

## SECTION 1 – MAJOR APPLICATIONS

ITEM NO: 1/01

ADDRESS: 1 SUDBURY HILL, HARROW

REFERENCE: P/2764/14

DESCRIPTION: DEMOLITION OF FIVE DETACHED HOUSES AND ERECTION OF 68 APARTMENTS COMPRISING OF 14 X 1 BED FLATS, 50 X 2 BED FLATS AND 4 X 3 BED FLATS; ACCESS, PARKING AND LANDSCAPING

WARD: HARROW ON THE HILL

APPLICANT: TAYLOR WIMPEY NORTH THAMES

AGENT: PPML CONSULTING LTD

CASE OFFICER: CALLUM SAYERS

EXPIRY DATE: 20/10/2014

### 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 seven social rented flats, six shared ownership flats to be provided within Block 1 of the development.
- ii) Harrow Employment and Training Initiatives: Contribution of £28,000 towards local training and employment initiatives prior to commencement of development
- iii) The submission of a Training and Employment Plan
- iv) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- v) 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 quality development comprising of a satisfactory level of residential accommodation, which would bring forward an allocated site for housing development thereby contributing to the Borough's housing stock. The housing development would be appropriate within 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 proposed would provide an on-site affordable housing contribution to a level that is the most reasonable amount available from the scheme, which would also be of a satisfactory tenure split to assist in achieving the housing type needs within the borough. Overall the number of units proposed would positively add to the Council's housing delivery targets.

The proposed redevelopment of the site would result in a modern, simple design that responds positively to the local context, and would provide appropriate living conditions 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 2015 , 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 27<sup>th</sup> July 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 appropriate level of affordable housing on site provision that directly relate to the development, would fail to comply with the requirements of policies 3.11 and 3.12 of The London Plan 2015 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 reported to the Committee as it is a proposal located on a site which is more than 0.1ha which falls outside of the thresholds set by category 1(d), and is partially on land owned by the Council which is outside of Part C (i) of the Council's Scheme of Delegation for the determination of new development.

#### **Site Description**

- The application site comprises five residential properties, each currently occupied by a detached two-storey dwelling. Each site has average garden depth of approximately 50m.
- The adjoining area is predominantly residential with 2-3 storey properties with a 3/4 storey flatted development opposite the Sudbury Hill frontage known as Assisi Court, and a residential care home of 3/4 storeys to the south and known as Buchanan Court.
- No. 1 Sudbury Hill is Council owned, the remainder of the dwellings on the site are privately owned.
- The application site levels rise from the east corner to the north corner by 2.5m approx. Adjoining the western boundary of the site is a complex of school buildings and a dwellinghouse which provides caretakers accommodation.

- Sudbury Hill is a Borough distributor road and Sudbury Court Drive is a London distributor road along the north east site boundary,
- The site is close to established bus routes and Sudbury Hill Underground station.
- Metropolitan Open Land lies on the opposite side of Sudbury Hill to the west of the site.
- Harrow boundary with Brent to the opposite side of Sudbury Court Drive.
- The site is in close proximity to but does not abut the Harrow on The Hill Area of Special Character and Harrow-on-the-Hill Conservation Area.
- There are a significant number of mature preserved trees

## **Proposal Details**

- It is proposed to demolish the five detached dwellings that are located on the site fronting Sudbury Hill, and replace them with flatted development of 68 residential.
- The proposed development would be split into three blocks and would form an 'L' shape on the highway frontages of Sudbury Hill and Sudbury Court Drive.
- Each of the proposed blocks would be of a similar design, being characterised by having three storey bay features on the front and rear elevations.
- Each block would have a pitched roof with dormer windows located within each of the roof slopes. The proposed development would have a height of 12.5m
- Block 1 would be located on the northwestern corner of the property, on the common boundary with St Georges School. Block 1 would front onto Sudbury Hill. This block would be characterised by having an undercroft which would provide access from Sudbury Hill to the car parking area to the rear of the property. Block 1 would be 21.6m wide and 2.06m deep. It would provide 13 flats, which would also provide the affordable housing contribution for the scheme.
- Block 2 would be located on the south western corner of the site, on the junction of Sudbury Hill and Sudbury Court Drive. It would be 40.5m wide and 20.5m deep. Block 2 would provide 32 flats.
- Block 3 would be located on the south eastern end of the site, and would front onto Sudbury Court Drive. This block would be 31.5m wide with a depth of 21.7m. It would provide 23 of flats.
- The proposed development would offer 11 units as affordable housing contributions, which are proposed to be located in Block 1.
- It is proposed to provide 58 car parking spaces on site, which includes seven disabled spaces. 55 of these spaces would be accessed via the primary access from Sudbury Hill, whilst 3 would be accessed via Sudbury Hill Court directly. 4 motor cycle spaces are proposed.
- External refuse and cycle storage is proposed to the rear of the development. This would be 3.0m high with a flat roof, but is noted as been set within the ground level where it slopes down to the car parking area. This structure would be 13.4m wide by 8m deep. The structure is split in two to provide for both refuse and cycle storage.
- 72 cycle storage spaces are proposed, being spread across the external cycle storage facility and within Block 1.
- Soft landscaping is proposed within the frontage and to the rear of the development.

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

The proposals comprising the current planning application have been the subject of a screening opinion in accordance with Regulation 7 of the Town and Country (Environmental Impact Assessment) Regulations 2011. Officer's consideration of the Environmental Effects of the development was that in this case an Environmental Statement was not required. A copy of the screening opinion can be viewed online as part of the electronic case file for the application.

Since the submission of the current planning application, there has been a change to the EIA regulations (6 April 2015). The changes to the regulations, amongst other things, increased the site area for sites that would need to be screened. In this instance the application site is less than the 5.0ha threshold set by the amended EIA regulations. Accordingly, the application site would be less than the requirements of the amended EIA regulations and is therefore still not an EIA development.

## Relevant History

LBH/6685

Demolish existing house and erect 6 flats and 6 garaged with parking area and access road

REFUSED: 22-Sep-71

LBH/6685/3

Erection of detached dwelling house with integral garage, resiting of domestic garage for no.1 Sudbury Hill.

REFUSED 05-Jun-75

LBH/6685/3

Erection of two storey extension to side of dwelling house (2, 3, 4 & 5 Sudbury Hill.

GRANT: 02-DEC-76

WEST/973/99/OUT

3 Blocks of 10, 3 Bed flats with access and forecourt parking.

REFUSED: 13-MAR-00

APPEAL DISMISSED: 15-JAN-01

WEST/1139/02/FUL and WEST/1140/02/FUL (Duplicate app.).

Demolition of properties, construct 55 flats in 3 blocks, Part 3/Part 4 storeys, 1 House, access and parking.

WITHDRAWN: 01-JUL-03

P/142/05/CFU

Redevelopment: Three storey block to provide 10 flats with parking at rear

REFUSED: 18-MAR-05

## Reasons for Refusal:

- 1. The proposed development, by virtue of excessive size, bulk and unsatisfactory design, would be visually obtrusive and overbearing, would not respect the scale, massing and form of the adjacent properties to the detriment of the amenities of the occupiers thereof, the appearance of the streetscene and the character of the locality.*
- 2. The proposal represents an unacceptable form of piecemeal development detrimental to the character and proper planning of the area.*
- 3. The proposed windows/balconies in the rear elevation would allow overlooking of the adjoining properties and result in an unreasonable loss of privacy to the occupiers.*
- 4. The proposed access road and rear parking area, by reason of excessive size and unsatisfactory siting in relation to the neighbouring residential properties, and associated disturbance and general activity would be unduly obtrusive and detrimental to the visual and residential amenities of the occupiers of those properties and the character of the area.*
- 5. Due to the sites close proximity to the traffic light controlled junction, the number of units proposed and the associated car parking arrangement would generate additional vehicle movements that would be to the detriment of the safety and free flow of traffic on the neighbouring highway.*
- 6. The proposed development, by reason of unsatisfactory design and layout, would have poor physical and visual links between the flats and the rear garden thus providing an inadequate standard of amenity for future occupiers thereof.*

P/3189/08

### **Reasons for Refusal**

1. *The proposed development by reason of its scale, bulk, massing, layout and unsatisfactory design and site coverage would be unduly obtrusive and overbearing, and would be out of character with neighbouring properties which comprise mainly two-storey houses, and would not respect the scale, massing and form of those properties appearing inconsistent with the existing pattern of development, to the detriment of the visual and residential amenities of neighbouring residents and the character of the area, contrary to policy 4B.1 of The London Plan 2004, policies D4, D5 and D9 of the Harrow Unitary Development Plan 2004, and Supplementary Planning Guidance Designing New Development (March 2003).*
2. *The proposed development, by reason of its excessive number of units, site coverage by building, inadequate garden area, proximity to neighbouring properties, associated disturbance & general activity due to over occupation of the site, would represent an over-intensive use, and amount to an over development of the site to the detriment of the residential amenity of future occupiers of the site, neighbouring residents and the character of the area contrary to policies 4B.1 of The London Plan 2004, policies D4, D5, D9, D10, EP25 of the Harrow Unitary Development Plan 2004, and Supplementary Planning Guidance Designing New Development (March 2003).*
3. *The proposed development would fail to provide 50% of the units as affordable housing, and in the absence of adequate justification, is therefore considered to fail to address strategic housing objectives or the provision of a mixed and balanced community, contrary to the objectives of Policies 3A.8, 3A.9, 3A.10 and 3A.11 of the London Plan.*
4. *The proposed development, by reason of the failure of units to receive adequate levels of daylight/sunlight, outlook and privacy, and the inadequate provision of amenity space and play space for children and young people on the site, would fail to provide adequate living conditions for future occupier, contrary to policies D4 and D5 of the Harrow Unitary Development Plan and The London Plan draft Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation.*
5. *The proposed development, by reason of overlooking and overshadowing of neighbouring properties and an overbearing presence on neighbouring properties would be detrimental to the existing residential amenity of the neighbouring properties, contrary to policy D4 of the Harrow Unitary Development Plan 2004.*
6. *The proposed development would result in undue harm to existing protected trees on site to the detriment of the character and appearance of the site and wider street scene contrary to policies D4 and D10 of the Harrow Unitary Development Plan 2004.*
7. *The proposed development, by reason of inadequate measures to mitigate traffic generation resulting from the scheme and failure to consider future increases in traffic flow in the area, would be detrimental to the adjacent road junctions, which are already operating in excess of capacity, to the detriment of the free flow and safety of vehicular traffic and pedestrians on the public highway in the area, contrary to Harrow UDP policy T6.*
8. *Due to the inadequate basement clearance the proposed development would fail to provide adequate provision for refuse collection arrangements on-site, and would therefore be reliant on the public highway for collection arrangements which would be prejudicial to safe and effective operation of the highway, contrary to Harrow UDP policies T6 and T15.*
9. *The application fails to provide onsite renewable energy generation to address 20% of*

*the total energy demand of the development and therefore is considered to be an unsustainable form of development, contrary to policy 4A.1, 4A.7, 4B.1 of The London Plan 2004, policies D4 of the Harrow Unitary Development Plan.*

- 10. The proposed development fails to provide adequate detail of eight wheelchair units within the development and is therefore considered to fail to adequately provide for the housing needs of wheelchair users, contrary to policy 3A.5 of the London Plan.*
- 11. The proposed development layout is based on single aspect units, with approximately half of these facing north, and provides internal bathrooms and internal kitchens, resulting in a comparatively higher energy demand, and is therefore considered to be an unsustainable form of development that fails to address climate change contrary to policies 4A.1, 4A.2, 4A.3 and 4A.4 of the London Plan.*
- 12. The application has failed to demonstrate that it would provide a 20% reduction in carbon dioxide demand through renewable energy generation on the site, and is therefore considered to fail to provide measures to address climate change contrary to policies 4A.1, 4A.2, 4A.3, 4A.4 and 4A.7 of the London Plan.*

P/1989/09

Flats comprising 11 1- bed 26 2 –bed 9-3 bed 7-4 bed and 1 4/5 – bed with photovoltaic panels and satellite receivers at roof level underground parking – 54 spaces including 6 disabled spaces

Resolution to Grant at committee 13<sup>th</sup> October 2010 subject to S.106 Agreement. (S.106 Agreement never entered into)

### **Background to P/1989/09**

It was proposed to demolish the 5 detached dwellings that are located on application site, and to replace them with a single building which would front both Sudbury Hill and Sudbury Court Drive. The new build would have had a maximum height of 12m (excluding chimneys) with basement parking being accessed off Sudbury Hill. A secondary access would be located off Sudbury Court Drive. This development would have provided for 54 flats on the site.

The application was presented to the Planning Committee with a recommendation to grant planning permission, subject to safeguarding conditions and a S.106 Legal Agreement. Elected Members resolved to grant planning permission as recommended and subject to conditions and the S.106 agreement being entered into. However, as noted above, the S.106 agreement was never entered into and planning permission never granted.

### **Pre-Application Discussion - P/1592/14/PREAPP**

- Application site is identified as an Allocated site within the Site Allocations Plan (2013), and as such the principle of redevelopment to provide a new residential is therefore acceptable.
- The general layout of the buildings would be acceptable as similar to previous scheme which was minded to be granted.
- Breaking up the development into blocks, rather than one continuous form should be explored.
- No objection to a traditional appearance/design.
- Concern for amenity of future occupiers, specifically in relation to the single aspect units.
- Scheme would continue to provide excessive hardstanding

### **Community and Stakeholder Engagement**

The Council's Statement of Community Involvement (2012) states that *'ideally the results of pre-application consultation should be included in the planning application and form part of the planning application process'*. A Statement of Community Involvement is included within the Design & Access Statement. Invitations were sent to 1200 residents within the immediate area of the proposed development, along with elected representatives, as well as via press release and public notice within the local media. A consultation event was held by the applicant, which was attended by 28 people who were able to make comments on the proposed scheme. The applicant has attempted to address the issues raised by attendees through the supporting information within the application

### **Applicant Submission Documents**

- Design and Access Statement
- Statement of Community Involvement
- Transport Assessment, Travel Plan and Car Park Management Plan
- Energy Statement
- Sustainability Statement

### **Consultations**

Environment Agency: No Objection

Affinity Water: No Objection: Makes the following comments;

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.



London Borough of Brent: Object

A Transport Statement should be submitted as part of the planning application to provide a better assessment of transport impacts. It is recommended that the Transport Statement provides results of the traffic surveys of the A4127/A4005 junction which were undertaken in May 2014, as well as further analysis of other modes in the area such as pedestrian and cycle routes and junction modelling. This data would help further assess the transport impacts of this site

A financial contribution should be sought to assist in offsetting any traffic and highway impacts on the adjacent highway network.

Highway Authority: No Objection, appraised under section 6 of this report

Harrow Drainage Team: No Objection, subject to safeguarding conditions.

Harrow Environmental Health Team: No Objection

Conservation Officer: No Objection.

St Georges School: Object

- The scheme will overlook the school and pupils
- Increased traffic and lack of traffic calming measures
- Entrance to the scheme is directly adjacent to the school entrance
- Construction phase will lead to danger with noise, dust and heavy vehicles
- The junction is two densely populated

Harrow Hill Trust: Objection

- Proposed scheme is a significant increase over and above the previous scheme that was resolved to be granted
- Will unacceptably exacerbate an already congested public highway/junction area
- The rear of the site which was previously garden/recreational space would now be car parking provision
- Planning obligation ought to be received to upgrade the existing junction
- Many units are effectively single aspect and north facing, with secondary windows facing flank elevation of adjacent blocks

Heritage Residents Association: Objection

- Detrimental to current amenities of neighbouring properties
- Constitute major overdevelopment, a serious nuisance and an eyesore
- Exacerbate the existing poor situation at the adjacent junction
- Parking issues and peak traffic issues
- Impractical entry/exit point
- Out of character development
- Rear and side of the block would harm views on both sides of the south part of Sudbury Court Drive.
- Exacerbate poor water pressure
- Danger of flooding due to underground stream
- Impact on neighbourhood facilities such as a Doctors Surgery.

Sudbury Hill Residents Association: No Comment

Designing Out Crime Officers: No Objection, subject to safeguarding conditions.

**Reason for Advertisement:** Major Development

**Expiry:** 2<sup>nd</sup> October 2014

**Site Notice Erected:** 16<sup>th</sup> January 2015

**Expiry:** 6<sup>th</sup> February 2015

**Notification**

Sent: 187

Expiry: 28 January 2014

Objections Received: 13

**Neighbours Consulted:**

Extensive consultation has been carried out, which covers a wide area surrounding the site, along Sudbury Hill, Sudbury Court Drive, Sudbury Court Road, Greenford Road, and Harrow Road. A plan of the consultation area is appended to this report.

**Summary of Responses:**

- Objections (13)
- Support (0)

**Objections (13):**

- Traffic Congestion
- Exacerbate an already dangerous stretch of road due to visibility and not intensity of traffic
- Parking situation will be worse
- No turning restrictions from the development.
- Proposed access location is inappropriate next to St Georges School
- Increase in noise and environmental pollution
- Area of land adjacent to No. 1 Sudbury Hill provide access to rear garden of No. 1 Sudbury Court Drive.
- Buildings within the area are 2 or 3 storeys, the proposed would be considered 3.5 storeys high.
- Height and position would dominate the approach on the Greenford Road.
- What landscaping would be in place
- Bats are in the area, and a bat survey should be carried out.
- Existing properties should not be demolished
- Flatted developments are changing the character of the area
- Loss of light to trees and lawn areas
- Proposal will destroy all existing trees
- Loss of privacy to neighbouring residential properties along Sudbury Court Drive from upper levels
- Proposal will block views to Sudbury Hill Forest
- Impacts on pupils at St Georges School through construction nuisance (noise, dust, traffic movements etc)

**Support (0):**

- N/A

## **Second Round of Consultation**

**Sent: 29/01/2015**

Amended plans were received by the Local Planning Authority to include;

- Simplified design and appearance of the proposed development

These amended plans were consulted on and the content of the objections above were again received.

### **Third Round of Consultation**

**Sent: 30/05/2015**

Further information published inclusive of the following;

- Transport Statement
- Travel Plan
- Energy Statement
- Sustainable Homes Pre-Assessment
- Drainage Methodology

Any comments received in relation to the third round of consultation are to be reported to Planning Committee via an addendum.

### **APPRAISAL**

The Government has adopted a National Planning Policy Framework [NPPF] on 27 March 2012 that consolidates national planning policy. This document now carries significant weight and has been considered in relation to this application.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:  
*'If regard is to be had to the Development Plan for the purpose of any determination to be under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'*

In this instance, the Development Plan comprises The London Plan (Consolidated with Alterations Since 2011) 2015, the Harrow Core strategy 2012 and the policies of the Harrow Development Management Policies Local Plan 2013.

### **MAIN CONSIDERATIONS**

Principle of Development  
Affordable Housing Provision  
Design, Character and Appearance of the Area  
Residential Amenity  
Traffic, Parking, Access, Servicing and Sustainable Transport  
Flood Risk and Development  
Trees and Development  
Sustainability and Climate Change Mitigation  
Equalities Implications and the Human Rights Act  
Ecology and Biodiversity  
S17 Crime and Disorder Act  
Consultation Responses

### **Principle of the Development**

#### *Spatial Strategy*

The adopted National Planning Policy Framework [NPPF] has brought forward a presumption in favour of "sustainable development". The NPPF defines "sustainable development" as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three strands 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 encourage the effective use of land by reusing land that has been used previously, recognising that "sustainable development" should make

use of these resources first.

Harrow's Core Strategy establishes a clear vision for the management of growth in the Borough over the Local Plan period (to 2026) and a framework for development in each district of the Borough. Policy CS1(A) directs growth<sup>1</sup> to town centres and strategic, previously-developed sites and provides for that growth to be managed in accordance with the sub area policies. Policy CS3<sup>2</sup> K commits the Council to bring forward the *'Redevelopment of identified, previously developed sites to collectively contribute at least 300 homes towards the Borough's housing allocation, set out in Core Policy 1 will be encouraged'*. To this end, the key diagram for the Harrow on the Hill and Sudbury Hill sub area identifies this location for future housing and the site is formally allocated as such in the Site Allocations Local Plan document.

Within the context of planned growth across London, the proposal therefore accords with Harrow's vision for the development of the Borough as a whole and for the Harrow on the Hill and Sudbury Hill sub area. The proposal would make a contribution to forecast requirements for new housing in the Borough over the plan period.

### **Delivery of Site Allocation Uses**

Turning to the detail of the site's allocation, it is included as Site H1 of Harrow's Site Allocations Local Plan document. The site allocation also seeks residential development.

The commentary notes that the allocated site is earmarked to provide for a minimum of 54 homes (net 49). Furthermore, in 2010 the Council resolved to grant planning permission (subject to a legal agreement) for the demolition of five detached dwellinghouses and the construction of fifty four flats with solar panels and satellite receivers at roof level, and underground parking to provide 54 spaces (P/1989/09). It is noted that the legal agreement was never entered into.

The proposal is for 68 homes. Within the strategic policy context, the indicative status of the housing capacity figure included in the site allocation and taking into account the approach to the design and layout of the scheme, the provision of 68 homes is not inappropriate. The form of the development, comprising three separate blocks of flatted accommodation, which would front onto Sudbury Hill and Sudbury Court Drive.

The principle of the development is therefore considered acceptable.

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<sup>1</sup> That portion of the Borough's growth that would be accommodated beyond the Harrow & Wealdstone Intensification Area.

<sup>2</sup> For the Harrow on the Hill and Sudbury Hill sub area.

## Affordable Housing Provision

### Affordable Housing Policy and the Proposal's Affordable Housing Offer

The NPPF defines affordable housing as: social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Intermediate housing is defined as homes for sale and rent provided at a cost above social rent but below market levels.

The strategic part of London Plan Policy 3.11 calls for 60% of affordable housing provision to be for social and affordable rent and for 40% to be for intermediate sale or rent, and gives priority to the provision of affordable family housing. However, London Plan Policy 3.12 – which is a planning decisions policy - requires the on-site provision of the maximum reasonable amount of affordable housing from private residential developments.

The London Plan's housing policies are supplemented by the Mayor's Housing SPG (2012). In relation to affordable housing policies, the tone of the SPG is to further emphasise the need for policies to be applied in a manner that maximises output and, having regard to viability, to encourage not restrain housing development.

Having regard to Harrow's local circumstances, Policy CS1 (J) of the Core Strategy sets a Borough-wide target for 40% of all homes delivered over the plan period (to 2026) to be affordable, and calls for the maximum reasonable amount to be provided on development sites having regard to the following considerations:

- the availability of public subsidy;
- the housing mix;
- the provision of family housing;
- the size and type of affordable housing required;
- site circumstances/scheme requirements;
- development viability; and
- the need to meet the 40% Borough-wide target.

Policy DM24 (*Housing Mix*) of the Development Management Policies Local Plan document supports proposals that secure an appropriate mix of housing on the site. The policy undertakes to have regard *inter alia* to the target mix for affordable housing set out in the Planning Obligations SPD and the priority to be afforded to the delivery of affordable family housing.

The proposed development would provide for 68 residential units within the site. Policy 3.13A (Affordable Housing Thresholds) of the London Plan (2015) requires that any development which has the capacity to provide 10 or more homes should provide an affordable housing contribution. Core Strategy policy CS1J states that 'the Council will aim for a Borough-wide affordable housing target of 40% of the housing numbers delivered from all sources of supply across the Borough'. Policy CS1.J goes on to say that the Council will seek the maximum reasonable amount of affordable housing on all development sites having regard to a number of criteria, including development viability.

The development proposed here would contribute towards the housing stock and increase the choice of housing in the borough and would therefore find some support in policies 3.5 and 3.8 of The London Plan as detailed above. As mentioned previously, the site is allocated and as such is earmarked to bring forward a housing development.

The Council recognise that not in all circumstances it is viable to provide affordable housing targets within a scheme. Where this cannot be provided on site, a robust viability assessment must be provided to demonstrate that the proposed scheme cannot viably provide this requirement. The proposed development initially offered a zero provision of affordable housing as part of the scheme. The applicant has submitted a Financial Viability Appraisal to support the zero provision of affordable housing to the boroughs stocks. The submitted information within the Financial Viability Assessment contains market sensitive information, and as such is unable to be assessed in a public forum. Notwithstanding this, the submitted information has been independently reviewed and tested to ensure that the zero provision of affordable housing is the maximum reasonable affordable housing that can be made as part of the proposed scheme.

The independent assessment of the Financial Viability Assessment concluded that the proposed scheme could indeed reasonably provide an affordable housing contribution, contrary to what was detailed within the applicants appraisal. The independent review concluded that the proposed development could reasonably provide 11 units as an affordable housing contribution, along with a financial contribution. Negotiations with the applicant have since resulted in an agreement of 13 units been offered as an affordable housing provision. The 13 units proposed within this block were sought to be all provided as affordable units, as this would ensure that there would be no conflicts between housing types within the block as a result of the core design. The 13 units would be located within proposed Block 1, and would fill out the complete block. As a result of the increase in affordable units being provided over and above what was considered reasonable within the independent review, it is also considered reasonable that there would be no financial contribution required.

As noted above, however, the London Plan contains a target mix of 60 per cent affordable rent and 40 per cent intermediate products, over the life of the plan. The 13 units proposed within proposed block 1 would have provide 7 socially rented units and 6 shared ownership units within the block. The securement of 13 units within proposed block 1 ensures that this block would not have a mix of affordable and private units, which would enable a successful management of the block as there would not be a conflict between tenure mix. It is considered that the affordable housing offer proposed, subject to appropriate mechanisms to secure its provision through a S.106 agreement, would be consistent with the objective of maximising affordable housing output from the site.

For these reasons, the proposed development would accord with the spatial development strategy for the borough set out in the Core Strategy, whereby providing a development within the borough that would be in a coherent, efficient and effective manner, according with National Planning Policy Framework 2012, policy 3.5A of The London Plan 2015 and policies CS1.A and CS1.B of the Harrow Core Strategy 2012.

The proposed development would therefore meet the strategic housing aim for the borough and accord with policy 3.13 of the London Plan (2015), Policy CS1.J of the Harrow Core Strategy, policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).

### **Housing Supply, Density and Overall Housing Mix**

Paragraph 48 of the NPPF reminds local planning authorities that housing applications should be considered in the context of the presumption in favour of sustainable

development.

London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow’s spatial strategy for managing growth locally over the plan period to 2026. These are set out in the *Principle of Development* section of this report (above). The proposal’s 68 home contribution to housing supply ensures that this strategic site makes an appropriate contribution to the Borough’s housing need over the plan period to 2026 and to fulfilling the Core Strategy’s target for the Harrow on the Hill and Sudbury Hill sub area, as well as modestly exceeding the housing capacity figure attributed to the site in the Site Allocations Local Plan document.

London Plan Policy 3.4 seeks to optimise housing output from development by applying the sustainable residential quality density matrix at Table 3.2 of the Plan. Supporting text to the policy makes it clear that the density matrix is only the start of planning for housing development and that it should not be applied mechanistically. Further guidance on how the matrix should be applied to proposals is set out in the Mayor’s Housing SPG (2012).

The application site area is 0.64 hectares and it has a public transport accessibility level (PTAL) score of 3 indicating a moderate level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have an urban<sup>3</sup> setting. The proposal, taken as a whole, equates to a density of 106 units per hectare<sup>4</sup> and of 343 habitable rooms per hectare<sup>5</sup>. These densities fall well within the overall matrix ranges for urban setting sites with PTAL 3, being between 55-145 units per hectare and 200-450 habitable rooms per hectare. However, as noted above, the matrix is only the starting point for considering the density of development proposals.

The following is a breakdown of the proposed housing mix across the scheme.

<b>Unit Size</b>	<b>No. of Units (Total)</b>	<b>% of All Units</b>	<b>No. of Units (Market)</b>	<b>% of Market Units</b>	<b>% of All Units</b>
1 Bed:	14	20.5%	10	18%	14%
2 Beds:	50	73.5%	44	80%	64%
3 Beds:	4	5%	3	2%	4%
<b>Totals:</b>	<b>68</b>	<b>100%</b>	<b>55</b>	<b>100%</b>	<b>82%</b>

All the proposed residential units would be flats within the development. The table above demonstrates that there would be a satisfactory mix of housing types within the scheme. Whilst it is acknowledged that there would be a higher percentage of 2 bedroom units within the development, the submitted information demonstrates that there would be choice within this housing type also. Indeed there would be both 2bed 3person flats and 2bed 4person flats, which would provide further housing mix within the development. Furthermore, there would be units of both these quantum that would be wheelchair accessible accommodation. Lastly, the 3bed 5person would also provide a wheelchair

<sup>3</sup> ‘Urban’ is defined as: areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of a district centre or along main arterial routes.

<sup>4</sup> Calculated as: 68 dwellings divided by 0.64ha x 1ha.

<sup>5</sup> Calculated as: 220 habitable rooms divided by 0.64ha x 1ha.



accessible unit.

It is considered that the proposed development would provide a satisfactory density and mix of residential accommodation within the site. The proposed mix of occupancy levels across the entire scheme would provide a satisfactory level of housing choice to both the Borough's market and affordable housing stock. It is therefore considered that the proposal would accord with the policies and guidance listed above.

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

The National Planning Policy Framework (NPPF) was published by the Government on March 27<sup>th</sup> 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38(6) of the Planning Act). The development plan for Harrow comprises The London Plan 2015 [LP] and the Local Development Framework [LDF].

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

The London Plan (2015) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. Core Strategy policy CS1.B states that 'all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design'.

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

The proposed development would consist of three separate blocks of flats within the site, which would provide an 'L' shape within the site. Each of the properties would front a public highway. Car parking spaces would be located to the rear of the development.

Block 1 and 2 would front onto Sudbury Hill, with block 3 fronting onto Sudbury Court Drive. Each of the proposed blocks would be of a similar design and appearance within the site, being three storeys with accommodation within the roof space. The proposed blocks would have a hipped roof with dormers within the roof slope. The proposed development would sit more or less within the same footprint as a previous scheme that was resolved to be granted under P/1989/09, which was to be subject to a S.106 legal agreement. However, it is noted that this agreement was never entered into. It is considered that the proposed layout of the scheme is acceptable in this instance. Proposed Block 3 which is fronting onto Sudbury Court Drive is shown as being marginally forward of the property line set by the property No. 1 Sudbury Court Drive. However, it is noted that it would only sit marginally forward of this building line, and as a result this slight departure would not be overly discernible or detrimental to the character and appearance of the streetscene.

There is a noticeable change in ground level between the public highway along Sudbury Hill/Harrow Road and the application site, which rises from west to east. Given that there is a change in height the public highway up to the application site, there is the potential that the proposed development could lead to an overly prominent development within the streetscene. As mentioned previously, P/1989/09 was resolved to be granted at planning committee for a three storey building with a pitched roof which also provided residential accommodation within the roof space. It is noted under this application, whilst planning permission as never granted because the S.106 agreement was not entered into, the planning committee had resolved to grant permission, concluding that a 12m high development was considered acceptable. The proposed development is proposed to have a maximum height of 12.5m. Accordingly, it is considered that the increase in the height by approximately 0.5m would not be discernible within the context of the site within the wider area. Furthermore, the scheme considered under P/1989/09 was noted as being of a design that was one continuous elevation. The current application, through the pre-application process, has been split into three separate blocks within the site. The breaking

of the development into three separate blocks assists in decreasing the prominence of the proposed development when viewed from the wider area.

It is considered that the proposed layout, bulk, scale and height of the proposed development, notwithstanding the change in site levels to the public highway, would not result in an unacceptable impact on the character and appearance of the existing site, streetscene, or wider area.

#### Proposed Block 1

Proposed block 1 would be located at the northern end of the site, and would share the boundary with St George School. Block 1 would be fronting onto Sudbury Hill and would provide 13 residential units. This block would be characterised by having two, three storey projecting bays fronting the highway, which would be squared off in appearance. Between the two-projecting bays would be balcony features set behind to provide private amenity space for future occupiers. Dormers would be located within the roof space and access provided to the top of the bay features which also provide outdoor amenity space.

At the northern end of this block is the access to the property. An underpass through the ground floor is provided to allow access to the rear car parking area. On the northern elevation a projecting balcony provides access to the third floor.

#### Proposed Block 2

Proposed Block 2 is located between the southern elevation of proposed Block 1 and the corner of the site, on its junction with Sudbury Hill and Sudbury Court Drive. Whilst similar in appearance to Block 1, Block 2 is situated on the junction, and as such attempts to address the corner by orientating a projecting bay feature to the corner. It is considered that this purposeful design response is an appropriate response to the corner, and ensures an interesting and strong appearance in this highly prominent location.

#### Proposed Block 3

Proposed Block 3 fronts onto Sudbury Court Drive. Again, the design characteristics of this block are that it would have three projecting bay feature that have been squared off. Dormers are located within the roof slope and also access provide to the top of the bay features to provide amenity space. Balconies are provided between the bay features on the front elevation.

#### Design Conclusions

Each of the proposed blocks are similar in design and appearance. Through the design phase of the development, amended plans have been received to provide a more simple and less fussy design. It is proposed to provide a brick built development with clean and unfussy elevations. The proposed bay features along the front elevations of each of the blocks are purposeful steps within the building line, which ensure that they would be visually interesting within the streetscene. The proposed bay features, whilst noted as being higher than the eaves provide of the blocks, would be a purposeful design feature, as they would provide an amenity space for the future occupiers. To ensure that the proposed bay features, which sit forward of each block to provide interest remain as a strong and prominent design feature, it is important that each would have a clean and apparent finish within the roof slope. The proposed plans do not clearly demonstrate what this finish would be, and as such it is considered appropriate to request further information on this element.

Each of the proposed blocks would have a hipped roof, with dormers to assist in providing

a suitable level of accommodation within the roof space of future occupiers. The proposed roof form, being hipped, is a direct response to the prevailing character of development within the area. Whilst it is acknowledged that there is a relatively eclectic character within the area, with traditional metroland housing, flatted developments, school buildings and a care home, a hipped roof as proposed is considered appropriate and is replicated significantly within the area. The proposed roof form, which provides accommodation within the roof space, would ensure that the bulk of the development remains proportionate and not overbearing within the site or streetscene.

As mentioned previously, it is proposed to provide accommodation within the roof space. To ensure satisfactory living accommodation for future occupiers (to be assessed in detail later), Dormers are proposed in each of the roof slopes, with larger dormers providing access to the outdoor amenities on the top of the bay features. Smaller dormers are provided between these. It is considered that the proposed dormers would be appropriate, as they would visually contained within the roof slope of the development. Furthermore, the number and siting of the proposed dormers would ensure that they would not appear cluttered or unsightly from within the site or wider streetscene.

To provide amenity space for the future occupiers, it is proposed to provide balcony features. These are characterised on the front elevation by being set between the projecting bay features. Juliet balconies are proposed to be located within the bay features, and would be set across the full length doors. The proposed balconies on the front elevation would provide a level of interest in this elevation, and assist in breaking up the brick that would be used within the elevations.

On the rear elevation of the proposed blocks, it is proposed to have projecting balconies. It is considered that this design of balcony on the rear elevation would be acceptable in this context. The proposed projecting balconies on the rear elevation would not be widely visible from the surrounding area, and would be limited to only two floors. Lastly, they would assist in providing a level of natural surveillance into the rear car park and communal amenity space.

It is noted that Block 1 would have two projecting balconies from the flank elevation at second floor level that would be facing towards the St Georges School. The amended plans demonstrate that this feature would be cantilevered and not require poles to support it from ground level. Given that this balcony would be projecting and would be more readily visible within from the wider area, it is considered appropriate that this is cantilevered rather than pole mounted, as it would appear as a more integrated and purpose design feature, rather than a 'after thought'.

