraph 6.26.

The proposed rear element of the two storey side to rear extension would project from the original rear wall of no. 88 and run to a depth adjacent to the boundary with no. 86 Suffolk Road by 4.0m.

It has been noted that concerns have been raised in relation to the affect the proposed two storey rear extension would have on the adjacent ground floor conservatory, rear living room and bedroom at first floor level. It is considered that the proposed two storey rear element of the side to rear extension would not unduly harm the occupants of no. 86 in terms of light, overshadowing or outlook. Any potential harm would be offset by the existing two storey flat roofed extension at no. 86 which projects 3.0m. Therefore the proposed development at no. 88 would only project 1.0m beyond that of the extension at no. 86. It is considered that the harm in the potential restriction of light to the single conservatory a no. 86 would not be unreasonable due to the fact that the windows serving the conservatory are dual aspect. Furthermore, when viewing the site circumstances it was noted that the conservatory attached to the rear of the garage at no. 86 serves a small utility room and not primary living space. It was also noted that the window serving the rear living room at no. 86 is located over 2.0m from the boundary between no. 88 and 86 therefore it is considered the proposed side to rear extension at no. 88 would not unreasonably impact the light on the rear living room at no. 86.

At first floor level it was noted that there was a window on the south west flank wall of no. 86, however this appears to be a secondary window serving the bedroom with the main window being on the rear elevation at first floor level. Notwithstanding the above the proposed two storey side to rear extension would comply with paragraph 6.31 of the Harrow Residential Design Guide SPD (2010) whereby the proposed extension at first floor at no. 88 would not interrupt a 45 degree splay from the adjacent first floor corner of no. 86.

With regards to the first floor side element of the two storey side to rear extension it is noted that an objection was raised to the affect the proposed development would have in terms of light to the first floor windows on the north east flank of no.90. The proposed first floor element of the side extension would be located 1.0m from the common boundary and approx 2.0m from the north east flank wall of no.90. The windows located in the side elevation of no.90 serve a hallway and WC and therefore are not considered as 'protected' sources of light in compliance with paragraph 6.26 of the Harrow Residential Design Guide SPD (2010).

In summary the proposal's impact upon residential amenity, noting the objections received in relation to this, is considered satisfactory and would accord with policy 7.6B of the London Plan (2011), policy DM1 of the Harrow DMP and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010).

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

Consultation Responses

- Proposals for a two storey rear extension differs from other extensions which have only been allowed 3 metres at two storey level
- Proposal for 1st floor extension above the garage is out of character with other properties in Suffolk Road
- Proposed 1st floor side extension is close to the boundary with no. 90 and would only be 2.0m from the side elevation of no. 90.
- The 1st floor side extension would give rise to terracing effect
- Two storey rear extension is out of scale with neighbouring properties as it would occupy almost the whole width of rear garden
- Proposed two storey rear extension is out of scale
 - *These concerns are dealt with in the Character and Appearance of Area section*

- Loss of light to conservatory, bedroom and living room at no.
- Potential loss of light to the windows in the flank wall of 90 at first floor level
 - *These concerns are dealt with in the Residential Amenity section*

CONCLUSION

The development has not been found to negatively impact the character and appearance of the property and the area. Furthermore, the development has not been found to have an unacceptably harmful effect on the amenity of the neighbouring occupiers.

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

CONDITIONS

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

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

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

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

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

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

4 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; 01; 02; 03A; 04

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

INFORMATIVES

1 The following policies are relevant to this decision.

National Planning Policy

National Planning Policy Framework 2012

The London Plan 2011

7.4.B Local Character

7.6.B Architecture

The Harrow Core Strategy 2012

CS1.B Local Character

Harrow Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

Adopted Supplementary Planning Documents

2 INFORM_PF2

Grant with pre-application advice

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

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

3 INFORM23_M - Considerate Contractor Code of Practice

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

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

4 INFORM32_M – The Party Wall etc Act 1996

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

1. work on an existing wall shared with another property
 2. building on the boundary with a neighbouring building
 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:

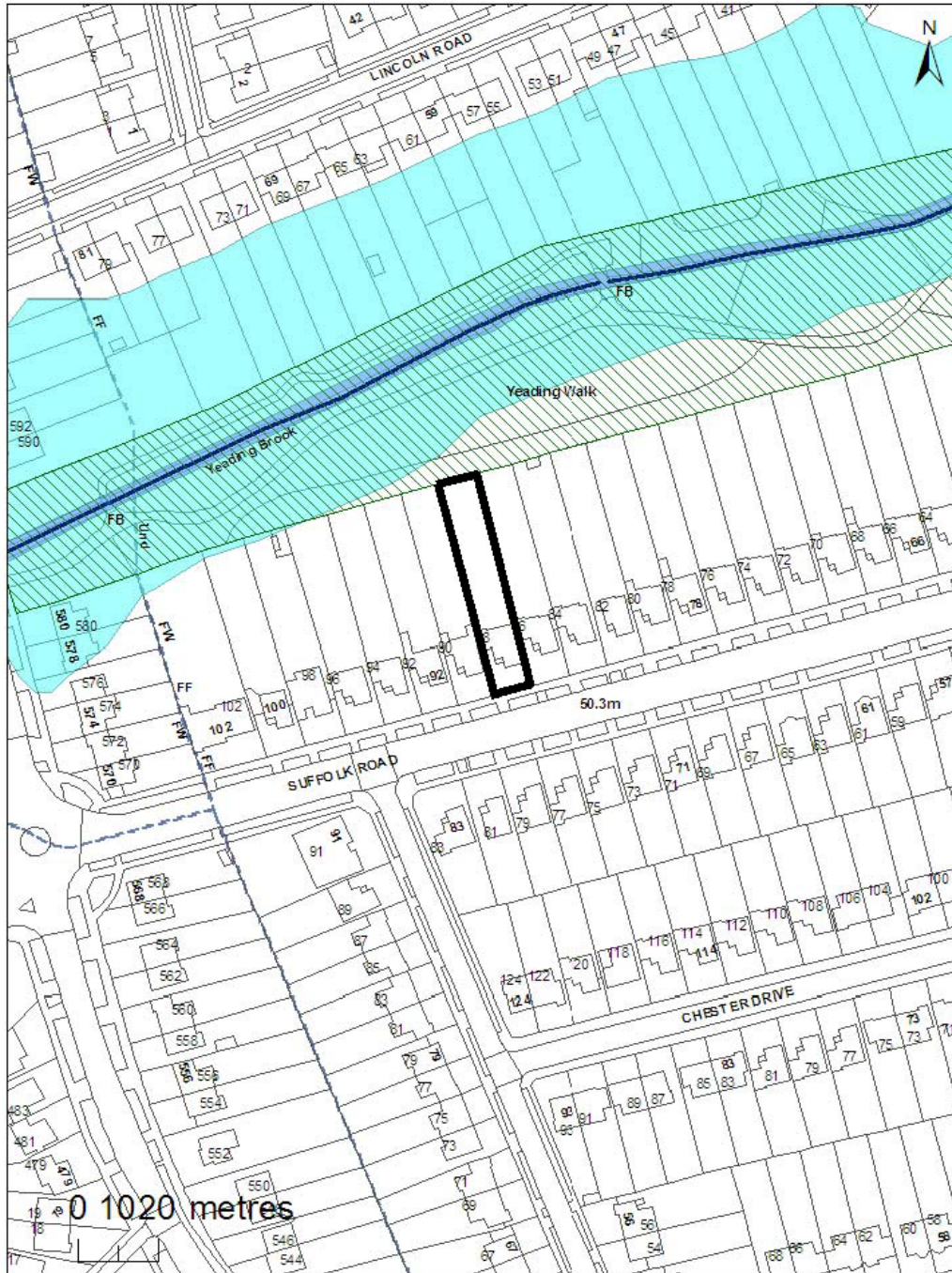
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236; Fax: 0870 1226 237; Textphone: 0870 1207 405

E-mail: communities@twoten.com

Plan Nos: Site Plan; 01; 02; 03A; 04

88 SUFFOLK ROAD, HARROW



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Item No: 2/02
Address: 4 SWEETMANS AVENUE, PINNER
Reference: P/4705/14
Description: SINGLE STOREY SIDE EXTENSION; SINGLE AND TWO STOREY REAR EXTENSION; FRONT PORCH; EXTERNAL ALTERATIONS
Ward: PINNER SOUTH
Applicant: MISS BELA SHAH
Agent: MR BEN BLACKBURN
Case Officer: GRAHAM MANSFIELD
Expiry Date: 10/02/2015

RECOMMENDATION

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

REASON: The extension is a proportionate and appropriate addition to the dwellinghouse. It maintains the character and appearance of the area and there are no unreasonable impacts on neighbouring residential amenities. The development is in accordance with policies contained in the National Planning Policy Framework 2012, London Plan 2011, Harrow Core Strategy 2012, Harrow Development Management Policies Local Plan 2013 and the Harrow Residential Design Guide Supplementary Planning Document 2010.