The application does not provide detailed information on the materials of the proposed balconies. It is therefore considered appropriate that a condition be attached to require further details of these to be submitted. A condition is therefore recommended accordingly.

The proposed fenestration within the development follows a clear and legible pattern within each of the elevations. This is considered to be appropriate and ensures that the elevations do not appear contrived or fussy. Details have not been submitted to demonstrate the depth of the reveals within the elevation of the windows or full length doors. Providing depth of these is important, as this ensures that there would be articulation within the elevations. It is therefore considered reasonable that a condition requiring details of the reveal depth of the proposed fenestration to ensure that this is

achieved. A condition is recommended accordingly.

### Materials

The original scheme submitted for consideration by the Local Planning Authority has been amended significantly in terms of its design and appearance. The materials palette has been simplified to provide a much more unfussy development. It is proposed to erect the new build primarily from brick, which is considered to be appropriate. However, it is important that the colour and texture of the brick is appropriate for the scale of the building and the surrounding area. Accordingly, it is considered reasonable to attach a condition requiring further details on this detail. Furthermore, a condition has been attached to request details of the materials used on the remainder of the external surfaces of the proposed development.

### Access

Each of the existing properties have individual accesses onto Sudbury Hill. However, it is proposed as part of the development to rationalise the entrances to have one at the northern end of the site on Sudbury Hill, near the common boundary with the school. A separate entrance would be located along Sudbury Court Drive to provide access to car parking spaces

The primary access point off Sudbury Hill provides access to car parking area that is located to the rear of the property. Proposed Block 1 would have an undercroft to allow access through the development from the public highway.

Parking and other traffic related matters are to be assessed under section 6 of this appraisal.

### Landscaping:

The proposed development proposes a significant amount of hardstanding across the site, as a result of the proposed buildings and also the shared surfaces for pedestrians and vehicles. Soft landscaping is a vital element to the development as it will ensure that the hard surfacing is sufficiently broken up, and will enhance the appearance of the development.

Along the front boundary with Sudbury Hill, it is noted that there are a number of trees that have been protected by way of Tree Protection Orders. Accordingly, the Local Planning Authority would resist any loss, or damage to these trees with throughout the development stage or by way of post development pressures. Given the location of the protected trees along the front boundary, this has dictated the footprint of the proposed development. Incidentally, the footprint, in terms of the front building line, would be similar to that which was resolved to be granted P/1989/09. Soft landscaping is proposed to be retained around the frontage of the site between the proposed building and the public highway. Indicative plans also demonstrate that small, defensible garden areas would also be demarked by hedging around each of the elevations of the blocks.

To the rear of the site it is proposed to provide the majority of the car parking for the development, other than the three spaces that are accessed off Sudbury Court Drive. The parking provision, in terms of quantum is considered in further detail below. However, the proposed car parking area results in a substantial amount of hard standing within the site. It is important to ensure that there is an appropriate balance between the amount of hardstanding within the development, and a satisfactory amount of soft landscaping to ensure a high quality appearance to the property.

The provision of communal and other amenity spaces provided within the development are discussed later within this report.

### Hard landscaping

The proposed car parking area results in the requirement for the hardstanding within the rear of the development. However, it is noted that this has been rationalised to the rear of the three blocks and along the northern rear boundary. The application information indicates that the parking area would be located furthest away from the property known as No. 1 Sudbury Court Drive. This area has been identified as soft landscaping.

The proposed hard landscaping has been identified on site as not being all one in its appearance. The variation in the hardstanding of the car parking on the site provides visual interest to the hardstanding, which may potentially appear as monotonous. Further information in the variation in the hardstanding of the car parking is considered appropriate to fully appraise the appearance of this element.

Within the car parking area, it is proposed to erect three pergola type structures over some of the car parking spaces. The proposed structures would provide interest to the rear car parking/amenity area of the site, and would enable soft landscaping to be planted on them. This would assist in screening some of the car parking area from the future occupiers of the development and also the existing neighbouring occupiers.

Notwithstanding the above, a condition is attached to seek further detail on some hard landscaping features such as boundary treatment, fences, gates, brick walls and railings. Subject to such a condition, it is considered that the proposed hard landscaping is satisfactory.

### Soft Landscaping

Soft landscaping is an important element to the proposed development, as it assists in breaking up areas of hardstanding and improving the appearance of the development. The front of the existing site already has significant soft landscaping, and it is proposed to retain this level of soft landscaping, and to introduce further soft landscaping measures. Furthermore, it is proposed to introduce small defensible garden areas around the ground floor units of each of the blocks.

As mentioned previously, the car parking area to the rear of site results in substantial amount of hardstanding. The applicant has attempted to break this up by introducing soft landscaping strips to ensure that there is not a continuous run of car parking spaces. Located to the east of the proposed car parking area it is proposed to provide a large communal amenity area which would be grassed.

It is considered that the proposed development would strike an appropriate balance between hard and soft landscaping within the site. The hardstanding provided for the car parking would be appropriately broken up with soft landscaping, and the remainder of the site would have a satisfactory level of soft landscaping.

### Conclusion:

Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy

Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B and 7.6B of The London Plan (2015), Core Policy CS1(B) of the Harrow Core Strategy, policy DM1 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

## **Residential Amenity**

London Plan Policy 3.5 *Quality and Design of Housing Developments* sets out a range of criteria for achieving good quality residential development. Part B of the policy deals with residential development at the neighbourhood scale; Part C addresses quality issues at the level of the individual dwelling.

Implementation of the policy is amplified by provisions within the Mayor's Housing SPG (2012). The amplification is extremely comprehensive and overlaps significantly with matters that are dealt with separately elsewhere in this report, particularly Lifetime Neighbourhoods. In response to a request for clarification about the detail internal arrangements of the proposed flats and houses the applicant has advised that the development has been designed to accord with the London Housing Design Guide interim edition. Where relevant these are addressed in the appraisal below.

Core Strategy Policy CS1 K requires a high standard of residential design and layout consistent with the London Plan and associated guidance. Policies DM1 *Achieving a High Standard of Development* and DM27 *Amenity Space* set out a number of privacy and amenity criteria for the assessment of proposals for residential development.

### *Internal space*

The submitted Planning Statement confirms that all of the proposed dwellings have been designed to meet the London Plan's minimum space standards and a condition to ensure this is achieved is recommended. The submitted drawings show that the proposed layouts would make reasonable provision for the accommodation of furniture and flexibility in the arrangement of bedroom furniture.

### *Amenity space*

Policy DM27 *Amenity Space* of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy.

For private amenity space, the SPG requires a minimum of 5m<sup>2</sup> per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. The proposed balconies would meet and exceed these minimum dimensions. In terms of amount of provision the balconies would, on their own, meet the SPG minimum amenity space requirements for each of the flats (i.e. 5m<sup>2</sup> for one bedroom flats, 7m<sup>2</sup> for two bedroom flats and 8m<sup>2</sup> for three bedroom flats). Level access onto the balconies will be secured as part of the proposed access conditions.

In addition to the private balconies occupiers of the flats would also have access to communal outdoor space.

These communal areas would supplement the private balconies and would provide a welcome additional component to the amenity afforded to future occupiers of the development. The SPG calls for adequate natural surveillance, wheelchair access and management of such areas. The proposed communal amenity space would be overlooked by the blocks that they serve. It is normal for the management of residents' communal areas in new development to be taken on by a private management company or the relevant registered provider; there is no reason to expect that these arrangements will not be on an adequate footing in respect of the proposed development.



The SPG also states that communal areas should be designed to take advantage of direct sunlight. It is proposed to provide a large communal amenity space at the rear of the site. Given its location away from the proposed new buildings, and that the surrounding buildings are relatively low in height and scale, this amenity space would receive an adequate level of light for users of this space.

Although surrounding residential areas are predominantly characterised a traditional pattern of houses and private gardens, blocks of flats with communal gardens are not completely alien to this area. A Landscaping Strategy has been submitted and sets out some principles for the hard and soft landscaping of the whole site including the amenity spaces/roof gardens.

### *Privacy*

The SPG seeks an adequate level of privacy to habitable rooms in relation to neighbouring property, the street and other public spaces. Policy DM1 *Achieving a High Standard of Development* in relation to privacy has regard to:

- the prevailing character of privacy in the area and the need to make effective use of land;
- the overlooking relationship between windows and outdoor spaces;
- the distances between facing windows to habitable rooms and kitchens; and
- the relationship between buildings and site boundaries.

The proposed development sits in an 'L' shape within the site, fronting the public highways. A conscious design rationale was taken to split the development into three blocks. This assisted in breaking the bulk of the scheme up, whereby ensuring that it does not appear overly dominant within the site or streetscene. In so adopting this design approach, it results in flank and rear elevations of the individual blocks facing each other within the development, each which would have flank windows within them.

It is noted that Block 1 has flank windows that serve habitable rooms on the southern elevation, which would face the northern flank elevation of Block 2, which again would have habitable windows facing each other. The distance between the two blocks would not provide a satisfactory buffer between the habitable windows, and would result in a poor relationship leading to a loss of privacy for future occupiers of both blocks. However, it is considered that should the flank windows on one of the blocks be amended to provide saw-tooth windows, this would overcome any direct views to the detriment to the amenities of future occupiers. Accordingly, it is considered appropriate that a condition be attached to secure such an amendment to the existing scheme to mitigate the concerns of loss of privacy.

The rear elevation of proposed Block 2 would face the (western) flank elevation of Block 3, both which would also have habitable windows within the respective elevations. Block 3 would have a flank elevation of approximately 18m deep along the rear elevation of Block 2. At its closest point, this elevation would have a have secondary windows that provide a source of light to bedrooms, and also window to a bathroom. Block 3 would have two flank windows that serve a bedroom and a living room that would face the rear of Block 2. It is noted that these two windows would be secondary windows to both of these rooms. Accordingly, it is considered that a condition be imposed to ensure that both windows (on all floors) are high level (above 1.7m internal floor level), which provide a source of light whilst protecting the amenities of future occupiers of Block No.

2.

The proposed development is bounded to the east by a two-storey dwelling house, with no other residential properties on the common boundaries. On the northern boundary the property is bounded by St Georges School. Overall, it is considered that the proposal would secure a standard of privacy for future occupiers of the development that is commensurate with the intended character of this higher-density development (which makes effective use of this accessible previously-developed site) and the likely expectations of future occupiers of a town centre/edge of centre mixed-use scheme.

#### *Dual aspect*

The SPG seeks to avoid single aspect dwellings where: the dwelling is north facing (defined as being within 45 degrees of north); the dwelling would be exposed to harmful levels of external noise; or the dwelling would contain three or more bedrooms. Policy DM1 *Achieving a High Standard of Development* undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on single aspect dwellings.

A number of the proposed flats would be north facing, some of which would be single aspect. Most notably, within Block 3 there are a number of units present that are single aspect. However, it is noted that the habitable rooms have been located nearest the glazing within the northern elevation to ensure that they receive the maximum level of light. Where possible, the variations within the rear (north facing) elevation has allowed for secondary windows to be provided. Whilst these are acknowledged in most cases as being rather small windows they do provide a secondary aspect of light to the proposed accommodation. Proposed Block 2 has a number of north facing units. However, it is noted that the variation within the northern elevation has again allowed these units to have dual aspect within some of the habitable rooms that are being proposed.

It is noted that the applicant has responded positively to requests to provide dual aspect flats wherever possible, and as such on balance it is considered that the proposal would provide an adequate level of light for future occupiers.

#### *Internal noise*

The SPG seeks to limit the transmission of noise from lifts and communal spaces to sensitive rooms through careful attention to the layout of dwellings and the location of lifts. The SPG also recognises the importance of layout in achieving acoustic privacy. Both of these points are picked up by Policy DM1 *Achieving a High Standard of Development* which undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on noise and internal layout.

It is noted that the proposed floor plans generally provide vertical stacking that is considered to be satisfactory. Notwithstanding this, any overlap is considered in this instance to be acceptable, as the proposed new build would be able to meet Building Regulation standards. Accordingly, it is considered that the vertical stacking of the proposed development is acceptable.

#### *Floor to ceiling heights*

The SPG calls for a minimum floor to ceiling height of 2.5 metres in habitable rooms. The proposed plans indicate that ground, first and second floors would all have a floor to

ceiling height of 2.6m. The accommodation within the roof space would have a floor to ceiling height of 2.4m, for over 60% of the internal floor area. Whilst it is acknowledged that the proposed roof floor to ceiling height would not strictly confirm with the requirements of the SPG in this regard, it is considered that the departure from meeting the requirement is marginal, and the proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers.

#### *Daylight, sunlight and outlook*

The SPG establishes no baseline standard for daylight or sunlight. Policy DM1 *Achieving a High Standard of Development*, in seeking a high standard of amenity for future occupiers of a development, has regard to the adequacy of light and outlook within buildings (habitable rooms and kitchens).

Policy DM1 requires proposals to achieve a high standard of amenity and sets out the considerations for the assessment of amenity, of which light within buildings is one. The weight to be attached to this consideration, within the context of the whole amenity that would be afforded to future occupiers of the development, is ultimately a question of judgement. As mentioned previously, there are a number of north facing units within the development. However, where possible dual aspect units have been incorporated. Furthermore, whilst it is acknowledged that there are some single aspect north facing units, the floor plans indicate that they are not overly deep. As such, it is considered that they would receive a satisfactory level of daylight and sunlight.

It is noted that the accommodation proposed within the roof of proposed block 3 would provide for a bedroom that would not have a direct outlook from an elevational window. Rather, the source of light would be via a roof light. Whilst it is considered that this arrangement would not be the most ideal in terms of outlook, this unit would nonetheless provide a functional and satisfactory level of accommodation in all other aspects for the future occupiers of the development. The remainder of this flat would be of a satisfactory size and layout, and also receive an adequate level of light to all other habitable rooms.

As mentioned previously, Block 1 would have its southern flank elevation facing directly towards the northern flank elevation of Block 2. The separation distance between these two blocks is 5.6m. Along both elevations are windows that serve habitable rooms. As such, the outlook and light from these rooms would not be ideal. However, it is noted that the remainder of the proposed accommodation within these flats in terms of outlook and light would be satisfactory. The area between the two blocks would be treated with soft landscaping which would assist in both enhancing the appearance of the development, and also in improving the outlook of the future occupiers of these habitable rooms. A condition has been recommended with regard to the soft landscaping provision on site.

Taking into account the positive assessment of the proposal across a range of other amenity considerations, including the provision of amenity space, privacy, internal layout and dual aspect, it is considered that the overall standard of amenity for future occupiers would be acceptable. On balance, therefore, refusal of the application on grounds of inadequate daylight is not recommended.

#### **Residential Amenity of Neighbouring Occupiers**

London Plan Policy 7.6 Architecture states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to

privacy, overshadowing, wind and microclimate.

Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 *Achieving a High Standard of Development* sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also produced a Residential Design Guide SPD.

The privacy and amenity impacts have been assessed taking account of the proposed removal of trees within the application site boundary (see separate section of this report).

The proposed development would be located on the junction of Sudbury Hill and Sudbury Court Drive, and would replace the five detached dwellings that are currently located at 1 – 5 Sudbury Hill. The area is noted as having a mix of metro-land residential dwellings, a flatted development, a large scale care home and also a school.

With regard to occupiers to the south and east, the nearest habitable room windows are located some 30m (in the case of Buchanan Court) and 25m (Assisi Court) respectively. These separations are considered to be sufficient to maintain the privacy of neighbouring occupiers and that any impacts in terms of overlooking would also be adequately mitigated.

With regard to the school adjacent to the site (to the south west of the site) concern expressed by these neighbours is transportation based, which is addressed later within the report. With regard to the caretakers house located adjacent to the site boundary it is noted that the development would retain a separation of at least 21m between these buildings. The proposed development would also propose to retain landscaping on the common boundary. Given that the separation between the adjoining dwelling and the closest point of the proposed building has been significantly increased over that previously proposed, it is not considered that the proposed development would result in a significant loss of outlook or overlooking of the site property. As such, the amenities of these occupiers would be considered to be preserved and the issues raised in the previous application resolved.

An objection has been received that the proposed development would overlook the school. It is acknowledged that the proposed development would enable this to occur. However, it is noted that the school is would not constitute a habitable area and as such is not afforded a level of protection in this regard. It is noted that the previous scheme which was resolved to be granted at planning committee (P/1989/09), had habitable windows that overlooked the school. It was considered that this relationship was acceptable and would not unacceptably be harmful to the school. Whilst it is acknowledged that there would be balconies facing towards the school, it is considered that these would not result in a scheme that would result in unacceptable harm over and above what could have been implemented under P/1989/09.

An objection has been received in regard to the construction noise and impacts created throughout the construction phase. Whilst it is acknowledged that there would be impacts during this phase, it firstly would be noted as being a temporary impact. Furthermore, a Construction Management is recommended to be developed and adhered to on site during the construction phase, a condition requiring this has been recommended. Lastly, an informative on the decision notice would remind the applicant

of its duty under the Considerate Contractor Code of Practice. It is considered that subject to a condition, notwithstanding the objection, the development would not have unacceptable impacts in this respect.

Notwithstanding the relationship with the road boundary, the most significant direct impacts of the development would be on No. 1 Sudbury Court Drive to the north west. The proposed building would be separated from the common boundary by a distance of 4.3m at its closest point (directly adjacent to the side boundary of the property). Before the proposed building projects beyond the rear elevation of No. 1 Sudbury Court Drive, the flank elevation steps further away from the common boundary, with the deepest element of the property being 7.5m away. It is noted that the deepest element if the proposed new build along this property boundary would accord with the relevant 45 degree code as detailed within paragraph 6.11 of the Residential Design Guide SPD (2010). Whilst it is acknowledged that this requirement is typically for residential two-storey rear extensions, it nonetheless provides a useful guide in this instance. It is considered that the proposed development would not lead to unacceptable impact on the amenities of these occupiers in terms of outlook or loss of light.

The rear elevation of proposed Block 3 would have the bay features which also provide private amenity space for the residential unit located within the roof. The elevated nature of this private amenity space would allow occupiers of this to directly overlook the property known as No. 1 Sudbury Court Drive. Whilst it is acknowledged there are no protected windows within the flank elevation of this property, the balcony would allow direct views into private amenity spaces of No. 1 Sudbury Court Drive. The proposed balcony would therefore be prejudicial to the amenities of the occupiers of No. 1 Sudbury Court Drive, resulting in a loss of privacy and an unacceptable level of overlooking to the property. However, it is considered that should a screening of an appropriate design and material be located on the edge of the balcony between it and the property known as No. 1 Sudbury Court Drive, such impacts would be able to be mitigated. It is therefore considered appropriate that a condition requiring details of such a screen be attached to protect the amenity of the occupiers of No. 1 Sudbury Court Drive, which would then ensure that there would be no unacceptable impacts in terms of loss of privacy and overlooking.

It is noted that the proposed development seeks to provide primary (sole) windows in the flank wall facing No. 1 Sudbury Court Drive on all levels and that such situations can result in conditions prejudicial to the amenities of neighbouring occupiers. Whilst it is acknowledged that there are no protected windows on the flank elevation of No. 1 Sudbury Court Drive, the elevated nature of the flank windows serving habitable rooms, would be prejudicial to the amenity of the occupiers of No. 1 Sudbury Court Drive in terms of their siting in relation to the rear amenity space. However, it is considered that should the windows of these rooms being obscurely glazed and non-openable below 1.7m from internal floor level, this would protect the amenity of the occupiers of this property. Accordingly, it is considered reasonable that a condition be attached to secure this.

### Conclusion

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

## **Traffic, Parking, Access, Servicing and Sustainable Transport**

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. London Plan policy 6.3 states that 'development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed'. Policies 6.9 and 6.10 relate to the provision of cycle and pedestrian friendly environments, whilst policy 6.13 relates to parking standards. Core Strategy policy CS1.Q seeks to 'secure enhancements to the capacity, accessibility and environmental quality of the transport network', whilst policy CS1.R reinforces the aims of London Plan policy 6.13, which aims to contribute to modal shift through the application of parking standards.

As mentioned previously, the application site is allocated site, with a scheme for 54 residential units being accepted by the Planning Committee (although the S.106 Legal Agreement was not entered into). Accordingly, some weight is gained that this quantum of development would have an acceptable impact on the free flow and safety of the highway. The proposed development varies from that previous P/1989/09 by increasing the amount of units from 54 to 68, and providing the car parking to the development at ground level rather than within a basement.

In support of the current planning application, a Transport Statement has been submitted in an attempt to demonstrate that the proposed development would not unacceptably harm the safety and free flow of the public highway. The proposed development would result in the demolition of 5 detached dwellings, each which are served by an individual dropped kerb onto Sudbury Hill. The proposed development would consolidate these into one crossing point on this public highway to serve the majority of the development. A secondary access for three car parking spaces would be located off Sudbury Court Drive. The application site has a Public Transport Accessibility Level (PTAL) of 3, which is considered to be moderate. It is noted that there are a number of bus routes and also rail station in close proximity.

It is proposed to provide 58 car parking spaces on site to cater for the 68 residential properties. The proposed development therefore falls within the London Plan requirements for maximum car parking spaces for the development. As part of this the proposed car parking area would provide for 7 disabled car parking spaces, which again would accord with the requirements as set out in the London Plan. Furthermore, the locations of the disabled car parking spaces are near to the entrances to each of the proposed blocks, which are considered to be appropriate.

It is noted that a number of objections have been received in terms of the parking concerns, which have been commented on as already being a poor situation within the area. However, and as mentioned previously, the proposed parking quantum would be compliant with the maximum standards as set out within the London Plan. In addition, the quantum of vehicle movements from generated by the site is considered to have an acceptable impact on the capacity of the public highway and the nearby junction of Greenford Road/Harrow Road/Sudbury Hill and Sudbury Court Drive. Furthermore, the submitted Transport Statement has been reviewed by the Highways Authority who consider that the proposed quantum would be acceptable, and would not unacceptably harm the safety and free flow of the public highway. Accordingly, it is considered that notwithstanding the objections received in relation to parking, the proposed development

would have an acceptable impact on the local parking provision, and the safety and free flow of the public highway.

London plan requires that 1 in 5 spaces are electric car charging points. The submitted Transport Statement confirms that the proposal would provide 20% electric car parking spaces and as such is policy compliant in this regard.

An objection has been received in relation to the sight lines that are experienced along Sudbury Hill, and that the increase in vehicle movements would result in a safety concern to the highway. As previously mentioned, the proposal would result in the consolidation of the existing entrances to the 5 detached properties along Sudbury Hill, to be rationalised to one at the northern end of the site. This rationalisation would result in the accesses onto the highway being further away from the controlled junction, which would improve the safety situation that is currently experienced. The submitted Transport Statement also proposes a number of improvements to be made in relation to the consolidated crossing point at the northern end of the site, including the widening of the access point. The proposed works would assist in improving the sight lines from the development site. This, in conjunction with the other proposed improvements at this location are considered to ensure that the proposal would not lead to an unacceptable impact on the free flow and safety of the highway or pedestrian users within the area. The Transport Statement submitted would form part of the approved drawings and would be condition to be implemented, and as such is considered to be appropriate in ensuring the proposed development would have an acceptable impact on the public highway network.

A second access is proposed to be located on the western end of the site off Sudbury Court Drive. This is located furthest away possible from the junction of Greenford Road/Harrow Road/Sudbury Hill and Sudbury Court Drive, which is considered to be appropriate and would not give rise to any unacceptable harm to the safety and free flow of the public highway.

The proposed development proposes a quantum of 72 secure cycle storage space for the development. Whilst this quantum was compliant with the London Plan 2011 when the application was submitted, amendments that have been made since then have resulted in the quantum of cycle spaces being increased for developments, whereby two spaces per unit are required to be provided. Accordingly, the development is now required under the London Plan (Consolidated amendments since 2011) 2015. Amendments in regard to cycle storage now requires there to be two cycle storage facilities per unit, which therefore requires a total quantum of 132 cycle spaces for the development. The requirement for 132 cycle spaces required for the development therefore result in the proposed development falling short of meeting this London Plan Requirement. The proposed development would split the cycle parking provision between the purpose built facility, and also within Proposed Block 1. Whilst it is acknowledged that the proposed cycle storage quantum is below the current London Plan standards, it is considered that the proposed storage facilities would be able to accommodate the required uplift to meet the current standards as set out in Table 6.3 of the London Plan (Consolidated with alterations since 2011) 2015. Subject to an appropriately worded condition to secure this, it is considered that the proposed development would accord with the policies listed above.

It is noted that an objection has been received from the London Borough of Brent, which included a recommendation that should the Local Planning Authority be minded to grant

planning permission for the proposal, a financial contribution ought to be secured for highway improvements. However, it is noted that there was no justification as to what works/costs would be required to offset the development pressures that may potentially result from the proposed development. Again, the Highways Authority have considered the objection received from the London Borough of Brent and consider that the proposed development would not require a specific planning obligation to be secured to off set potential site specific impacts generated by the development.

#### Travel Plan

A Travel Plan has been provided as part of the proposed scheme, which aims to promote sustainable modes of transport, and a shift away from the reliance on the private vehicle. A review of the effectiveness of this document is considered reasonable, and as such a condition is attached accordingly to secure this.

#### Refuse storage

A refuse facility has been proposed to the rear of proposed Block 3, and adjacent to the proposed car parking area. This would provide refuse storage for both Proposed Blocks 2 and 3. The location of this would appear appropriate for both the occupiers of proposed Block 2 and 3. Subject to a condition requiring details of its appearance, it is considered that this would be acceptable.

The ground floor of proposed Block 1 would have its own refuse and recycling area for this one block. Its location appears appropriate.

The waste and recycling provisions for the development are considered to be satisfactory and would accord with the Development Management Plan policies.



### **Flood Risk and Development**

The site is not located within a flood zone. However, is located within a Critical Drainage Area and given the potential for the site to result in higher levels of water discharge into the surrounding drains, could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall. It is noted that an objection has been received in relation to flood risk to neighbouring sites, as a result of the increase in footprint and also the change in levels from the application site to neighbouring properties.

The applicant has submitted a Drainage Strategy in support of the application, in an attempt to demonstrate that the proposed development would not lead to, or exacerbate flood risk within the area. The detail submitted has been reviewed by the Local Authority Drainage Engineer, who considers that the information submitted is satisfactory and would ensure that the proposed development would be acceptable in terms of any potential impact on the floodrisk within the site or wider area.

It is noted that an objection was received that the proposed development would lead to flood risk as a result of the presence of an underground stream at the site. However, no evidence was submitted in relation to this. Furthermore, Council records indicate that there is no underground stream located within the vicinity of the site.

The applicant has submitted a flood risk assessment in an attempt to demonstrate that the proposed development would not result in, or exacerbate flood risk either within the site or wider area. The Council's Drainage Team has commented on the application and recommended conditions to ensure that development does not increase flood risk on or near the site and would not result in unacceptable levels of surface water run-off. It is considered reasonable that this matter could be addressed by way of appropriately worded safeguarding conditions. Notwithstanding the objection received, subject to safeguarding conditions the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D, and policy DM10 of the DMP.

### **Trees and Development**

The trees that are located within the site along the Sudbury Hill frontage are subject to protection by reason of having Tree Protection Orders placed on them. A further protected tree is located in the rear of the site. Accordingly, the removal of such trees, or any damage to them either during the construction phase or by post development pressures would be resisted by the Local Planning Authority. It is noted that an objection was received with regard to the impact of the development on the existing trees within the site.

The proposed new builds would be set off the frontage of the site along Sudbury Hill, and the proposed plans indicate that. The setting back of the proposed new build would ensure that the proposed development would not have an unacceptable impact on the trees that are located along the front boundary of the property. Subject to detailed tree protection measures being put in place prior to any works on site, it is considered that the proposed new buildings would not unacceptably harm the existing protected trees along the front boundary or within the site. A condition requiring details of tree protection measures has therefore been recommended.

Subject to such a condition, the proposal would be therefore accord with policy 7.21 of The London Plan and policy DM22 of the DMP.

## **Sustainability and Climate Change**

Paragraphs 96-98 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 5 of the London Plan contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. Specifically, policy 5.2 sets out an energy hierarchy for assessing applications, as set out below:

- 1) *Be lean: use less energy*
- 2) *Be clean: supply energy efficiently*
- 3) *Be green: use renewable energy*

Policy 5.3 seeks to ensure that future developments meet the highest standards of sustainable design and construction, whilst policies 5.9-5.15 support climate change adaptation measures.

The applicant has submitted an Energy Statement, which details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. The Energy Statement goes on to investigate measures to reduce the carbon emissions by 40%.

The methodology for the proposed Energy Strategy accords with the hierarchy set out within the London Plan and demonstrates how the minimum savings in carbon emissions against Building Control targets would be achieved on site. The Energy Statement provides a number of options that could be utilized on site to meet the 40% carbon reduction. It is concluded that a mixture of both fabric first and the use of Photovoltaic Panels would be used to ensure that this reduction would be met by the development. Officers consider that the findings of the Energy Strategy are fair and would accord with development plan policies.

The application also demonstrates how sustainable homes is to be met on site. Subject to a condition requiring that the recommendations within this document being incorporated within the development, it is considered that this would achieve the intent of the polices listed above.

It is therefore considered that subject to a condition requiring the recommendations within the Energy Statement and the Sustainable Homes Pre-assessment report to be implemented within the development, the proposal would accord with the policies listed above. Conditions to this effect have been recommended.

## **Equalities Statement**

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

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

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

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

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

## **Ecology and Biodiversity**

The application site is located within a predominantly urbanised area with no recognised biodiversity or ecological value. The Ecological Assessment provides evidence to ensure that there would be no loss existing biodiversity within the development site and area. Furthermore, this document also provides measures to improve the biodiversity within the site. The Council Biodiversity Officer has reviewed the submitted Assessment and considers that the findings are reasonable, and subject to a safeguarding condition been imposed to ensure the recommendations proposed are implemented, then the proposal would be satisfactory.

Accordingly, a condition has been recommended.

## **S17 Crime & Disorder Act**

Policy 7.3 of The London Plan (2015) seeks to ensure that developments should address security issues and provide safe and secure environments. Policy DM1 of the Development Management Policies Local Plan 2013 seeks to ensure that the assessment of design and layout of new development proposals will have regard to the arrangements for safe access and movement to and within the site.

The development proposes a well-designed scheme and it is considered that this would provide increased levels of security for the site. A condition has been recommended to ensure that further detail is submitted to demonstrate how the proposed development is able to meet the Secure by Design Principles.

## **Consultation Responses**

### **St Georges School:**

- The scheme will overlook the school and pupils  
*Addressed under section 4 of the above appraisal*
- Increased traffic and lack of traffic calming measures  
*Addressed under section 5 of the above appraisal*
- Entrance to the scheme is directly adjacent to the school entrance

*Addressed under section 5 of the above appraisal*

- Construction phase will lead to danger with noise, dust and heavy vehicles

*Addressed under section 4 of the above appraisal*

- The junction is two densely populated

*Addressed under section 5 of the above appraisal*

### **Harrow Hill Trust:**

- Proposed scheme is a significant increase over and above the previous scheme that was resolved to be granted  
*The scheme proposes a further 14 units over and above what was proposed under P/1989/09, which was resolved to be granted at planning committee, but the legal agreement was never entered into. The increase in the development over and above P/1989/09 is a material consideration to the current application.*
- Will unacceptably exacerbate an already congested public highway/junction area  
*Addressed under section 5 of the above appraisal*
- The rear of the site which was previously garden/recreational space would now be car parking provision  
The current application proposes car parking to be ground level. However, would provide communal amenity space to the rear of the site for future occupiers. The communal amenity space would compliment the private amenity space for future occupiers via balconies.
- Planning obligation ought to be received to upgrade the existing junction  
*Addressed under section 5 of the above appraisal*
- Many units are effectively single aspect and north facing, with secondary windows facing flank elevation of adjacent blocks  
*Addressed under section 4 of the above appraisal*

### **Heritage Residents Association:**

- Detrimental to current amenities of neighbouring properties  
*Addressed under section 4 of the above appraisal*
- Constitute major overdevelopment, a serious nuisance and an eyesore  
*Addressed under section 3 of the above appraisal*
- Exacerbate the existing poor situation at the adjacent junction  
*Addressed under section 5 of the above appraisal*
- Parking issues and peak traffic issues  
*Addressed under section 5 of the above appraisal*
- Impractical entry/exit point  
*Addressed under section 5 of the above appraisal*
- Out of character development  
*Addressed under section 3 of the above appraisal*
- Rear and side of the block would harm views on both sides of the south part of Sudbury Court Drive.  
*Addressed under section 4 of the above appraisal*
- Exacerbate poor water pressure  
*This is not a material planning consideration.*

- Danger of flooding due to underground stream

*Addressed under section 6 of the above appraisal*

- Impact on neighbourhood facilities such as a Doctors Surgery.

*The proposed development is subject to a Community Infrastructure Levy (CIL), which is a financial contribution to be paid by the applicant to the Council. Monies retrieved through the CIL is utilised in upgrading of necessary community infrastructure such as doctors surgeries, schools etc.*

### **Wider Consultation Responses:**

- Traffic Congestion

*Addressed under section 5 of the above appraisal*

- Exacerbate an already dangerous stretch of road due to visibility and not intensity of traffic

*Addressed under section 5 of the above appraisal*

- Parking situation will be worse

*Addressed under section 5 of the above appraisal*

- No turning restrictions from the development.

*Addressed under section 5 of the above appraisal*

- Proposed access location is inappropriate next to St Georges School

*The proposed access to the development from Sudbury Hill is the most appropriate location, as it would ensure that vehicles accessing/existing the site would be at the furthest point from the highway intersection. It is considered that this location is appropriate in this instance.*

- Increase in noise and environmental pollution

*The proposed scheme is located on a busy intersection with a relatively high background level as a result of the public highway. The proposed use would remain in a residential use as the site currently is, albeit at a more intensive use. The proposed development would be an appropriate use of the site*

- Area of land adjacent to No. 1 Sudbury Hill provide access to rear garden of No. 1 Sudbury Court Drive.

*The land ownership as mentioned is a civil matter. Notwithstanding that, the proposed plans indicate that the proposed building would be located off the common boundary with No. 1 Sudbury Court Drive.*

- Buildings within the area are 2 or 3 storeys, the proposed would be considered 3.5 storeys high.

*The character of the proposed development is addressed under section 3 of the above appraisal*

- Height and position would dominate the approach on the Greenford Road.

*Addressed under section 3 of the above appraisal*

- What landscaping would be in place

*A condition is imposed to ensure that a comprehensive landscaping plan would be in*

*place, and that it would be managed to ensure its effectiveness.*

- Bats are in the area, and a bat survey should be carried out.

*Addressed under section 10 of the above appraisal*

- Existing properties should not be demolished

*The five properties that are currently located on site are not afforded any level of protection, and as such are able to be demolished without any consent from the Local Planning Authority.*

- Flatted developments are changing the character of the area

*The proposed use of the site as a flatted development is not alien to the area, and would continue to result in a residential use of the site. Whilst it may result in a change to the character of the area, it is considered to not be to the detriment of the area.*

- Loss of light to trees and lawn areas

*Addressed under section 4 of the above appraisal*

- Proposal will destroy all existing trees

*It is not proposed to remove all the trees from the site. Furthermore, a landscape plan will ensure that the proposed development would continue to provide a satisfactory level of trees and soft landscaping within the site.*

- Loss of privacy to neighbouring residential properties along Sudbury Court Drive from upper levels

*Addressed under section 4 of the above appraisal*

- Proposal will block views to Sudbury Hill Forest

*There is no right to a view under the Town & Country Planning Act (1995)*

- Impacts on pupils at St Georges School through construction nuisance (noise, dust, traffic movements etc)

*Addressed under section 4 of the above appraisal*

## **CONCLUSION**

The principle of providing a residential development on the application site has been firmly established by identifying the site as an Allocated Site within the Borough. The proposed housing development would bring forward housing provision of a satisfactory mix to provide housing choice to the borough and of an adequate level to ensure suitable accommodation for future occupiers.

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

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

## **CONDITIONS**

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: 031414-WIM-NT-SS01 REV D, 031414-WIM-NT-SS02 REV D, 031414-WIM-NT-SEC-01 REV B, 031414-WIM-NT-PER01 REV D, 031414-WIM-NT-CP, 031414-WIM-NT-BSCS REV A, 031414-WIM-NT-B3-P4 REV B, 031414-WIM-NT-B3-P3 REV D, 031414-WIM-NT-B3-P2 REV D, 031414-WIM-NT-B3-P1 REV E, 031414-WIM-NT-B3-E4 REV E, 031414-WIM-NT-B3-E3 REV E, 031414-WIM-NT-B3-E2 REV E, 031414-WIM-NT-B3-E1 REV E, 031414-WIM-NT-B2-P4 REV B, 031414-WIM-NT-B2-P3 REV C, 031414-WIM-NT-B2-P2 REV C, 031414-WIM-NT-B2-P1 REV D, 031414-WIM-NT-B2-E4 REV C, 031414-WIM-NT-B2-E3 REV D, 031414-WIM-NT-B2-E2 REV D, 031414-WIM-NT-B2-E1 REV D, 031414-WIM-NT-B1-P4 REV B, 031414-WIM-NT-B1-P4 REV B, 031414-WIM-NT-B1-P3 REV C, 031414-WIM-NT-B1-P2 REV C, 031414-WIM-NT-B1-P1 REV C, 031414-WIM-NT-B1-E4 REV C, 031414-WIM-NT-B1-E3 REV C, 031414-WIM-NT-B1-E2 REV C, 031414-WIM-NT-B1-E1 REV C, 031414-WIM-NT-02 REV C, 031414-WIM-NT-04 REV D, 031414-WIM-NT-01 REV C, Design & Access Statement (Addendum 1); Dated: November 2014, Ecological Appraisal (ECO3784.ECOApp.vf), Drainage Report (REF:30676/2002), Code for Sustainable Homes: Pre-Assessment Report, Travel Plan (30676/5502 REV: 0.1), Travel Plan Statement (REF: 30676/5503 REV 1.0), Energy Statement (Version 1).

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

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



- a: External appearance of each building
- b: Refuse and cycle storage area
- c: Boundary treatment

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policy 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

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

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

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

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

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

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

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

10 Notwithstanding the approved plans, within three months of the date of this permission, 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 the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance the recommendations of Core Strategy (2012) policy CS1, the NPPF and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013).

11 Prior to the construction of any dwellings hereby permitted, details relating to the long term maintenance and management of the on site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter. Such a management/maintenance document shall fall with a 'Owners Manual' to provide greater long term functionality and should include (but not limited to):

- Location of all SuDS techniques on site
- Summary of how they work and how they can be damaged
- Maintenance requirements (a maintenance plan) and a maintenance record  
This will be determined by the type of SuDS but should include Inspection frequency; debris removal; vegetation management; sediment management; structural rehabilitation / repair; infiltration surface reconditioning
- Explanation of the consequences of not carrying out the specified maintenance
- Identification of areas where certain activities which might impact on the SuDS are prohibited
- An action plan for dealing with accidental spillages
- Advice on what to do if alterations are to be made to a development if service companies undertake excavations or other works which might affect the SuDS

The manual should also include brief details of the design concepts and criteria for the SuDS scheme and how the owner or operator must ensure that any works undertaken on a development do not compromise this.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance the recommendations of Core Strategy (2012) policy CS1, the NPPF and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013).

12 The 68 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 2015, policy DM1 of the Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document: Accessible Homes (2010).

13 The development hereby permitted shall be built in accordance with approved documents Energy Statement (*Version 1, Dated; July 2014*) and Code for Sustainable Homes Document (*TW SH HA1*). The details approved within these documents shall be implemented and retained thereafter. Within 3 months (or other such period agreed in writing by the Local Planning Authority) of the first occupation of the development a post construction assessment shall be undertaken for each phase demonstrating compliance with the approved Sustainability Strategy which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To ensure the delivery of a sustainable development in accordance with PPS1 and its supplement Planning and Climate Change, The London Plan (2015) 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).

14 Prior to the construction of the building hereby approved on site beyond damp course level, additional 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 2015 and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

15 Prior to the commencement of development on site, tree protection measures for the existing trees on site shall be submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in strict accordance with the approved details, and be retained throughout the entire construction phase.

REASON: To protect retained trees on the site to maintain their longevity in accordance with Policy DM22 of the Harrow Development Management Policies Local Plan (2013).

16 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).

17 Notwithstanding the detail shown on the approved plans, the windows within the southern elevation of the building shall be obscurely glazed and non-openable below 1.7m above internal floor level. The windows implemented shall be retained thereafter.  
REASON: to protect the amenities of the occupiers of No. 1 Sudbury Court Drive in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013)

18 Prior to the construction of Block 1 of the development hereby approved on site beyond ground floor damp proof course, and notwithstanding the detail shown on the approved plans, revised plans shall be submitted to and approved in writing of Block 1 incorporating saw-tooth windows to the habitable rooms within the southern flank elevation facing the northern elevation of Block 2. The windows thereby approved and implemented shall be retained thereafter.  
REASON: to protect the amenities of the future occupiers of the development in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013)

19 Prior to the construction of Block 3 of the development hereby approved on site beyond ground floor damp proof course, and notwithstanding the detail shown on the approved plans, revised plans shall be submitted to and approved in writing of Block 3 incorporating balcony screening on the (Apartment Type B3/1BA1 on Plan 031414-WIM-NT-B3-P4 REV B). The balcony screening thereby approved and implemented shall be retained thereafter.  
REASON: to protect the amenities of the occupiers of No. 1 Sudbury Court Drive in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013)

20 Prior to occupation 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 application site / 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> and shall include the following requirements:

1. all main entrance door sets to individual dwellings and communal entrance door sets shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets';
2. all window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes), balcony pole supports, shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.

Following implementation the works shall thereafter be retained.

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

21 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above ground floor damp proof course level until a revised cycle and refuse storage facility plan and detail 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 shall thereafter be retained.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area and to promote sustainable modes of transport, in accordance with policies 6.9 and 7.4.B of The London Plan 2015 and policies DM1 and DM42 of The Development Management Policies Local Plan 2013.

## **INFORMATIVES**

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

### **National Planning Policy and Guidance:**

National Planning Policy Framework (2012)

### **The London Plan (2015):**

2.13 Opportunity Areas and Intensification Areas

3.1 Ensuring Equal Life Chances for All

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

3.6 Children and Young People's Play and Informal Recreation Facilities

3.7 Large Residential Developments

3.8 Housing Choice

3.9 Mixed and Balanced Communities

3.11 Affordable Housing Targets

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

3.13 Affordable Housing Thresholds

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

5.6 Decentralised Energy in Development Proposals

5.7 Renewable Energy

5.9 Overheating and Cooling

5.12 Flood Risk Management

5.13 Sustainable Drainage

6.3 Assessing Effects of Development on Transport Capacity

6.9 Cycling

6.10 Walking

- 6.12 Road Network Capacity
- 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 and Archaeology

### **Local Development Framework**

Harrow Core Strategy 2012

CS1 Overarching Policy

CS3 Harrow on the Hill and Sudbury Hill

Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM7 Heritage Assets

DM12 Sustainable Design and Layout

DM15 Prevention and Remediation of Contaminated Land

DM20 Protection of Biodiversity and Access to Nature

DM22 Trees and Landscaping

DM45 Waste Management

### **Supplementary Planning Documents**

Supplementary Planning Document: Sustainable Building Design 2009

Supplementary Planning Document: Access For All 2006

Supplementary Planning Document: Accessible Homes 2010

Supplementary Planning Document: Residential Design Guide 2010

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

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

3 Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £119,840.00 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 on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £119,840.00 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 3424m<sup>2</sup>

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

#### 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: £376,640.00

#### 5 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

#### 6 PARTY WALL ACT:

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

work which involves:

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

#### 7. COMPLIANCE WITH PLANNING CONDITIONS

**IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval**

of Details Before Development Commences

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

Authority.

- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

Plan Nos: 031414-WIM-NT-SS01 REV D, 031414-WIM-NT-SS02 REV D, 031414-WIM-NT-SEC-01 REV B, 031414-WIM-NT-PER01 REV D, 031414-WIM-NT-CP, 031414-WIM-NT-BSCS REV A, 031414-WIM-NT-B3-P4 REV B, 031414-WIM-NT-B3-P3 REV D, 031414-WIM-NT-B3-P2 REV D, 031414-WIM-NT-B3-P1 REV E, 031414-WIM-NT-B3-E4 REV E, 031414-WIM-NT-B3-E3 REV E, 031414-WIM-NT-B3-E2 REV E, 031414-WIM-NT-B3-E1 REV E, 031414-WIM-NT-B2-P4 REV B, 031414-WIM-NT-B2-P3 REV C, 031414-WIM-NT-B2-P2 REV C, 031414-WIM-NT-B2-P1 REV D, 031414-WIM-NT-B2-E4 REV C, 031414-WIM-NT-B2-E3 REV D, 031414-WIM-NT-B2-E2 REV D, 031414-WIM-NT-B2-E1 REV D, 031414-WIM-NT-B1-P4 REV B, 031414-WIM-NT-B1-P4 REV B, 031414-WIM-NT-B1-P3 REV C, 031414-WIM-NT-B1-P2 REV C, 031414-WIM-NT-B1-P1 REV C, 031414-WIM-NT-B1-E4 REV C, 031414-WIM-NT-B1-E3 REV C, 031414-WIM-NT-B1-E2 REV C, 031414-WIM-NT-B1-E1 REV C, 031414-WIM-NT-02 REV C, 031414-WIM-NT-04 REV D, 031414-WIM-NT-01 REV C, Design & Access Statement (Addendum 1); Dated: November 2014, Ecological Appraisal (ECO3784.ECOApp.vf), Drainage Report (REF:30676/2002), Code for Sustainable Homes: Pre-Assessment Report, Travel Plan (30676/5502 REV: 0.1), Travel Plan Statement (REF: 30676/5503 REV 1.0), Energy Statement (Version 1).



# 1 SUDBURY HILL, HARROW





## Appeal Decision

Site visit made on 19 December 2000

by John C Greenwood ARICS MRTPI

an Inspector appointed by the Secretary of State for the  
Environment, Transport and the Regions

The Planning Inspectorate  
Room 1404  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ  
☎ 0117 987 8827

APPEAL  
2170  
DISMISSED  
Date  
18 JAN 2001

**Appeal Ref: APP/M5450/A/00/1049825**  
**2, 3, 4 and 5 Sudbury Hill, Harrow**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr J E Burgess against the decision of the London Borough of Harrow.
- The application (ref: WEST/973/99/OUT), dated 7 December 1999, was refused by notice dated 13 March 2000.
- The development proposed is 30 N<sup>o</sup> three-bedroomed self contained apartments in blocks of 10, including internal garaging.

**Summary of Decision: The appeal is dismissed.**

### Procedural Matters

1. The application which is the subject of this appeal was made in outline but the application form indicated that all reserved matters – siting, access, design, external appearance and landscaping – are to be determined at this stage. Three drawings were submitted with the application (N<sup>o</sup> SH/2—5/6, SH/2-5/7, and SH/2-5/8). A revised site layout (N<sup>o</sup> SH/PART 1.2.3.4&5) and details of elevational treatment (N<sup>o</sup> SH/2-5/09) were submitted with the appeal but these were not considered by the Council as part of the application.
2. Three blocks of flats are proposed. I shall refer to the block nearest the western corner of the site as block A, the block nearest the northern corner of the site as block B, and the block nearest to 1 Sudbury Court Drive as block C.
3. One of the reasons for refusal relates to the lack of any provision for affordable housing, but the grounds of appeal state that, after discussion, agreement was reached with the Council on this aspect of the scheme. The appellants have not presented a case in relation to this issue and I shall therefore deal only with the other matters which led to the appeal.

### Planning Policy

4. The Development Plan for the area is the Harrow Unitary Development Plan (1994). The Council has referred to Policy E45 which sets out criteria to achieve a high quality of design and layout for new residential development. It should:
  - (a) respect the scale, massing, siting, height, character, spacing, form, intensity and use of buildings in the district and locality;
  - (b) provide space around buildings which reflects the setting and character of neighbouring buildings and the district and locality;
  - (c) protect the privacy and amenities of the occupiers of adjoining properties;
  - (d) secure the optimum retention of existing trees and shrubs; and
  - (e) provide acceptable levels of car parking.

**Main Issues**

5. I consider that the main issues in this appeal are:
  - (a) The effect the proposal would have on the character and appearance of the surrounding locality;
  - (b) The effect of the proposal on the living conditions of adjoining occupiers and the occupiers of the proposed flats with particular reference to privacy, visual impact, noise and disturbance;
  - (c) The effect on highway safety and the free flow of traffic on Sudbury Hill arising from the proposed access arrangements.

**Reasons**

*The Character and Appearance of the Area*

6. The site is at present occupied by four spacious detached houses opposite the junction of Sudbury Hill and Greenford Road. A fifth house of a similar size and age adjoins the south-east boundary of the site on the corner of Sudbury Hill and Sudbury Court Drive. On the north-west side of the site there is a school entrance with a caretaker's house close to the site boundary and school buildings near the northern corner of the site. The remainder of the site boundary adjoins the garden of 1 Sudbury Court Drive.
7. The surrounding area is mainly residential. Recent development in the vicinity has been predominantly flats, but these do not generally exceed 3 stories in height and, in my opinion, they fit well into the older urban fabric. In contrast, the three proposed blocks would be 6 stories high. Drawing N<sup>o</sup> SH/2-5/07 indicates the buildings on a flat site although, in fact, it slopes up from Sudbury Hill towards the back boundary. The drawings do not indicate proposed slab levels, but it is clear that the buildings would be significantly higher than any of the nearby buildings. The appellant has drawn attention to tall buildings elsewhere in the Borough but these are some distance away and I do not consider that they create a precedent for the development which is proposed on the appeal site.
8. The site is in a prominent position. Greenford Road rises towards the site which is at a focal point from this direction. The proposed development would also form a very prominent feature when viewed from Sudbury Hill to the north-west, from Sudbury Court Road to the east, and from Harrow Road to the south-east. From each direction the proposed tall buildings would be very dominant and I consider that they would be out of keeping with the character and appearance of the locality.
9. There are a number of substantial mature trees, mainly near the site boundaries. Only one of these – an oak tree towards the back of the site – has been plotted on the site plan. The applicant has indicated in the grounds of appeal that most of the major existing trees would be retained. However, this was not apparent when I visited the site. A significant tree close to the boundary between 2 and 3 Sudbury Hill and a significant group of trees near the front boundary of 5 Sudbury Hill would be affected by the proposed vehicular access arrangements. A prominent tree in the back garden of 5 Sudbury Hill would also be affected by the position of block B. In my opinion, these trees make an important contribution to the overall landscape of the locality and their loss would materially detract from the character and appearance of the area.
10. The five existing houses facing Sudbury Hill form a harmonious group which is isolated

from surrounding development by roads and open space. The retention of one of these houses adjoining blocks of flats of a totally different form, scale and character would, in my opinion be an incongruous and inappropriate form of development.

11. My overall conclusion on the first issue is that the proposed development would significantly detract from the character and appearance of the surrounding locality.

*Living Conditions*

12. Turning to the second issue, the distance between the windows in bedroom 3 in half the flats in block A and bedroom 2 in half the flats in block B would be about 12 metres. The distance between the balconies of half the flats in block B and bedroom 3 in half the flats in block C would be about 20 metres. I consider that these distances would be inadequate to provide reasonable standards of privacy for the occupiers of the proposed flats.
13. Block B would be about 5 metres from the north-west boundary of the site, very close to the school caretaker's house. In my opinion the position, orientation and height of the building would materially detract from the privacy of the occupiers of the house and would lead to significant overshadowing of the house and garden.
14. The windows to bedrooms 1 and 2 in half the flats in block C would be between about 5 and 10 metres from the garden of 1 Sudbury Court Drive. The balconies in all the flats would be between about 8 and 16 metres from the garden and 20 metres from the back of the house. I consider that this relationship between the house and a tall block of flats would result in a very significant reduction in the quality of the living conditions of neighbouring occupiers.
15. Visitor parking spaces are proposed along the north-east boundary of the site close to the back of 1 Sudbury Court Drive. There is some existing landscaping along the boundary between the two sites but the development would introduce the noise of vehicles into an area which is relatively quiet at present.
16. The site plan indicates that about two thirds of the site would be covered with buildings or hard surfacing. The only amenity area for occupiers of the flats would be at the front of the site facing the junction of Sudbury Hill and Greenford Road. In my opinion these characteristics of the scheme would lead to a harsh, noisy environment around and between the blocks of flats and would fail to provide adequate usable amenity space in an appropriate position.
17. My overall conclusion on the second issue is that the proximity of the buildings to site boundaries and their proximity to one another would lead to a cramped and overbearing form of development, that the layout of the proposed development would fail to provide satisfactory living conditions for the occupiers of some of the proposed flats, and that the position of the proposed blocks and visitor car parking would significantly detract from the quality of the living conditions of neighbouring occupiers as a result of loss of privacy, undue visual impact, and noise and disturbance.

*Highway Safety*

18. On the third issue, each of the existing houses has individual vehicular access to Sudbury Hill within close proximity to the junction which is controlled by traffic lights. The proposed layout would reduce the number of individual access points but would

significantly increase the volume of traffic to and from the site. The proposed access in the western corner of the site would also be very close to the access to the adjoining school. I have therefore concluded that the position of the access points would lead to a material reduction in highway and pedestrian safety and the additional traffic generation would obstruct the free flow of traffic in the vicinity of the road junction.

**Conclusions**

19. In the light of my conclusions on the main issues in this appeal I consider that the development would fail to satisfy the requirements of Policy E45 of the Unitary Development Plan.
20. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

**Formal Decision**

21. In exercise of the powers transferred to me, I dismiss the appeal.

**Information**

22. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.

*John Greenwood.*

INSPECTOR

ITEM NO: 1/02

ADDRESS: PREMIER INN, 435 BURNT OAK BROADWAY, EDGWARE

REFERENCE: P/0862/15

DESCRIPTION: FOUR STOREY HOTEL ANNEX AT REAR OF SITE TO PROVIDE 43 ADDITIONAL ROOMS; SINGLE STOREY RESTAURANT EXTENSION BEYOND SOUTHERN ELEVATION OF EXISTING HOTEL; NEW CHILLER ROOM BEYOND NORTHERN ELEVATION; DETACHED SINGLE STOREY BUILDING TO PROVIDE BEER STORE BEYOND NORTHERN ELEVATION; ALTERATIONS TO EXISTING CAR PARK TO PROVIDE A TOTAL OF 70 CAR PARK SPACES AND 4 COACH PARKING SPACES

WARD: EDGWARE

APPLICANT: PREMIER INN HOTELS LIMITED

AGENT: WALSINGHAM PLANNING

CASE OFFICER: CONOR GUILFOYLE

EXPIRY DATE: 12/06/2015

## **RECOMMENDATION**

**GRANT** planning permission subject to conditions:

### **REASON**

The proposal would now provide sufficient on-site coach parking provision, overcoming reason 2 for the refusal of the previous application (P/2223/14) and its dismissed appeal (P/2223/14/4620). Whilst the character and appearance impacts would be the same as the previous proposal, which informed reason 1 of its refusal, consistent with the subsequent appeal decision which considered them acceptable, the proposal is now considered acceptable in this regard.

The proposal is in accordance with the policies contained in the National Planning Policy Framework 2012, The London Plan (consolidated with alterations since 2011)(2015), the Harrow Core Strategy 2012 and the Harrow Development Management Policies Local Plan 2013.

### **INFORMATION**

The application is reported to the Planning Committee because the application is for a major development of 1,497m<sup>2</sup> floorspace and therefore the proposal falls outside of the scheme of delegation under Part 1, 1(b).

Statutory Return Type: Major Development  
Council Interest: None  
Net additional Floorspace: 1,497sqm

### Site Description

- The application site is located on the south-western side of Burnt Oak Broadway, Edgware. This is a London Distributor Road and is also the borough boundary with the London Borough of Barnet.
- The site lies approximately 200m south of Edgware District Centre. It comprises an irregular shaped plot of land, which is occupied by a Premier Inn Hotel and its associated car park.
- The surrounding area has a variety of building styles of varying heights and sizes, and a variety of land uses. As such, the character of the surrounding area is mixed.
- At the rear of the site (to the west), land which was previously occupied by Edgware Town FC is now undergoing development.
- Outline planning permission for a development to provide 189 dwellings (layout, scale and access) was granted on 22/04/2010 under planning application reference P/1941/07UN. Details pursuant to conditions including reserved matters were approved on 17<sup>th</sup> January 2014. This development is comprised of 8 main blocks.
- The northern and eastern parts of the site lie within Flood Zone 2 and 3, and Edgware Brook runs adjacent to the northern boundary of the site.
- There is an Archaeological Priority Area to the east of the site.
- The site has a Public Transport Accessibility Level (PTAL) of 5.

### Proposal Details

- It is proposed to construct a four storey hotel annex at the rear of site, to provide 43 additional hotel rooms.
- The proposed hotel annex would have four storeys and would be sited towards the rear boundary of the application site. It would be sited immediately south of block 8 of the on-going residential development at the rear in the Edgware Town football club site.
- It would have a maximum width of 26.2m and a maximum depth of 16.7m at upper floor levels. A single storey plant room is proposed beyond the northern flank elevation and this would have an extra width of 1.3m at ground floor level.
- The proposed annex would have a hipped roof profile. It would have a maximum height of 15.3m (measured along the front elevation).
- The rear elevation of the proposed annex would be sited 4m from the access road to residential development at the rear of the application. The southern side of the proposed annex would be sited 1.5m from this access road.
- The north-eastern (front) corner of the proposed annex would be sited 2m from the boundary with the residential development at the rear.
- The front wall of the proposed annex would be sited behind the rear wall of block 8 of the on-going residential development at the rear.
- The proposed annex would be sited on an existing car park. This application also proposes alterations to the existing car park. A total of 70 car park spaces would be provided. The submitted Transport Statement advises that 8 car parking spaces would be lost overall. 4 on-site coach parking spaces would be provided
- In addition to the proposed annex and the alterations of the existing car park, it is also proposed to construct a single storey restaurant extension beyond southern elevation of existing hotel. It would have a maximum depth of 5.8m, a maximum width of 18.7m and a maximum height of 3m (flat roof).
- A new chiller room is proposed beyond northern elevation of existing hotel. It would

have a maximum depth of 4.7m, a maximum width of 5.7m and a maximum height of 3m (flat roof).

- A detached single storey building is proposed beyond northern elevation of existing hotel to provide beer storage. It would have a maximum depth of 3.2m, a maximum width of 4.7m and a maximum height of 2.7m (flat roof).

### **Revisions to Previous Application**

- Following the previous decision (P/2223/14) the following amendments have been made:
- *Provision of four coach parking bay*
- *Reduction from 75 car parking spaces to 70*

### **Relevant History**

P/2223/14 – Four storey hotel annex at rear of site to provide 43 additional rooms; single storey restaurant extension beyond southern elevation of existing hotel; new chiller room beyond northern elevation; detached single storey building to provide beer storey beyond northern elevation; alterations to existing car park to provide a total of 75 car park spaces REFUSED - 01/09/2014 for the following reasons;

1. The proposed hotel annex, by reason of its proposed design, its excessive size and scale and its siting in close proximity to site boundaries and the access road to the residential development at the rear of the application site, would fail to have regard to the context of the site and would give rise to a dominant, unsympathetic and inappropriate relationship between the proposed annex and the adjoining residential development, to the detriment of the character and appearance of the surrounding area, contrary to policies 7.1D, 7.4B and 7.6B of The London Plan (2011), core policy CS1.B of the Harrow Core Strategy (2012), policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).
2. The proposal, by reason of its failure to provide on site coach parking spaces would give rise to a substandard form of development that could lead to traffic congestion on the highway, to the detriment of the safety of pedestrian and vehicular traffic in the locality, contrary to policy 6.13.C of The London Plan 2011, paragraph 6A.9 of the Parking Addendum to Chapter 6 within The London Plan 2011 and Policy DM42 of the Harrow Development Management Policies Local Plan (2013).

Appeal dismissed 16/02/2015

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

- N/A

### **Applicant Submission Documents**

- Design and Access Statement

### **Consultations**

**Highways Authority:** The revised parking allocation for this development meets the requirements of the relevant parking standards and is therefore considered acceptable. The area surrounding the site has adequate parking restrictions to ensure that there is no significant impact on the operation of the highway network

**Drainage Engineer:** No objection subject to conditions (as per those recommended in the



previous application)

**Environment Agency:** No objection

**Environmental Health:** No objection

**Thames Water:** No objection

**Affinity Water:** No objection

**London Borough of Barnet:** No comment

### **Advertisement**

Harrow Observer and Harrow Times - (Reason: Major Development) - 26/03/15 - Expiry: 24/04/15

Site Notice - 08/04/15 - Expiry: 29/04/15

### **Notifications**

Sent:158

Replies: 0

Expiry: 09-04-15

### **Addresses Consulted**

158 properties were consulted on the following roads;

Spring Villa Road,

Summit Close

Albany Crescent

Burnt Oak Broadway

High Street

Methuen Close

### **Summary of Responses**

- None received

### **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 (consolidated with alterations since 2011)(2015) [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

### **MAIN CONSIDERATIONS**

Principle of the Development  
Character and Appearance of the Area  
Residential Amenity  
Traffic and Parking  
Flood risk and Drainage  
Accessibility  
S17 Crime & Disorder Act  
Equalities and Human Rights

### **Principle of the Development**

This application seeks the same principle of development as that under application ref. P/2223/14, which, whilst refused, was considered acceptable in principle under the same policy framework as existing.

Paragraph 12 of the NPPF states that ‘The 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.’

Policy 4.5 of The London Plan (2015) sets out a strategic target for London to achieve 40,000 net additional hotel bedrooms by 2031 and requires development proposals to contribute towards this target. Thus the additional provision of hotel bed spaces, as proposed by the current proposal, would be supported by policy 4.5 of the London Plan 2011.

Policy DM34 of the Development Management Policies Local Plan (2013) encourages the development and improvement of tourist related attractions and facilities, provided there is no unacceptable impact on the environment or residential amenity. This policy seeks to direct proposals for new hotel development outside the Harrow and Wealdstone Intensification Area to town centres, edge of centres and to areas with a high public transport accessibility level.

Since the application site has a high public transport accessibility level (PTAL 5) and the current application seeks to construct a four storey hotel annex at the rear of an existing hotel, consistent with the view taken in application ref. P/2223/14, the principle of the proposal is considered to be acceptable.

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

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

The London Plan (2015) 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 (2015) policy 7.6B states, inter alia, that all development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate

proportion composition, scale and orientation. Core Strategy policy CS1.B states that 'all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design'.

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

The general area surrounding the application site has a variety of building styles of varying heights, scales and sizes, and a variety of land uses. As such, the character of the surrounding area is mixed.

The current application seeks to site the proposed annex at the rear of the existing hotel. The proposed annex would have a maximum width of 26.2m, a maximum depth of 16.7m and a maximum height of 15.3m.

The previous incarnation of this scheme, under refused application ref. P/2223/14, was of identical design as this proposal for all elements except parking arrangements which are discussed later in the report. Therefore this proposal would have the same impact as that scheme on the character and appearance of the area. One of the two reasons (outlined above) for the refusal of that scheme focused on its impact on the character and appearance of the area.

It was considered that the dimension of the proposed hotel annex would give rise to a building with a particularly large size and scale, which, on its own right, is not objectionable particularly given the scale of the on-going residential buildings currently under construction to the rear. However, the scale of the proposed annex together with its siting and lack of setting space was considered to fail to have regard to the context of the site and to give rise to a dominant, unsympathetic and inappropriate relationship between the proposed annex and the adjoining residential development, to the detriment of the character and appearance of the surrounding area.

However since the refusal of application ref. P/2223/14, the decision was appealed. Whilst the appeal was dismissed, the dismissal centered around the lack of coach parking provision only (reason 2 of 2 of the refusal) and raised no objection to the impact of the proposal on the character and appearance of the area (reason 1 of 2 of the refusal). The appeal decision was made under the same planning policy framework as existing. Coupled with the identical dimensions and design of the hotel annex in the refused/appealed scheme and this current proposal, significant weight is afforded to that appeal decision. To take the same view on the impact of the proposal on the character and appearance of the area as that in application P/2223/14 is considered inconsistent with the inspector appeal decision and thus likely to be overturned at appeal if this application is refused.

Accordingly, consistent with the inspector's view in the appeal (ref. P/2223/14/4620) to the previous proposal, in this instance the impact of the proposal on the character and appearance of the surrounding area is considered to satisfy policies 7.1D, 7.4B and 7.6B of The London Plan (2015), core policy CS1.B of the Harrow Core Strategy (2012),

policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document Residential Design Guide (2010).

### **Residential Amenity**

Policy 7.6B, subsection D, of The London Plan (2015) 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 closest residential properties to the proposed annex would be the residential development at the rear of the site. As set out above, it is considered that the siting of the proposed annex would be unacceptably close to this on-going development and that this relationship would fail to achieve a high quality form of development and would fail to respond to the context of the site.

Notwithstanding this, it is considered given the orientation of the nearest blocks, the absence of protected windows on the flank walls of these blocks and the distances which would be provided between the proposed annex and the nearest residential blocks, would be sufficient to prevent any undue impacts to the amenity of the future occupiers of the residential development at the rear. Similarly, it is considered that the proposed annex would be sited at a sufficient distance from other neighbouring dwellings (particularly those along Albany Crescent and Summit Close) to prevent overlooking, overshadowing, loss of light to and loss of outlook from those properties.

Other aspects of the development proposal including the proposed single storey restaurant extension beyond southern elevation of existing hotel; the proposed new chiller room beyond northern elevation; the detached single storey building to provide beer storey beyond northern elevation and the alterations to the existing car park are considered to be acceptable in terms of their impacts on neighbouring amenity.

### **Traffic and Parking**

The London Plan (2015) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS 1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.

The existing hotel use is established on the application site. The proposal would give rise to a loss of eight car parking spaces on the site (reduction from 78 spaces to 70 spaces). This includes 18 previously leased spaces which would now be incorporated within the overall total quantum. In terms of overall parking provision, the London Plan is not prescriptive for C1 uses.

The application has been referred to the Highways Authority who have provided the following advice:

*"The revised parking allocation for this development meets the requirements of the relevant parking standards and is therefore considered acceptable. The area surrounding*

*the site has adequate parking restrictions to ensure that there is no significant impact on the operation of the highway network."*

Secure cycling provision of 1/10 staff is required and on the premise that 20 additional staff would result from the expansion, the 16 spaces suggested significantly exceed London Plan standards and are therefore considered acceptable.

Given the above considerations and view of the Highway Authority, the proposal is considered acceptable in terms of parking provision (car, coach and cycle) and impacts on the operation of the highway network in accordance with policy 6.13.C of The London Plan 2011, paragraph 6A.9 of the Parking Addendum to Chapter 6 within The London Plan 2011 and Policy DM42 of the Harrow Development Management Policies Local Plan (2013).

### **Flood Risk and Drainage**

The northern and eastern parts of the site lie within Flood Zone 2 and 3, and Edgware Brook runs adjacent to the northern boundary of the site.

The applicant has submitted a Flood Risk Assessment for consideration and this has been referred to both the Drainage Department and the Environment Agency for consideration. Neither have objected to the proposal. However, consistent with the previous application for the same scheme, the Drainage Department have suggested a number of conditions in the event that the proposal was recommended for approval.

On this basis, subject to such conditions, the proposal would fulfil the objectives of the NPPF concerning managed impacts upon flood risk and satisfy London Plan (2011) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Policies Local Plan (2013).

### **Accessibility**

The London Plan (2015) 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 DMLP (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

The proposal would provide adequate corridor and doorway widths and the layouts would provide adequate turning space as shown on the submitted drawings.

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

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

Policy 7.3 of The London Plan (2015) seeks to ensure that developments should address security issues and provide safe and secure environments.

The development would have adequate surveillance of the public realm from the front elevation. It is considered that the site could be made more secure by way of an appropriate condition for details of security measures to be submitted and agreed. As such, a relevant condition has been attached to this recommendation to address this matter. Subject to the imposition of such a condition, It is deemed that this application would not have any detrimental impact upon community safety and is therefore

acceptable in this regard.

### **Equalities and Human Rights**

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

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

### **CONCLUSION**

The proposal would now provide sufficient on-site coach parking provision, overcoming reason 2 for the refusal of the previous application (P/2223/14) and its dismissed appeal (P/2223/14/4620). Whilst the character and appearance impacts would be the same as the previous proposal, which informed reason 1 of its refusal, consistent with the subsequent appeal decision, the proposal is now considered acceptable in this regard.

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

### **CONDITIONS**

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: 3626/P2 Rev. B, 3626/P3 Rev.A, 3626/P4, 3626/P5, 3626/E1, 3610/10/001, 3626/P22 Rev.A, Site Plan (scale 1:1250), Transport Statement (Ref: PLB/WHIT/14/2082/TS01), Travel Plan (Ref: PLB/WHIT/14/2082/TP01), Flood Risk Assessment (Ref: HL/13048/FRA), Energy Recovery Statement (Ref: 210-291/ENERGY/R01), Planning, Design and Access Statement (dated February 2015), Landscape Proposals (Ref: 526-01), Topographical & Utilities Survey (Ref: 3610/10/001), Drainage Strategy Plan (Ref: 13048:SK01)

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

3 Prior to occupation 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 application site / 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> and shall include the following requirements:

1. Windows: Ground floor or accessible windows certificated to PAS24:2012 (or STS 204)

with Glazing to include one pane of laminated glass to BS EN 356 level P1A  
2. Doors: External Doors certificated to PAS24:2012, STS 201, LPS 1175 SR2 or STS 202 BR2

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy DM 2 of the Harrow Development Management Policies Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

4 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 and to ensure adequate management of the traffic impacts of construction works on the surrounding highway network, in accordance with policy 7.6 of The London Plan 2011 policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013).

5 The construction of the four storey hotel annex shall not be commenced until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with sewers for adoption in accordance with the NPPF, London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Policies Local Plan (2013).

6 The construction of the four storey hotel annex shall not be commenced until works for the disposal of surface water have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works 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 NPPF, London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Policies Local Plan (2013).

7 The construction of the four storey hotel annex shall not be commenced until surface water drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Prior to submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDs) in accordance with the principles of sustainable drainage systems set out in Appendix E of PPG25, and the results of the assessment shall be provided to the Local Planning Authority with the details. Where a SuDs scheme is to be implemented, the submitted details shall:

a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters; and  
b) specify the responsibilities of each party for the implementation of the SuDs scheme, together with a timetable for that implementation; and  
c) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall be implemented, maintained and managed in accordance with the approved details.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with the NPPF, London Plan (2015) policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy and policies DM 9 and 10 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, as required by policies DM1 and DM10 of the Harrow Development Management Policies Local Plan (2013).

9 All planting, seeding or turfing comprised in the approved details of landscaping shown on plan number: 526-01 (Landscape Proposals) 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 DM1, DM22 and DM23 of the Harrow Development Management Policies Local Plan (2013).

10 Before the hard surfacing hereby permitted is brought into use the surfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site.