INFORMATION

This application is reported to planning committee due to the public interest received under Part 1 Proviso B of the scheme of delegation dated 29th May 2013

Statutory Return Type: 21 (Householder)

Council Interest: None

Gross Floorspace: 175.4sqm

Net additional Floorspace: 82.3sqm

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

Harrow CIL: N/A, as proposed development will add less than 100sqm to the property

Site Description

- The subject property is a two storey detached family dwellinghouse on the north side of Sweetmans Avenue
- The application site and neighbouring properties on Sweetmans Avenue are a mixture of 1930's chalet bungalows and detached dwelling houses many of which have been extended previously

- The properties on Sweetmans Avenue all occupy relatively large plots.
- The adjacent property to the west (no. 3 Sweetmans Avenue) has previously been extended and benefits from a single storey side to rear extension adjacent to the boundary of no.2 Sweetmans Avenue
- No. 3 Sweetmans Avenue benefits from a detached garage located on the boundary adjacent to no. 4 Sweetmans Avenue
- The adjacent property to the east (no. 5 Sweetmans Avenue) is a chalet style property
- No. 5 has a small conservatory attached to the rear elevation of the property.
- The property benefits from a large back garden
- The rear of the back garden abuts the railway (Metropolitan and Chiltern Lines).
- The building lines of the properties on Sweetmans Avenue are staggered whereby No. 4 is set back from the neighbouring properties at no. 3 and no. 5.
- The property is located in a critical drainage area of Harrow
- The property is not a listed building and is not in a conservation area

Proposal Details

- It is proposed to attach a front porch extension to the front elevation of the existing dwellinghouse.
- The proposed front porch would be approximately 1.2m in depth and 2.5m in width.
- It is proposed to demolish the existing car port and garage on the west flank of the existing dwellinghouse and attach a single storey side extension.
- The single storey side extension would be 2.2m in width, 9.2m in depth and would have a mono-pitch roof with a maximum height of 3.2m and 2.7m to the eaves.
- The proposal includes the demolition of the existing lean-to style conservatory on the rear elevation of the dwellinghouse and its replacement with a two storey rear extension which would occupy the full width of the existing dwellinghouse.
- The ground floor element would be 4.0m in depth and occupy the full width of the dwellinghouse at 10.5m
- The first floor element would project from the existing rear elevation of the dwellinghouse by 2.0 and would occupy the full width of the dwellinghouse.
- It is proposed to extend the existing gable roof at the rear of the property and to replace the current flat roof with a second gable ended roof.

Revisions to Previous Application

- N/A

Relevant History

There is no planning history associated with the subject dwellinghouse. Although building control records indicates a two storey rear extension was completed in 1986.

Pre-Application Discussion (Ref.)

- N/A

Applicant Submission Documents

- Letter of Support

Summary

- The proposal is mindful of the Harrow Council Residential Design Guide SPD (2010)
- The proposal is focused on the rear of the property and therefore the streetscape would be minimally affected
- Sweetmans Avenue is made up of a mixture of homes which differ in scale and

- footprint and many have been extended in the past to meet family needs
- Side flank window at first floor level would be opaque and serve a wardrobe
 - Applicant does not intend to remove shrubbery from the boundary. Vegetation was removed from the plans for the sake of clarity
 - Additional parking will not result with proposal, family will not increase in size.

Consultations

- The Pinner Association
- Support the residents in their objections
- To seek to enlarge no. 4 would cause detriment to street and adjoining properties
- If proposal is approved no. 4 would be dominant in streetscene with the bulk and massing harming the neighbours
- Proposal would adversely affect light to neighbouring properties and gardens
- London Underground – No Objection

Advertisement

- N/A

Notifications

Sent: 2

Replies: 4

Expiry: 27/01/2015

Addresses Consulted

3 Sweetmans Avenue, Pinner, HA5 3NS

5 Sweetmans Avenue, Pinner, HA5 3NS

Summary of Responses

- No 4 Sweetmans Avenue is already taller than the neighbouring properties and the proposal to enlarge it further would cause detriment to the street and adjoining properties
- The proposals would adversely affect the light to the neighbours windows and sunlight to the neighbours gardens
- The proposals would take no. 4 Sweetmans Avenue further out of proportion and out of character with the surrounding properties
- Plans should be reconsidered to extend at ground level, rather than such an imposing second storey structure and associated roof line impact
- The proposals are not in keeping with the road
- The proposed rear extension comes back too far
- There is already a two floor extension at the rear of no.4 Sweetmans Avenue
- A more reasonable sized extension would be more acceptable
- Increase traffic flow due to extra usage of rooms proposed.
- Any extra bedroom space would be better served using the attic or a further extended ground floor (like no. 3)
- No public Notice to announce proposed plans
- Concerns over extra flows of rainwater from proposals.
- Must be a less intrusive alternative to the current proposal
- The proposed obscured glazed window for the west elevation at first floor would lead to perceived overlooking
- Removal of planting on the boundary between no. 3 and No. 4 Sweetmans Avenue

- Proposed gable ends would be disproportionate and fail to respect the character of existing building.

MAIN CONSIDERATIONS

Character and Appearance of the Area

Residential Amenity

Critical Drainage

Equality and Human Rights

S17 Crime & Disorder Act

Consultation Responses

Character and Appearance of the Area

The National Planning Policy Framework 2012 advises at paragraph 58 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials.

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

Policy DM1 of the Council's Development Management Policies Local Plan 2013 states that 'All development and change of use proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted'

Front Porch

It is proposed to attach a front porch extension to the existing dwellinghouse. The proposed front porch would be approximately 1.2m in depth and 2.5m in width. It is considered that the proposed front porch would be an acceptable addition to the existing dwellinghouse. The size and style of the proposed front porch would be in proportion and in keeping with the host dwellinghouse and streetscene. Therefore the proposed front porch would comply with paragraph 6.35 of the Harrow Residential Design Guide SPD (2010).

Single Storey Side Extension

It is proposed to demolish the existing car port and garage and replace it with a single storey side extension. The single storey side extension would be 2.2m in width, 9.2m in depth and would have a mono-pitch roof with a maximum height of 3.2m and 2.7m to the eaves. It is considered that the proposed single storey side extension would be a proportionate addition to the existing dwellinghouse and furthermore would maintain the character of the streetscene with the proposed retention of the garage and garage doors for the front elevation of the proposed single storey side extension. Therefore the proposed single storey side extension would comply with paragraph 6.40 of the Harrow Residential Design Guide SPD (2010).

Single and Two Storey Rear Extension

It is proposed to demolish the existing lean-to conservatory and attach a two storey rear extension to the rear of the existing dwellinghouse.

The ground floor element would project 4.0m deep from the original rear wall of the existing dwellinghouse and would therefore comply with paragraph 6.59 of the Harrow Residential Design Guide SPD (2010) whereby single storey rear extensions for detached properties should not exceed a depth of 4.0m.

The first floor element would project from the existing rear elevation at first floor level by a depth of 2.0m. The proposed two storey rear extension would occupy the full width of the dwellinghouse at a 10.5m. It has been noted that concerns have been raised in regards to the depth of the first floor rear element of the proposal. However, at a depth of 2.0m it is considered that the proposed first floor element would be unduly deep and would not dominate the host dwellinghouse. Furthermore due to the large back garden the both the proposed ground and first floor rear extensions would not appear cramped in their proposed locations.