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

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding, in accordance with policy DM10 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATIVES**

1 The following policies are relevant to this decision

### **National Planning Policy Framework (2012) (NPPF)**



### **The London Plan (2015):**

- 3.1 Ensuring Equal Life Chances For All
- 4.1 Developing London's Economy
- 4.5 London's Visor Infrastructure
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture

### **Harrow Core Strategy 2012**

- Core Policy CS 1 Overarching Policy Objectives
- Core Policy CS 8 Edgware and Burnt Oak

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

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM 9 Managing Flood Risk
- Policy DM 10 On Site Water Management and Surface Water Attenuation
- Policy DM 12 Sustainable Design and Layout
- Policy DM 31 Supporting Economic Activity and Development
- Policy DM 34 Hotel and Tourism Development
- Policy DM 42 Parking Standards
- Policy DM 44 Servicing
- Policy DM 45 Waste Management

### **Relevant Supplementary Documents**

- Supplementary Planning Document Access for All (2006)
- Supplementary Planning Document Residential Design Guide (2010)
- Mayor Of London, Housing Supplementary Planning Guidance (November 2012)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

### **2 INFORM61\_M**

Please be advised that approval of this application attracts a liability payment of £52,395 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

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

Your proposal is subject to a CIL Liability Notice indicating a levy of £52,395 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 1,497sqm

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

3 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: £82,335

#### 4 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.

#### 5 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.

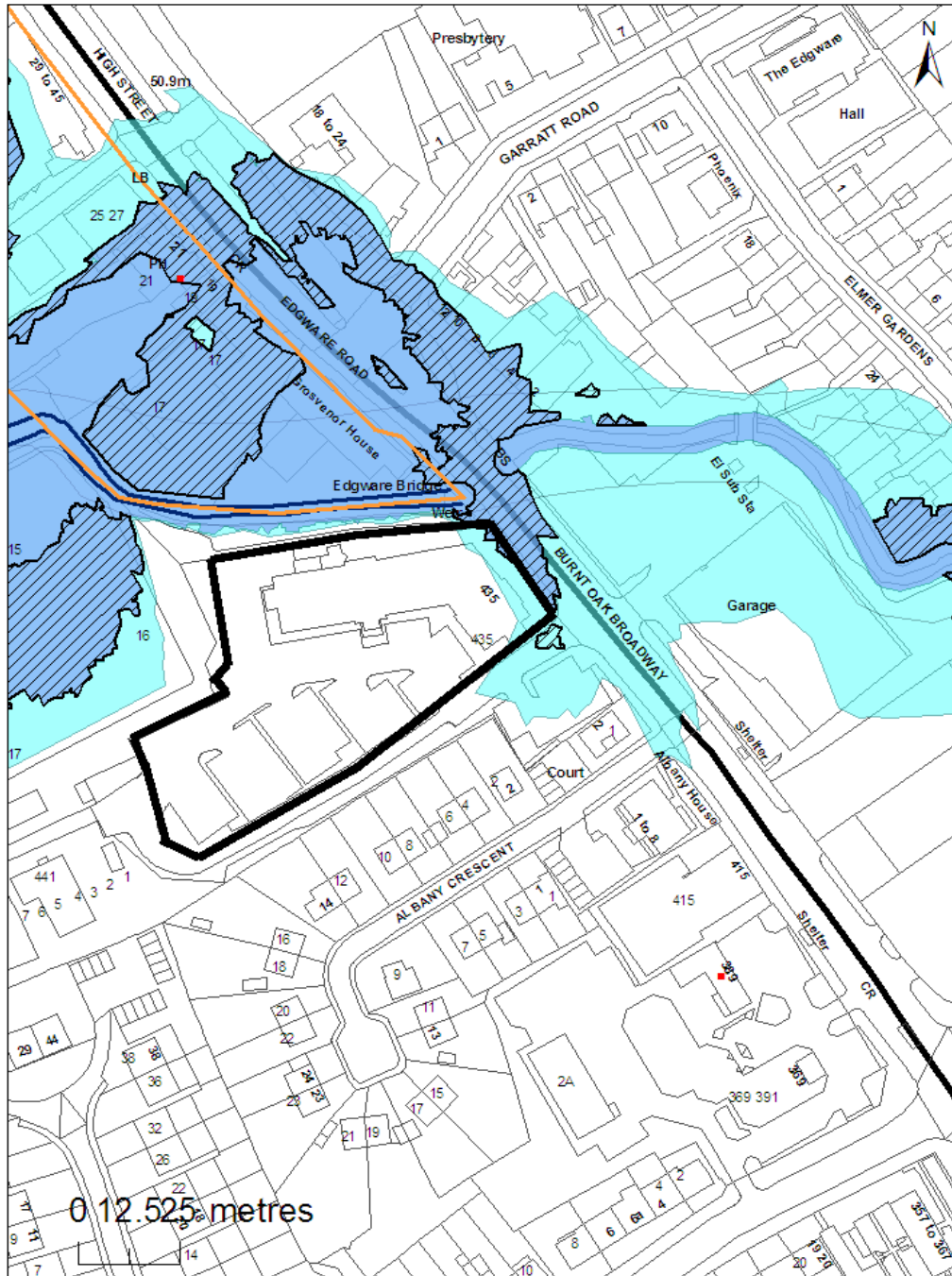
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.

- 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.

#### 6 GRANT WITHOUT PRE-APPLICATION ADVICE

# PREMIER INN, 435 BURNT OAK BROADWAY, EDGWARE



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## Appeal Decision

Site visit made on 13 January 2014

by **Elizabeth Jones BSc (Hons) MTCP MRTPI**

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

Decision date: 16 February 2015

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**Appeal Ref: APP/M5450/A/14/2228389**

**Premier Inn, 435 Burnt Oak Broadway, Edgware, Middlesex HA8 5AQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Premier Inn Hotels Limited against the decision of the Council of the London Borough of Harrow.
  - The application Ref P/2223/14, dated 30 May 2014, was refused by notice dated 1 September 2014.
  - The development proposed is four storey hotel annex; single storey restaurant extension; new chiller room and beer store.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The submissions indicate that a costs application may be submitted. However, no such application has been put forward and I have not therefore considered this matter further.
3. I note the Council has no objections to the proposed single storey restaurant extension, new chiller room and beer store. Based on all that I have read and seen I have no reason to disagree with this. Consequently, my decision concentrates on the four storey hotel annex and the provision of coach parking.
4. During the course of the application the appellant requested that the Council consider an amended drawing showing a revised car parking layout. The Council declined to do this and determined the application on the basis of the original drawings showing no coach parking spaces. No interested parties have had the opportunity to comment on the amended drawing and I consider that the proposed amendments are significant. In the interests of fairness, I have determined the appeal on the basis of the drawings considered by the Council, as to do otherwise would deprive those who should be consulted on the change, the opportunity of such consultation.

### Main Issues

5. The main issues are: i) the effect of the proposal on the character and appearance of the area and ii) whether the proposal provides sufficient coach parking provision.

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[www.planningportal.gov.uk/planninginspectorate](http://www.planningportal.gov.uk/planninginspectorate)

## Reasons

### *Character and appearance*

6. The appeal site comprises a hotel with a car park. The car park currently provides spaces for coach parking. The site is located to the south west of Burnt Oak Broadway, located in an area characterised by a mix of uses including residential, commercial and retail. To the west of the site lies the former Edgware Town Football Club which is currently undergoing development to provide 189 dwellings.
7. The appeal proposal includes a four storey hotel annex at the western end of the car park; this would provide 43 rooms, increasing the number of rooms at the hotel to 157 in total. The car park would be re-configured to provide 75 spaces. No spaces for coach parking are proposed.
8. The area to the west of the appeal site is currently undergoing extensive development to include a number of residential blocks. As well as being visible from surrounding properties, the proposed hotel annex would be visible from the access road and Burnt Oak Broadway. I have not been provided with full details of the residential development currently under construction. However, from what I have seen and read, the proposed hotel annex would be of a size and scale similar to the residential blocks. I am satisfied that the proposed hotel annex would reflect the prevailing pattern of development within the surrounding area. Furthermore, it would be of the same height as the adjacent residential block with its rear elevation built along a similar building line to the front building line of this building. Consequently, the proposed development would reflect the bulk, scale and height of its surroundings as required by Policy DM1 of the Harrow Development Management Policies Local Plan (2013) (Local Plan).
9. Although close to the access road, the hotel annex would be sited within the site boundary of the existing hotel with its front elevation facing the hotel car park. Due to its design which would reflect that of the existing hotel building, it would not be overly prominent when viewed in the context of the new residential development even though it would be nearer the residential blocks than the existing hotel.
10. In light of the foregoing, there would be no conflict with the objectives of Policies 7.1D, 7.4B of the London Plan (2011) (LP) and Policy CS1.B of the Harrow Core Strategy (2012), Policies DM1 and DM2 of the Local Plan and the Council's Supplementary Planning Document *Residential Design Guide* (2010) which amongst other things, seek to ensure development has regard to the pattern and grain of the existing spaces and street in orientation, scale, proportion and mass.

### *Coach parking provision*

11. Policy 6.13C of the LP states that the maximum standard set out in the parking addendum should be applied. The appeal site has a high public transport accessibility level (PTAL 5). In relation to parking for hotels, the parking addendum whilst not prescriptive in terms of parking provision states that in locations with a PTAL of 4-6, on site provision should be limited to operational needs, parking for disabled people and that required for taxis, coaches and

deliveries/servicing. Developments should provide one coach parking space per 50 rooms for hotels.

12. The proposal would provide 75 car parking spaces for the 157 bedrooms. This number includes 18 parking spaces located at the junction of the access road with Burnt Oak Broadway which the hotel currently leases to another business. The Council consider that the proposed level of car parking is acceptable. Given the high PTAL I agree.
13. The proposal would result in the loss of the coach parking spaces which historically have been utilised by Edgware Town Football Club. The appellant contends that due to the removal of the Edgware Town Football Club these coach parking spaces are no longer required.
14. I note the appellant's comments regarding coach party bookings. I also note that it is hotel policy to discourage coach parties. However, the appellant's Transport Statement<sup>1</sup> (TS) indicates that albeit infrequent, there is a demand for coach parking spaces.
15. On my site visit I observed that the majority of car parking spaces were occupied. I have no reason to doubt that this is the case most days. If a coach were to arrive, there would be nowhere for it to park or turn. Consequently, it would be likely that a coach would need to park in the adjacent highway or reverse into the access road to allow its passengers to alight. Given the nature of this road, this would create a conflict with other highway users and would obstruct the highway which would result in congestion and harm to highway safety.
16. I conclude that the proposal would provide insufficient coach parking provision such that the development could lead to traffic congestion on the highway. The proposal would be contrary to Policy 6.13C of the LP and Policy DM42 of the Local Plan which amongst other things seek to resist proposals that would result in inappropriate on-site parking provision, and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists.

### **Conclusion**

17. I have concluded that the proposal would not cause harm to the character and appearance of the area. However, this does not outweigh my concerns regarding the on-site coach parking provision.
18. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Elizabeth Jones*

INSPECTOR

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<sup>1</sup> Transport Statement RGP Transport and Infrastructure Design Consultants May 2014.

ITEM NO: 1/03

ADDRESS: THE PRINCESS ALEXANDRA NURSING HOME, COMMON ROAD, STANMORE

REFERENCE: P/4071/14

DESCRIPTION: DEMOLITION OF THE EXISTING 72 BED CARE HOME AND REDEVELOPMENT TO PROVIDE A PART THREE/PART FOUR STOREY BUILDING CONSISTING OF A 64 BED CARE HOME, 16 INDEPENDENT LIVING SUITES AND 48 INDEPENDENT LIVING FLATS TOGETHER WITH COMMUNAL FACILITIES (TO INCLUDE A SYNAGOGUE, DAY CENTRE, RESTAURANT, ACTIVITY ROOMS, GYM, SHOPS AND GUEST FACILITIES); PROVISION OF NEW OUTBUILDINGS ALONG THE NORTHERN BOUNDARY INCLUDING A SUBSTATION AND GENERATOR; PROVISION OF VEHICULAR AND CYCLE PARKING TOGETHER WITH INTERNAL ACCESS ARRANGEMENT WORKS; PROVISION OF REFUSE STORAGE AND ASSOCIATED LANDSCAPE AND TREE WORKS WITHIN THE SITE.

WARD: STANMORE PARK

APPLICANT: JEWISH CARE

AGENT: TETLOW KING PLANNING

CASE OFFICER: NICOLA RANKIN

EXPIRY DATE: 31<sup>ST</sup> AUGUST 2015

## **RECOMMENDATION A**

**GRANT** planning permission for the development described in the application and submitted plans subject to:

- Conditions set out at the end of this report;
- Referral to the GLA under Stage 2 of The Town and Country Planning (Mayor of London) Order 2008;
- Referral to the National Planning Casework Unit (DCLG) under the Town and Country Planning (Consultation) (England) Direction 2009; and
- The completion of a section 106 agreement with the heads of terms set out below (subject to further negotiation and agreement)

Authority to be given to the Divisional Director of Planning in consultation with the Director of Legal and Governance Services for the sealing of the section 106 agreement and to agree any minor amendments to the conditions or the legal agreement.

- i. Transfer of the land to South East to Bentley Priory Open Space together with a programme of works to be undertaken to the land to include the following provisions:

- a biodiversity survey to be undertaken
- Provision of new boundary treatment and review of existing boundary treatment
- Maintenance of the land By Jewish Care until it is transferred into the ownership of the Council
- Occasional access from the care home to the land.
- ii. Provision of travel plan including mechanism for review
- iii. Recruitment Training and Management Plan.
- iv. No further development to be undertaken on the land, unless otherwise agreed in writing with the Local Planning Authority.
- v. Occupation of the ILF and ILS would be subject to the following:
  - persons aged 65 and over
  - Potential residents must undergo and pass a professional care assessment carried out by an appropriately qualified professional.
  - A minimum of four hours care per week
    - i. Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the S106 Legal Agreement
    - ii. Planning Administration Fee: Payment of an administration fee for the monitoring of and compliance with the agreement.

### **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 31<sup>st</sup> August 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 restrictions on occupation, and to provide appropriate improvements, benefits and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the wider area and provide for necessary social, environmental and physical infrastructural improvements arising directly from the development, contrary to the NPPF (2012), policies 3.11, 3.13, 7.16, 6.3 and 7.19 of The London Plan (2015), Core Strategy (2012) policies CS1 and policies DM16, DM17, DM42, DM43 and DM 50 of the Harrow Development Management Policies Local Plan.

### **INFORMATION**

The application is reported to the Planning Committee because the application is a major development and therefore falls outside of category 1(d) of the Council's scheme of delegation.

Statutory Return Type: Major Development

Council Interest: The Council is the landowner.

Gross Floorspace: 12,825sqm

Net additional Floorspace: 9313sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £325,955

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): £512, 215

### **Site Description**

- The site is located on the eastern side of Common Road, which is a London Distributor Road, A409.
- The application site has a total area of 6.75 hectares and currently comprises a 72 bed care home and its associated grounds
- The site is located in the Green Belt and in the Harrow Weald Ridge Area of Special



Character. The site is also in a designated Area of Nature Conservation Importance.

- The site is occupied by a number of detached outbuildings and sprawling building which is primarily two storey in form.
- The site is substantially covered in woodland. There is a pond towards the southern site boundary and a substantial open garden at the rear of the building.
- There is a change in levels across the site, falling from the front of the site to the rear by approximately 15 metres. The greatest level change is beyond the rear of the existing building from north west to south east.
- Access to the site is gained from Common Road. This serves one-way vehicle circulation around the site.
- The site currently facilitates 74 off-street car parking spaces.
- The site is heavily wooded and is the subject of a Tree Preservation Order (No. 10 A1).
- The rear boundary of the site abuts Bentley Priory Open Space which is a designated SSSI and nature reserve. On the opposite side of Common Road lies the Harrow Weald Ridge SSSI.
- The Bentley Open Space forms a grade II park and garden.
- The site has a public transport accessibility level of 1a.

### **Proposal Details**

- The proposed development consists of demolition of the existing 72 bed care home and redevelopment to provide a part three/part four storey building consisting of a 64 bed care home, 16 independent living suites and 48 independent living flats together with communal facilities (to include a synagogue, day centre, restaurant, activity rooms, gym, shops and guest facilities); provision of new outbuildings along the northern boundary including a substation and generator; provision of vehicular and cycle parking together with internal access arrangement works; provision of refuse storage and associated landscape and tree works within the site.
- The proposed building would be situated centrally within the site and would consist of four wings which would project out from a central core. Some excavation would be undertaken so that part of the building would appear as a lower ground level.
- The front west elevation of the building would span a distance of approximately 156 metres across the site, whilst the rear facing east elevation would span a distance of approximately 122 metres.
- The building would have a flat roof design.
- The nursing care households are organised to the north of the site over two storeys on the ground and first floors. The nursing care eastern wing would be three storeys in height and would have a maximum height of 11.5 metres. The second floor would be set back from the main elevations.
- The nursing care west wing would also be three storeys with the second floor being set back from the main elevations. It would be 10.2 metres high measured from the ground level on the front of this wing.
- The proposed 16 independent living suites would be located above the nursing households at second floor level.
- The two residential wings to the south of the site would accommodate the proposed 48 independent living flats on ground, first and second floor level.
- The proposed independent living east wing would have four storeys as a result of ground excavation to provide a lower ground floor. The four storey height would be a maximum of 13.6 metres.
- The proposed independent living west wing would be three storeys with a maximum height of 10.2 metres.

- The communal facilities including the day care centre, central club house, synagogue, shop, hairdresser and other activities rooms and social spaces would be located within the central core of the building.
- The proposed day care centre would provide a service for 30 daily members. The day care centre would include its own, reception, office and activity space.
- The applicants Planning Statement outlines that the *“The new home will provide 24 hour support and care for the frail elderly. The care home will be registered with the Care Quality Commission (CQC) and the design and specification of the facility will reflect the latest way of thinking in relation to the care of older people, including those suffering from conditions such as dementia and Alzheimer’s”*.
- Vehicular access into the site will remain from the current entrance from Common Road. A total of 70 parking spaces are to be provided across the site, together with the provision of 2 minibus spaces.
- A new pedestrian crossing and pedestrian footpath is proposed to provide a link from Common Road to the main building.
- A total of 56 cycle parking spaces will be provided together with parking for 5 motorcycles.
- An extensive hard and soft landscape scheme is proposed across the site including the provision of green roofs and landscaped courtyards situated between the wings of the residential accommodation.
- The proposed development would be phased to enable existing care home residents to remain in the building during the construction process. It is proposed to construct the nursing care households location within the northern residential wings with the first phase of the development together with the proposed communal facilities.

**Since the planning application was received the following additional information has been received from the applicant:**

- Visual Landscape Impact Assessment
- A reduction in the number of parking spaces from 75 to 70
- Dedicated space for increased cycle parking should this be required following a travel plan review
- Additional Supplementary Energy Statement
- Area and Perimeter Comparative Diagrams of the previously consented and proposed scheme
- Details of typical room layout
- Comparative aerial view of proposed previously and consented scheme
- Supplementary reports addressing the sequential site assessment, design, need for the accommodation, landscape impact, highways, ecology impact and use class of the development.

**Environmental Impact Assessment**

The proposals comprising the current planning application have been the subject of a screening opinion in accordance with Regulation 7 of the Town and Country (Environmental Impact Assessment) Regulations 2011. Officer’s consideration of the Environmental Effects of the development was that in this case an Environmental Statement was not required. A copy of the screening opinion can be viewed online as part of the electronic case file for the application. As of 6 April 2015, new regulations came into force. The new regulations raise the screening thresholds for urban development projects. The revised thresholds outline that the development would include more than 1 hectare of urban development which is not dwellinghouse development, that the development includes more than 150 dwellings and that the

overall area of the development exceeds 5 hectares. The local planning authority has considered the development in light of the revised thresholds and considers that the development is not EIA development.

### **Relevant History**

**P/2979/03/COU** OUTLINE: REDEVELOPMENT TO PROVIDE REPLACEMENT NURSING AND CARE HOME WITH DAY CARE CENTRE  
Granted 26-Jan-06

**P/3206/08** OUTLINE: REPLACEMENT NURSING & CARE HOME WITH ASSOCIATED DAY CENTRE  
Granted 16-Mar-2009

**P/1100/11** EXTENSION OF TIME TO OUTLINE PERMISSION (ACCESS AND LAYOUT) P/3206/08 DATED 16/03/2009 FOR 'REPLACEMENT NURSING & CARE HOME WITH ASSOCIATED DAY CENTRE  
Granted 9-Jan 2012

### **Pre-Application Discussion: Ref: P/1111/14/PREAPP Summary:**

The scale of the proposal would increase the floor area of the previously approved scheme ref. (P/1100/11) by an additional one third. The footprint and floor area of the existing building are 2,156sqm and 3,512sqm respectively. The previous scheme (P/1100/11) sought a footprint of 2,842sqm and floor area of 11,728sqm. On the basis of the information provided the most recent proposal would increase the existing floor area from 3,512sqm to 15,635. This would represent a massive increase in excess of 300%.

The proposal is at odds with the previously approved scheme which proposed a single consolidated building operation, albeit larger in scale. However, the current proposal remains dispersed within the site. It would contribute to a loss of openness to the Green Belt and cannot be supported for that reason.

It is noted from the supporting documents submitted that the revised proposal would provide a greater range of accommodation types than the approved scheme to address the different levels of care required for the elderly population and the national movement towards more independent living. This increase combined with the dispersed nature of the proposal make it unacceptable in this instance and very special circumstances have not been demonstrated to overcome the requirement to comply with Green Belt policy.

### **Applicant Submission Documents**

- Planning Statement (summary)
  - The applicant's aspiration is to deliver a high quality new care facility that will provide 24 hour care for the frail elderly and will help improve the quality and quantity of care services for older people.
  - The existing care home, operated by Jewish Care since it purchased the site in 2002, no longer meets the current care standards and is unable to deliver the high standards of care to residents that Jewish Care provides across its other scheme in London. The redevelopment of the site offers an opportunity to provide an improvement in care services for older people (particularly those with dementia)

- The proposed redevelopment of this site represents a carefully considered scheme that makes the best use of previously developed land. The planning application proposes development that seeks to adhere to those areas of the site previously developed insofar as possible, with development on limited areas of existing open space or landscape. The loss of these small areas of open space and landscape are not considered to be of such value that they cannot be mitigated through the redevelopment process.
  - It is apparent that there are no other suitable alternatives in more sustainable locations that could deliver an equivalent development as proposed at the application site.
  - The graphical study supplied illustrates the impact on openness and visual impact is minimal and any harm on these matters is far outweighed by other benefits. The proposal will result in Improvements to an existing C2 use that is now in need of replacement (noting that this is something that the Council have acknowledged since 2006). There are other public benefits from the handing over of land to the south into the wider Bentley Priory Open Space (a significant benefit in Green Belt terms as per para 81 of the NPPF). There are wider social benefits including the improved health and well-being for older people (particularly addressing issues of isolation in the community), as well as employment opportunities and the release of under occupied larger family housing. The re-development will increase the provision of specialist accommodation to meet the needs of older people.
- Design and Access Statement
  - Transport Statement
  - Travel Plan
  - Heritage Assessment
  - Ecological Appraisal
  - Tree Survey
  - Arboricultural Impact Assessment
  - Flood Risk Assessment and SUDs strategy
  - Desk Study
  - Energy Statement
  - Preliminary BREEAM report
  - Preliminary Code for Sustainable Homes Assessment
  - Site Waste Management Strategy
  - Statement of Community Involvement
  - Care Needs Assessment
  - Preliminary Unexploded Ordnance Risk Assessment
  - Utilities Search Information

### **Consultations:**

**Greater London Authority:** The application raises serious strategic concerns with regard to loss of Green belt. Further work and details are required in relation to the principle of the development, affordable housing (C2/C3 uses classification) health/social care and community facilities, urban design, inclusive design, sustainable development and transport before the scheme can be considered fully compliant with the London Plan. Harrow Council is advised that the application does not comply with the London plan but that possible remedies could address these deficiencies. Once Harrow Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision, as to whether to direct refusal or allow the Council to determine it itself,

unless otherwise advised.

**Further Comments from Greater London Authority:** In regard to our concerns that the current development further encroaches the Green Belt, the applicant's main reason is the increased floor space (drawings 711\_ SK\_048PA & 711\_SK\_049PA) which demonstrate that existing ensuite room size=15sqm, consented scheme ensuite room size=19sqm and the current proposal ensuite room size=27.5sqm. As this increase in room size for the current application is considered very high, it is accepted that it would contribute significantly for the further encroachment of the GB.

Whilst the GLA welcome this increased sizes of the rooms, the Council should secure them through appropriate conditions.

In regard to concerns on the status of the proposed use, the proposal seems more of C2 than C3, in particular the overall layout of the development demonstrates this (there are no detached or semi-detached bungalows or houses proposed but they are flats in four blocks of wings with enclosures to the social care and communal facilities constituting 41.8% of the total GIA of the proposed development (as the current document clarified). So the issue of affordable housing is not to be pursued any further.

The applicant is advised to address the remaining outstanding energy and transport (as highlighted in our stage 1 report) issues and the Council should secure them through appropriate conditions before the application is referred back to the Mayor as Stage 2.

**Transport for London:** TFL consider that the proposed development would have a negligible impact on the local highway network when compared to the existing development flows. The applicant undertook a parking demand assessment indicating that a maximum of 61 spaces would be required. TFL considers that there is scope to reduce parking to no more than 70 spaces to avoid over-provision. The applicant is required to provide electric vehicle charger points for the scheme to be in line with London Plan transport policies. The proposed development includes 56 cycle parking spaces and this should be increased to 82 (64 for flats and 18 for care homes). TFL recommends that a raised entrance is provided at the Common Road entrance and separate pedestrian footpath to reduce vehicle speeds and improve safety. A revised Travel Plan should be secured by S106 obligation.

**Highways Authority:** No Objection. The entry treatment could be considered.

**English Heritage:** Appraisal for this application using Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by attaching a condition.

**Conservation Officer:** This is within the setting of the grade II listed registered park and garden of Bentley Priory. It is considered that there is sufficient screening for this proposal to not impact upon the setting of this heritage asset.

**Environment Agency:** The proposed development will only meet the National Planning Policy Framework (NPPF) policy to ensure flood risk is not increased elsewhere if the following planning condition is included on any planning permission granted.

Condition: The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) by Conisbee 'Princess Alexandra Care Home Common Road, Stanmore, HA7 3JE. Flood Risk Assessment & Sustainable Drainage Strategy Ref: 120269/T Noble Date: 10 October 2014' has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:

- a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- b) Confirmation of the critical storm duration.
- c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.
- e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the 'Planning Practice Guidance: Flood Risk and Coastal Change'. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

**Drainage Authority:** No objection subject to conditions relating to surface water storage and attenuation works and the disposal of sewage. A copy of a letter from Thames Water with permission for connections to the public sewers is required. 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. 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.

**Thames Water:** Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains,

sewage flooding and pollution to local watercourses.

**Surface Water Drainage** - With regard to surface water drainage it is the responsibility of a 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. 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 objection to the above planning application.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

**Environmental Health:** No objection, subject to a condition in relation to the proposed plant and substation and generator.

**Landscape Architect & Arboricultural Officer:** A Visual Impact Assessment would be required to assess the impact of the proposed development on both the short and long distance views. It is important that cross sections are also produced to demonstrate the visual impact of the proposed development and the proposed ground levels with the existing Care Home and existing levels superimposed.

Trees: It must be noted that the majority of the site covered by trees is protected by an Area Tree Preservation Order, TPO 10 Comprehensive Parts I, II and III, Area 27, Priory Close, Common Road, Stanmore.

Although there are 109 trees proposed for removal, by my calculation, 50 of these (plus a dead tree) and not 59 number, stated in the Arboricultural Impact Assessment, are shown for removal for landscape management benefit. All these trees selected for woodland management, shown for removal, would be sensible and would contribute to the management, ecology and improved appearance of the woodland.

Given the size and scale of the proposed development, tree loss would be inevitable, however by my calculation, 59 trees (plus 1 dead tree) would need to be removed (rather than 50 trees stated in the Arboricultural Impact Assessment). At least 13 of these trees are Category B or A/B of moderate to good/ high quality and some of which are notably impressive trees.

It is regrettable that the following trees would be removed, if you are minded to approve this application:

- T670 and T672 - mature hollies - amongst the largest specimens in the Borough
- T662 - Yew
- T952 - Field maple - a veteran specimen, amongst the largest and oldest in the borough, and a high quality specimen (graded as A - B2 - strangely noted as early mature in the report) - but most notable in the landscape to the rear of the existing Care Home. Unfortunately, if the development were to be approved as set out, the tree would be too close to the building to be retained. This tree is noted in the survey as an attractive tree. It would certainly be regrettable to lose this tree.

It is to be noted that T670, T672 and T662 are protected by the Area Tree Preservation Order.

T978 Mature Oak- The proposed building works and building are likely to have an impact on the oak, and this would be regrettable. It would be preferable if the footprint of the building could be moved away from the oak tree, although this would have an impact on the building design and could have an impact on other high quality trees on the site, as a knock on effect. It would therefore be essential, if the application were to be approved, that Conditions, as proposed in the Arboricultural Report, for No Dig Construction and Ground Protection were closely adhered to. Any tree works would need to comply with BS 3998:2010, Recommendations for Tree Works and BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations and these British Standards are required to be included in the Tree Conditions. The canopy of the oak tree T978, would be touching, or almost touching the building and therefore this would be likely to create post development pressure for removal of branches or thinning of the oak, to reduce the shading / light loss and physical impact of the oak tree.

The picnic dell and seating, number 20, identified on the Landscape Masterplan. Proposed installation of footpaths, picnic benches and benches are shown under high / moderate and low quality trees, T942, T941, T940 Cedars, T939 Dogwood, T937 and T938 Lawson Cypress. The Cedars are fine specimens and particularly notable. Consideration should be given to moving the footpath and picnic area further away from these trees, to reduce any possible impact. However, if the development were to be approved, the proposal to install the footpath using No Dig Construction would need to be closely adhered to and any installation of picnic benches and seats would need to be by hand.

A large Eucalyptus tree appears to have been omitted in error, from the tree survey. It is situated to the south west of T986, variegated Holly, adjacent to the rear of the existing Care Home. There would be no objections to the removal of this tree.

It is noted and welcomed that special measures would be taken to transplant existing memorial trees, where possible and it would be hoped that the locations could be considered to prevent ad hoc siting of a random mixture of tree species. T961 Douglas Fir is an attractive early mature tree, within this group and its loss would be regrettable, although a transplanted and / or new group of trees could be relocated and designed to look much more attractive than the existing group.

Management of the Rhododendrons and some of the non-native conifers, such as Cupressus and the 'presentation' of sweet chestnut, oak, beech and scots pine specimens would be very important as proposed in the report. Rhododendrons are a notifiable weed, under Schedule 9 of the Wildlife and Countryside Act, 1981. Land Use Consultants (LUC) have proposed removal and management. This would require a Condition for a phased management programme, for removal/ and some native tree replacement where appropriate.

Although there would be inevitable tree loss due to the proposed development, many of the tree losses would be for the management of the woodland and would significantly improve the appearance of the woodland, providing landscape, ecological and visual benefits. The proposed new tree planting would also help to offset the proposed tree loss and increase the age structure particularly in the woodland areas. The improvements to the woodland would apply particularly to the areas to the north of the building where extensive and selected clearance of shrubberies is proposed which



would change the environmental character by simplification and management to reveal and present the real specimen trees, increase the feeling of space, the pond and the elevation and entrance setting of the new building. Management by removal of trees and shrubs and new planting would be throughout all the woodland areas and around the pond, opening up these areas, whilst retaining the outer landscape, which forms a natural woodland screen from Common Road. The resultant landscape would retain and enhance the natural, predominantly native woodland character and increase the landscape and ecological value. On balance, the benefits of the proposed landscape improvements and management to the site, with new predominantly native tree planting would outweigh the proposed tree losses.

The proposal to transfer the acidic grassland and perimeter trees and shrubs (with ecological value), at the south eastern corner of the site, would be a welcome addition to Bentley Priory Open Space Nature Reserve. This would provide a significant buffer zone between the new development and the adjacent Bentley Priory Open Space, Site of Special Scientific Interest (SSSI)

A stand of Japanese knotweed is growing on the site on the southern boundary, (located to the south west of number 15, the proposed Horticulture Centre on the Landscape Masterplan at TQ 1493592919). A programme of eradication of the Japanese Knotweed would be required and this would need to be Conditioned.

The proposed Landscape Strategy and Landscape Masterplan provide good comprehensive proposals for the whole site. The proposals cover the Front of House, Independent Living, Nursing Care and East Side and take into account the proposed outdoor facilities, ecology, trees and SUDs. A Visual Impact Assessment would be required, as noted above, to demonstrate in detail how visible the proposed development would be.

If you are minded to approve the development, I would have no objections and the landscape masterplan would require further development and detailed discussion, including hard and soft landscape details, levels, boundary treatment and a programme and details of landscape management and maintenance. A Woodland Management Plan, would be required as part of the Landscape Management Plan. Tree Conditions would also be required as outlined above and any tree works would follow the recommendations set out in Arboricultural Impact Assessment report, including the Tree Protection Plan, Root Protection Area, Tree Protection Fence, No Dig Construction, Ground Protection Areas, new planting, general measures during Construction, bat roosts and bird nesting season.

**Biodiversity Officer:** The Ecological Appraisal (October 2014) states that impacts on bats (European Protected Species) will include the phased loss of confirmed and potential roosts, which will result in the risk of killing and injury of individual bats and the loss of bat roosting features. Therefore to avoid contravening current legislation and to progress the works a Natural England European Protected Species (EPS) licence will be required.

For an EPS (derogation) licence to be granted three tests must be met:

1. Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance or the environment;
2. that there is no satisfactory alternative;

3. that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The Judicial Review Judgement 5th June 2009: Woolley v Cheshire East Borough Council and Millennium Estates Limited makes it clear that planning authorities, in exercising their planning and other functions, must have regard to the requirements of the EC Habitats Directive when determining a planning application, as prescribed by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).

To quote Natural England "Such due regard means that planning authorities must determine whether the proposed development meets the requirements of Article 16 of the EC Habitats Directive before planning permission is granted (where there is a reasonable likelihood of European Protected Species being present). Therefore in the course of its consideration of a planning application, where the presence of a European protected species is a material consideration, the planning authority must satisfy itself that the proposed development meets three tests as set out in the Directive. The ruling states that "if it is clear or perhaps very likely that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable other imperative reasons of over-riding public interest then the authority should act on that and refuse permission.

In addition, the judgement also clarified that it was not sufficient for planning authorities to claim that they had discharged their duties by imposing a condition on a consent that requires the developer to obtain a licence from Natural England.

Therefore Harrow as the LPA is required to meet the three tests in order to meet the requirements of Article 16 - this must be undertaken prior to planning permission being given and cannot be conditioned.

I think Harrow as the LPA has demonstrated the necessary regard to the requirements of the EC Habitats Directive:

*~The Judicial Review Judgement 5th June 2009: Woolley v Cheshire East Borough Council and Millennium Estates Limited makes it clear that planning authorities, in exercising their planning and other functions, must have regard to the requirements of the EC Habitats Directive when determining a planning application, as prescribed by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).*

Therefore I have no further comment.

**Adult Social Care:** The analysis is based on a catchment exceeding the size of the borough and extending the population of over 75 to more than twice the number in Harrow alone.

Under the Care Act any self-funders moving into Harrow will be funded by the Council when they reach their Social Care Cap currently set at £72,000

The analysis is based on crude population estimates and excludes the vast majority of elderly housing (sheltered) as highlighted in their own report (section 7.12)

There are currently 1164 residential and nursing beds in Harrow (CQC data November 2014) and planned in the region of 150 excluding this development = Total 1,314

We do not recognise the Jewish only need analysis and shortfall. However, even by their own calculations 70% of the need is outside Harrow.

Their analysis does not include other types of supported and independent accommodation, which is currently the Council's strategy.

In summary, we have little current demand within Harrow for this type of culturally specific development especially of this scale. This development would potentially see a net migration of self-funders into Harrow, which under the Care Act would potentially have a significant impact on the Adults Social Care and Council Budgets. Every self-funder reaching their social care Cap £72,000 would continue to be funded by the Council regardless of their financial means.

**Natural England:** No comment received.

**Stanmore Society:** No comment received.

**The Garden History Society:** No comment received.

**Historic England:** No comment received.

### **Advertisement**

**Site Notice x 5:** Departure from Development Plan/ Major Development Expiry:  
19.12.2014

**Press Advert:** Departure from Development Plan/Major Development Expiry:  
11.11.2014

### **Notifications**

Sent: 77

Replies: 22 (22 letters of support)

Expiry: 04.12.2015

### **Addresses Consulted**

Heath Lodge, Priory House, Jalviram, Brookslee, Unit Rear Of Kiln House, Green Verges, Tanglewood Cottage, The Bothy, Priory House, Grimsdyke Cottages, Dairy Cottage Gardens Etc, Weald Cottage, Dormers Glenthorn Cottage, Dukes Cottage, The Kiln House, Peterborough And St Margarets High School, Farm Cottage, Brookshill Cottages, The City, Portman Hall, Old Redding, Eastcliff, The Hare Public House, Lower Priory Farm, Mulberry Cottage, Barlogan, Hill House, Lodge Priory Close, Lodge Old Barn, New Lodge, The Princess Alexandra Home, Bridle Cottages, Four Winds, Red Corners, Copse Farm, Newlands, North Lodge, South Lodge, The Old Barn, Chestnut Cottage, Feering Croft, Fidelio, Brookshill Cottages, Hill View, The Nurseries, Glenthorn Lodge, The Case Is Altered Public House, Copse Farm, 1-15 Portman Hall, Old Redding.

### **Summary of Responses**

- The Princess Alexandra Home is very important to the community and should be given the opportunity to improve and expand its facilities.
- The resident's lives would be greatly enhanced by the proposed plans; although the care is excellent the rooms are small and cramped.
- The proposed plans allow for more community activities.
- The proposed landscaping will result in greater biodiversity.

- There is a pressing need for quality social care for the community.
- The proposed plans are sympathetic towards the environment and existing developments in the area.
- The proposal will provide much needed facilities as well as employment in the borough.
- The proposal will not cause harm to other and will not result in an increase in traffic.
- As the population ages, the need for residential support for those with complex health and social care needs grows.
- Harrow needs culturally appropriate provision for their citizens and there is clearly a need for the development given the aging Jewish population in the area.

## **APPRAISAL**

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

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

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 2015, 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 [LAM].

## **MAIN CONSIDERATIONS**

Principle of Development – Provision of Care Facilities and Development in the Green Belt

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

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

Traffic, Parking, Access, Servicing and Sustainable Transport

Affordable Housing

Sustainability

Accessibility and Inclusive Design

Biodiversity, Trees and Landscaping

Flood Risk and Drainage

Archaeology and Heritage Impacts

S17 Crime & Disorder Act

Consultation Responses

Equalities and Human Rights

## **Principle of Development - Provision of Care Facilities and Development in the Green Belt**

- Provision of Care Facilities including Extra Care Accommodation

Paragraph 50 of the National Planning Policy Framework outlines that *“local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but*

*not limited to, families with children, older people, people with disabilities, older people, people with disabilities, service families and people wishing to build their own homes).*

London Plan policy (2015) 3.16 outlines the need for additional and enhanced social infrastructure provision to meet the needs of its growing and diverse population. It states that *“development proposals which provide high quality social infrastructure will be supported in light of local and strategic needs assessments...Facilities should be accessible to all sections of the community and be located within easy reach by walking, cycling and public transport”*. Further to this, 3.17 ‘Health and Social Care Facilities states that *“proposals that provide high quality health and social care facilities will be supported in areas of identified need, particularly in places easily accessible by public transport , cycling and walking”*.

The London Plan (2015) also identifies a need for specialist accommodation for older people (including sheltered accommodation, extra care accommodation and nursing home care). Paragraph 3.50b states:

*“Research suggests that the choices open to older Londoners to move into local specialist housing may have been constrained through inadequate supply. Extending these choices through a higher level of specialist provision will in turn free up larger family homes for family occupation. Over the period 2015-2025, older Londoners may require 3,600-4,200 new specialist units per annum. At the mid point of this range, these might be broken down broadly into 2,600 private units pa, 1000 in shared ownership and some 300 new affordable units. There may also be a requirement for 400-500 new bed spaces per annum in care homes”*

Table A5.1 provides indicative strategic benchmarks to inform local targets and performance indicators for specialist housing for older people (including sheltered accommodation, extra care accommodation and nursing home care) between 2015 and 2025. The annual benchmark figure for Harrow is stated as 150 units.

Local plan policy DM 29 states that *“ the Council will support proposals on previously developed land for sheltered housing, care homes and extra care housing (across all tenures) for older people and those who may be vulnerable, provided that the proposal is accessible by public transport with good access to local amenities including shops and local facilities”*.

The principle of a C2 use is already established on the site and as such is considered to be a suitable use for the site. The requirement to provide specialist accommodation for the elderly is supported in paragraph 50 of the NPPF. The proposal is also supported by The London Plan (2015) and the Harrow DMP Local Plan (2013), subject to the development being high quality, in an area of identified need and accessible by public transport and local amenities.

Under the current proposal, the overall quantum of development is broadly similar to the previously approved 122 bed care home (Ref: P/1100/11) but differs in the type of accommodation being provided. In addition to the more traditional 64 C2 care beds being provided, 48 independent living units and 16 independent living suites are being proposed (total 128 beds). Within the supporting planning statement, the applicant outlines that *“the provision of additional independent living accommodation reflects a national shift from institutional accommodation towards encouraging greater*

*independency for individuals, with the required care and support provided on site”.*

In light of the above policy requirements the applicant has submitted a detailed Needs Assessment. The methodology used within the report to assess the current and future demand for care beds is based on the Laing and Buisson’s measure of ‘Age Standardised Demand’ which is the industry recognised approach. The report indicates that there is a substantial unmet need for market standard care home beds and private extra care/independent units within the catchment area of the Princess Alexandra Home and the London Borough of Harrow. The report also outlines that there is an unmet need for Jewish-only markets standard care home beds and private extra care/independent units. The accompanying needs report outlines that proposed extra care units are intended to cater for older people with lower dependency levels than the standard care beds and to provide a supportive environment for people to maintain their independence for as long as possible. The analysis shows that there is a substantial unmet need of 1,025 and 440 extra care units within the market and Harrow catchments respectively. It is also noted that there are currently no extra care units within Harrow and only 100 units currently within the planning system. It states that despite the inclusion of planned provision, this figure equates to 80% of need going unmet. In terms of the Jewish only analysis it outlines that there is a shortfall of 142 and 62 extra care units within the within the market and Harrow catchment areas respectively. In addition to this, with regard to standard care beds, the report notes that there are no Jewish only homes within Harrow resulting in under provision of 190 standard care home beds.

In assessing the need for the development, officers are also mindful of the comments in the Needs Assessment which outlines that extra care housing in its current form is a relatively new concept and there is a lack of a suitable measure equivalent to the industry standard measure of Laing and Buisson of estimating demand for care beds. The report states that *“the difficulty in trying to accurately assess demand for extra care housing is that due to the relatively new nature of the product, there is no position of oversupply upon which to assess a position of balance and that essentially, the additional supply creates demand when its developed”.*

The applicant has also provided further supporting evidence to demonstrate that all but 3 London authorities have failed to deliver the required level of specialist housing provision when compared against The London Plan (2015) benchmark figures. Harrow is identified as not delivering a sufficient amount of older persons housing.

#### Sequential Site Assessment

Notwithstanding the issue of need the above national, regional and local plan policy context also requires that such development should be accessible by public transport with good access to local amenities. The site is badly served by public transport and only has a PTAL rating of 1a. In this regard, the applicant has carried out a sequential site assessment to determine whether there are any other alternative locations within Harrow which could accommodate an equivalent scheme and are in a more sustainable location (i.e. sites with a PTAL rating of between 3 to 6). In determining other potential locations for the proposed development, sites within the Council’s Site Allocations DPD (2011), the Harrow and Wealdstone Area Action plan (2013) and the 5 Year Housing Supply (2014) have been considered. The sequential assessment demonstrates that there are no other suitable alternative sites within the borough that would be capable of delivering an equivalent scheme by reason of size, suitability of various sites and other land use constraints or that they are not any better in terms of PTAL level.

Officers also acknowledge that specialist housing accommodation for older people or elderly residents should not be considered in the same context as traditional residential developments, given that it is unlikely that residents would be employed and none of the units would accommodate school children. As such, proximity to employment and schools is considered to be less important. Furthermore, the proposal would also provide a number of community and social spaces within the development itself, thereby reducing the need for vehicular trips. The development would also employ a number of staff but it is considered that sustainable modes of transport to the site for staff could be encouraged through a Travel Plan, secured by a section 106 agreement.

Consequently, in considering the above factors, including the London Plan (2015) target, the overall identified shortfall of care and extra care beds within Harrow for both Jewish and non-Jewish populations identified in the needs assessment which is based on the industry standard assessment approach as well as the sequential site assessment, officers consider that overall there is sufficient need within Harrow for the type and quantum of development proposed and are satisfied that there are no other alternative more accessible sites within the borough capable of delivering the proposal. In terms of the quality of the development, this is considered further under section 3 of the appraisal.

The development would also include the provision of a day care centre which would provide a service for up to 30 daily members and is intended to replace a centre in Edgware which serves people in Edgware, Stanmore and Harrow. Daily members will also be able to benefit from the wider services and facilities within the care home. The provision of a day care centre would accord with the objectives of policy DM 46 which supports new community facilities provided they are located in a community which they are intended to serve, would have no impact on residential amenity. The policy also requires that community facilities are located in accessible location. It is acknowledged that the site does have a low PTAL level, however, in this case members would be brought into the site by mini bus operated by Jewish Care which is considered to be acceptable in this case, given many of the members are likely to be frail and elderly.

- Development in the Greenbelt

The Princess Alexandra Home is located within the Green Belt. Paragraphs 79 – 92 of the National Planning Policy Framework (2012) provide policy guidance in relation to 'Protecting Green Belt Land', stating that the fundamental aim is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Policy 7.16 of the London Plan supports the aim of the NPPF and states that 'the strongest protection should be given to London's Green Belt....Inappropriate development should be refused except in very special circumstances.' This is further supported by Policy CS1.F of Harrow's Core Strategy which seeks to safeguard the quantity and quality of the Green Belt from inappropriate or insensitive development.

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

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

The Princess Alexandra Home is considered to constitute a previously developed site in the Green Belt, and the current proposal is for the partial redevelopment of this site. This paragraph of the NPPF is therefore relevant to the assessment of the current proposal.

Officers consider that the proposal for partial redevelopment of the site to provide care facilities is supported by the adopted development plan, subject to there being no conflict with Green Belt policy (this is discussed in sections 2 and 3 of this appraisal).

Further to this, part C of Policy DM 16 relating to the openness of the Green Belt requires proposals for partial infilling or redevelopment of previously developed sites within the Green Belt to be put forward in the context of a comprehensive long term plan for the site as a whole. The proposal is for the comprehensive redevelopment of the site as a whole. Nevertheless, officers are mindful of preserving the long term openness of the Green Belt and to ensure that the site would not be adversely affected by any further development or works that could be undertaken under the General Permitted Development Order (2015). In this regard, a section 106 obligation is proposed to ensure that no further development can take place on the site, unless otherwise agreed in writing with the local planning authority. This is considered by officers to be sufficient to meet the objectives of policy DM 16 C and to safeguard the site from any inappropriate development in the long term.

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

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

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

#### ▪ Impact on Green Belt openness:

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

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

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

The Princess Alexandra Nursing Home is located within the Harrow Weald Ridge Area of Special Character, defined by policy DM 6 of the Development Management Policies



Local Plan (2013). The Harrow Weald Ridge provides an elevated horizon of tree cover and open countryside which spans across the north of the Borough. Although there are dispersed developments across the Area of Special Character, the area as a whole tends to be viewed as a continuous wooded ridge.

The current building on site has a varied character. The existing care home building is predominantly two storey in height with some three storey elements. The main section of the building was a previously large family dwelling and has been significantly extended over time. To the north and south of the central hipped roof building are flat roof buildings of two storey which are latter additions. The main care home and its extensions have a consolidated linear form. In addition, there are a number of other detached outbuildings dispersed around the site providing various ancillary functions.

The current proposal would result in an entirely different building form which would be more dispersed across the site due to four projecting building wings and would encroach further into a previously undeveloped part of the site. In terms of determining the acceptability of the development in Green Belt terms officers are mindful of the most recent planning application in 2011 which sought to renew the 2008 outline planning permission which was for a 122 bed care home with a total floor space of 11, 728sqm and a footprint of 2, 842sqm. This previous scheme would have resulted in an increase of 32% and 234% increase in footprint and floor space respectively over the existing building. Although this planning permission expired recently (9<sup>th</sup> Jan 2015), it is acknowledged that the thrust of Green Belt policy remains the same.

The figures for footprint and floorspace for the existing and proposed buildings are set out in the table below. Given that the principles underpinning green belt policy remain the same currently as they were at the time of the decision of the outline permission, the figures for this scheme are also identified in the table below for comparative purposes.

	<b>Existing</b>	<b>Proposed</b>	<b>% Increase over existing</b>	<b>Outline permission</b>	<b>% increase over current proposal</b>
<b>Footprint (sqm)</b>	2,156	4, 504	108%	2, 842	58%
<b>Floorspace (sqm)</b>	3, 512	12, 825	265%	11, 728	9.4%
<b>Height</b>	Part 1/2/3 storeys	Part 3/part 4 storey	n/a	Part 3/4 storeys	n/a
<b>Units</b>	72	128	+56	122	+6

Having regard to the above figures, it is apparent that the proposed building will be significantly larger than the existing building both in terms of floorspace and footprint. It is also noted that the proposed building would be 58% greater in footprint when compared to the previous outline permission. Notwithstanding this, it is considered that judging impacts on Green Belt openness involves more than a mathematical exercise of comparing existing and proposed footprints.

The proposed building would be part three, part four storey but due to its partial lower ground floor would be lower the previous outline permission by approximately 1.5 metres. The scale of the building would be somewhat mitigated by the proposed four

storey south east wing which would have a lower ground level. In addition, in the three storey elements of the building the third floor would be set backs in order to reduce its visual impact. Whilst the footprint of the building would be substantially enlarged compared to the existing, the vast majority of the site would remain open and undeveloped.

As noted above, the site is heavily wooded and as such there is dense vegetation and trees to all boundaries of the site. In order to assess the impact on the openness of the Green Belt both from within and outside of the site, the applicant has provided a visual impact assessment which has considered both short through to long distance views, including from the Bentley Priory Open Space to the south and east. The Visual Impact Assessment demonstrates that the effect on Green Belt openness is likely to be limited to the upper parts of the building of the east elevation from some locations within Bentley Priory SSSI and from the Old Barn property to the south. However, for the vast majority of locations within the SSSI there will be no visibility. The Visual Impact Assessment Outlines that *“where visible such visibility will be tempered by the recessive materiality and modelling of the building so that the visual intrusion and impacts on Green Belt openness is likely to be nominal”*. This is considered in more detail in section 3 below. Although the building would project further eastwards into the site than the current linear building and from the previous outline permission, officers consider that the impact on openness would not be perceived significantly differently from outside the site to the south and east as the eastern projecting wings would buffer the view of the building behind (west facing elevation). To the west and north, dense trees and vegetation would remain, thereby providing the same dense screening. In addition, from various viewpoints, comparative building heights have also been indicated which shows there to be a very marginal difference between the proposed building and the outline scheme. As discussed above, although the previous outline scheme has now expired, it was considered to be acceptable by the Council when judged under the same Green Belt policy context.

In summary, having regard to the above factors, it is considered that the applicant has sufficiently demonstrated that the development will not have a significant visual impact from both short and long range views and on balance that the proposal would not unduly impact on the openness of the Green Belt.

▪ Purposes of the Green Belt:

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

- 1) **To check the unrestricted sprawl of large built-up areas:** The area proposed for development is situated within the centre of the site and is surrounded by mature trees and vegetation. There is therefore no physical connection between the area of land proposed for development and any large built-up areas. The proposal would not therefore lead to unrestricted sprawl of large built-up areas.
- 2) **To prevent neighbouring towns merging into one another:** Similarly, the lack of connection between the area of land proposed for development and the above-mentioned prevent this from happening. The proposal would not therefore exacerbate the merging of neighbouring towns into one another.

- 3) **To assist in safeguarding the countryside from encroachment:** The site is a previously developed site in the Green Belt. Some encroachment is long-established through the existing care home and its associated ancillary outbuildings and hard surfacing. Furthermore, the building would be situated partially on an existing previously developed part of the site in a central location. Although some of the building would result in greater encroachment on Green Belt land than the existing situation, the vast majority of the application site would remain open and undeveloped and would therefore not encroach onto the countryside.
- 4) **To preserve the setting and special character of historic towns:** This is not relevant to the circumstances of this site as Stanmore is not a town of historic special character.
- 5) **To assist in urban regeneration, by encouraging the recycling of derelict and other urban land:** The site is not considered to constitute urban land. Nevertheless it is previously developed land and the proposed re-developed would result in an enhanced visual and ecological landscape in accordance with the objectives of the NPPF in terms of regeneration.

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

#### Very Special Circumstances

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

Acknowledging that the matter of Green Belt openness is a subjective matter, the applicant has put forward an argument that 'Very special circumstances' (VSC) exist to justify the development should it be concluded that the development would impact on Green Belt openness and / or the purposes of the Green Belt, and is therefore inappropriate development in the Green Belt.

The Planning, Design and Access Statement and supporting documentation accompanying the application sets out a number of very special as follows:

1. Harrow has an ageing population with a requirement for specialist accommodation to meet the care and residential needs of the frail elderly. There is a clear need for new care accommodation to serve the local area which is articulated in the Needs Assessment report.
2. The proposed development provides a modern alternative to traditional care home developments.
3. The proposed development will continue to provide employment activity of the site and will increase job creation in the long term, whilst providing job creation through the construction process.
4. The proposal fulfills the economic, social and environmental roles of sustainable

development. These will be addressed through job creation, provision of a range of specialist housing for older people and the freeing up of larger under occupied family housing and wider environmental enhancements to the site through improved landscape management and biodiversity enhancements.

The use of standard care homes is an established use on the site and it is considered that the Needs Assessment and other supporting evidence provided does provide a sufficiently strong indication for the need for further standard care beds and extra care beds within Harrow. The extra care bed accommodation is an emerging form of housing for older people and was not sought under the previous outline permission which was for a more traditional care home model. The supporting documentation sets out that the current provision is considered to be dated and not comparable with modern care standards and that the type of care provided does not reflect the changing attitudes towards the maintenance of independence with necessary care and support. However, as discussed above the proposed design would give rise to significant additional encroachment within the Green Belt compared to the existing building and the previous design of the outline permission. Within the Planning Statement the applicant asserts that increase in building footprint is necessary as the current linear building has an inefficient design and linear models typically result in higher staff to resident ratios. To this end further information has been sought from the applicant as to why it is not possible to provide an alternative, more consolidated building form.

The applicants commissioned the Dementia Services Development Centre (DSDC) at the University of Stirling which is the leading authority on the fundamental principles of design to help people with dementia. Overall the review finds the proposed building has the potential to achieve the highest 'Gold' accolade award for design for dementia and would be an exemplar scheme within the UK as a whole. The report outlines that "*even with extensive remodeling and adaptation the existing care home would never at reasonable economic cost, be able to meet or even get close to current best practice design standards for people with dementia*". It further adds that the existing linear design fails to provide a high level of social interaction due to the nature of the long narrow corridors and in contrast the proposed cluster design would create a high degree of visual access and much greater social interaction between staff and residents. In addition officers also acknowledge the point that in the current proposal, there would be much greater and easier access to both landscaped and communal areas compared to the existing care home. In regard to communal facilities in the current linear design, these are located on different building levels, thereby creating a disjointed approach and limiting opportunities for social interaction.

A further consideration for the increase in footprint is due to the increase in room sizes and space standards as a consequence of the move towards a more independent model of care. The current typical en suite room is approximately 15m<sup>2</sup> whereas the proposed typical room would be 27m<sup>2</sup>. It is considered that the greater internal floor space within the proposed accommodation would be a significant benefit to future residents with regard to quality of life and providing a higher standard of care. Officers accept that a more compressed scheme could be delivered on site but would be likely to result in an overall poorer care scheme.

Officers sought additional clarification from the applicant as to whether a reduction in the number of units could be achieved to reduce the impact on the Green Belt. In response, the applicant has outlined that as Jewish Care is a charity a significant amount of the building cost will be derived from fundraising within the community and some borrowing.

In this regard, the applicant has emphasised the importance of the operational nature of the developments viability including costs for the communal areas, maintaining the building and employing care staff. The proposed independent living accommodation will be let with short hold assured tenancies rather than leasehold sales, thereby generating less income at the outset. Given the proposed tenure model for the care home, the applicants have stated that a reduction in the number of units would not be possible as it would result in a substantial reduction in the annual income for the operational viability of the development. Having regard to the issues raised in terms of operational viability, officers therefore accept that a reduction in a small number of units would have limited benefit, particularly as it would not achieve any notable difference with regard to green belt openness.

As such, on balance, the additional footprint of the building as a result of the larger independent living accommodation and communal facilities as an exemplar scheme of its kind within the UK would amount to the "Very Special Circumstances", as required by the NPPF to justify inappropriate development.

### Conclusion

On the basis of the above assessment, it is considered that the proposal would not result in an unacceptable adverse impact upon either the purposes or openness of this part of London's Metropolitan green belt, and thereby complies with the National Planning Policy Framework (2012), policy 7.16 of the London Plan (2015), Policy CS1.F of Harrow's Core Strategy (2012) and Policy DM16 of Harrow's Development Management Policies Local Plan (2013). The applicant has put forward an argument that 'Very special circumstances' (VSC) exist to justify the development should Committee Members disagree with this view. Officers consider that the high quality and exemplar model of care offered by the proposed building design as discussed above is capable of amounting to "very special circumstances" required by the NPPF to justify inappropriate development.

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

The NPPF states (paragraph 64) that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. The London Plan (2011) policy 7.4B states, inter alia, that all development proposals should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. Core Strategy policy CS1.B states that 'all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design'. Policy DM1 of Harrow's the Development Management Policies Local Plan requires all development proposals to achieve a high standard of design and layout.

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

The proposed building layout would take the form of four distinctive wings which are all connected by a central community hub. The building is located centrally on the site to ensure that the boundary separation to the nearest properties to the north and south are of sufficient distance not to give rise to any loss of outlook or overbearing impacts. Between the northern and southern building wings would be semi-enclosed communal courtyard spaces to provide enhanced viewing for residents and social interaction. The massing and bulk of the building would be mitigated by setting back the third storey and the use of a lighter brick and light bronze powder coated metal work to make it appear recessive against the darker brick of the outer walls below. Similarly, the recessed walls of the inset balconies would also be constructed in the lighter brick.

The proposed residential wings would have east west aspects and the shallow footprints would allow for high levels of daylight/sunlight penetration which is considered to be positive. The windows to the nursing accommodation will be generous. The independent living flats will also have large windows with inset balconies. The entrance and communal heart of the new development is lower and more open and transparent than the residential wings, thereby providing legibility to the building. The contrast in scale and proposed materials for this element is considered to be an acceptable approach. The supporting Design and Access Statement outlines that the materials palette has been developed to differentiate between various public and private spaces. The roofs are flat in order to incorporate green and brown roofs and to provide space for photovoltaic cells, without appearing unduly obtrusive. Having regard to conclusions within the application supporting Design and Access Statement in relation to building location, officers are satisfied that the height and arrangement of the proposed building is logical, and is considered to respond to the challenge of layout and floor space appropriately.

At present, views towards the proposed development area are limited due to mature trees and dense vegetation. In order to provide the building in the proposed location, it is acknowledged that some trees would need to be removed from the site. However, the vast majority of trees in the immediate vicinity of the proposed building would be retained and would in officer's opinion, actually improve the appearance of the surrounding site and woodland and would offer a number of ecological benefits. On this basis, overall, it is considered that the loss of trees proposed under the current application would not give rise to significant detrimental impacts on the visual amenities of the Green Belt. This is considered in more detail under section 8 below.

The proposed building height would be no higher than the previous outline permission as a result of some excavation work to provide part of the building at lower ground level (south east wing). The proposed scheme would be approximately 1.5 metres lower than the previously consented scheme. Having regard to the presence of vegetation and mature trees within the immediate vicinity of the proposed building and the limited opportunities for publicly accessible viewing points in this area, it is unlikely that the proposed building would have an undue impact upon the visual amenities of the Green Belt as demonstrated by the Landscape Visual Impact Assessment. In addition to this, it is considered that the proposed building would be of high quality design and would respond in an appropriate way to its Green belt setting. To this end, it is likely that the limited glimpsed views towards the site would be positive, particularly as it would replace low quality dated two storey extensions to the existing building.

The central location of the building will ensure the retention of the dense woodland to the

north west and the open landscape to the south east. The whole site would be extensively landscaped as part of the proposal. There would be some limited additional hard surfacing on the site for pedestrian and vehicles. The vehicular access route on site largely follows the course layout, however in place of the existing circular route it is proposed that a separate service route will be created utilising the existing northern spur, whilst the existing exit route will become the main route for all visitors and residents. Having regard to the extensive landscaping proposed, the limited amount of additional hard surfacing is not considered to be detrimental to the green Belt.

Under the proposal, approximately 1.1 hectares of land and perimeter trees and shrubs with ecological value at the south eastern corner of the site would be transferred to the Bentley Priory Open Space Nature Reserve. This would provide a significant buffer zone between the new development and the adjacent Bentley Priory Open Space and Site of Special Scientific Interest (SSSI). The proposed extension to the SSSI would accord with NPPF objectives which require “*local planning authorities to plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation, to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged or derelict land*” (paragraph 81). Policy DM17 of the Harrow DMP LP (2013) also outlines that beneficial uses will be supported where they would not have a greater impact on the openness of the land and will have regard to enhancing public access within the Green Belt among other factors. A planning obligation is recommended and set out above to secure the enhancement of the land and its transfer.

As stated in section 1, The Princess Alexandra Nursing Home is located within the Harrow Weald Ridge Area of Special Character, defined by policy DM6 of the Development Management Policies Local Plan (2013). The Harrow Weald Ridge provides an elevated horizon of tree cover and open countryside which spans across the north of the Borough. Although there are dispersed developments across the Area of Special Character, it tends to be viewed as a continuous wooded ridge. Notwithstanding the proposed removal of trees from the site, the impact of this is unlikely to be insignificant owing to the proposed retention of the majority of trees on the site and also the extent of tree cover in the surrounding area. The massing and bulk of the proposed development would be concealed by trees and by the natural topography of the surrounding land. Officers consider that the applicant has demonstrated this through the long term views (The Grove, Harrow on the Hill and The Old Redding View point) provided in the Landscape Visual Impact Assessment which shows that there would be no inter visibility due to intervening trees. It is considered that the proposed building and changes to the landscape would not erode the fundamental qualities of the Harrow Weald Ridge Area of Special Character or the visual amenities of the Green Belt.

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

Overall, it is considered that the proposed extension and alterations are acceptable and would be in keeping with the character and appearance of the area and would not be harmful to visual amenities of the Green Belt. As such, the proposal is considered to comply with the NPPF (2012), policies 7.4B and 7.6B of The London Plan (2011) core

policy CS1 B of the Harrow Core Strategy (2012) and policies DM 1 and DM 6 of the Harrow Development Management Policies Local Plan (2013).

### **Residential Amenity**

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

#### Amenity impacts in relation to scale, massing and siting

There are no residential dwellings in close proximity to the proposed site. The closest neighbouring property to the north is Glenthorn cottage which would be some 90 metres from the proposed building. However, in the intervening space, there is dense belt of mature trees and Vegetation. Similarly, the Old Barn to the south would be some 190 metres away and would also be well screened by trees. The visual impact assessment finds that that only a very small part of the building could be glimpsed from this property between the trees. No flank wall windows are proposed on any of the building wings. Having regard to this distances and dense belt of woodland surrounding the site, officers considered that the proposed building would not give rise to any detrimental impacts on the residential amenities of the neighbouring occupiers in terms of loss of light, overshadowing, loss of outlook, privacy or overlooking.

#### Residential Amenities of the Future Occupiers of the site

The nursing care households are organised to the north of the site over two storeys around a safe, secure landscaped garden courts. All bedrooms will face east or west and will receive direct sunlight. Each bedroom would be 27.5m<sup>2</sup> and it is noted that this is a significant improvement when compared to the rooms within the existing care home which are typically 15m<sup>2</sup>. The proposed 16 bedrooms would be wrapped around communal spaces including living room, TV lounge, dining and kitchen. All of the bedrooms would comply with the National Minimum Standards under the Care Homes Regulations 2001. The Care Home will be registered with the Care Quality Commission who regulate and check standards at all care and Nursing Homes in England.

With regard to the independent living flats, there would be 36 two bedroom flats and 12 one bedroom flats. The one bedroom flats would be 55m<sup>2</sup> and the two bedroom flats 74m<sup>2</sup>. Additional social spaces would be provided on the first and second floors. Each flat would have access to an inset balcony or private terrace to provide an acceptable amount of private amenity space.

The independent Living Suites (ILS) would be located within the northern wings of the development at second floor level and are intended to cater for residents who do not need full nursing care but require more support than those in independent living flats. Each of the ILS would be 40m<sup>2</sup> and the residents would also have access to an outdoor terrace with outlook towards landscaped gardens. Although cooking facilities would be provided in each of the rooms a separate shared kitchen and dining room would be provided where it is expected that residents would have meals.



All of the units within each type of accommodation would comply with the National Minimum Standards under the Care Homes Regulations 2001 and overall officers are satisfied that a high quality level of accommodation would be provided for future residents.

#### Noise, Vehicle Access and Traffic

It is considered that the increase in the intensity of the use of the site would not give rise to any unacceptable noise and disturbance as Common Road is a busy thoroughfare which carries a high volume of traffic. The parking area and vehicular access road to the north of the site would be a sufficient distance away from Glenthorn Cottage to the north to ensure that there would be no unreasonable noise and disturbance from vehicle movements.

A plant room would be located within the lower ground floor of the south eastern wing of the building. In addition, a substation, standby generator is proposed to be located adjacent to the northern boundary and northern courtyard. The details have been referred to the Environmental Health Department who consider that the imposition of a suitable condition in relation to noise impact would be acceptable to ensure that there would be no detrimental impact to the existing and future residents of the site and adjacent neighbouring occupiers. Subject to this condition, officers consider that the proposal would be acceptable in this regard.

#### Community Use of Facilities

As outlined above, a day care centre will be provided within the main communal hub, providing a service for approximately 30 daily members which will be largely bussed into the site by mini bus. Having regard to the number of patrons attending, it is not considered that the use of the facilities would be detrimental to surrounding neighbouring occupiers. Furthermore day care centre patrons will be brought to the site by a minibus service which will reduce the number of vehicle movements to the site.

#### Construction Phasing

The development would be constructed in a phased approach to enable residents to continue to live on the site during the construction process. It is inevitable that there will be an increase in noise and disturbance and levels of traffic during the construction process; however the impacts would be temporary and there are no residential properties located within close proximity to the application site boundaries. A detailed construction management strategy can be secured by a planning condition to ensure that working practices including managing and maintaining site access routes, delivery times and security procedures would not unduly impact on the residential amenities of existing and surrounding neighbouring occupiers. However, equally, construction activities must be considered in relation to the safeguarding of trees and biodiversity on the site. The construction management strategy should be provided in relation to the proposed site compound and construction vehicle access routes to ensure there are no detrimental impacts to surrounding trees to be retained.

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

#### **Traffic, Parking, Access, Servicing and Sustainable Transport**

The London Plan (2015) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. This is further emphasised by policy core policy CS 1 R of the Harrow Core

strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

The application is accompanied by a Travel Assessment which outlines that the parking demands of the development will be met without causing overflow onto the public highway network. As care home staff will operate on shift patterns this will reduce vehicle movements to and from the site and peak traffic times. The statement outlines that predicted traffic generation would result in a likely maximum of 32 two way trips during AM peak and 44 two way trips during PM peak times. As such, the predicted increase in traffic levels over the existing care home is likely to give rise to four additional cars during the AM peak and 8 during the PM peak times. The application has been referred to the Highways Authority who consider that the overall traffic impacts of the proposed development are considered to be acceptable. Transport for London has also raised no objection with regard to highways network impact.

Further to a request from the GLA, the applicant has submitted a revised site access plan which includes a raised entry treatment and pedestrian crossing and a pedestrian footway link to the building which is considered to be acceptable and would improve highway safety. A condition is recommended below to secure the detailed design of this element of the scheme.

The proposed car parking spaces would be dispersed across the front of the site and adjacent to the northern boundary of the site. There will be a drop of area situated adjacent to the main front entrance and a separate service route to the north. Officers consider that the proposed access arrangement would provide safe access and egress for vehicles to the site. With regard to waste management Jewish Care provides a managed service for the residents. Bins within individual units would be collected by management and taken to the waste holding bay on the lower ground floor and then transferred to the secure bin enclosure ready for collection. A construction logistics plan and delivery and servicing plan can be secured by a planning condition as recommended below to ensure acceptable impacts on the highway network and to further encourage modal shift.

During the application and further to the request of the GLA, the applicant has submitted a revised site plan with a reduction in the overall number of parking spaces from 75 to 70 which would include six disabled spaces and a further five spaces designed for those who are less mobile. Having regard to the site location and characteristics of the development and the conclusions of the Transport Statement, it is considered that the proposed level of car parking provision would accord with the London Plan (2015). Two mini bus spaces would be provided to bus in patrons attending the day care centre, thereby reducing the number of trips to the site. In addition electric vehicle charging points are required and this can be secured by a suitable planning condition as recommended below.

The application is accompanied by a Travel Plan which outlines specific measures to encourage sustainable modes of transport including cycle parking provision and showers and changing facilities for staff.

With regard to cycle parking the applicant proposes a total of 56 spaces. Whilst the number of spaces proposed would be lower than the London Plan (2015) requirements, it is recognised that it is likely fewer residents would travel to the site by bike due to the nature. Nevertheless, additional room has been designated on the site for further cycle

spaces to be provided should this be required as requested by the GLA. The need for additional cycle parking spaces on the site can be monitored through the provision of a revised Travel Plan, secured by a section 106 obligation as recommended above. The Travel Plan will ensure that more sustainable modes of transport for staff and residents are encouraged and monitored over time which would accord with the requirements of the development plan outlined above.

Subject to the above mentioned conditions and on-going monitoring of the travel plan which can be secured by a section 106 agreement, 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).

### **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%. 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.

Paragraph 6.30 outlines that policy CS1 J applies to schemes for sheltered housing and extra care homes that fall within the thresholds. It goes on to say at paragraph 6.31 that *“Residential care homes and nursing homes, where the accommodation is non self-contained, fall within use Class C2 (Residential Institutions) and are not subject to the affordable housing policy”*.