Reference has also been made to the fact that the proposals would detract from the existing dwellinghouse and that the proposed rear extensions would be out of character with other properties on Sweetmans Avenue. Whilst it is acknowledged that the host dwellinghouse is of a different style to its adjacent neighbours at no. 3 and no. 5 the proposed extensions for no. 4 are considered not to be out of character with other properties on Sweetmans Avenue. Sweetmans Avenue is made up of a variety of style of building and occupy large plots. It is noted that no. 1, no. 2 and no. 8 Sweetmans Avenue are occupied by properties that benefit from previous extensions and have relatively large footprints. The neighbouring bungalow at no. 3 also has a substantial side to rear extension which is generous in depth adjacent to the boundary of no. 2, therefore the proposed extensions to no. 4 Sweetmans Avenue are considered to maintain the character of the existing dwellinghouse and would not appear unduly bulky or dominant to the detriment of the streetscene.

A number of objections have been received making reference to the fact that no. 4 Sweetmans Avenue has existing extensions to the rear at ground and first floor. It has not been possible to trace any planning history for the existing two storey rear extension. However, notwithstanding this, the proposals for the 4.0m sought at ground floor and 2.0m at first floor level are considered not to subsume and dominate the dwellinghouse to the detriment of the host property or streetscene.

Proposed Roof

The first floor element at rear of the existing dwellinghouse currently has a part flat roof and part gable end roof. It is proposed to extend the existing gable end roof profile by 2.0m and replace the existing flat roof with a second gable end roof profile.

Concerns have been raised with regards to the proposed gable end roofs for the rear extension with reference made to their dominance and failure to respect the character of the existing dwellinghouse. However, it is considered that the proposed extension of the existing gable at the rear of the property by 2.0m is considered to be a proportionate addition to the existing dwellinghouse which would not detract from the character of the host dwellinghouse. Furthermore the proposed second gable end which would replace the existing flat roof on the west side of the property is considered to be an improved design on the existing roof and would therefore create a balanced design that would respect the host dwellinghouse and streetscene.

In summary the proposed single storey side extension, two storey rear extension and

front porch would respect the character and appearance of the property and local area and accords with The National Planning Policy Framework, Policy 7.4B of The London Plan (2011), Core Policy CS1.B of the Harrow Core Strategy(2012), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the guidance contained in the Council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Residential Amenity

Policy 7.6B, subsection D, of The London Plan (2011) states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Following on from this, Policy DM1 of the Development Management Policies Local Plan states that 'all development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted'.

In regards to the proposed front porch it is considered that due to the size and location, there would be no impacts in terms of amenity on either of the neighbours at no. 3 and No. 5 Sweetmans Avenue.

The proposed single storey side extension would run adjacent to the boundary of no. 3 Sweetmans Avenue. The east flank wall of no. 3 Sweetmans Avenue does not contain any windows which serve habitable rooms. However, it is noted that there is an obscured glazed door which would not be a protected source of light in accordance with paragraph 6.26 of the Harrow Residential Design Guide SPD (2010). Furthermore the proposed single side extension would be the appropriate height of 2.7m adjacent to the boundary with no 3. Therefore it is considered that the proposed side extension would not unduly impact the occupiers of no. 3 in terms of loss of light, overshadowing or outlook.

The proposed ground floor extension would be at a depth of 4.0m from the existing rear wall. It is considered that the proposed ground floor element would not unreasonably harm the occupants of no. 3 in terms of loss of light, outlook or overshadowing. The potential harm would be off-set by the fact that the west flank wall of the proposed extension would be located over 2.0m from the common boundary with no. 3 Sweetmans Avenue. Secondly very little of ground floor element of the proposed rear extension would be visible from the patio area of no. 3 due to the fact the view would be obscured by the existing 4m deep detached garage at no. 3 Sweetmans Avenue.

With regards to the first floor element of the proposed rear extension, concerns have been raised in regards to the impact the two storey extension would have in terms of loss of light and outlook. However, it is considered that the impact on the occupiers of no. 3 Sweetmans Avenue would not be unreasonable due to the fact that there would only be approximately 1.0m of the west flank wall of the proposed rear extension exposed at first floor level when viewed from the patio area of no. 3. Due to the distance between the flank wall of the proposed extension and the windows serving the habitable windows on the rear elevation of no. 3 it is considered that there would be very little impact in terms of loss of light, overshadowing or outlook.

In regards to the impacts of the two storey rear extension on the adjacent property at no. 5 Sweetmans Avenue it is considered that any potential harm in terms of overshadowing, daylight and outlook would not be unreasonable. This is due to the fact that there is over 2.0m in terms of separation from the east flank wall of the proposed rear extension and

nearest corner of no. 5 Sweetmans Avenue. It is acknowledged that the nearest window on the rear elevation of no. 5 Sweetmans Avenue serves a small conservatory and would therefore be considered a protected source of light, however at just over 3.0m the proposed single storey extension would comply with paragraph 6.59 of the Harrow Residential Design Guide SPD (2010).

The first floor element of the rear extension would seek to add 2.0m from the existing rear elevation. The rear first floor elevation of the chalet bungalow at no. 5 contains a window leading to a bedroom and for the purposes of the Harrow Residential Design Guide (2010) this would be a protected source of light. However the proposed first floor element of the extension at the rear of no. 4 Sweetmans Avenue would comply with paragraph 6.31 of the Harrow Residential Design Guide SPD (2010), whereby the proposed extension would not interrupt a 45 degree splay from the first floor rear corner which has a 'protected' window.

Concerns have been raised by the occupants with regards to sunlight which would potentially be blocked by the proposed extension. However, it is considered that the proposed rear extensions would not adversely impact on the amount of sunlight received by the occupants of no. 5 Sweetmans Avenue. Due to the orientation of the houses on the north side of road, during the summer period the sun would set towards the north west and subsequently the proposed extension at no. 4 Sweetmans Avenue would not effect the amount of sunlight received in the rear garden of no.5 Sweetmans Avenue. Furthermore the proposed extensions would comply with the relevant paragraphs of the SPD for rear ground floor and first floor extensions and therefore any impacts in terms of overshadowing and outlook would not be deemed unreasonable.

Concerns have also been raised by no. 6 Sweetmans Avenue with regards to the affect on the amount of light as a result of the proposed rear extension. However as number 6 Sweetmans Avenue is two doors away from the development. It is considered that the proposed rear extensions would not affect the amount of light received by the occupants of number 6 Sweetmans Avenue.

No windows are proposed for the east flank wall of the proposed rear extension at ground floor of first floor. However, there is a window proposed at first floor level on the west flank wall of the rear extension.

Concerns have been raised by the occupants of no. 3 Sweetmans Avenue that the proposed first floor window would lead to a perceived sense of overlooking. It is considered that the proposed window at first floor level would be acceptable. The proposed window would be at high level and therefore would look above the adjacent bungalow at no. 3, which is noted for not having any protected windows on its west flank wall. Furthermore the window would be obscured glazed and would serve a storage room and therefore would comply with paragraph 6.21 of the Harrow Residential Design Guide SPD (2010). Notwithstanding the above the proposed window would be inserted in an existing wall of the dwellinghouse and therefore could be implemented under permitted development.

In summary, the proposal respects the amenities of the neighbouring occupiers in accordance with Policy 7.6B of The London Plan (2011), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and guidance contained in the council's adopted Supplementary Planning Document: Residential Design Guide (2010).

Critical Drainage

The application site is located in a critical drainage area of Harrow. Policy DM10 was introduced to address surface water run off and flood risk from developments. The application would result in a net increase in development footprint and there is the potential for surface water run off rates to increase. In order to address this issue it is considered necessary to attach a condition to this permission.

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 the proposed development would not adversely impact upon community safety issues

Consultation Responses

- No 4 Sweetmans Avenue is already taller than the neighbouring properties and the proposal to enlarge it further would cause detriment to the street and adjoining properties
- If proposal is approved no. 4 would be dominant in streetscene with the bulk and massing harming the neighbours
- The proposals would take no. 4 Sweetmans Avenue further out of proportion and out of character with the surrounding properties
- Plans should be reconsidered to extend at ground level, rather than such an imposing second storey structure and associated roof line impact
- The proposals are not in keeping with the road
- The proposed rear extension comes back too far
- There is already a two floor extension at the rear of no.4 Sweetmans Avenue
- A more reasonable sized extension would be more acceptable
- Proposed gable ends would be disproportionate and fail to respect the character of existing building.