Although the independent living flats (48 units) would be self-contained, the applicant has provided an affordable housing statement together with supporting evidence and case law for the development falling wholly within a C2 use Class.

Paragraph 3.1.41 of the Mayors Housing SPG sets out the ‘front door’ test, whereby a self-contained unit with its own front door would indicate a C3 use. However, this paragraph also recognises that in some cases this may require refinement to take account of the components of care and support associated with some Extra Care schemes, which functionally are effectively C2 schemes. There is a significant amount of case law set by recent appeal decision which assert that the level of care provided together with the level of support services within a development are key factors in determining whether a development falls within class C3 (dwellings) or C2 (Residential Institutions).

In this case, the applicant has outlined that the internal doors to the independent living flats (ILF) are very much secondary due to the communal nature which exists within the scheme. The applicant states that *“the physical layout (including the design of the rooms and all the floor layouts), the combination of different types of care provided in the scheme, the entry restrictions, the control over future occupation and the track records of Jewish Care are also important factors”*. It is noted that the proposed communal facilities within the development would occupy 41.8% of the overall Gross Internal Area (GIA) which indicates that the shared facilities would be a substantial part of the overall scheme. The applicant has outlined that in order to live within the ILFs or ILSs residents must be at least 65 years of age, must undergo and pass a professional care assessment carried out by an appropriately qualified member of staff and receive a

minimum of 4 hours of personal care per week. In addition, the ILFs and ILSs will not be occupied by way of sale or long leases; instead the occupation would be a rental one with short hold assured tenancies. In this regard, officers consider that a section 106 obligation could be attached to the permission should approval be granted, restricting the age of residents to a minimum of 65 and to require a minimum package of care for residents of the ILFs and ILSs. Those would effectively ensure that appropriate residents in need of care would reside within the development.

Having regard to the above factors officers consider that on balance, the proposal would fall within a C2 development category as the ILFS and ILSs would not be so independent from the rest of the facilities to amount to separate planning units and therefore no affordable housing would be required in line with the Planning Obligations SPD (2013).

### **Sustainability**

Paragraphs 96-98 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 5 of the London Plan (2015) contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaption to, climate change and to minimise carbon dioxide emissions. Specifically, policy 5.2 sets out an energy hierarchy for assessing applications, as set out below:

- 1) *Be lean: use less energy*
- 2) *Be clean: supply energy efficiently*
- 3) *Be green: use renewable energy*

Policy 5.3 seeks to ensure that future developments meet the highest standards of sustainable design and construction, whilst polices 5.9 to 5.15 support climate change adaption measures.

Policy DM 12 of the Harrow Development Management Policies Local Plan seeks to ensure that the design and layout of development proposals are sustainable. Its 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 and Energy Statement, which details the likely energy demands of the proposed development and proposed energy supply measures. A sustainability statement has also been submitted, which appraises policy and reviews project specific targets in relation to matters such as energy, water, resource conservation, waste management, biodiversity and pollution control.

#### **1) *Be Lean***

##### Energy Efficiency Standards

The submitted Energy Statement indicates a range of passive design features and demand reduction measures proposed to reduce the carbon emissions of the proposed development.

Both air permeability and heat loss parameters (external walls, glazing, roof etc.) will be considerably improved beyond standard building regulations. Other measures include mechanical ventilation systems with high efficiency heat recovery, high energy efficiency condensing boiler system and low energy lighting and controls. The GLA requested further details in relation to the demand for cooling in accordance with policy 5.9 of The London plan. The applicant has provided additional information which indicates the building temperature will be modified through enhanced glazing U values to minimize solar radiation, additional shading such as balcony cover and through the proposed building fabric which will reduce the amount of heat transferred as well as the provision of green and brown roofs which will also provide biodiversity and water management benefits.

The independent living accommodation is targeted to achieve code level 4 of the code for Sustainable Homes and a condition is recommended so that this can be achieved.

## **2) Be Clean**

### District Heating

There are no existing or planned district heat networks within the vicinity of the development. However, the applicant is proposing to install a site heat network. The GLA have requested that further information is provided to show whether all building uses will be connected to the CHP system as well as an explanation on why heat from the centralised system may be inappropriate for some areas of the development. Details were also requested in relation to the floor area and location of the plant room. An additional supplementary energy export has been provided which indicates that a VRF (Variable refrigerant flow) system will be provided for the communal/commercial area of the development, whilst all other areas of the development will be served via the centralised CHP plant which will be located within the plant room on the lower ground floor. At the time of writing this report, officers are waiting for additional comments from the GLA which will be reported via the committee addendum.

### Combined Heat and Power

The applicant is proposed to install a 74 KWth gas fired CHP unit as the lead source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating and the contribution towards reduction in carbon tonnes has been quantified within the supporting documentation. The applicant has also provided details of running hours of the CHP to support the carbon savings.

## **3) Be Green**

### Renewable Energy

The applicant is proposing to install 454sqm of solar photo voltaic panels on the roof of the development. A roof plan showing the proposed installation has been provided as well as the contributions towards tonnes of carbon saved

In relation to the requirements of London Plan policy 5.2, the development is estimated to achieve a reduction of 104.3 tonnes of carbon per annum. Overall, the reduction of CO2 emissions from PV panels and CHP plant would satisfy the London Plan requirement of achieving a carbon dioxide reduction of 40% over and above 2010 building regulations (equivalent to 35% over Part L 2013 building regulations). In order to ensure this policy requirement is satisfied, a condition is recommended in respect of this, should approval be granted.

### Urban Greening

London plan policy 5.10 promotes urban greening measures, such as green infrastructure and public realm planting to contribute to the adaptation to, and reduction of, the effects of climate change. Policy 5.11 of the London Plan (2011) seeks to ensure development proposals provide site planting and increase biodiversity, for sustainable urban drainage and improve the character and appearance of the area.

The proposals would result in the loss of some trees and soft landscaping. In order to mitigate the loss in this location further tree planting within the site and is proposed together with a comprehensive landscape and woodland management plan. Officers consider there are significant opportunities to enhance soft landscaping and biodiversity, given the extensive site area. A roof plan has been provided which shows that green and brown roof will be provided which is welcomed. Accordingly, a condition is recommended for further details of hard and soft landscaping as well as the specific details of the green and brown roof to be submitted and approved by the local planning authority. 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.

### Sustainable Urban Drainage

London Plan policy 5.13 seeks to ensure that development utilises sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so. The submitted drainage strategy seeks to ensure that the development would be protected from flooding in a sustainable manner, including the provision of SUDS techniques to supplement on-site attenuation facilities. Proposed SUDS techniques include the provision of rain gardens, grassed swales, underground features and seasonal ponds. The existing pod will not be affected except for proposed landscape enhancements. The Environment Agency support the implementation of SUDS as part of the scheme and recommend a condition to ensure that a detailed surface water drainage scheme is submitted for approval in line with the recommendations in the submitted Flood Risk Assessment (FRA) and subsequently implemented in accordance with the approved details.

In conclusion, subject to referral to the GLA under stage 2 and to the above conditions, officers therefore consider that the proposal is in accordance with policies 5.2 and 5.3 of The London Plan (2015), 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.

### **Accessibility and Inclusive Design**

The London Plan (2015) requires all new development in London to achieve the highest standards of accessibility and inclusive design as outlined under policies 7.1 and 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.

The scheme is designed beyond the inclusive housing standards of Lifetime Homes and Building Regulations. It has been designed in accordance with BS 8300:2009+A1:2010: Design of buildings and their approaches to meet the needs of disabled people – Code of Practice. The building will be fully wheelchair accessible, with appropriate lift access to all levels of the building. Level access will provided inside and out to ensure ease of movement by wheelchair users and older people with mobility aids. A way finding strategy has been designed into the internal spaces to ensure that residents will find the building easy to navigate. Signage will be used to help the function of spaces. All the

external landscaped areas will include footpaths of suitable gradients to enable residents to benefit from the outdoor landscaped spaces. Six disabled parking bays will be provided in close proximity to the main entrance of the building.

Officers consider that the design of the building and the proposed facilities would encourage residents to live health and active lifestyles and would promote inclusion and community cohesion. Although the development would have a low PTAL rating, the nature of the scheme means that residents will be unlikely to work and would not have children of school age. In this regard the development would be broadly in line with the requirements of lifetime neighbourhoods and the sequential test discussed above, satisfactorily demonstrates that there are no other alternative sites for this proposal.

These measures are considered to be satisfactory and would meet the requirements of policies 7.1 and 7.2 of the London Plan (2015) and policy DM 2 of the Harrow DMPLP (2013).

### **Biodiversity, Trees and Landscaping**

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

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

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

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

- 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.”*

### Trees

The application site is accompanied by a range of tree sizes and species, predominantly to the north west of the site and around the boundaries. The trees are protected by virtue of an area wide TPO. The trees provide a dense cover of screening of the existing building from public viewing points.

The application is accompanied by an Arboricultural Impact Assessment which outlines that the development would result in the loss of 109 trees. However, it is noted that 50 of the trees proposed for removal are for landscape management benefit. 13 trees proposed for removal are category A/B trees which are of moderate to good/high quality. However, the majority of trees to be removed fall within category C or U and are therefore considered to be of limited value.

As such although, there would be some inevitable tree loss to facilitate the development, officers consider that many of the tree losses would be for the management of the woodland and would significantly improve the appearance of the woodland by providing landscape, ecological and visual benefits. Additional new tree planting is also proposed to help offset some of the losses. The proposal to transfer the acidic grassland and perimeter trees and shrubs (with ecological value), at the south eastern corner of the site, would be a welcome addition to Bentley Priory Open Space Nature Reserve. This would provide a significant buffer zone between the new development and the adjacent Bentley Priory Open Space, Site of Special Scientific Interest (SSSI). The application has been referred to the Council's Arboricultural Officer and Landscape Architect who consider that on balance, the benefits of the proposed landscape improvements and management to the site, with new predominantly native tree planting would outweigh the proposed tree losses. Conditions are recommended to be attached to the decision notice, should the application be approved, for the development to follow the recommendations of the Arboricultural Report to ensure adequate protection measures are put in place during the construction phase of the development.

### Landscaping

The landscaped areas of the site will be split into six main area including: (1) the woodland to the north west of the site, (2) front of house area, (3) the courtyard garden areas serving the nursing care and independent living, (4) the formal garden and terrace area to the rear of the clubhouse, (5) the wildflower meadows along the southern boundary of the site and (6) the meadow area, proposed to be incorporated into the wider Bentley Priory Open Space. The application is accompanied by an overall comprehensive landscape master plan to address all of these areas. The landscaping proposals take into account proposed outdoor facilities circulation routes, trees, ecology and SUDs. Extensive clearance of shrubs with the woodland to the north of the building which would increase the feeling of space and reveal high quality specimen trees. Nevertheless, importantly, the outer woodland screen would be retained. The Council's landscape architect considers the proposal to be acceptable, subject to conditions requiring detailed hard and soft landscape proposals and a landscape and woodland management plan.

It is noted that a stand of Japanese knotweed is growing on the site on the southern boundary, (located to the south west of number 15, the proposed Horticulture Centre on the Landscape Masterplan at TQ 1493592919). A programme of eradication of the Japanese Knotweed would be required and as such a condition is also recommended in this regard.

### Biodiversity

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 Ecological Appraisal (October 2014) outlines that the impact on bats (European Protected Species) will include the phased loss of confirmed potential roosts. As such in order for the development to proceed an England European protected Species (EPS) licence will be required. In determining this planning application, the local planning authority is required to have regard to the requirements of the EC Habitats Directive, as prescribed by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and prior to the granting of an EPS license the following tests must



be met:

1. Preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance or the environment;
2. that there is no satisfactory alternative;
3. that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The applicant has sufficiently demonstrated the need for the development and that there are no other alternative locations which are capable of delivering an equivalent proposal as discussed under section 1 of the appraisal above. A number of mitigation measures are proposed with the accompanying ecological Appraisal in order to maintain bat roosting and foraging/commuting habitats. This will include a phased approach to works to ensure that replacement bat roosts are provided prior to the exclusion of existing bats roosts. A condition is recommended to ensure that the development would be undertaken in accordance with the recommendations of the Ecological Appraisal in order to ensure that all the wider mitigation measures proposed are undertaken.

Furthermore, on the recommendation of the Councils Biodiversity Officer, the proposed transfer of land in the south east corner of the site to the Bentley Priory Open Space would require a further more detailed ecological appraisal to be undertaken in the first instance to ensure biodiversity in this part of the site can be adequately maintained and protected, together with submission of a programme of works to the land including details of boundary treatment to be approved by the local planning authority prior to commencement of any development. A planning obligation is recommended to ensure the transfer of land to the Council and that a suitable programme of works is undertaken.

Subject to conditions and obligations in respect of the above matters, officers consider that the ecological and aesthetic value of the area would not be significantly harmed and the development would thereby comply with policies 7.21 and 7.19 of The London plan (2015) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

### **Flood Risk and Drainage**

The NPPF (2012) outlines the need to manage flood risk from all sources (paragraph 100). Policies 5.13, 5.12 and 5.14 of The London Plan seek to address surface water management and a reduction in flood risk. Policy 5.13 of the London Plan requires that proposals should achieve greenfield run off rates and ensure that surface water is managed as close to its source as possible in accordance with the sustainable urban drainage (SUDS) hierarchy. Policy DM 9 states that *“proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to flooding and the design and layout of proposals must contribute to flood risk management and reduction”* Further to this, 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. Nevertheless, the site is over 1 hectare and is therefore accompanied by a Flood Risk Assessment.

Surface water run-off is proposed to be controlled through on site infiltration drainage prior to being discharged on to the existing sewer network. Attenuation tanks are proposed within the forecourt of the site together with large areas of impermeable paving to aid filtration. In addition, as outlined above, a number of SUDs techniques will be incorporated into the development including green roof, ponds and rains gardens to ensure that discharge rates are controlled. The application has been referred to the Environment Agency who are satisfied with the proposal, subject to a detailed surface water drainage strategy being provided by condition which is set out below. In addition, the Council's drainage engineers have raised no objection, subject to the imposition of conditions, relating to surface water attenuation and storage works and details of disposal of sewage.

Subject to the above conditions, the development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2015) 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).

### **Archaeology and Heritage Impacts**

Paragraph 129 of the NPPF states that 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise'.

Policy CS1 of the Core Strategy states that 'proposals that would harm the significance of heritage assets including their setting will be resisted'.

Policy DM 7 of the Harrow Development Management Policies Local Plan (2013) outlines that "*Proposals that secure the preservation, conservation or enhancement of heritage assets and its setting or which secure opportunities for sustainable enjoyment will be approved*".

An Archaeological Priority area lies to the south of the site and the northern and south eastern boundaries of the site adjoin the grade II listed Bentley Priory registered historic park and garden. The applicant has therefore provided a Heritage Statement in support of the application. The report concludes that the potential for buried archaeological deposits is low within the footprint of the new building and the potential for preserved archaeological deposits beyond the current building footprint and terracing is greater than within the existing area of disturbance. However, the potential for these deposits remains low. The heritage report finds that due to dense screening, there are expected to be no indirect impacts on the cultural heritage of the site and the surrounding area.

Officers concur with the view that the building would be well screened by mature vegetation in views from the adjacent historic park and open space as demonstrated by the Visual Impact Assessment. In addition, the transfer of the land to the Bentley Priory Open space would be a positive addition to the existing open space and would secure the long term enjoyment of this part of the park in accordance with the objectives of policy DM 7. The application has been referred to the Council's conservation officer who has no objection to the proposal.

English Heritage consider that there may be archaeology associated with the development on the site and a condition is therefore recommended requiring a programme of archaeological evaluation in accordance with a written scheme to be

submitted for approval prior to any development on the site (other than demolition). Subject to this condition, officers consider that potential heritage assets on the site would be safeguarded in accordance with the above policy requirements.

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

Policy 7.3 of The London Plan (2015) and core policy CS1 E of the Harrow Core Strategy 2012 seek to ensure that developments should address security issues and provide safe and secure environments.

The application is accompanied by a Secured By Design Statement and the applicants have reviewed their proposal with the Design Out Crime Officer. The security strategy will be further developed to address access for residents, having regard to their specific requirements, the site entrance and lighting strategy, alarms for the building, management strategies for deliveries as well as planting and fencing to boundaries. A suitable condition is therefore recommended as set out at the end of this report to ensure that the development will achieve Secured by Design certification prior to occupation.

### **Consultation Responses**

No letters of objection have been received on the application. The comments raised in support of the proposal have been considered within the above appraisal.

### **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.

The proposed care home and independent living accommodation will provide a range of care and support requirements and the scheme will be designed and built to Jewish Care's high standard specifications. As such, the Equality Act duty is engaged.

### **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 building

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 and documents: 711 PL 001; 711 PL 002; 711 PL 003; 711 PL 004; 711 PL 010 Rev B; 711 PL 099; 711 PL 100; 711 PL 101; 711 PL 102; 711 PL 103; 711 PL 110; 711 PL 111; 711 PL 113; 711 PL 114; 711 PL 200; 711 PL 201 – Section AA, B-B, E-E & FF; 711 PL 202 – Section C-C, D-D, G-G and H-H; 711 PL 300; 711 PL 301; CSK003 P1; 5982 100 A; 5982 200 A; Utility Search Information; Tree Survey prepared by SJ Stephens Associates, dated 23<sup>rd</sup> September 2014; Framework Travel Plan prepared by ADL Traffic Engineering Ref: ADL/CC/2125/09B (dated October 2014); Transport Statement prepared by ADL Traffic Engineering Ref: ADL/CC/2125/09B (dated October 2014); Preliminary Code for Sustainable Homes Assessment (dated October 2014); Statement Of Community Involvement, prepared by Tetlow King; Site Waste Management Plan by Tetlow King; Planning Statement by Tetlow King; Heritage Statement Ref: LPI688C-HST-v1.3 (dated September 14); Flood Risk Assessment and Sustainable Drainage Strategy prepared by Conisbee Ref: 120269/T Noble (dated 10<sup>th</sup> October 2014) Rev No: 1.0; Energy Statement Prepared by Blyth and Blyth Ref: LM21111 (dated October 2014); Ecological Appraisal Version 5 prepared by LUC (dated October 2014); Design and Access Statement prepared by Pollard Thomas Edwards (dated October 2014); Arboricultural Impact Assessment Prepared by SJ Stephens Associates (dated 23<sup>rd</sup> October 2014); Planning Needs Assessment for Jewish Care prepared by Caterwood (dated October 2014); Desk Study Report Ref: J14254 Issue No 1 (dated September 2014) by Geotechnical & Environmental Associates; Preliminary Unexploded Ordnance (UXO) Risk Assessment; Preliminary BREEAM Report prepared by AJ Energy Consultants Ltd Rev 2 (dated October 2014); Mayoral Report 19/12/2014 Response of Applicants prepared by Jewish Care January 2015, Ref: M13/1109-03.RPT; Applicant's Further Response prepared by Tetlow King February 2015, Ref M13/1109-04.RPT; 2125-SK-05; 711\_SK\_049; 711\_SK\_048; 711\_SK\_046; 711\_SK\_046; Document titled Princess Alexandra: Supplementary Information In Support of Planning Application P/4071/14 Green Belt Encroachment prepared by LUC January 2015, Version P1; Un-numbered drawing titled Comparative Sections-New Proposals and Existing Building; Addendum to Princess Alexandra Energy Statement prepared by Blyth & Blyth Ref: LM21111 Rev A1; Addendum to Princess Alexandra Energy Statement prepared by Blyth & Blyth Ref: LM21111 Rev A2

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

4 The number of residential units available shall not exceed 128.

REASON: In the interests of highway safety, in accordance with policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

5 The number of persons cared for, at any one time in the day care centre, shall not exceed 60.

REASON: In the interests of highway safety, in accordance with policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

6 Prior to occupation 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 application site / development shall be incorporated into the development 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> and shall include the following requirements:

1. Windows: Ground floor or accessible windows certificated to PAS24:2012 (or STS 204) with Glazing to include one pane of laminated glass to BS EN 356 level P1A

2. Doors: External Doors certificated to PAS24:2012, STS 201, LPS 1175 SR2 or STS 202 BR2

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy DM 2 of the Harrow Development Management Policies Local Plan (2013).

7 Notwithstanding the details shown on the approved plans and documents, the development shall have a maximum of 70 parking spaces in accordance with the details shown on drawing No. 711\_PL\_010 Rev B. The car parking spaces shall be permanently marked out and shall be used only for the parking of private motor vehicles in connection with the development hereby permitted (by residents and their visitors) and for no other purpose, at any time, without the written permission of the local planning authority.

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

8 Prior to the construction of any of the buildings hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the local planning authority. The boundary treatment for each phase shall be completed before the development within that phase is occupied and shall thereafter be retained. The boundary treatment for each phase shall be completed before the development within that phase is occupied and shall thereafter be 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).

9 No demolition or site works in connection with the development hereby permitted shall commence before the site is enclosed by a close boarded fence to a minimum height of 2 metres. Such fencing shall remain until works and clearance have been completed, and the development is ready for occupation.

REASON: In the interests of amenity and highway safety, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

10 The development hereby permitted shall not be commenced until the detailed design for the upstand entry treatment; pedestrian and proposed footway as shown on drawing No. 2125-SK-05 has been submitted and approved in writing by the local planning authority. The approved details shall thereafter be retained in that form.

REASON: In the interests of highway safety, in accordance with policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

11 The development hereby permitted shall not commence 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 schedule 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).

12 The development hereby permitted shall not commence until there have been submitted to, and approved in writing by, the local planning authority, detailed drawings of all underground works, including those to be carried out by statutory undertakers, in connection with the provision of services to, and within, the site in relation to the trees to be retained on site.

REASON: To ensure that the trees to be retained on the site are not adversely affected by any underground works, in accordance with policy DM 22 of the Harrow Development Management Policies Local Plan (2013).

13 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).

14 A landscape and woodland management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. Any maintenance required for the Green and/ or brown roof that is required, should be included in the maintenance plan. The landscape management plan shall be carried out as approved.

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

15 The development hereby permitted shall not be occupied until details of the green

and brown roof have been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for the implementation and maintenance of the green and brown roof. The development shall not be occupied until the works have been completed in accordance with the approved details and thereafter retained.

REASON: In the interest of the character and appearance of the development, as required by policy 7.4B of the London Plan (2011) and policies DM 1 and DM 22 of the Harrow Development Management Policies Local Plan (2013) and to enhance the ecology and biodiversity of the area in accordance with policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

16 The development hereby permitted, shall be undertaken in accordance with the recommendations of the Arboricultural Impact Assessment Prepared by SJ Stephens Associates (dated 23<sup>rd</sup> October 2014). This will include that arboricultural supervision is undertaken throughout the project and the development shall be carried out in accordance with the Method Statement, 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).

17 The construction of any buildings hereby permitted shall not commence until details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highway, and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, as required by policies DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013).

18 A detailed Method Statement for removing the Japanese Knotweed on site shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development on site. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To safeguard the ecology and biodiversity of the area, in accordance with the Environmental Impact Assessment and in line with the requirements of the National Planning Policy Framework, London Plan policy 7.19 and Core Strategy policy CS1.

19 The development hereby permitted shall not be commenced until details of ecological mitigation measures within the site, in accordance with the recommendations of the Ecological Appraisal Version 5 prepared by LUC (dated October 2014), have been submitted and approved in writing by the Local Planning Authority. The development shall not be occupied until the works have been completed in accordance with the approved details and thereafter retained.

REASON: To enhance the ecology and biodiversity of the area in accordance with policy

DM 21 of the Harrow Development Management Policies Local Plan (2013).

20 If the development hereby permitted commences during the bird breeding season (March to August) inclusive trees and buildings in the vicinity of the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, time must be allowed for birds to fledge and the nest should not be disturbed during building works.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policies DM 21 and DM 22 of the Harrow Development Management Policies Local Plan (2013).

21 No development shall take place, including any works of demolition, until a Construction Method, phasing plan 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 and policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013).

22 No development shall take place, until a Delivery and Service Plan has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the lifetime of development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the construction of the development does not unduly impact on the amenities of the existing occupiers of the adjoining properties and to encourage more sustainable methods of transport in accordance with Policies 7.4, 7.6, 6.9, 6.10, 6.11, and 6.13 of the London Plan (2011) and policies DM 1, DM 44 and DM 42 of the Harrow Development Management Policies Local Plan (2013).

23 Details of the cycle parking spaces on the site and their phased delivery alongside the development shall be submitted to and approved in writing by The Local Planning Authority. The cycle parking shall be implemented on site for the sole use of the development in accordance with the phasing details and shall be retained for the duration of this educational use on the site.

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).

24 Prior to the commencement of the development, details of electric vehicle charger point/s for the proposed development in accordance with London Plan Standards 2015, 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 (2015).

25 The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) by Conisbee 'Princess Alexandra Care Home Common Road, Stanmore, HA7 3JE. Flood Risk Assessment & Sustainable Drainage Strategy Ref: 120269/T Noble Date: 10 October 2014' has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with the National Planning Policy Framework 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).

26 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).

27 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).

28 The development hereby permitted shall be undertaken in accordance with the details outlined in the submitted Energy Statement Prepared by Blyth and Blyth Ref: LM21111 (dated October 2014) including addendums LM21111 Rev A and LM21111 Rev A2 and Preliminary BREEAM Report prepared by AJ Energy Consultants Ltd Rev 2 (dated October 2014) 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 Preliminary BREEAM Report and Energy Strategy which thereafter shall be submitted to the Local Planning Authority for written approval. The approved scheme shall remain operational for the lifetime of the development.

REASON: To ensure the delivery of a sustainable development in accordance with policy 5.2 of The London Plan (2015) and policy DM 12 of the Harrow Development Management Policies Local Plan 2013.

29 Any trees felled as part of this development shall be replaced with another tree. If the tree felled is native, a tree of the same species shall be planted. If it is not a native species, it shall be replaced with a native species.

REASON: To preserve the natural character of the area and to mitigate for loss of habitat, in accordance with saved polices DM 20, 21 and 22 of the Harrow development Management Polices Local Plan (2013).

30 The level of noise emitted from the new building services plant shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS 4142. The background noise level shall be expressed as the lowest LA90. Following installation but before the new building services plant comes into operation a report demonstrating compliance with the above condition must be submitted to and approved in writing by the Local Planning Authority before the plant comes into operation.

REASON: To ensure that the proposed development does not give rise to noise and odour/fume nuisance to neighbouring residents in accordance with policy DM 1 of the Harrow DM 1 of the Harrow Development Management Policies Local Plan 2013.

31 Notwithstanding the details on the approved plans, the development hereby permitted shall not be occupied until a scheme for the siting, design and appearance of the refuse storage area has been submitted to, and approved in writing by, the local planning authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure adequate standards of hygiene and refuse/waste collection without prejudice to the enjoyment by neighbouring occupiers of their properties in accordance with policy DM 1 and policy DM 45 of the Harrow Development Management Policies Local Plan (2013).

32 Details of any extraction flues, ventilation systems, and rainwater disposal systems (including downpipes) shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any work above DPC level of the buildings hereby permitted is carried out. The application shall be implemented in full accordance with such details and be maintained thereafter.

REASON: In order to ensure a high standard of development which provides an appropriate standard of visual amenity for the surrounding area, as required by policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

33 The development hereby permitted shall not be occupied until details of a strategy for the provision of communal facilities for television reception (e.g. Aerials, dishes and other such equipment) has been submitted to and approved in writing by the Local Planning Authority. Such details should include the specific size and location of all equipment. The approved details shall be implemented prior to first occupation of the building and shall be retained thereafter and no other television reception equipment shall be introduced onto the walls or roof of the approved building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building to the detriment of the visual amenity of the area in accordance with policy DM 1 of the Harrow Development Management Polices Local Plan (2013).

34 Notwithstanding the provisions of Part 24 of The Town and Country Planning

(General permitted Development) Order (1995) (as amended), there shall be no installation, alteration or replacement of any electronic communications apparatus on the buildings without the prior written approval of the Local Planning Authority

REASON: In order to prevent the proliferation of individual telecommunications apparatus on the buildings to the detriment of the visual amenity of the area in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

35 A) No development other than demolition to existing ground levels shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved in writing and a report on that evaluation has been submitted to the local planning authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secure the implementation of a programme of archaeological investigation in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority in writing.

C) No development or demolition shall take place other than in accordance with the written scheme of investigation approved under part (B).

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the written scheme of investigation approved under part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

REASON: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of any remains on the site prior to the commencement of the development, in accordance with recommendations given by the NPPF (2012) and policy DM 7 of the Harrow Development Management policies Local Plan (2013).

36 The development hereby permitted shall not be occupied until a scheme for the provision of glazed privacy screens on the roof terraces of the Independent Living Suites have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the amenities of future residents, in line with the requirements of policy DM1 of the Harrow development Management Polices Local Plan (2013).

## **INFORMATIVES**

1 The following policies are relevant to this decision:

### **National Planning Policy:**

National Planning Policy Framework (2012)

### **The London Plan (2015):**

3.1 Ensuring equal life chances for all

3.2 Improving health and addressing health inequalities

3.5 Quality and Design of Housing Developments

3.8 Housing Choice

- 3.16 Protection and Enhancement of Social Infrastructure
- 3.17 Health and Social Care facilities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.16 Green Belt
- 7.19 Biodiversity and access to nature
- 7.21 Trees and Woodlands

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

CS1: Overarching Principles

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

- Policy DM 1 Achieving a High Standard of Development
- Policy DM 2 Achieving Lifetime Neighbourhoods
- Policy DM 6 Areas of Special Character
- Policy DM 7 Heritage Assets
- Policy DM 9 Managing Flood Risk
- Policy DM 10 On Site Water Management and Surface Water Attenuation
- Policy DM 12 Sustainable Design and Layout
- Policy DM 13 Decentralised Energy Systems
- Policy DM 14 Renewable Energy
- Policy DM 16 Maintaining the Openness of the Green Belt and Metropolitan Open Land
- Policy DM 17 Beneficial Use of Green Belt and Metropolitan Open Land
- Policy DM 20 Protection of Biodiversity and Access to Nature
- Policy DM 21 Enhancement of Biodiversity and Access to Nature
- Policy DM 22 Trees and Landscaping
- Policy DM 29 Sheltered Housing, Care Homes and Extra Care Housing
- Policy DM 42 Parking Standards
- Policy DM 43 Transport Assessments and Travel Plans
- Policy DM44 Servicing
- Policy DM 45 Waste Management
- Policy DM 46 New Community Sport and Educational Facilities
- Policy 50 Planning Obligations

### **Other Relevant Guidance:**

Supplementary Planning Document Sustainable Building Design (2009)

Supplementary Planning Document – Access for All (2006)  
Supplementary Planning Document - Accessible Homes (2010)  
Supplementary Planning Document – Planning Obligations (2013)  
Mayor Of London, Housing Supplementary Planning Guidance (November 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:

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

## 4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

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

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

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

## 5 INFORM61\_M

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £325,955 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

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

Your proposal is subject to a CIL Liability Notice indicating a levy of £325,955 for the application, based on the levy rate for Harrow of £35/sqm and the stated floor space of 500sqm

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

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

6 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: £512, 215

## 7 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).

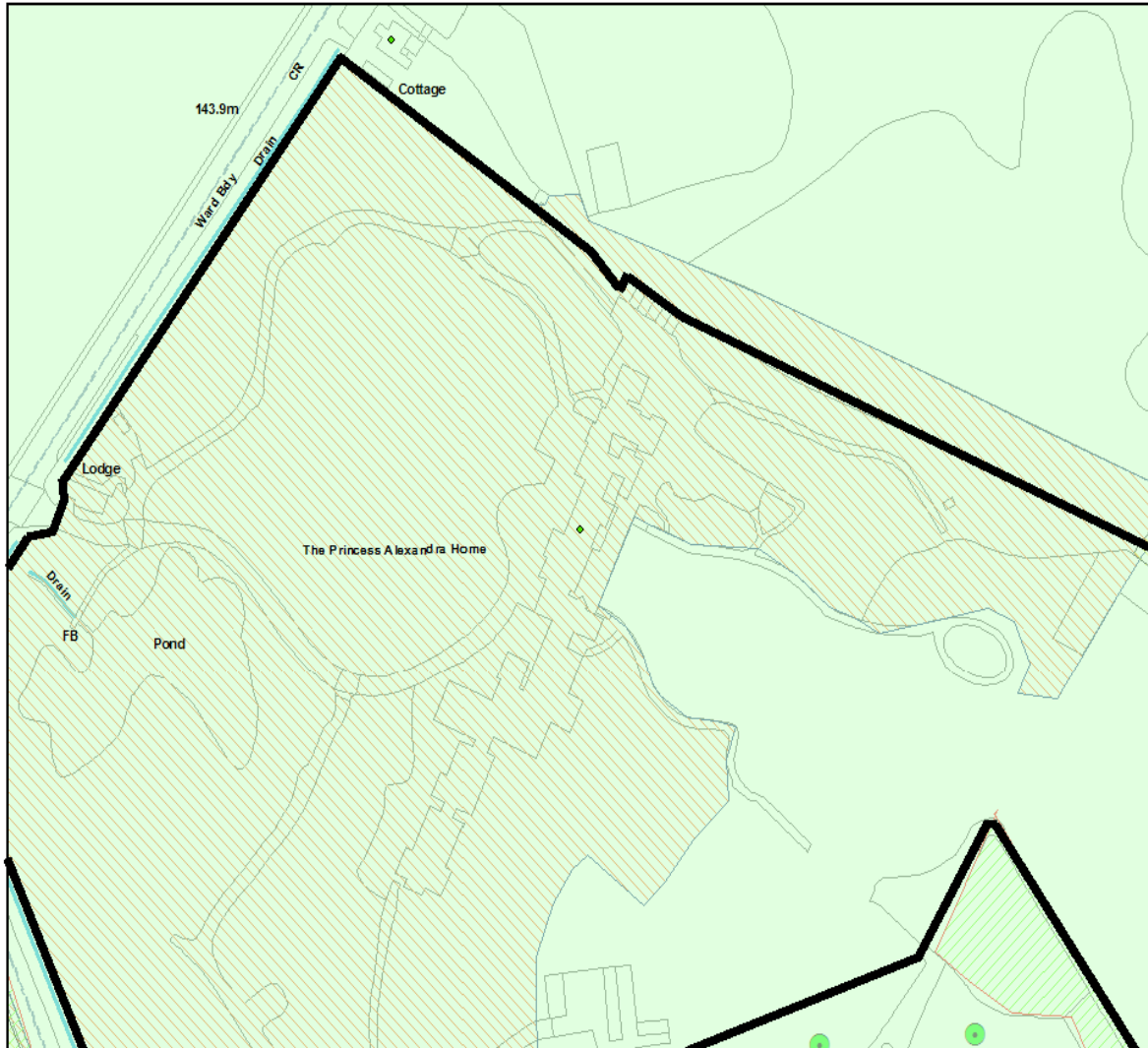
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

8 The applicant is advised that in respect of condition 34 written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.

Plan Nos: 711 PL 001; 711 PL 002; 711 PL 003; 711 PL 004; 711 PL 010 Rev B; 711 PL 099; 711 PL 100; 711 PL 101; 711 PL 102; 711 PL 103; 711 PL 110; 711 PL 111; 711 PL 113; 711 PL 114; 711 PL 200; 711 PL 201 – Section AA, B-B, E-E & FF; 711 PL 202 – Section C-C, D-D, G-G and H-H; 711 PL 300; 711 PL 301; CSK003 P1; 5982 100 A; 5982 200 A; Utility Search Information; Tree Survey prepared by SJ Stephens Associates, dated 23<sup>rd</sup> September 2014; Framework Travel Plan prepared by ADL Traffic Engineering Ref: ADL/CC/2125/09B (dated October 2014); Transport Statement prepared by ADL Traffic Engineering Ref: ADL/CC/2125/09B (dated October 2014); Preliminary Code for Sustainable Homes Assessment (dated October 2014); Statement Of Community Involvement, prepared by Tetlow King; Site Waste Management Plan by Tetlow King; Planning Statement by Tetlow King; Heritage Statement Ref: LPI688C-HST-v1.3 (dated September 14); Flood Risk Assessment and Sustainable Drainage Strategy prepared by Conisbee Ref: 120269/T Noble (dated 10<sup>th</sup> October 2014) Rev No: 1.0; Energy Statement Prepared by Blyth and Blyth Ref: LM21111 (dated October 2014); Ecological Appraisal Version 5 prepared by LUC (dated October 2014); Design and

Access Statement prepared by Pollard Thomas Edwards (dated October 2014); Arboricultural Impact Assessment Prepared by SJ Stephens Associates (dated 23<sup>rd</sup> October 2014); Planning Needs Assessment for Jewish Care prepared by Caterwood (dated October 2014); Desk Study Report Ref: J14254 Issue No 1 (dated September 2014) by Geotechnical & Environmental Associates; Preliminary Unexploded Ordnance (UXO) Risk Assessment; Preliminary BREEAM Report prepared by AJ Energy Consultants Ltd Rev 2 (dated October 2014); Mayoral Report 19/12/2014 Response of Applicants prepared by Jewish Care January 2015, Ref: M13/1109-03.RPT; Applicant's Further Response prepared by Tetlow King February 2015, Ref M13/1109-04.RPT; 2125-SK-05; 711\_SK\_049; 711\_SK\_048; 711\_SK\_046; 711\_SK\_046; Document titled Princess Alexandra: Supplementary Information In Support of Planning Application P/4071/14 Green Belt Encroachment prepared by LUC January 2015, Version P1; Un-numbered drawing titled Comparative Sections-New Proposals and Existing Building; Addendum to Princess Alexandra Energy Statement prepared by Blyth & Blyth Ref: LM21111 Rev A1; Addendum to Princess Alexandra Energy Statement prepared by Blyth & Blyth Ref: LM21111 Rev A2

THE PRINCESS ALEXANDRA HOME, COMMON ROAD, STANMORE





**ITEM NO.** 1/04  
**ADDRESS:** BUCHANAN COURT, SUDBURY HILL, HARROW  
**REFERENCE:** P/0317/15  
**DESCRIPTION:** CONSTRUCTION OF THREE AND FOUR STOREY BUILDING TO PROVIDE AN 80 BEDROOM RESIDENTIAL CARE HOME WITH PARKING AND LANDSCAPING (DEMOLITION OF EXISTING CARE HOME)  
**WARD:** HARROW ON THE HILL  
**APPLICANT:** MR A KEARLEY  
**AGENT:** AKA PLANNING  
**CASE OFFICER:** CALLUM SAYERS  
**EXPIRY DATE:** 20/05/2015

### **RECOMMENDATION A**

The proposed development would utilise previously developed site and would make efficient use of the site, which is currently occupied by a vacant care home. The proposed care home use would continue to be appropriate within this area, and would have satisfactory access to public transport links and local shops. Furthermore, the proposed development would provide a choice of housing within the borough and would be of a quality design within the site and wider area.