These concerns are dealt with under the Character and Appearance of Area Section

- The proposed obscured glazed window for the west elevation at first floor would lead to perceived overlooking
- The proposals would adversely affect the light to the neighbours windows and sunlight to the neighbours gardens

These concerns are dealt with under the Residential Amenity Section

- Increase traffic flow due to extra usage of rooms proposed.

This is not a material planning consideration for a householder extension

- Any extra bedroom space would be better served using the attic or a further extended ground floor (like no. 3)
This is a matter for the applicant
- No public Notice to announce proposed plans
There is no requirement to put up a public notice for this application, both neighbouring properties were consulted by letter
- Concerns over extra flows of rainwater from proposals.
A planning condition has been attached to the permission to deal with waste water and drainage
- Must be a less intrusive alternative to the current proposal
This would be a matter for the applicant
- Removal of planting on the boundary between no. 3 and No. 4 Sweetmans Avenue
See applicants letter of support

CONCLUSION

The development has not been found to negatively impact the character and appearance of the property and the area. Furthermore, the development has not been found to have an unacceptably harmful effect on the amenity of the neighbouring occupiers.

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

CONDITIONS

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

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

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

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

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

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

4 The development hereby permitted shall be carried out in accordance with the following approved plans: 51401-P-01; 51402-P-02; 51401-P-10; 51401-P-11; 51401-P-12; 51401-P-22; 51401-P-30; 51401-P-40; 51401-P-50; 51401-P-51; 51401-P-20; 51401-P-21; 51401-P-22; 51401-P-60; 51401-P-61

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

5 Notwithstanding the details on the approved plans, the development hereby permitted

shall not be commenced until there has been submitted to, and approved in writing by, the local planning authority, details for a scheme for works for the disposal of surface water on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

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

INFORMATIVES

1 The following policies are relevant to this decision.

National Planning Policy

National Planning Policy Framework 2012

The London Plan 2011

7.4.B Local Character

7.6.B Architecture

The Harrow Core Strategy 2012

CS1.B Local Character

Harrow Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM10 On Site Water Management & Surface Water Attenuation

Adopted Supplementary Planning Documents

Supplementary Planning Document Residential Design Guide 2010

2 INFORM_PF2

Grant without pre-application advice

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

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

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

3 INFORM23_M - Considerate Contractor Code of Practice

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

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

4 INFORM32_M – The Party Wall etc Act 1996

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

1. work on an existing wall shared with another property
2. building on the boundary with a neighbouring building
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 INFORM 51_M Compliance With Planning Conditions Requiring Submission and Approval 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 the 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 SUDS

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

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

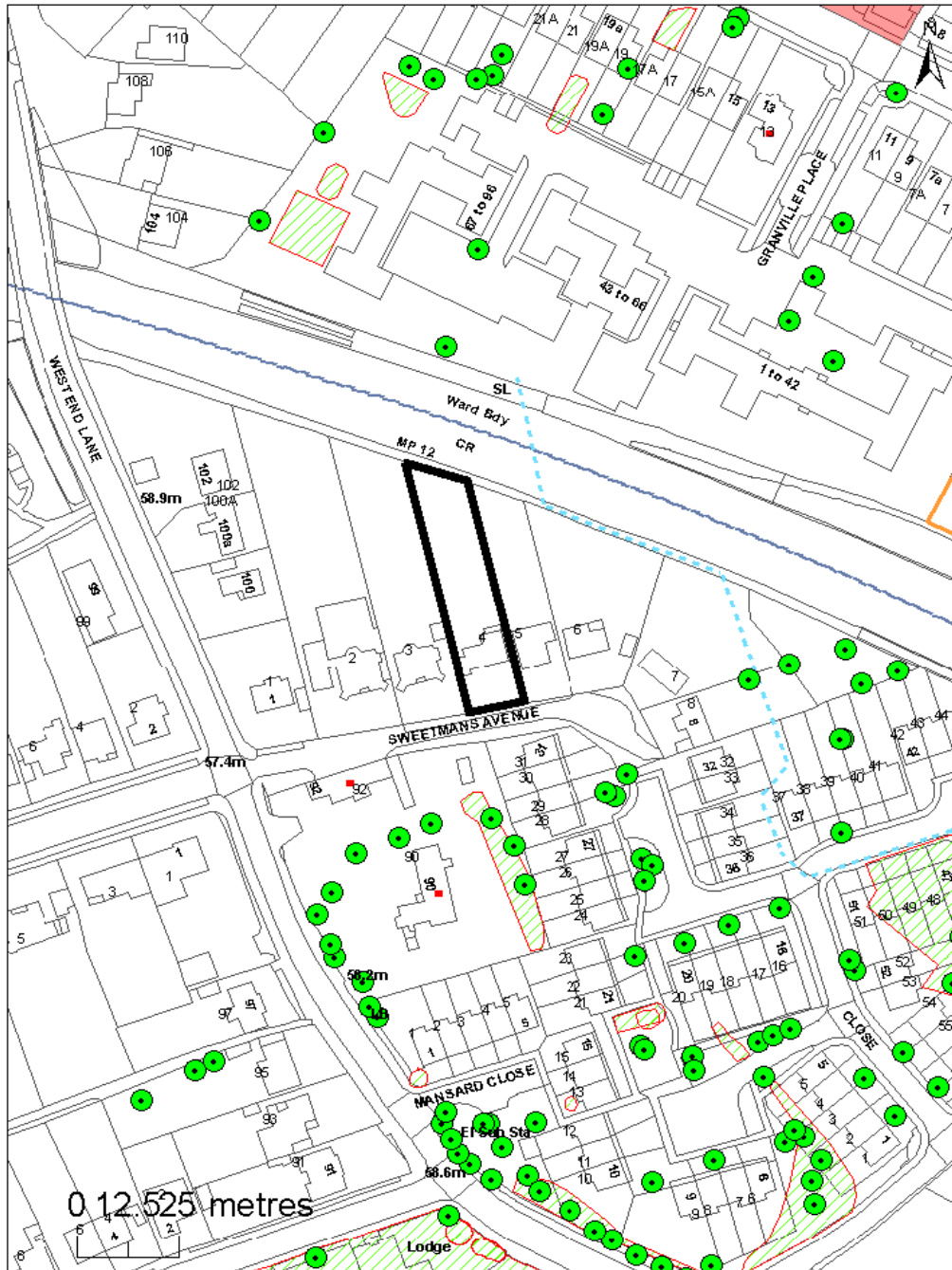
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

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

applicant can contact Harrow Drainage Section for further information.

Plan Nos: 51401-P-01; 51402-P-02; 51401-P-10; 51401-P-11; 51401-P-12; 51401-P-30; 51401-P-40; 51401-P-50; 51401-P-51; 51401-P-20; 51401-P-21; 51401-P-22; 51401-P-60; 51401-P-61

4 SWEETMANS AVENUE, PINNER



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Item No: 2/03
Address: 296 KENTON LANE, HARROW
Reference: P/4543/14
Description: CONVERSION OF DWELLINGHOUSE INTO TWO X TWO-BEDROOM SELF CONTAINED FLATS; SINGLE STOREY SIDE TO REAR EXTENSION; FRONT AND REAR ACCESS RAMPS; BOUNDARY FENCES AND GATES; LANDSCAPING, REFUSE AND CYCLE STORAGE; EXTERNAL ALTERATIONS
Ward: BELMONT
Applicant: MR S SHAH
Agent: MR JITEN PATEL
Case Officer: VICTOR UNUIGBE
Expiry Date: 23/02/2015

RECOMMENDATION

GRANT planning permission subject to conditions.

INFORMATION

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

Statutory Return Type: E(13) Minor Dwellings

Council Interest: None

Net Additional Floorspace (Floorspace of single storey side extension): 6 sqm

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

Site Description

- This application relates to a site on the east side of Kenton Lane. The site contains a two storey, four-bedroom semi-detached dwellinghouse with front bay windows and a cantilevered porch canopy.
- The subject dwellinghouse has a recently constructed 4.0m deep, full-width single storey rear extension. The extension was constructed with the benefit of a certificate of lawfulness (reference P/1404/14) granted on 6th June 2014.
- The dwellinghouse has existing roof extensions that incorporate an end gable roof, a rear dormer and front rooflights.
- The attached property to the north, No.298 Kenton Lane, has existing single storey side and rear extensions, as well as rear dormer and end gable roof extensions.
- There is no extension at the rear of the unattached property to the south, No.294 Kenton Lane. A projecting brick wall from the rear wall of No.294 forms a link with a

detached brick structure, which abuts the shared boundary. There are no other intervening treatments on that boundary.

- A greater part of the front garden of the subject dwellinghouse is hardsurfaced and forms an off-street parking area leading off from a dropped kerb. There is vegetation in the form of shrubbery as a treatment on the front boundary adjacent to the highway.
- The immediate locality is mainly characterised by semi-detached properties, which have a mixture of hard and soft landscape treatments in their front gardens.

Proposal Details

- A single storey side to rear extension is proposed to facilitate the conversion of the subject dwellinghouse into two self-contained flats.
- The proposed single storey side to rear extension would be attached to the existing single storey rear extension. The proposed extension would be 1.4m wide, 6.35m deep and set back 4.5m from the front wall of the dwellinghouse.
- The proposed extension would be set in from the rear building line of the existing rear extension by 1.0m and it would be set in from the boundary with No.294 by 1.0m.
- The proposed extension would have a flat roof with maximum height of 3.0m. A high-level obscure-glazed window would be inserted in the flank wall of the extension.
- External alterations are proposed to incorporate the installation of two projecting rooflights on top of the existing single storey rear extension.
- The ground floor flat (Flat A) would be a two-bedroom flat with a Gross Internal Area (GIA) of 67.0 sqm. The applicant has indicated on the drawings that Flat A would have a three-person occupancy level.
- Flat B would be a split level (first floor and roofspace) two-bedroom flat with GIA of 77.0 sqm. The applicant has also indicated on the drawings that Flat B would have a three-person occupancy level.
- Both flats would have separate internal entrances leading off from the existing ground floor front entrance. A ramped front path would lead to the entrance for level access. A ramp is also proposed for level access from Flat A into the rear garden, which would have 0.9m high and 3.95m deep metal railings.
- A 2.0m high timber fence and gate would enclose the space between the front wall of the dwellinghouse and the boundary with No.294. A 2.0m high timber fence is also proposed on the boundary with No.294 to enclose a communal passageway adjacent to that boundary.
- A 1.3m high, 0.9m wide and 4.35m deep timber enclosure for six refuse bins would be sited adjacent to the flank wall of the dwellinghouse (in front of the proposed extension) and the boundary with No.294.
- The rear garden would be subdivided into two separate amenity areas for the flats and enclosed by 1.8m high timber fences and gates. Two timber sheds, measuring 2.5m deep and 3.2m wide would be provided in the gardens for secure cycle storage.
- Part of the front garden would be soft landscaped (incorporating grass and hedges). A new block-paved driveway would be formed in the front garden to provide one disabled accessible car parking space.

Pre-Application Advice (Reference P/4396/14/PREAPP)

Preapplication submitted in respect of a single storey side to rear extension (in attachment with existing single storey rear extension), conversion of extended dwellinghouse into two x two-bedroom self contained flats. The summary of the advice is provided below:

- The principle of extending the existing dwellinghouse and converting it into flats is

considered acceptable.

- The proposed extension in conjunction with the existing extension would appear proportionate in relation to the appearance of the existing dwellinghouse, and is therefore considered acceptable.
- The siting and design of proposed boundary fences and ramps to the front and rear (with metal railings) are considered acceptable.
- The proposed extension's scale and rearward projection are such that it is considered it would not have an adverse impact on neighbouring residential amenities.
- Subject to the provision of rooflights in the roofs of the existing and proposed extensions, and provision of a satisfactory sound insulation scheme to mitigate any unacceptable transmission of noise and disturbance between rooms in the two flats, the standard of accommodation in the flats is considered acceptable.

Relevant History

P/0148/08 – Conversion to three flats, single storey rear and two storey side to rear extensions, rear dormer, rear access and ramp, external alterations – Refused: 20/03/2008.

Reasons for refusal:

1. The proposed conversion by reason of its layout, side access and the inadequate size of rooms would provide cramped and substandard accommodation, to the detriment of the amenities of the occupiers, and would result in an over-intensive use of the property which, by reason of increased noise, disturbance and general activity, would detract from the residential amenities of the occupiers of neighbouring properties and the development, contrary to Policies D4, D5 and EP25 of the Harrow Unitary Development Plan (2004).
2. The proposed conversion would fail to provide adequate areas of private amenity space for each of the proposed flats, to the detriment of the amenities of the future occupiers of the development, contrary to Policies D4 and D5 of the Harrow Unitary Development Plan (2004).
3. The proposed siting of the refuse storage and recycling bins along the boundary with No.294 Kenton Lane would be visually obtrusive, result in a loss of outlook and would be detrimental to the amenities of the occupiers of this property, contrary to Policies D4 and D5 of the Harrow Unitary Development Plan (2004).
4. The proposed development does not make adequate provision for off street car parking within the curtilage of the site and given the lack of parking availability in surrounding roads, the proposal would be likely to encourage additional and injudicious on street parking on Kenton Lane to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway, contrary to Policy T13 of the Harrow Unitary Development Plan (2004).
5. The proposed two-storey side to rear extension, rear dormer and rear access ramp, by reason of unsatisfactory design, side and rearward projection and excessive bulk, would be unduly obtrusive and detrimental to the character and appearance of the dwelling and the locality and the amenities of the occupiers of Nos.294 and 298 Kenton Lane, contrary to Policies D4 and D5 of the Harrow Unitary Development Plan (2004) and Supplementary Planning Guidance: Extensions a Householders Guide (2003).
6. The ground floor flat, by reason of inadequate level or gently sloping access, would fail to contribute to the supply of Accessible Homes in the Borough contrary to Policy 3A.5 of the London Plan and the 'Accessible Homes' Supplementary Planning Document (2006).

P/1891/08/DCP – Certificate of lawfulness application for alterations to roof to form end gable and rear dormer, two rooflights on front of roof – Granted: 23/07/2008.

P/1899/08/DFU – Single storey side to rear extension, conversion to two flats – Refused: 05/08/2008.

Reasons for refusal:

1. The proposed conversion by reason of its inadequate size of rooms would provide cramped and substandard accommodation, to the detriment of the amenities of the intended occupiers, contrary to Policy D4 of the Harrow Unitary Development Plan (2004)
2. The proposed siting of the refuse storage and recycling bins would be partially visible from Kenton Lane and would be adjacent to the boundary with No.294 Kenton Lane, which would be visually obtrusive and would be detrimental to the amenities of the occupiers of this property and the character and appearance of the area, contrary to Policies D4 and D5 of the Harrow Unitary Development Plan (2004).
3. The proposed development does not make adequate provision for off street car parking within the curtilage of the site and given the lack of parking availability in surrounding roads, the proposal would be likely to encourage additional and injudicious on street parking on Kenton Lane to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway, contrary to Policy T13 of the Harrow Unitary Development Plan (2004).
4. The ground floor flat, by reason of inadequate level or gently sloping access, inadequate internal door and hallway widths and manoeuvring area within the bathroom, would fail to contribute to the supply of Accessible Homes in the Borough contrary to Policy 3A.5 of the London Plan and the 'Accessible Homes' Supplementary Planning Document (2006).

P/0683/14 – Notification of Intention Householder Application for single storey rear extension: 4 metres deep, 3 metres maximum height and 2.8 metres high to the eaves – Granted: 02/04/2014.

P/1404/14 – Certificate of lawful development (proposed): single storey rear extension – Granted: 06/06/2014. That consent has been implemented on the site.

Applicants Submission Documents

Design and Access Statement:

- An increase of an additional residential unit would not be detrimental to the local amenity, and there would be no rise in traffic, noise or pollution from the resulting proposal.
- The existing / proposed internal floor of the upper floor flat will be upgraded with the sound insulation to eliminate any sound transfer between the flats.
- The ground floor flat has been designed to be disabled accessible throughout, and the parking bay has been designed in accordance with Lifetime Homes.
- The site is easily accessible via public transport facilities and hence there is only one car parking space provided at the front.
- The proposed extension and flats have high standard of design and layouts, and the proposed landscaping would enhance the character of the area.

Consultations

Highways Authority

There is no objection to the proposal.