The proposed building would have no unacceptable impacts on the surrounding residential amenity, the environment or in terms of the free flow and safety of the public highway.

**GRANT** planning permission subject to:

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

### **HEADS OF TERMS**

- i) The Developer to pay a planning obligation of £24,912.00 towards the Local Carbon Reduction Measures.
- ii) The developer to submit to the Council for approval, prior to commencement of the development, a Training and Recruitment Plan. The developer to implement the agreed Plan.
- iii) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement; and
- iv) Planning Administration Fee: Payment of £1,500 administration fee for the

monitoring of and compliance with this agreement.

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 17<sup>th</sup> July 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 appropriate provision for offsetting the carbon deficit of the proposed scheme, would fail to provide a sustainable form of development within the development. It would fail to adequately mitigate the impact of the development on the wider area from impacts arising directly from the development, contrary to the NPPF (2012), policies, 5.1, 5.2, 5.3, 5.7, 5.12 of The London Plan (2015), Core Strategy (2012) policies CS1 and CS3, Development Management Policies Local Plan (2013) DM1, DM12, DM13 and DM14, DM50.

## **INFORMATION**

This application is reported to the Committee as it is a proposal located on a site which is more than 0.1ha which falls outside of the thresholds set by category 1(d) of the Council's Scheme of Delegation for the determination of new development.

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

Council Interest: None

Net Additional Floorspace: 1044 m<sup>2</sup>

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £36,540.00

Harrow Community Infrastructure Levy (CIL) Contribution (provisional):£57,420.00

## **Site Description**

- The application site currently comprises a vacant retirement home, which is located on the junction with Sudbury Hill, Harrow Road, Greenford Road, and Sudbury Court Drive.
- The property is accessed directly from the south western side of Sudbury Hill.
- The existing property is a three to part four storey high building.
- The application has a notable change in level from north down to south.
- The adjoining area is predominantly residential with 2-3 storey properties with a 3/4 storey flatted development opposite the Sudbury Hill frontage known as Assisi Court.
- To the south is Lanfranc Court, which is a residential property with access from Greenford Road. To the south of that again is 'Ashton', which is another flatted development.
- Located to the north are five detached properties and the entrance to St Georges Catholic School.
- John Lyon Playing fields are located on the western boundary, and are designated as Metropolitan Open Land.
- Sudbury Hill is a Borough distributor road and Sudbury Court Drive is a London distributor road along the north east site boundary.
- The site is close to established bus routes and Sudbury Hill Underground station.
- The site is in close proximity to but does not abut the Harrow on The Hill Area of Special Character and Harrow-on-the-Hill Conservation Area.
- There are a significant number of mature preserved trees located on site.

## **Proposal Details**

- The application proposes to demolish the existing vacant building on site, and to erect a 3/4 storey replacement care home in a similar footprint.
- The proposed care home would be characterised by following a similar footprint as the existing building. The proposed building would have a central feature that would

address the corner of Sudbury Hill and Greenford Road, and would then have two 'wings' that would project from this central element.

- The rear of the central element would be the main entrance to the property, which is required as a result of security reasons in line with Healthcare UK requirements.
- Access would remain from Sudbury Hill, and would continue to access the existing car parking area.
- The northern wing would be 12.5m high at the northwestern end before raising up to 13.7m at the central element. It would be 17m deep.
- The southern element would have a height of 10.6m on the southern elevation before increasing to 13.7m where it meets the central element.
- The proposed care home would be 80 bedrooms.
- A basement under the western wing would provide the servicing areas for the care home, and would include a kitchen, laundry and the mechanical and electrical plant.
- The proposed development would have a flat roof which would be stepped to provide articulation within the roof profile.
- Raised amenity space would be provided on the rear elevation at first and second floor. Each of these would be glazed.
- It is proposed to construct the replacement care home primarily of brick.
- It is proposed to locate a basement at the north western end of the site, near the access point to the site. The basement would provide for servicing equipment such as a Laundry, Mechanical & Electrical Plant, and Kitchen facilities for the development.
- It is proposed to provide 15 car parking spaces, which is an increase of 3 from the existing situation.
- A refuse facility would be located on the western boundary adjacent to the common boundary with the John Lyon Playing Grounds.

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

The proposals comprising the current planning application have been the subject of a screening opinion in accordance with Regulation 7 of the Town and Country (Environmental Impact Assessment) Regulations 2011. Officer's consideration of the Environmental Effects of the development was that in this case an Environmental Statement was not required. A copy of the screening opinion can be viewed online as part of the electronic case file for the application.

Since the submission of the current planning application, there has been a change to the EIA regulations (6 April 2015). The changes to the regulations, amongst other things, increased the site area for sites that would need to be screened. In this instance the application site is less than the 5.0ha threshold set by the amended EIA regulations. Accordingly, the application site would be less than the requirements of the amended EIA regulations and is therefore still not an EIA development.

## **Relevant History**

Outline: 2/3 storey building to provide 32 elderly persons flats with ancillary accommodation car parking and access road.

Grant: 30/11/1988

LBH/40250

Three storey building for a 64 bed space nursing home to provide residential care with ancillary facilities, car parking and access road (revised scheme)

Refused: 05/09/1990

WEST/42251/91

Part 2 part 3 storey building to provide 56 bed space nursing home to provide residential care with ancillary facilities

Grant: 05/03/1992

## **Pre-Application Discussion - P/3336/13/PREAPP**

The applicant engaged in two rounds of pre-application consultation with the Local Planning Authority. It was acknowledged within the first pre-application advice, based on the little information submitted, that the principle of the development was likely to be considered acceptable.

- Relocation of the basement away from the residential occupiers at Lanfranc Court to the north-western wing.
- Review of internal layout, specifically in relation to the café/communal area on the ground floor.
- Revision of the roof to provide a more similar profile and to assist in reducing the bulk of the scheme
- Ensure footprint of proposed building should not be harmful to the tree roots located on site
- Revision of the layout of the amenity space to provide more usable areas

## **Second Pre-application Advice;**

- Further simplification of the elevations and roof profile by reducing roof form and plan layout
- A more simple palette of materials to be used

- Design cues to be taken from the surrounding characteristics of the built environment
- Increase in height of windows/doors to provide a more appropriate balance between brick and glazing.
- Scheme would be required to meet energy reduction levels, with further measures been incorporated in an attempt to meet this.

## **Community and Stakeholder Engagement**

The Council's Statement of Community Involvement (2012) states that *'ideally the results of pre-application consultation should be included in the planning application and form part of the planning application process'*. A Statement of Community Involvement has accompanied the Application and this document explains the programme of public consultation and community engagement carried out prior to the submission of the application. As part of its programme of community engagement, the applicant held a public consultation exercise Wednesday 10<sup>th</sup> December 2014. Local Ward Councilors and the constituency MP were directly invited, and a Public Notice was published within the Harrow Times.

## **Applicant Submission Documents**

- Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Transport Assessment and Travel Plan
- Energy Statement/Sustainability Statement

## **Consultations**

Environment Agency: No Objection

London Borough of Brent: No Objection

Highway Authority: No Objection, appraised under section 4 of this report

Harrow Drainage Team: No Objection, subject to conditions

Harrow Environmental Health Team: No Objection, subject to conditions

Conservation Officer: No Objection.

This is within the setting of the Sudbury Hill Conservation Area whose special interest is defined in the Conservation area appraisal and management strategy as being 'the largest conservation area in Harrow on the Hill. It is largely characterised by prominent detached and largely unchanged Victorian villas of great charm and character. Buildings form both individual landmarks and cohesive groups. There is a largely ribbon like plan form following the spine route of Sudbury Hill and London Road. This, combined with the winding nature of the roads, changes in gradient and dense vegetation, creates key internal views and an interesting and varied townscape. There are also key long distance and panoramic views due to the elevated land and detached nature of the properties to the north, and the more dispersed plan form and open land to the south'.

It is considered that the existing building preserves the setting of the conservation area since:

- 1) The proposed building largely replicates the existing footprint. The building will therefore continue to be set back a good distance from both road frontages.
- 2) The building will be a storey higher than existing it is considered that the distance between this and the conservation area ensures this would have a minimal impact on its setting.
- 3) Whilst plainer in design the appearance would still be traditional and the stepped character works with the corner site.

### Conservation Area Advisory Committee

This is not very sustainable. The existing building is not very old. It is unlikely a building of this age has structural problems that can not be overcome. The design appears plain. The existing building appears of human scale and low key whereas this is more brutal. This is the gateway to Harrow on the Hill. It is a significant site. It is where the Harrow on the Hill sign is. The existing building makes an attempt to fit in and addresses the corner much better. It just decides to take its height from the corner. The design of this application does not take the opportunity to enhance the entrance to the conservation area or even preserve it. It does not take account of the need to preserve through design or bulk and mass.

### Harrow Hill Trust

The proposed development lacks any domestic charm, having a more office like appearance.

Sudbury Hill Residents Association: No Comment Received

Pebwatch: No Comment received

Designing Out Crime Officers: No Comment received

**Reason for Advertisement:** Major Development

**Expiry:** 26<sup>th</sup> March 2015

**Site Notice Erected:** 10<sup>th</sup> March 2015

**Expiry:** 31<sup>st</sup> March 2015

### **Notification**

Sent: 259

Expiry: 23<sup>rd</sup> March 2015

Responses Received: 7

### **Neighbours Consulted:**

Extensive consultation has been carried out, which covers a wide area surrounding the site, along Sudbury Hill, Sudbury Court Drive, Sudbury Court Road, Harrow Road, New Road, and Greenford Road

A plan of the consultation area is appended to this report.

### **Summary of Responses:**

- Objections (6)
- Support (1)

### **Objections:**

- Proposed new build would be closer to the property known as Lanfranc Court, which would result in a loss of natural light.
- The use of a dark red brick, rather than the white render that is currently in situ, would further decrease the amount of light to the adjoining residential properties.
- The introduction of the fourth floor would further result in a loss of light.
- Variation in ground level between application site and neighbouring property would



allow users of the walkway to look directly into walkway and kitchen/bathrooms at Lanfranc Court.

- Rear facing fourth floor balconies would result in a loss of privacy
- Vegetation located on the common boundary with Lanfranc Court should be removed as it is causing damage to the existing boundary fence
- Both Greenford and Harrow Road should be able to be viewed from the bedrooms of Lanfranc Court, so that there would not be a feeling of claustrophobia.
- Lower level of Lanfranc Court makes it susceptible to flood risk from the application site
- No detail of sound proofing of the Combined Heat and Power Plant, which may lead to noise nuisance.
- CCTV should not be directed into neighbouring properties, as would result in a loss of privacy.
- The application site should be used for housing rather than a care home, as there is need for housing, especially for private, housing association and keyworkers.
- The area should be rebranded which would result in a better standard of resident and lowering of crime rate.

**Second Consultation Letters:**

14 day Consultation Period Expiry: 22<sup>nd</sup> April 2015

Reason: amended plans received to accurately demonstrate the difference in ground levels between the application site and the property to the south, being Lanfranc Court.

## **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 (Consolidated with Amendments Since 2011) (2015) 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.

## **MAIN CONSIDERATIONS**

Principle of Development

Design, Character and Appearance of the Area and Metropolitan Open Land

Residential Amenity

Traffic, Parking, Access, Servicing and Sustainable Transport

Sustainability and Climate Change Mitigation

Equalities Implications and the Human Rights Act

Ecology and Biodiversity

Flood Risk and Development

Trees and Development

Land Contamination and Remediation

S17 Crime and Disorder Act

Consultation Responses

### **Principle of the Development**

The adopted National Planning Policy Framework [NPPF] has brought forward a presumption in favour of "sustainable development". The NPPF defines "sustainable development" as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF sets the three strands 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 encourage the effective use of land by reusing land that has been used previously, recognising that "sustainable development" should make use of these resources first.

London Plan (2015) policy 3.8 (Housing Choice) requires that *inter alia* in the process of making planning decisions, that housing choice should take into account the changing age structure of London's population and, in particular, the varied needs of older Londoners, including for supported and affordable provision. Policy 3.17 (Health and Social Care Facilities) states that the Mayor will support the provision of high quality health and social care appropriate for a growing and changing population. In making planning decisions, proposals should provide a high quality health and social care facilities, and shall be supported in areas of identified need, particularly in places easily

accessible by public transport, cycling and walking.

Policy CS1Z of the Core Strategy (2012) directs development or expansion or physical or social infrastructure will be permitted where it is needed to serve existing or proposed development, or require to meet projected future requirements.

Policy DM29(A) of the Harrow Development Management Policies Local Plan (2013) states that *The Council will support proposals on previously-developed land for sheltered housing, care homes and extra care housing (across all tenures) or older people and those who may be vulnerable, provided that the proposal is accessible by public transport with good access to local amenities including shops and community facilities*.

Whilst it is acknowledged that the existing care home on the site would be demolished, the proposal would result in the replacement of this social infrastructure. Furthermore, the proposed development would re-provide a care home of a higher quality in terms of the level of care which it would provide, and would also offer a greater quantum of accommodation than the previously operational care home at the site.

There is no specific planning policy guidance in place that relates specifically to care home standards. There are bodies in place that regulate care home standards, most notably the Care Quality Commission (CQC). It should be noted that many of these standards clearly relate to operational arrangements which are controlled outside of the planning process, e.g. allowing visitors at reasonable times, varied dietary offers, appropriate staffing levels, maintenance, etc.

In compliance with the CQC standards, accessible toilets would be provided on each floor through en-suite facilities, as would communal space for residents (with the exception of the third floor). The CQC standards dictate that all new-build should incorporate single bedrooms with a minimum usable floor space of 12 sq m (excluding en-suite facilities). In this instance the proposed plans indicate individual room areas that consistently exceed the 12 sq m threshold, ranging from approximately 15.5 sq m to 19 sq m (excluding the en-suite facilities). The rooms that are provided at a much larger size than the minimum requirements as set out above, are a conscious attempt to future proof the development as the CQC standards are subject to review and subsequent change.

The applicant has confirmed that the proposed design of the care home will be fully compliant with the Care Standards Act 2000 with the space standards in excess of the recommended National Minimum Standards to ensure flexibility and an element of "future-proofing" of the development. The space standards and internal layout will enable the delivery of the highest quality of care to all residents for the life of the building. This therefore means that the proposed care home is compliant with the aspirations, principles and objectives of the National Service Framework for Older People.

The proposed care home would replace an existing, albeit outdated and vacant care home located on site. Accordingly, the site is considered to constitute previously developed land, and as a result of the replacement new build, would not result in the loss of social infrastructure within the borough.

An objection has been received which suggests that the site should be redeveloped to provide housing for the boroughs housing stock. Whilst it is acknowledged that there is a housing shortage across London, it also noted that the proposed development would both provide a form of housing within the borough, and would also meet other key policies for

required infrastructure within the borough. Lastly, it is noted that the allocated sites that are designated across the borough are capable of bringing forward enough housing to meet the targets set for Harrow by the Mayor of London.

Based on the above, it is considered that the principle to redevelop this site to provide an 80 bed residential care home would meet the objectives of national policy guidance, policies contained in The London Plan (2015) and the relevant policies of the Harrow Development Management Policies Local Plan (2013).

## **Design, Character and Appearance of the Area and Metropolitan Open Land**

### Metropolitan Open Land

The NPPF specifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the most important attribute of Green Belts is their openness. This is reiterated by Policy 7.17B of The London Plan and Policy CS.1 F of the Core Strategy, which emphasise that development, will be supported if it is appropriate, and helps to maintain the openness of the Green Belt.

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

- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

The proposed replacement building would continue to provide the same use on the site as that which the existing property is authorised to be used as. Whilst it is acknowledged that the proposed building would be materially larger than the existing care home that is currently located on site, it would sit broadly within the same footprint within the site. However, it is important to note that the application site does not sit within the Metropolitan Open land, rather being adjacent to it.

Policy DM16 (A) of the DMP gives advice that the redevelopment or infilling of previously-developed sites in the Metropolitan Open Land will be supported where the proposal would not have a greater impact on the openness of the Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

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

Firstly, it is noted that the application site is located to the east of the Metropolitan Land, which sits as a designation on the John Lyon Playing Fields. Notwithstanding this, proposed development has the potential to impact the openness of the MOL, especially when viewed from within land with such a designation upon it.

The existing property features a care home located on the site, albeit at a smaller scale to the proposed development. The proposed development would be arranged in a similar

footprint to the existing property. However, it is noted that the proposal would result in a three storey gable ended wall on the northwest wing, which would be the most readily visible elevation when viewed from the adjacent MOL. Furthermore, the proposed wing would be a further 2.5m closer to the common boundary with the MOL. Currently, the existing care home is two-storey and characterised by having a hipped roof away from the common boundary with the MOL. In response to having a much taller elevation that would be fronting the MOL land, the proposed elevation is consciously narrower than the remainder of the wing, and also marginally lower. It is noted that the proposed north western wing of the replacement care home would be much narrower than the existing wing located on the site. This conscious design measure provides a development that would reduce in scale as it moves away from the central element, and in this instance crucially towards the MOL.

The application is noted as already been developed for the purposes of providing a care home, albeit noted as being vacant. Whilst it is acknowledged within the applicants supporting documentation, the existing building on site is by no means an old and out of date building in and of itself. However, as a result of changing CQC standards as mentioned above, it is no longer fit for purpose in terms of providing a care home. Accordingly, the proposed scheme is to replace the existing care home with a fit for purpose development that will meet the current CQC standards. Whilst it is acknowledged that the proposed development would result in a replacement facility that is higher than that which currently exists on site, it would nonetheless have a marginally smaller footprint than that which exists currently. The proposed development would more or less be within the footprint of the existing care home on site, and would retain the car parking provisions in a similar position. Accordingly, it is considered that the proposed development would not fundamentally result in a development that would increase the proportion of the application site that has been developed already.

The application site as a corner property, does not lend itself to being developed efficiently in a manner that would allow a footprint much different to what is existing on site currently. Accordingly, the proposed development would sit more or less within the same footprint as the existing care home on site. Albeit, acknowledging that it would be noticeably higher than the existing. As mentioned previously, the proposed development would be stepped in a manner that would result in it becoming larger as it reached the corner of the site with Sudbury Hill and Greenford Road.

The proposed new build, in its attempt to meet other policies within the London plan, specifically in meeting carbon reduction, has proposed solar panels within the roof scape. During the pre-application process, concern was raised that the amount and positioning of the proposed panels may result in a cluttered and therefore harmful appearance to the development. This would be specifically felt when viewed from the adjacent MOL. In response to the concern raised, the eave/parapet height has been increased marginally, which when viewed from ground level would assist in providing screening of the panels. It is considered that this is an appropriate design solution and would continue to ensure that a high quality appearance to the development is maintained.

#### Character of the site, wider area and the Sudbury Hill Conservation Area.

The National Planning Policy Framework (NPPF) was published by the Government on March 27<sup>th</sup> 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area,

unless other material considerations indicate otherwise (S.38(6) of the Planning Act). The development plan for Harrow comprises The London Plan 2015 [LP] and the Local Development Framework [LDF].

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

The London Plan (2015) 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 (2015) 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. Development should not be harmful to amenities, should incorporate best practice for climate change, provide high quality indoor and outdoor spaces, be adaptable to different activities and land uses and meet the principles of inclusive design. Core Strategy policy CS1.B states that ‘all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design’.

Policy DM1 of the DMP gives advice that “all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted.” Policy DM7 of the DMP is relevant given the location of the application site in close proximity to the Sudbury Hill Conservation Area. This policy seeks to ensure that the historic environment and heritage assets would not be compromised by development.

The application site is not located within a conservation area. However, it is in within close proximity to the Sudbury Hill Conservation area, which is located to the west of the application site. The Sudbury Hill Conservation Area whose special interest is defined in the Conservation area appraisal and management strategy as being ‘the largest conservation area in Harrow on the Hill. It is largely characterised by prominent detached and largely unchanged Victorian villas of great charm and character. Buildings form both individual landmarks and cohesive groups. There is a largely ribbon like plan form following the spine route of Sudbury Hill and London Road. This, combined with the winding nature of the roads, changes in gradient and dense vegetation, creates key internal views and an interesting and varied townscape. There are also key long distance and panoramic views due to the elevated land and detached nature of the properties to the north, and the more dispersed plan form and open land to the south’.

The proposal has been considered by the Conservation Officer, who has considered that given that the replacement building would be more or less in the same footprint, and is of a simple design and ample distance from the Sudbury Hill Conservation Area, it would preserve the character and appearance of the Conservation Area.

The surrounding area in which the application site is located is relatively eclectic. The surrounding area is noted as having detached, semi-detached, and terrace style housing. To the south of the application property are two sites that have apartment block style accommodation. To the west is the John Lyon Playing Fields, and to the north St George Catholic School.

The proposed development is located on a corner site, on the junction with Sudbury Hill and Greenford Road. Whilst it is acknowledged that the application site would sit below the existing public highway, it would none the less be most readily visible from this junction.

The proposed building would be relatively modern in terms of its architecture, but picking up on some of the local vernacular in terms of the use of appearance and materials, for example the white render of adjacent building to the southwest. This property located to the south of the application site is known as Lanfranc Court, which is an apartment style building which is characterised by being a flat roofed, brick built building with white horizontal paneling between the windows on each floor. On the ground floor it is occupied as a Doctors Surgery with residential accommodation above. The proposed redevelopment of the site would pick up on the flat roof design of this property. It is proposed that the front and rear elevation of the development, although restricted to the central element only, would be similar horizontal banding design features. This design cue not only picks up on an existing feature within the area, but also provides an attractive feature on the central element that addresses the corner.

The remaining residential vernacular within the area is characterised by a mix of terrace, semi-detached and detached dwellings with a relatively traditional metro-land appearance.

The proposed development would have the largest element set within the eastern corner of the site, which would therefore ensure that a strong element addresses the corner of Sudbury Hill and Greenford Road. From this central element the two wings of the development would run parallel with the two public highways. It is considered that the proposed development would result in a prominent development within the site, which would be larger in scale to the existing building located within the site. Notwithstanding this, it is an important urban design principle that new development on a site such as this should address the corner. The proposed development provides a large development that would have its most prominent features, being the central element, fronting the corner. The proposed corner element that fronts onto the Sudbury Hill/Greenford Road junction is noted as being treated differently to the remainder of the front elevations, in terms of both the materials used and fenestration. This element, whilst not strictly the true entrance the development, provides a frontage into the public realm which requires it to be legible to the public realm. For resident security, the main entrance to the building is located to the rear of the building. To give the building an understanding from the public realm, the central element has larger windows

The proposed development would therefore satisfactorily address the corner and public realm.

Along the Greenford Road frontage, the proposed new build would not be set inline with the predominant building line set by Lanfranc Court. However, the proposal would sit behind this, which is partially dictated by the presence of trees onsite that are subject to Tree Protection Orders. So whilst it is acknowledged that the principle building line is not

strictly followed, the siting of the proposed development behind this would ensure that the proposal would not result in a development that would appear overly dominant within the Greenford Road streetscene.

To the west of the site, are the Lyon School Playing fields. As such, there is no building line along the Sudbury Hill frontage. Accordingly, the siting of the proposed development along this frontage is considered to be satisfactory.

Each of the wings of the development that project from the central feature, are noted as being stepped in both the front and rear elevations, and also a change in height of the roof profile. The design of the proposed development has evolved throughout the pre-application process, with the design of the scheme being simplified from earlier proposals. The proposed elevations have been amended to ensure that fewer, but meaningful and pronounced breaks are provided. These conscious steps within the elevations ensure that a satisfactory level of articulation is provided within the elevations are provided, without providing excessive breaks to overcomplicate the elevation. In direct relation to this are the steps within the roof profile. The roof profile results in a decrease in height of both of the wings, as they each progress away from the central element. Again, the steps within the roof profile are purposeful steps to provide articulation within this element, and ensure that a monotonous roof plane is not provided within the streetscene. Furthermore, amendments to the scheme throughout the pre-application stage ensured that this profile was simplified, so that a contrived and fussy roof form was not provided. It is considered that the proposed elevations and roof profile in and of themselves provide a development that would provide a satisfactory level of interest within the site and wider area. The submitted plans do not clearly demonstrate the depth of the reveals of the windows and doors within each of the elevations. The depth of reveals within the elevations is an important architectural feature, as this assists in providing depth and articulation within the elevation, whereby ensuring that a blank uninteresting elevation is not provided. It is therefore considered reasonable that a condition be imposed for detail of the reveals to be provided and considered by the Local Planning Authority. A condition has been recommended accordingly.

Further to the above, it is proposed to construct the care home from brick, which is considered to be an acceptable material in the context of the site and area. Further to this, it is proposed to use mid-grey aluminum windows and doors, which would provide a robust and high quality material to the scheme. Juliet balconies are proposed on the elevations and further assist in providing interest to the elevations, without resulting in a cluttered or fussy elevation. Subject to a condition being imposed to require samples of the materials to be submitted for the consideration of the Local Planning Authority, the external finish to the proposed care home is considered to be satisfactory.

To the rear of the site is the vehicle entrance to the care home, and also its main entrance. The main entrance to the care home is to the rear, as this allows a more secure entrance/exist to the property. Furthermore, it allows a more direct access to the facility for emergency vehicles. The rear elevation of the care home would look out of over the car parking area and also the adjoining John Lyon Playing Fields.

It is proposed to erect both a waste and recycling facility and a cycle storage facility on the western boundary, adjacent to the John Lyon Playing Fields which are identified as MOL land. The location of the proposed facilities are logical within the site. However, they are located directly adjacent to the MOL playing fields to the west of the site. Accordingly, care will need to be taken in term of the scale, bulk, design and appearance of these



facilities. Little information is provided with regard to these, and as such it is considered appropriate that a condition requiring further detail be attached as any permission for the site requiring such information. A condition has been recommended accordingly.

### Access

The development would be accessed by one vehicle route off Sudbury Hill, which serves the existing property. This would remain and serve the 15 proposed car parking spaces provided under the current scheme, which is an increase of three from the current provision. The continued use of the existing access to the property is considered to be acceptable.

Parking and other traffic related matters are to be assessed under section 6 of this appraisal.

#### ▪ Landscaping:

The proposed site development would more or less sit within the same footprint as the existing care home that is located on site. The area located between the proposed building and Sudbury Hill and Greenford Road is not proposed to be developed, and is noted as being grassed and also occupied by trees that are subject to Tree Protection Orders. The proposed building has been set back from these trees, with only some patio features projecting forward of the front elevation.

It is proposed to retain the hardstanding that makes up the entrance to the site and also the car parking provision. However, there is more soft landscaping introduced to the rear of the site for the future occupiers of the development.

The provision of communal and other amenity spaces provided within the development are discussed later within this report.

### Hard landscaping

It is proposed to retain the tarmac that currently provides the access to the site, and the introduction of permeable paving to the remainder of the hard landscaped areas. The proposed amount of hardstanding within the application site is considered to be appropriate, and would not result in a development that is dominated by hardstanding. Furthermore, the proposed use of permeable block paving within the rear of the site would ensure that there would be a suitable variation within the hardstanding so that it would not appear as a monotonous expanse of tarmac within the development.

Notwithstanding the above, a condition is attached to seek further detail on some hard landscaping features such as boundary treatment, fences, gates, brick walls and railings. Subject to such a condition, it is considered that the proposed hard landscaping is satisfactory.

### Soft Landscaping

Soft landscaping is an important element to the proposed development, as it assists in breaking up areas of hardstanding and improving the appearance of the development. The proposed development as mentioned previously would retain the soft landscaping that exists between the front elevation of the building and the Sudbury Hill and Greenford Road. As a result, the well established trees along this boundary would continue to provide screening to the proposed development.

To the rear of the site, access and car parking is proposed, and as such requires

hardstanding. Notwithstanding this, the proposed plans indicate that where possible, soft landscaping would be incorporated into the rear of the site. Specifically, amenity space is provided off the rear elevation along the southern boundary, which is able to be utilised by future occupiers. It is considered that the amount of soft landscaping proposed within the site is appropriate, and would ensure that there would not be a dominance of hardstanding or buildings. It is recommended that a condition be attached to require details of the soft landscaping on the site.

Conclusion:

Subject to the conditions mentioned above, it is considered that the external appearance and design of the buildings together with the proposed landscaping scheme are consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B, 7.6B and 7.8 of The London Plan (2015), Core Policy CS1(B) of the Harrow Core Strategy, policies DM1 and DM7 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), which require a high standard of design and layout in all development proposals.

## Residential Amenity

London Plan Policy 7.6 Architecture states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy, overshadowing, wind and microclimate.

Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 *Achieving a High Standard of Development* sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also produced a Residential Design Guide SPD.

In terms of the potential for the impact on residential amenity as a result of the proposed development, this would be restricted to the residential occupiers of Lanfranc Court, which is located to the south of the application site. It is noted that the existing building located on site is authorised as a Care Home (C2) use, therefore being the same use class to what is proposed under the current scheme. To this end, there is already an existing level of impact on the adjoining neighbours at this property by both the existing building and also the use of it as a care home. Notwithstanding this, it is acknowledged that the proposed development would result in a building larger in footprint and height and would also have a more intense use as a result of the increase in bedrooms to the site.

Paragraph 6.28 of the Residential Design Guide SPD (2010) provides a useful tool in the 45 degree code to demonstrate if development would lead to a visual impact on neighbouring residential occupiers as a result of a development. The first floor and above at Lanfranc Court is noted as being in residential use, and having windows within the flank elevation facing the application property, and also towards the rear of the site. In this instance the existing property is noted as already breaching the horizontal 45 degree line, and as such does not provide an ideal relationship between it and the property at Lanfranc Court. It is therefore appropriate to consider whether the proposed development would unacceptably exacerbate the existing situation.

Lanfranc Court is characterised by running parallel with Greenford Road, with a link element connecting to a second residential block to the rear of the first. The element fronting onto Greenford Road is noted as having two flank windows facing the application site. The one nearest Greenford Road is a secondary window serving a living/dining room, with its primary window on the front elevation facing Greenford Road. The second window serves a kitchen. Located within the rear elevation of this block are two windows, one serving a bathroom and the other a kitchen. The link element is noted as having flank windows facing the application site. However, these windows provide light to the internal staircase for some of the residential units within Lanfranc Court, and as such are considered to not serve habitable rooms. The rear block has two windows also located on the flank elevation facing the application site. The first window serves a kitchen only which appears to be less than 13sqm. The second window serves a bathroom, and was noted on site as being obscurely glazed and non-openable below 1.7m.

The rear elevation of the rear block has two windows per unit, which serve habitable rooms.

It is noted that the proposed footprint of the replacement care home would be marginally closer to the existing property at Lanfranc Court, as there is a 6.9m deep element that projects 2.7m from the remainder of the flank elevation. It is noted that this would bring the proposed footprint 1.5m closer to property known as Lanfranc Court from the existing

care home. However, it is also noted that this element would be 4.8m shorter in depth than the existing care home, thereby not projecting as far into the application site as currently. Notwithstanding the above, there is a noticeable change in height between the application site, which sits higher than Lanfranc Court to the south. The proposed fourth floor would be 6.6m from the proposed flank elevation, or 5.0m away from where the existing flank elevation of the care home is currently located. The closest element to the common boundary with Lanfranc Court would be a three storey element, but would remain 2.85m from the common boundary. The fourth floor element would be another 6.6m further into the site away from the common boundary. It is noted that the closest flank windows along the common boundary with the application site would be 3.8m away.

A number of objections have been received from occupiers of Lanfranc Court, in respect to the bulk, scale and location of the proposed care home, which may result in a loss of outlook, light and privacy to the occupiers of this property. It is noted that there is a distinct change in level from the application property down to the neighbouring property at Lanfranc Court. The change in level is approximately 0.9m. The original plans that were submitted in support of the planning application did not allow for this change in level, and as such did not accurately demonstrate the true relationship between the properties, and as such, the potential impacts on the occupiers of Lanfranc Court. Amended plans have now been received that clearly demonstrate that there is a change in level between the two properties, and as such the proposed building would appear higher within its site than that at Lanfranc Court. In an attempt to ensure that as a result in the change in the level between the properties does not result in the proposed building unacceptably harm the amenities of the occupiers of Lanfranc Court, the amended plans have reduced the floor to ceiling heights of the wing, therefore ensuring that that the proposed building would remain at the same level as shown on the originally submitted plans in relation to Lanfranc Court.

On the common boundary the proposed new build would be approximately 1.0m higher than the existing car home and would be approximately 1.0m close to the common boundary with Lanfranc Court.