Landscape Architect

No objections, subject to the imposition of landscape conditions in the front garden area. It must be noted that the boundaries need to be softened with planting together with shrub planting beds, to provide streetscene impact, soften the frontage and enhance the biodiversity of the area. The following hard and soft landscape conditions would be required:

- Landscaping to be Approved.
- Landscaping Scheme – Implementation including a period of 5 year period for replacements of soft landscape.
- Levels.
- Hard landscape material details.
- Boundary treatment.

Advertisement

None.

Notifications

Sent: 3

Replies: 4, 1 of which is a petition containing 18 signatories

Expiry: 30/01/2015.

Addresses Consulted

Kenton Lane: 294, 298

Rocklands Drive: 1

Summary of Responses

Petition

- There would be a significant increase in the levels of noise throughout the day and night.
- There would be loss of light to many homes due to the size of the extension and fencing suggested.
- The development would cause traffic issues, e.g, parking and congestion on Kenton Lane and surrounding streets, as it does not provide adequate parking to the detriment of local residents.
- The development would not be in keeping with other homes in the location.

Letters

- The conversion to flats will set a precedent for all the former Council dwellings in the locality, of which the application dwelling is one. The dwellings were originally built for single family occupation and are not suitable to be changed into flats.
- New housing development around Belmont Circle and the Dairy Farm will certainly increase traffic on busy Kenton Lane, and this will make it worse.
- Increased parking pressure as a result of extra cars and difficulty in getting available parking in surrounding streets
- Increase in noise and disturbance as a result of the siting of the living room / kitchen / diner in the upper floor flat (with listening to television, music or even talking) adjacent to the bedrooms in the adjoining property. No sound proofing is provided for the party wall of both properties.
- Overlooking and loss of privacy as a result of intrusive views from existing / proposed extensions and converted roofspace, and subdivision of the rear garden.
- The boundary fences and cycle / shed stores in the rear gardens would result in

loss of light and overshadow flank windows in neighbouring property and rear gardens.

- The proposed two flats could mean occupation by a lot of people, resulting in an over-intensive use of the application property.
- The provision of ramps and sheds in the front and rear gardens would greatly reduce the size of the gardens for amenity purposes.
- The location of refuse bins at the front of the property would cause rotting smells especially in the summer to persons living in the property and surrounding neighbours.

APPRAISAL

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

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

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

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

Further Alterations to London Plan (FALP) are now post examination. Consultation on the draft alterations was held during January 2014 to April 2014. The FALP has been primarily prepared to address key housing and employment issues. The FALP identifies Harrow and Wealdstone as an opportunity area and therefore will support development proposals with higher densities to meet London's housing needs. The FALP is a material consideration and, the Inspector's Report having been published and the Mayor of London having issued a Notice of Intention to Publish the FALP, now carries significant weight.

MAIN CONSIDERATIONS

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

Principle of the Development

The NPPF 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 out the three tenets of sustainable development for planning to be; to play an economic, social 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.

Core policy CS1.A of the 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.

Policy DM 24 of the DMP outlines that proposals, which secure an appropriate mix of housing on site and which contribute to the creation of inclusive and mixed communities, will be supported. Policy DM 26 of the DMP supports in principle the conversion of dwellinghouses to flats where they provide a satisfactory standard of accommodation and contribute positively to their surroundings.

Having regard to The London Plan and the Council's policies and guidelines, it is considered that the proposal would provide an increase in smaller housing stock within the Borough, thereby complying with the housing growth objectives and policies of the NPPF, The London Plan, the Harrow Core Strategy and relevant policies of the DMP. The proposed conversion of the subject dwellinghouse into two flats would be consistent with the existing residential designation and the surrounding residential land use. The principle of the proposal is therefore acceptable, as it accords with the objectives of the policies outlined above.

Impact on Character and Appearance of the Area

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

"good design is a key aspect of sustainable development...and should contribute positively to making places better for people". It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states that *'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'*.

Policy 7.4 (B) of The London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6B of

The London Plan requires development proposals to be of the highest architectural quality.

Core Policy CS1.B of the Harrow Core Strategy 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 DM 1 of the DMP gives advice that all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted. Policy DM 23 of the DMP gives advice that where proposals fail to make appropriate provision for hard and soft landscaping of forecourts, or which fail to contribute to streetside greenery where required, they will be refused. With regards to forecourt treatment, paragraph 5.4 of the Council's adopted Supplementary Planning Document (SPD) – Residential Design Guide gives advice that the layout of a forecourt proposed as part of a conversion scheme should make provision for soft landscaping of the forecourt not needed to provide car parking space and access to the premises.

Paragraphs 6.6 and 6.11 of the Residential Design Guide SPD advises that all extensions should harmonise with the scale of the original building, should exhibit a sense of proportion and balance and not dominate the original building or the surrounding streetscape. Paragraph 6.37 of the SPD notes that side extensions have considerable potential to cause harm both to the amenity of adjacent residents and character of the streetscene. In order to avoid such negative impacts, proposed side extensions should reflect the pattern of development in the streetscene.

The comments received in respect of the quality of the proposed single storey side to rear extension are noted. It is instructive to note that the proposed side extension would not cause a precedent on the streetscene, given the existence of the single storey side extension at attached No.298, which aligns with the front wall of that property. The proposed single storey side to rear extension would be set back 4.5m from the front wall of the application dwellinghouse, and its modest width of 1.4m is such that it would not be visually pronounced on the streetscene. The proposed extension would have a modest height of 3.0m and a footprint of 8.9 sqm, which is not considered to be significant. The proposed side to rear extension would therefore appear proportionate in relation to the appearance of the existing dwellinghouse.

The attachment of the proposed extension to the existing single storey rear extension is noted. It is however instructive to note that the scale and bulk of the existing rear extension in relation to its impact on neighbouring properties was considered acceptable when the Council granted prior approval (reference P/0683/14) on 2 April 2014. The proposed extension would not project up to the rearward limit of the existing rear extension, and given that it would be set in from the boundary with unattached No.294 by 1.0m, it is therefore considered that its scale, bulk and rearward projection, in attachment with the existing rear extension, are such that it is considered acceptable.

The proposed 2.0m high and 2.35m wide timber fence and gate, which would enclose the space between the front wall of the dwellinghouse and the boundary with No.294, would be a precedent in the immediate locality. However, it is considered that the scale and design of the fence / gate is such that it would not detract from the appearance of the

dwellinghouse. The fence would partially screen off the proposed side extension from the streetscene, and it is instructive to note that a single storey side extension higher than 2.0m can be built up to the boundary under permitted development rights for the dwellinghouse as a single family unit.

The applicant has proposed a mixture of soft and hard landscaping in the front and rear gardens. The proposed use of permeable block paving for the parking space and the design of the front ramp footpath with a gradient of 1 in 20 are considered acceptable. A considerable area of the front garden would be soft landscaped. However, it is considered that there is more scope for additional soft landscaping to be provided given that only one car parking space is proposed. It is therefore considered expedient to recommend a condition requiring the submission and approval of revised drawings prior to the occupation of the flats, which show the introduction of additional soft landscape on the section of the front garden not be used for car parking. This measure would also help to address the concerns and comments of neighbours in respect to the appearance of the forecourt of the subject property.

The scale and design of the proposed timber fences and gates on the boundary with No.294 and in the sub-divided rear garden are considered appropriate. The scale and design of the ramp access with gradient of 1 in 20 gradient and metal handrails, as well as the cycle stores in the rear garden are considered acceptable. It is considered that the ramp, railings and stores would be adequately screened off from the neighbouring rear gardens by the intervening timber fences, and a condition is recommended to ensure their permanent retention on the site. It is also considered that the ramp and stores would not displace any significant amount of existing soft landscaping in the rear garden, and that adequate amenity space would be retained for the amenity of the potential occupiers of the flats.

With regards to the proposed location of the timber enclosure for the refuse bins, policies DM 1 and DM 26 of the DMP require that bin and refuse storage must be provided *“in such a way to minimise its visual impact if stored on forecourts (where such provision cannot be made in rear gardens), while providing a secure, convenient and adequate facility for occupiers and collection, which does not give rise to nuisance to neighbouring occupiers”*.

The proposed location of the timber enclosure for the bins adjacent to the south flank wall of the dwellinghouse and the boundary with No.294 is considered appropriate, as the enclosure would be screened off from views at No.294 by the proposed intervening 2.0m high timber fence on the shared boundary. The applicant has shown a provision of six bins for the two flats, which complies with the Council's requirement for three full sized refuse bins for each flat. It is considered that the enclosure is secure enough to prevent the dispersal of any smells and / or odours towards the property at No.294. This secure provision would also address any neighbourly concerns that the proposal could result in an unsustainable generation of more refuse bins.

Given the above considerations, the proposed conversion of the dwellinghouse into two flats would not detract from the character and appearance of the existing dwellinghouse, and the prevailing character and appearance of the immediate locality, thereby according with the design objectives of the National Planning Policy Framework (2012), Policies 7.4B and 7.6B of The London Plan (2011), Core policy CS1.B of the Harrow Core Strategy (2012), Policies DM 1, DM 23 and DM 26 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning

Residential Amenity

Impact of the Conversion on Host and Neighbouring Amenity

Policies DM 1 and DM 26 of the DMP both seek to ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded. Policy 7.6B, subsection D, of The London Plan specifies 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 concerns and comments of neighbours in respect to the proposed occupancy level, noise and disturbance are noted. This application proposes two flats with layouts and bedroom sizes that lend themselves to a combined six-person occupancy level. It is however instructive that the existing dwellinghouse could potentially accommodate up to 6 persons given that it has four bedrooms on the upper floors and two habitable rooms on the ground floor. Furthermore, it is considered that any disturbance or activity arising from the proposed conversion would still be residential and minor in scale, and not discernible from the use of the subject property as a single family dwellinghouse. It is therefore considered that unreasonable impacts arising from the nature of the use of the property as two flats would not arise. This point also addresses the concerns of neighbours in respect of the generation of more vehicles and parking pressures on the busy Kenton Lane.

The comments in respect of loss of light and privacy to the unattached property at No.294 as a result of the proximity of the proposed extension to that boundary are noted. There are ground floor windows in the north flank wall of No.294 that serve habitable rooms. The proposed side to rear extension would be set in from that boundary by 1.0m and it would have a north-facing orientation in relation to No.294, so it is considered that it would not result in any adverse impact on the entry of light to and outlook from the neighbouring flank windows. It is also considered that the projection and orientation of the proposed extension are such that they would not adversely overshadow the flank windows and wall of No.294. The proposed extension would not project beyond the rearward limit of the existing brick wall and detached structure at the rear of No.294. The proposed extension would be partly screened from the flank windows of No.294 of the proposed intervening fence on that boundary. It is instructive to note that the proposed timber fence can be erected without the need for planning permission. It is considered that the proposed high-level window in the flank wall of the proposed extension could result in a perception of overlooking of the northern side of No.296. It is indicated on the drawings that this window would serve a bathroom and it would be obscure-glazed and non-opening at a height of 1.7m above finished floor level. In the interest of safeguarding the amenity at No.294, it is considered expedient to condition that the window should be obscure-glazed and non-opening at a height of 1.7m above finished floor level.

The concerns in respect of the transmission of noise and disturbance as a result of adjacent siting of the living room / kitchen / diner of Flat B to bedrooms in the adjoining property at No.298 are noted. In the absence of details of the party wall construction between both properties, it cannot be confirmed that an acceptable level of soundproofing exists. A condition is therefore recommended requiring the submission and approval of sound proofing prior to the commencement of any works.

The comments in respect of overlooking and loss of privacy to neighbouring rear garden as a result of the accommodation in the existing converted roof space and subdivision of

the rear garden are noted. The existing rear dormer windows in the subject dwellinghouse presently serve a habitable room and a bathroom. The rear dormer windows would serve the double bedroom in the roofspace of Flat B, and the views offered out from those windows to the neighbouring rear gardens would be no worse than the views presently offered from the first floor rear windows of the subject dwellinghouse. Furthermore, the applicant has proposed timber fences to subdivide the rear garden, which would be in keeping with the height of the existing fences on the boundary with No.298 and on the rear boundary.

Given the above considerations, the proposal would not cause any unreasonable impact on the amenities of the occupiers of neighbouring properties in the immediate locality in terms of loss of light, outlook, overlooking or loss of privacy.

Room Size and Layout

Policy 3.5C of The London Plan specifies that Boroughs should ensure that, amongst other things, 'new dwellings have adequately sized rooms and convenient and efficient room layouts'. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. Policy DM 26 of the DMP specifies that proposals will be required to comply with the London Plan minimum space standards.

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

The room sizes of the current scheme are shown in the table below, along with the minimum floor areas for rooms as recommended by the Mayors Housing SPG.

	Gross Internal floor Area (GIA)	Kitchen/Living/ Dining	Bedroom
Minimum floor areas	2 bedroom, 3 person 61 sqm	3 person 25 sqm	Double (12 sqm) Single (8 sqm)
Flat A (2 bedroom, 3 person)	67 sqm	28.7sqm	13.5 sqm (Double) 11 (Double)
Flat B (2 bedroom, 3 person)	77 sqm	23 sqm	23.4 sqm (Double) 9.5 sqm (Single)

The GIAs of and floor areas of the rooms of the proposed two flats significantly exceed the recommended minimum sizes specified in the London Housing SPG as shown in the table above. It is noted that the floor area of the combined kitchen and living area for Flat B is less than the minimum area required by the space standards. However, the shortfall is considered to be marginal, and it is considered that the layout of Flat B is such that there is adequate scope for the enlargement of the living area / kitchen if required. Furthermore, the GIA of both flats are such that they would provide very spacious rooms with adequate turning spaces and circulation. In terms of vertical stacking arrangement between the flats, it is noted that a small section of the combined kitchen and living area of Flat B with approximate area of 1.85 sqm would overlap the larger bedroom below in Flat A. It is considered that the area of overlap is not significant to result in an unacceptable transmission of noise and disturbance to that bedroom. The bedroom has a floor area of 13.5 sqm, which is considered significant to mitigate any unacceptable level of noise transmission. Furthermore, the applicant has provided details of a sound proofing scheme for the internal floors between both flats. It is therefore considered that the proposed stacking arrangement would not result in the generation of unacceptable levels of noise transmission between the flats.

The proposed two projecting rooflights on top of the existing single storey rear extension would allow for additional entry of light to the smaller bedroom and living area of Flat A, which have elongated depths.

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

Outdoor Amenity Space

Policies DM 1 and DM 26 of the DMP require new development *'to make adequate arrangements for the provision of amenity space for future occupiers of the development'*.

It is considered that the proposed private rear garden areas of 60 sqm for Flat A and 61 sqm for Flat B are such that they would provide adequate amenity spaces for occupiers of the proposed flats.

It is instructive to note that this is the third application submitted by the applicants for the conversion of the subject dwellinghouse into flats, and that the applicants have now satisfactorily addressed the reasons for the refusal of permission for the previous two applications.

Given the above, it is considered that the proposed conversion of the dwellinghouse into two flats would not have adverse implications for the host and neighbouring residential amenities, and would accord with the policies outlined above in that respect.

Traffic and Parking

Policies DM 1 and DM 42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

The comments received in respect of additional pressure on on-street parking availability and traffic congestion are noted. Kenton Lane is a Local Distributor Road with high levels of vehicular traffic flow. Kenton Lane is also a public bus route, so it is easily accessible in terms of private motor and public transport use.

The proposed accessible car parking space for persons with disability accords with The London Plan maximum parking standards. It is considered that the difference between the baseline demand for the existing dwellinghouse and proposed use is such that any potential additional pressure on on-street parking demand in the area would be negligible. The Highways Authority has not given any contrary advice in this regard. It is also instructive to note that the parking arrangement would be accessed via an existing standard and functional vehicular crossover leading off Kenton Lane. Furthermore, the front garden is considerably deep, which would allow for the safe parking of a vehicle clear of the adjoining public footpath and at right angle to the highway.

The proposed provision of two secure bicycle spaces is acceptable, as it accords with the minimum requirement of 1 space per flat (as required by the London Plan). The provision of the cycle spaces, the easy accessibility of the subject site by public transport and the availability of a dedicated accessible parking space are such that the proposal would result in the provision of sustainable modes of transport for potential occupiers of the flats.

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

Accessibility

Policy DM 2 of the DMP and policies 3.5 and 3.8 of The London Plan seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

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

The applicant has set out in the accompanying Design and Access Statement and drawings how the development would seek to achieve where possible, the compliance with Lifetime Homes Standards. The applicants have detailed in the Design and Access Statement and drawings that the front entrance and a rear entrance door serving Flat A would have level thresholds / ramps to facilitate access into the dwellinghouse for persons with limited mobility. Flat A has sufficient space to be a wheelchair accessible unit, so it is therefore capable of satisfying Lifetime Homes standards.

It is therefore considered that the proposal would accord with the principles and objectives of Lifetime Homes and inclusive design, and the policies and guidelines outlined above in respect of such provision.

Equalities Statement

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

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

(a) eliminate discrimination, harassment, victimisation and any other conduct that is

prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

S17 Crime & Disorder Act

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

The proposed entrance for the flats would be retained to the front of the property, which looks out to the Kenton Lane highway. Natural surveillance would be provided from the highway for the timber fence and gate abutting the boundary with No.294.

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

Consultation Responses

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

CONCLUSION

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

CONDITIONS

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

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

2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building occupying the site.

REASON: To safeguard the character and appearance of the area, in accordance with Policies 7.4B and 7.6B of The London Plan (2011), Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

3 The development hereby permitted shall not be commenced until full details of soundproofing between the application property and the adjoining property at No. 298 Kenton Lane have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that adequate precautions are taken to avoid noise nuisance and to safeguard the amenity of neighbouring residents, in accordance with Policy 7.6B of The

London Plan (2011) and Policies DM 1 and DM 26 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To safeguard the character and appearance of the surrounding area, and to enhance the appearance of the development, in accordance with Policies DM 1, DM 23 and DM 26 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, or the completion of the development, whichever is the sooner. Any existing or new trees or shrubs which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season, with others of a similar size and species, unless the local authority agrees any variation in writing.

REASON: To safeguard the appearance and character of the surrounding area, and to enhance the appearance of the development in accordance with Policies DM 1, DM23 and DM 26 of the Harrow Development Management Policies Local Plan (2013).

6 Prior to the occupation of the development hereby permitted, the rear garden shall be sub-divided and enclosed as two separate gardens by close boarded fencing to a maximum height of 2 metres. The boundary with the adjoining property at No. 294 Kenton Lane shall also be enclosed by close boarded fencing to a maximum height of 2 metres as shown on the approved plans. Such fencing shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents, in line with the requirements of with Policies DM 1 and DM 26 of the Harrow Development Management Policies Local Plan (2013).

7 Notwithstanding the details shown on the approved plans, the window to be installed in the flank elevation of the single storey side to rear extension hereby permitted shall be of purpose-made obscure-glazed, be permanently fixed close below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.

REASON: To safeguard the amenity of neighbouring residents, as required by Policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To safeguard the character and appearance of the locality, in accordance with Policies DM 1 and DM 26 of the Harrow Development Management Policies Local Plan (2013).

9 The development hereby permitted shall be carried out in accordance with the following approved plans: PL-01 Rev C, PL-02 Rev C, Design and Access Statement.

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

INFORMATIVES

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2011):

3.5: Quality and Design of Housing Developments
3.8: Housing Choice
6.9: Cycling
6.13: Parking
7.2: An Inclusive Environment
7.3: Designing Out Crime
7.4: Local Character
7.6: Architecture

Harrow Core Strategy (2012):

Core Policy CS1: Overarching Policy

Harrow Development Management Policies Local Plan (2013):

DM 1: Achieving a High Standard of Development
DM 2: Achieving Lifetime Neighbourhoods
DM 23: Streetside Greenness and Forecourt Greenery
DM 24: Housing Mix
DM 26: Conversion of Houses and Other Residential Premises
DM 42: Parking Standards

Supplementary Planning Documents

Supplementary Planning Document: Accessible Homes (2010)

Supplementary Planning Document: Residential Design Guide (2010)

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

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

2 CONSIDERATE CONTRACTOR CODE OF PRACTICE:

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

3 PARTY WALL ACT:

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

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

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

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:
Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB
Please quote **Product code:** 02 BR 00862 when ordering
Also available for download from the CLG website:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>
Tel: 0870 1226 236 Fax: 0870 1226 237
Textphone: 0870 1207 405
E-mail: communities@twoten.com

4 COMPLIANCE WITH PLANNING CONDITIONS PRECEDENT:

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

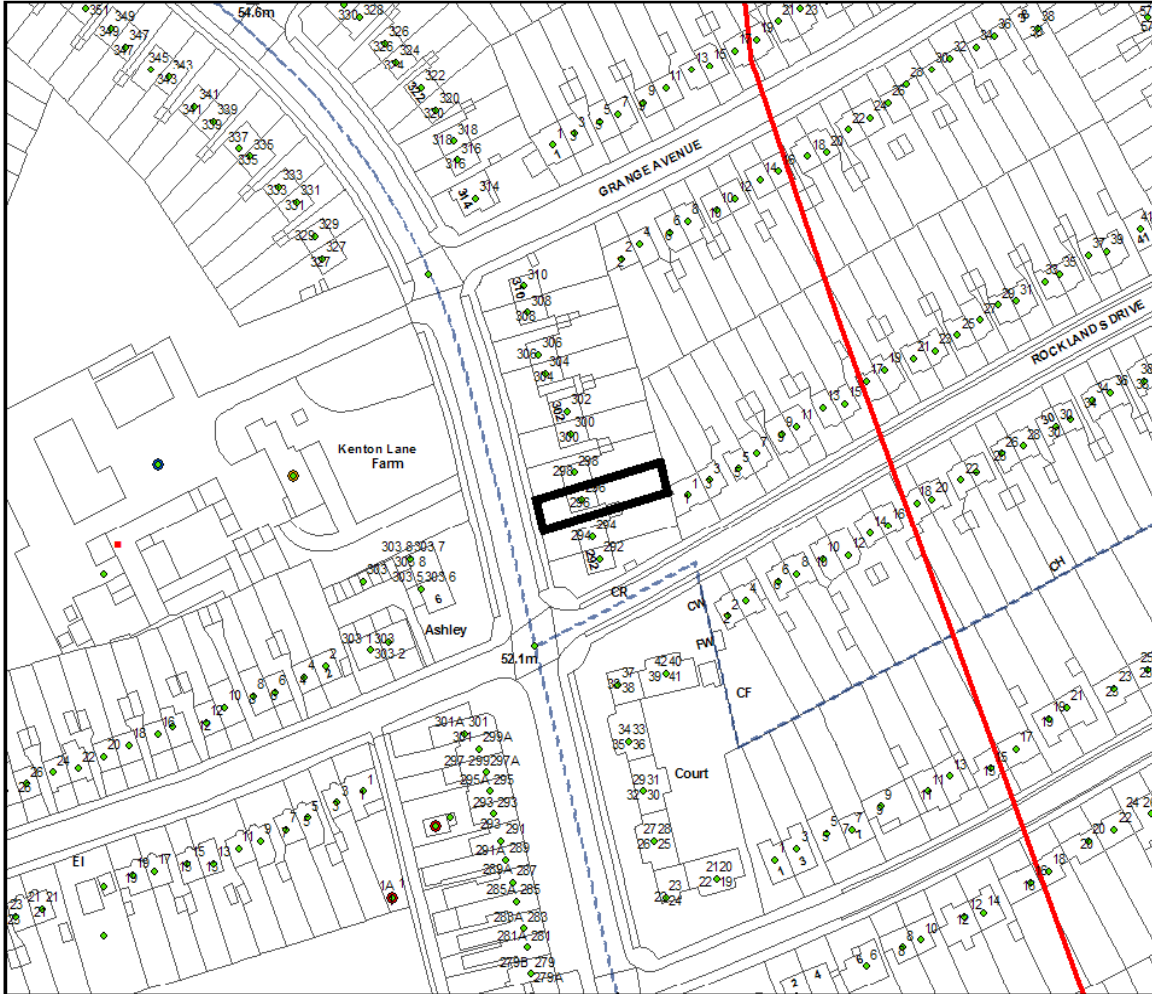
- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of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

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

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

Plan Nos: PL-01 Rev C, PL-02 Rev C, Design and Access Statement.

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SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL

None.

SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES

None.

SECTION 5 - PRIOR APPROVAL APPLICATIONS

None.