#### Loss of Light and Outlook

An objection has been received which disputes the positioning of the proposed new build in relation to the existing. This has resulted in concern being raised about the loss of light and outlook experienced by the occupiers at Lanfranc Court. Furthermore, the concern of loss of light is raised in relation to the closer proximity to the common boundary of the proposed new build, and also the increase in height to four floors.

The existing elevation on the common boundary is noted as 9.6m in height, and this is proposed to increase to 10.2m. Furthermore, this would change from a pitched roof to a flat roof. Whilst it is acknowledged that the proposed new build would be both marginally closer and higher in relation to the property at Lanfranc Court, it would still remain set off the common boundary and with a shorter elevation on this boundary. Amended plans received now demonstrate that there is a noticeable change in level between the application site and Lanfranc Court, with the application height sitting higher. However, the amended plans have decreased the actual build height, by reducing the floor to ceiling height. This reduction allows the building to sit lower in the plot whilst still ensuring a practical and functional internal space for future occupiers.

Whilst it is acknowledged that the proposed development would result in a taller building that is marginally closer to the common boundary with Lanfranc Court, it would

nonetheless be shorter in depth along this boundary. Furthermore, it is noted that the windows that are situated along the northern flank elevation of rear elevation of Lanfranc Court are non-habitable, serving communal staircases, kitchens and bathrooms. The windows located in the rear elevation of the rear element of Lanfranc Court are habitable windows. The rear facing windows within the front block element are noted as serving kitchens and bathrooms. The windows located within the flank elevation of the front block are noted as serving habitable rooms, but do not provide the primary source of light or outlook to these rooms, which benefit from windows facing out of Greenford Road. Furthermore, this element is set much further forward within the site than the new build would be location, and as such would not be in such close proximity to this element.

The proposed new building would result in a structure that would be noticeably higher and closer to the property at Lanfranc Court that currently exists. However, it is considered that the marginal increase in the height of the new build and proximity to the common boundary, in conjunction with the decrease in the depth of this elevation would not unacceptably exacerbate the existing situation in terms of light and outlook experienced by the occupiers of Lanfranc Court. Furthermore, it is noted that rooms served by windows on this flank elevation are not habitable rooms, or at worst, habitable rooms that have a primary source of light/outlook provided by another elevation and orientation.

Objections have been received regarding the fourth floor element that would be within the development. In terms of the impacts on the occupiers of Lanfranc Court, this element would be a further 3.6m higher than the third floor element. However, it would be set off the three storey elevation by 6.5m, and a total of 9.0m from the northern elevation of Lanfranc Court. As a result of the set back from the three storey flank elevation, the fourth floor element is effectively screened from view from any of the windows that are located on the flank elevation of Lanfranc Court. It is therefore considered that the fourth floor element on this common boundary would have an acceptable impact on the amenities of the existing occupiers of Lanfranc Court in terms of outlook and light.

It is therefore considered that the appropriate increase in height and marginal change in footprint of the proposed care home, in conjunction with the existing orientation and siting of Lanfranc Court, would continue to ensure that a satisfactory level of light and outlook would be maintained to the occupiers of this property.

Aside from the objections to the scheme in terms of its height and proximity resulting in a loss of light to the existing occupiers of Lanfranc Court, the use of a darker brick material/finish on the flank elevation has been raised. Currently, there is light render used on the flank elevation of the existing building, which assists in providing a much lighter elevation when viewed from the occupiers of Lanfranc Court. The proposed new materials would not provide this lighter finish and as such would result in this area being much darker when viewed from Lanfranc Court. Whilst it is acknowledged that the proposed finish of the this elevation would be darker than the existing property, it is considered that for the reasons outlined above in terms of the set off from the common boundary and depth of the elevation, a satisfactory level of light would continue to be experienced by the occupants of Lanfranc Court. Again, it is noted that windows on the flank elevation of Lanfranc Court serve non-habitable windows.

#### Privacy

An objection has also been received in relation to a loss of privacy to the occupiers of Lanfranc Court as a result of the proposed care home. However, as a result of the authorised use of the site as a care home, there would already be a level of overlooking

that would be experienced by the neighbouring residential occupiers. Notwithstanding this, it is acknowledged that there would be a further floor added over and above the existing care home, which would increase the amount of glazing along the rear elevation.

The proposed plans indicate that there would be no habitable windows within the three storey southern flank elevation facing the property at Lanfranc Court. Accordingly, it is considered that there would be no direct loss of privacy or overlooking from the proposed replacement care home. However, it is noted that the proposed fourth floor element would have a flank window located within it, which would face Lanfranc Court. The floor plans indicate that this window would serve a hallway, and as such is considered to be a non-habitable room. Furthermore, given the set back of the fourth floor element from the edge of the third floor elevation on the common boundary with Lanfranc Court, the proposed window would not have a line of sight to the properties. Accordingly, it is considered that notwithstanding the objection received in relation to this flank window, it would not result in an unacceptable loss of privacy or level of overlooking to the neighbouring occupiers.

An objection has been received that there would be a loss of privacy experienced by the habitable rooms on the rear elevation of the rear element at Lanfranc Court. It was noted on site from these habitable rooms that the windows within the southern elevation of the eastern wing would be able to be viewed from these habitable rooms. The proposed development would be a further floor higher than these existing windows again, although in reality it would introduce a further two floors of habitable windows facing towards Lanfranc Court. However, it is noted these windows would be in excess of 30m from the rear elevation of Lanfranc Court. Furthermore, the direct line of site would be to non-habitable rooms along the northern flank elevation of Lanfranc Court. The habitable rooms that are located on the rear elevation of Lanfranc Court are again still in excess of 21m from these windows, and in any case are an acute angle which would ensure that there is no unacceptable level of overlooking or loss of privacy.

The occupiers of Lanfranc Court have a communal garden to the rear of their property. An objection has been received that the proposed development would result in an unacceptable level of overlooking and loss of privacy for existing residents of Lanfranc Court when using this amenity space. It is acknowledged that there would be an increase in the height of the proposed development, and as such the amount of glazing within the rear elevations. However, it is considered that there is already an existing level of overlooking experienced as a result of the existing care home, and the proposed building and use would not unacceptably exacerbate this impact.

Given the separation distance from the proposed care home and other neighbouring properties, it is considered that it would not result in unreasonable harm to neighbouring occupiers by reason of a loss of light, outlook or privacy.

#### Noise

An objection has been raised with regard to the noise generated from the CHP/plant room and commercial kitchen. It is noted that there the applicant has not provided information as to the noise and odour that this may generate. However, the proposal has been reviewed by the Harrow Environmental Health Officer who considers that subject to a safeguarding condition requiring details of noise attenuation and odour mitigation, the proposed development would be acceptable. A condition requiring such detail has been recommended accordingly.

#### Conclusion

It is considered that the existing care home located on the property already gives rise to some impacts on the amenities of the adjoining residential occupiers of Lanfranc Court. The proposed development would be noticeably larger than the existing care home, both in terms of its height and proximity to the common boundary. However, it is considered that the marginal increase in height and proximity to the boundary, in conjunction with the reduced depth of this elevation, would not unacceptably exacerbate any existing impacts on the existing occupiers of the property known as Lanfranc Court. Accordingly, it is considered that subject to conditions, the proposed development would accord with the above policies.

## **Traffic, Parking, Access, Servicing and Sustainable Transport**

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. London Plan policy 6.3 states that 'development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed'. Policies 6.9 and 6.10 relate to the provision of cycle and pedestrian friendly environments, whilst policy 6.13 relates to parking standards. Core Strategy policy CS1.Q seeks to 'secure enhancements to the capacity, accessibility and environmental quality of the transport network', whilst policy CS1.R reinforces the aims of London Plan policy 6.13, which aims to contribute to modal shift through the application of parking standards and implementation of a Travel Plan.

The current care home provides for 12 car parking spaces on site. The proposed care home would provide for a further 3 car parking spaces on site, totalling a number of 15 on site. Whilst it would appear that the amount of on-site car parking is relatively low for an 80 bedroom care home, the actual amount of requirement for car parking is not proportionate to the amount of bed spaces provided within the development. This is as a result of the nature of the visitation frequencies to the use of the site as a care home. The application site is noted as having a Public Transport Accessibility Level (PTAL) of 3, which is relatively good. As noted within the supporting information, the car parking provision would be mainly used by either staff or visitors of the residents within the care home. Generally speaking, the residents of the care home would not have a need for the parking space. Officers consider that this statement is generally fair and reasonable. It is considered that the parking provision in terms of the numbers provided is satisfactory for the type of use proposed and anticipated visitor movements.

It is proposed to provide two disabled car parking spaces, which are located adjacent to the main entrance to the care home. The number and location of the disabled car parking spaces are considered to be appropriate.

Over and above the expected visitor behaviour in terms of visitation to the site, it is expected that the next main demand on the on-site car parking would be from the staff of the care home itself. Accordingly, a travel plan has been submitted in support of the application, which identifies how more sustainable modes of transport (and decreasing the reliance on the private motor car) would be promoted and actively engaged in by members of staff. The Travel Plan looks at the accessibility of the site to public transport, which as identified above is relatively good. Furthermore, it would explore the options of car-pooling for staff members, whereby decreasing the carbon footprint generated of the development and also decreasing the demand on the parking provisions on site.

The applicant has submitted a draft travel plan which outlines measures that could be introduced to reduce the reliance on the private car, and to encourage the use of alternative forms of travel for the proposal. It is proposed to provide a Travel Plan Co-ordinator on site who will promote the approved travel plan to residents, staff and visitors. This role would also be responsible for implementing the plan and to provide the relevant monitoring with the Local Authority, to ensure that it able to development in accordance with local transport conditions and travel habits/trends.

It is considered that the aims and objectives set out within the submitted Travel Plan are



reasonable and should this document be implemented then it would both assist in promoting the use of more sustainable transport modes and decreasing the reliance on the private motor vehicle. The proposed use of the site, in conjunction with its location, is considered to not result in traffic related issues that would be detrimental to the safety and free flow of the public highway.

It is therefore considered appropriate that a condition be attached accordingly to ensure that the Travel Plan is implemented and retained on site. Furthermore, monitoring of the success of the Travel Plan shall also be undertaken and a requirement is included in any such condition. Accordingly, it is considered reasonable that a condition to such effect is recommended.

It is noted that the site would need to provide a minimum of four cycle stores. The supporting information indicates that it is proposed to provide 12 spaces in a secure location on the western boundary of the site. Subject to appropriate detailing of this structure, this would be acceptable. A condition is therefore considered appropriate to require details of this structure, and has been recommended accordingly.

#### Servicing and Refuse storage

The proposed new build would have a basement located under the north-western wing, nearest the existing access to the site. The basement would provide many of the ancillary uses to the care home, such as the commercial kitchen, laundry etc. An entrance/exit to the building is located this end elevation, with a delivery bay provided adjacent for delivery vehicles and related service vehicles. It is considered that the location of the delivery parking space and access to the ancillary uses is appropriate, as it would be located on the opposite side of the site to the adjoining residential properties. Furthermore, it would ensure that suitable access to the site would be maintained.

The waste and refuse facilities would be located on the western boundary, and directly opposite the entrance to the basement area on the end elevation of the western wing. It is considered that the proposed location of the refuse facility would be, subject to further detailing be appropriate. It would ensure that it could be adequately serviced and would not result in a nuisance to adjoining residential occupiers, or indeed the future occupiers of the care home.

It is therefore considered that the proposed servicing, subject to appropriate conditions, would be satisfactory and would accord with the Development Plan policies.

## **Sustainability and Climate Change**

Paragraphs 96-98 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 5 of the London Plan contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. Specifically, policy 5.2 sets out an energy hierarchy for assessing applications, as set out below:

- 1) *Be lean: use less energy*
- 2) *Be clean: supply energy efficiently*
- 3) *Be green: use renewable energy*

Policy 5.3 seeks to ensure that future developments meet the highest standards of sustainable design and construction, whilst policies 5.9-5.15 support climate change adaptation measures.

The applicant has submitted an Energy Statement, which details the likely energy demands of the proposed development and proposed a strategy to increase energy efficiency. A Sustainability Statement has also been submitted, which describes the sustainability principles of the proposed development and measures that would be incorporated to ensure high levels of performance and long-term viability.

The methodology for the proposed Energy Strategy accords with the hierarchy set out within the London Plan and demonstrates how the minimum savings in carbon emissions against Building Control targets would be attempted to be achieved on site. The submitted information demonstrates that the proposed development would fall short of the 40% requirements as set down in the London Plan. However, the submitted information demonstrates that the failure to meet the 40% is as a result of the energy demands that are placed on running such a use. Notwithstanding this, the submitted information demonstrates that the proposed measures to be put in place would achieve a reduction of 24.75% over Part L (2013), therefore falling below the target standards.

Given the shortfall of meeting the 40% savings demonstrated within the Energy Statement submitted in support of the planning application, the document was independently reviewed to ensure that the assumptions within the supporting information are fair and reasonable. The independent review, whilst querying some of the steps in the design process of the development, concluded that the given the type and design of the building, it would be unlikely to be able to meet the 40% target. Furthermore, the 24.75% savings as demonstrated by the applicant that is able to be achieved by the scheme, is likely to be most savings reasonably expected to be able to sought by the development.

The applicant acknowledges that the proposed development would result in a shortfall of meeting the required 40% target, and accordingly has offered a financial contribution to assist in offsetting the impacts of this development not meeting this target. The Mayors Sustainable Housing SPG (2011) states that schemes that are unable to meet the required savings are able to provide a cash in lieu payment to assist in offsetting the impacts of the development within the borough. Paragraph 2.5.13 of the SPG states that the overall contribution should be calculated over 30 years, and to be charged at £60 per tonne. The applicant has confirmed that the shortfall would equate to a volume of 13.84 tonnes per year. Accordingly, this would be result in a calculation of £60 over a 30 year period. Based on this, there would be a contribution of £24,912 over a 30 year period. An offer of this has been made by the applicant.

The financial contribution offered by the applicant has been considered to be a fair and

reasonable figure in off-setting the failure to meet the 40% carbon reduction for the scheme. The contribution would be used within the borough by the Council to by enhancing other community buildings or by improving infrastructure that would assist in reducing carbon outputs. The financial contribution would be utilised by enhancing its infrastructure within the borough.

Accordingly, this obligation would be secured by way of an S.106 agreement, which would require the payment of the above figure, and the utilisation of this into improvements to the Green Grid Program. Subject to the signing of the S.106 agreement requiring the financial contribution of £24,912 to be used to enhance the Green Grid Program within the borough, it is considered that the shortfall of meeting the 40% carbon reduction is considered acceptable as is would be offset by improvements to the Green Grid Program within the Harrow Borough. The proposed development would therefore accord with the guidance and policies listed above.

## **Flood Risk and Development**

The site is not located within a flood zone. However, is located within a Critical Drainage Area and given the potential for the site to result in higher levels of water discharge into the surrounding drains, could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall. It is noted that an objection has been received in relation to flood risk to neighbouring sites, as a result of the increase in footprint and also the change in levels from the application site to neighbouring properties.

The applicant has submitted a flood risk assessment in an attempt to demonstrate that the proposed development would not result in, or exacerbate flood risk either within the site or wider area. The Council's Drainage Team has commented on the application and recommended conditions to ensure that development does not increase flood risk on or near the site and would not result in unacceptable levels of surface water run-off. It is considered reasonable that this matter could be addressed by way of appropriately worded safeguarding conditions. Notwithstanding the objection received, subject to safeguarding conditions the development would accord with National Planning Policy, The London Plan policy 5.12.B/C/D, and policy DM10 of the DMP.

## **Equalities Statement**

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

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

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

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

## **Trees and Development**

The trees that are located within the site along the Sudbury Hill and Greenford Road frontages are subject to protection by reason of having Tree Protection Orders placed on them. Accordingly, the removal of such trees, or any damage to them either during the construction phase or by post development pressures would be resisted by the Local Planning Authority.

The proposed new build would be set marginally deeper within the site than the existing care home. The setting back of the proposed new build would ensure that the proposed development would not have an unacceptable impact on the trees that are located along the front boundary of the property. Subject to detailed tree protection measures being put in place prior to any works on site, it is considered that the proposed new build care home would not unacceptably harm the existing protected trees along the front boundary. A condition requiring details of tree protection measures has therefore been recommended.

Subject to such a condition, the proposal would be therefore accord with policy 7.21 of

The London Plan and policy DM22 of the DMP.

## **Ecology and Biodiversity**

The application site is located within a predominantly urbanised area with no recognised biodiversity or ecological value. A Preliminary Ecological Appraisal has been submitted in support of the application, which has assessed the site in terms of the existing level of biodiversity (inclusive of both flora and fauna) within the site.

The information submitted has been reviewed by the Councils Biodiversity Officer who considers that the information and assessments that have been undertaken are fair and reasonable. However, notes that the submitted information concludes that a further bat survey would need to be undertaken. Furthermore, recommendations that are made within the submitted information should be taken forward and carried out as part of the development. Subject to such safeguarding conditions requiring these be undertaken, the application would be acceptable in terms of ecology and biodiversity.

Accordingly, the proposed development would comply with policies DM20 and DM21 of the DMP 2013.

## **Land Contamination and Remediation**

The NPPF (paragraph 121) requires LPAs to ensure that the site is suitable for the new uses proposed, taking account of ground conditions including pollution arising from previous uses. Adequate site investigation information, prepared by a competent person, should be presented. This reflects the requirements of policy DM15 of the DMP, which also requires an investigation of the hazards posed and appropriate.

The application is accompanied by a Geo-Environmental Assessment [GEA], which summarises the extent of the land contamination on the site that has arisen from over a century of industrial activities. The GEA has been developed based on environmental information for the site obtained during various ground investigations. The report acknowledges that further information, in the form of contamination, should be provided and agreed with the LPA prior to the commencement of works on-site. Other recommendations are also made for dealing with the contamination, including the importation of clean soils for areas of landscaping to ensure suitability for occupants and plants.

The Council's Environmental Health Team has reviewed the GEA and consider this to be satisfactory. However, they have commented that ongoing investigations will need to be undertaken and accordingly safeguarding conditions are recommended to be attached.

## **S17 Crime & Disorder Act**

Policy 7.3 of The London Plan (2015) seeks to ensure that developments should address security issues and provide safe and secure environments. Policy DM1 of the Development Management Policies Local Plan 2013 seeks to ensure that the assessment of design and layout of new development proposals will have regard to the arrangements for safe access and movement to and within the site.

The development proposes a well-designed scheme and it is considered that this would provide increased levels of security for the site. Given the intended use of the site as a care home, specific industry standards are required to be met to ensure the safety and security of the future occupiers of the site. Accordingly, the proposed development, much like as existing, would provide a secure location for occupiers and would not result in anti-social behaviour.

## **Consultation Responses**

The following points have been summarised from objections received directly by the Local Planning Authority.

### **Conservation Area Advisory Committee:**

- This is not very sustainable. The existing building is not very old. It is unlikely a building of this age has structural problems that cannot be overcome.

*Whilst it is acknowledged that the existing building is not very old, as a care home it is subject to meeting the industry standards as set by the Care Quality Commission (CQC). Furthermore, it is noted that these standards are subject to change over time as they respond to clients' needs and aspirations. The proposed new build attempts to provide a quality replacement building that would be future proofed against such changes to the industry standards.*

- The design appears plain. The existing building appears of human scale and low key whereas this is more brutal. This is the gateway to Harrow on the Hill. It is a significant site. It is where the Harrow on the Hill sign is. The existing building makes an attempt to fit in and addresses the corner much better. It just decides to take its height from the corner. The design of this application does not take the opportunity to enhance the entrance to the conservation area or even preserve it. It does not take account of the need to preserve through design or bulk and mass.

*The character and appearance of the scheme is considered under section 2 of the above appraisal.*

### **Harrow Hill Trust:**

- The proposed development lacks any domestic charm, having a more office like appearance.

*The character and appearance of the scheme is considered under section 2 of the above appraisal.*

### **Wider Consultation Responses:**

- Proposed new build would be closer to the property known as Lanfranc Court, which would result in a loss of natural light.

*Addressed under Section 3 above*

- The use of a dark red brick, rather than the white render that is currently in situ, would further decrease the amount of light to the adjoining residential properties.

*Addressed under Section 3 above*

- The introduction of the fourth floor would further result in a loss of light.

*Addressed under Section 3 above*

- Variation in ground level between application site and neighbouring property would allow users of the walkway to look directly into walkway and kitchen/bathrooms at Lanfranc Court.

*The difference in ground level between the application site and Lanfranc Court is noted. However, there is an existing raised walkway present near the common boundary, and would already result in a level of overlooking. It is considered that the proposed development would not result in this existing situation being exacerbated to level that would be unacceptably harmful to the occupiers of Lanfranc Court.*

- Rear facing fourth floor balconies would result in a loss of privacy

*Addressed under Section 3 above*

- Vegetation located on the common boundary with Lanfranc Court should be removed as it is causing damage to the existing boundary fence

*Damage to a boundary fence is a civil matter and cannot be dealt with through the planning application process. However, it is noted that there will be the removal of some of the vegetation along this boundary. Furthermore, a condition requiring landscaping is recommended as part of the permission.*

- Both Greenford and Harrow Road should be able to be viewed from the bedrooms of Lanfranc Court, so that there would not be a feeling of claustrophobia.

*Addressed under Section 3 above*

- Lower level of Lanfranc Court makes it susceptible to flood risk from the application site

*Addressed under Section 8 above*

- No detail of sound proofing of the Combined Heat and Power Plant, which may lead to noise nuisance.

*Addressed under Section 3 above*

- CCTV should not be directed into neighbouring properties, as would result in a loss of privacy.

*Addressed under Section 3 above*

- The application site should be used for housing rather than a care home, as there is need for housing, especially for private, housing association and keyworkers.

*It is the applicants prerogative as to what land use they wish to propose as part of the application. Furthermore, what is proposed is a type of housing that would, subject to meeting criteria above, would accord with policies within the local policy context.*

- Rebranding of the area should be undertaken, which would result in a better standard of resident and lowering of crime rate.

*The existing property has been used as a care home previously, although is currently vacant. There is no evidence to suggest that the use of the property as a care home per se, would lead to a better standard of resident of lowering of the crime rate.*



## **CONCLUSION**

The principle of providing a replacement care home on the site is considered to be acceptable. The proposed development would result in an efficient use of the existing site and replace an existing use with a more modern building that would both meet and exceed care home industry standards. Furthermore, it would provide care housing for older people within the borough for which there is policy need. It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. The proposal would provide appropriate living conditions for the future occupiers of the development. In addition to this, the details submitted in relation to landscaping, boundary treatment, levels, the environmental enhancement scheme and cycle parking are considered to be acceptable.

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

## **CONDITIONS**

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: EX01, EX02, EX03, EX04, SK25, PL01, PL02 (REV D), PL04 (REV D), PL05 (REV C), PL06 (REV C), PL05 (REV C), PL08 (REV E), PL09 (REV E), PL10 (REV E), Design & Access Statement, Sustainability Statement, Preliminary Ecological Appraisal (REF: 402-02498-00011-0023), Draft Travel Plan (REF: 402-02498-00011-0023), Flood Risk & Drainage Mini Statement (REF: 402-02498-00011-0023: April 2015)).

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

3 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above ground floor damp proof course level until 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: External appearance of the care home

b: refuse storage areas

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan 2015 and policy DM1 of The Development Management Policies Local Plan 2013.

5 A landscape management plan, including long term design objectives, management

responsibilities and maintenance schedules for all communal landscape areas shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

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

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

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

7 Prior to any development on site, a scheme for tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to any works commencing on site, and shall remain in situ until after the physical works on site have been completed.

REASON: To protect the health and wellbeing of the trees located on site, which are subject to Tree Protection Orders in accordance with policy DM22 of the Development Management Policies Local Plan (2013).

8 Prior to commencement of development, a further Bat Survey shall be undertaken, with its findings and outcomes submitted to and approved in writing by the Local Planning Authority. Outcomes and recommendations within the submitted information thereby approved shall be implemented and retained thereafter.

9 Notwithstanding the approved details, and in accordance with recommendations set out in the submitted Ecological Assessment Report (EAR), a further bat survey shall be undertaken prior to the commencement of any work on site. The findings of the further review shall be submitted in writing to the Local Planning Authority for its approval. The details thereby approved shall be implemented as approved and retained thereafter.

REASON: In the interests of protecting biodiversity within the site in accordance with policy DM21 of the Harrow DMP (2013).

10 The recommendations provided within the Ecological Assessment Report (EAR) in relation to the following shall be implemented and retained thereafter;

- i) Removal of potential bird roosting habitats; and
- ii) Measures concerning lighting and planting

REASON: In the interests of protecting biodiversity within the site in accordance with policy DM21 of the Harrow DMP (2013).

11 The development hereby permitted, shall not proceed beyond damp proof course until a noise report in accordance with the requirements of BS4142/2014 has been submitted to, and approved in writing by the Local Planning Authority. The details thereby approved shall be retained as such thereafter.

REASON: To protect the amenity of neighbouring and future occupiers in accordance with

policy DM1 of the Harrow Development Management Plan (2013).

12 Notwithstanding the submitted Geo-Environmental Report, a further investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) The results of the site investigation and detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

No development shall commence on site until details of the scheme of remedial action is submitted to the Council, for approval in writing, and completed on site as approved.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 5.21.B of the London Plan 2015 and policy DM15 of the Development Management Policies Local Plan 2013.

13 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To protect groundwater and future end users of the site, in accordance with the Environmental Impact Assessment and in line with the requirements of the NPPF, policy 5.21.B of the London Plan 2015 and policy DM15 of the Development Management Policies Local Plan 2013.

14 Notwithstanding the approved plans, prior to the commencement of the development hereby permitted, details for a scheme for works for the disposal of sewage, 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 the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance the recommendations of Core Strategy (2012) policy CS1, the NPPF and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013).

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

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

16 Prior to the construction of the development hereby permitted, details relating to the long term maintenance and management of the on site drainage shall be submitted to and approved in writing by the Local Planning Authority. Details thereby approved shall be retained thereafter. Such a management/maintenance document shall fall with a 'Owners Manual' to provide greater long term functionality and should include (but not limited to):

- Location of all SuDS techniques on site
- Summary of how they work and how they can be damaged
- Maintenance requirements (a maintenance plan) and a maintenance record  
This will be determined by the type of SuDS but should include Inspection frequency; debris removal; vegetation management; sediment management; structural rehabilitation / repair; infiltration surface reconditioning
- Explanation of the consequences of not carrying out the specified maintenance
- Identification of areas where certain activities which might impact on the SuDS are prohibited
- An action plan for dealing with accidental spillages
- Advice on what to do if alterations are to be made to a development if service companies undertake excavations or other works which might affect the SuDS

The manual should also include brief details of the design concepts and criteria for the SuDS scheme and how the owner or operator must ensure that any works undertaken on a development do not compromise this.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance the recommendations of Core Strategy (2012) policy CS1, the NPPF and policies DM1, DM9 & DM10 of the Harrow Development Management Local Policies Plan (2013).

17 The 80 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 2015, policy DM1 of the Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document: Accessible Homes (2010).

18 Prior to the construction of the building hereby approved on site beyond ground floor damp proof course, additional 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 2015 and policy DM1 of the Harrow Development Management Policies Local Plan 2013.

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

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

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

20 The premises shall only be used for the purpose as set out in the application (Care Home) and for no other purpose, including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety in accordance with policies DM1 and DM42 of the Harrow Development Management Policies Local Plan 2013

## **INFORMATIVES**

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

### **National Planning Policy and Guidance:**

National Planning Policy Framework (2012)

### **The London Plan (2015):**

- 3.1 Ensuring Equal Life Chances for All
- 3.2 Improving Health and Addressing Health Inequalities
- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.17 Health and Social Care Facilities
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 5.21 Contaminated Land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road Network Capacity
- 6.13 Parking
- 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 and Archaeology

### **Local Development Framework**

Harrow Core Strategy 2012

CS1 Overarching Policy

CS3 Harrow on the Hill and Sudbury Hill

Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

DM2 Achieving Lifetime Neighbourhoods

DM7 Heritage Assets

DM12 Sustainable Design and Layout

DM15 Prevention and Remediation of Contaminated Land

DM20 Protection of Biodiversity and Access to Nature

DM22 Trees and Landscaping

DM45 Waste Management

### **Supplementary Planning Documents**

Supplementary Planning Document: Access For All 2006

Supplementary Planning Document: Accessible Homes 2010  
Supplementary Planning Document: Residential Design Guide 2010  
Supplementary Planning Guidance: Sustainable Design & Construction 2014  
Sudbury Hill Conservation Area Appraisal and Management Strategy

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

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

## 3 Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £36,540.00 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 on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £36,540.00 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 1,044.00m<sup>2</sup>

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

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

## 4 Harrow CIL

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

Harrow's Charges are:

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

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

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

All other uses - Nil.

The Harrow CIL Liability for this development is: £57,420.00.

## 5 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

## 6 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

## 7 COMPLIANCE WITH PLANNING CONDITIONS

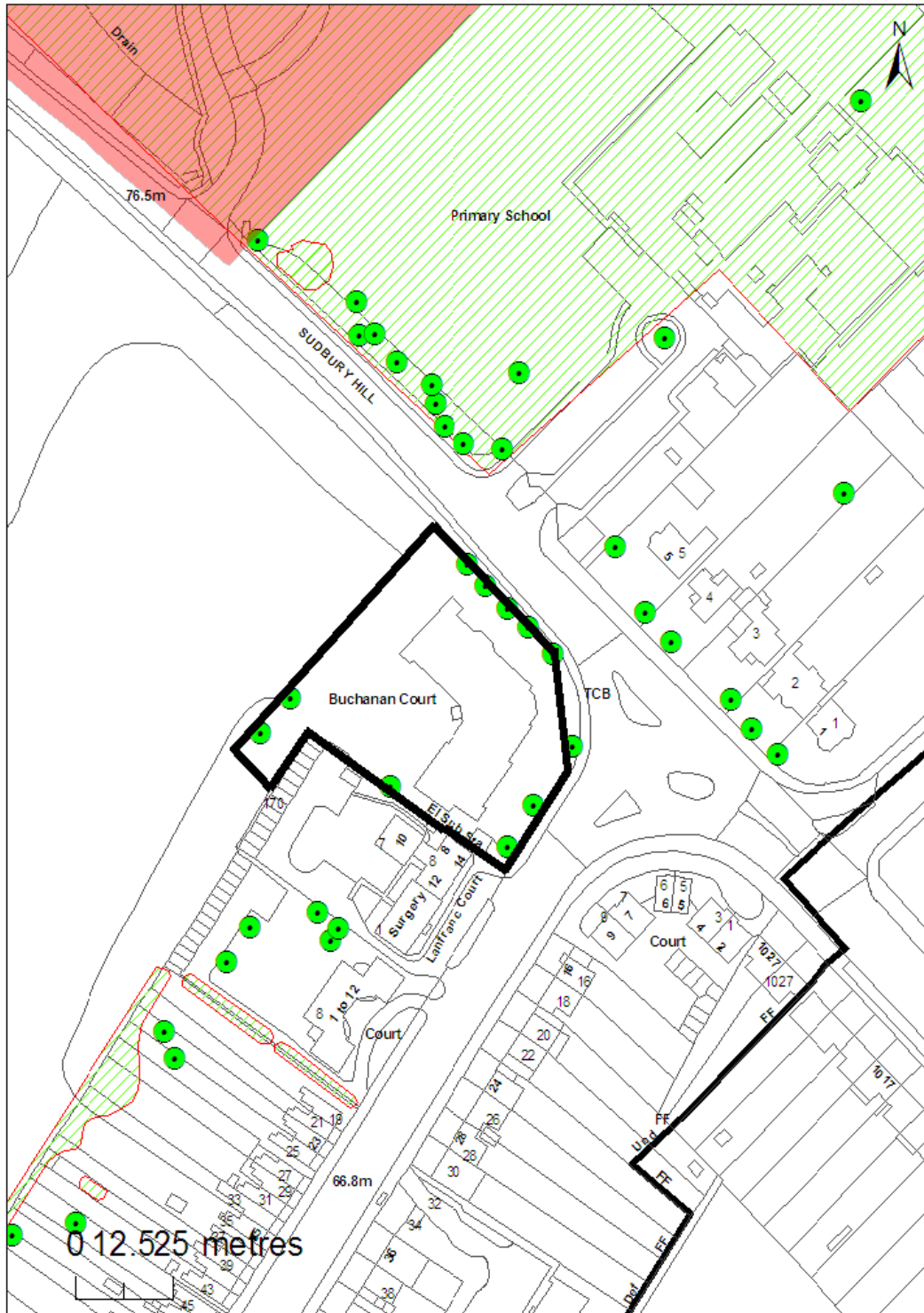
**IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences**

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

Plan Nos: EX01, EX02, EX03, EX04, SK25, PL01, PL02 (REV D), PL04 (REV D), PL05 (REV C), PL06 (REV C), PL05 (REV C), PL08 (REV E), PL09 (REV E), PL10 (REV E), Design & Access Statement, Sustainability Statement, Preliminary Ecological Appraisal (REF: 402-02498-00011-0023), Draft Travel Plan (REF: 402-02498-00011-0023), Flood Risk & Drainage Mini Statement (REF: 402-02498-00011-0023: April 2015)).



# BUCHANAN COURT, SUDBURY HILL, HARROW



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## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

ITEM NO: 2/01

ADDRESS: BENTLEY PRIORY, THE COMMON, STANMORE

REFERENCE: P/0922/15

DESCRIPTION: LISTED BUILDING CONSENT: THE INSERTION OF TWO NEW STAINED GLASS WINDOWS INTO EXISTING FRAMES WHILST RETAINING THE HISTORIC PURPLE GLASS BANDS

WARD: HARROW ON THE HILL

APPLICANT: MS ELEANOR PULFER

AGENT: GILES QUARME & ASSOCIATES

CASE OFFICER: LUCY HAILE

EXPIRY DATE: 27/04/2015

### RECOMMENDATION

**GRANT** Listed Building Consent for the development described in the application and submitted plans, subject to condition(s).

### REASON

The recommendation to grant Listed Building Consent has been taken as the works would preserve the character and special interest of this Listed Building. The decision to grant Listed Building Consent has been taken having regard to the policies and proposals in the National Planning Policy Framework (2012), the London Plan (2015), the Harrow Core Strategy (2012) and the Harrow Development Management Policies Local Plan (2013).

### INFORMATION

The application is reported to the Planning Committee since the application concerns a grade II\* listed building and is not accompanied by a linked planning application.

Statutory Return Type: 23

Council Interest: None

Gross Floorspace: N/A

Net additional Floorspace: N/A

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

### Site Description

- The application site lies between the urban areas of Stanmore in the south and Bushey.
- The focal point of the site is the grade II\* listed Bentley Priory mansion house which has recently been converted to flats and a museum.

- It became grade II\* listed on 25-May-1983 and the list description for this reads:
- 'By Sir John Soane, 1789-90. Enlargement by Robert Smirke 1810-18. Entrance lobby, long drawing room and circular boudoir are probably the only parts by Soane in anything like their original condition. The external facades are quite changed by iron balconies and other C19 additions. Some fragments of older work remain. The house was, for the last year and a half of her life, the home of the Dowager Queen Adelaide, who died here in 1849. It was also the home of the Marquesses of Abercorn and Lord Aberdeen in C19. Gutted by fire 1979. Of historical interest as the headquarters of Fighter Command during the Battle of Britain and until 1968. (DRUETT, W W "Stanmore and Harrow Weald Through the Ages" 1938 pages 130 to 137; IREMONGER, Lucille "Lord Aberdeen" 1978 pages 25 and 26)'.
  - Historic and architectural significance
  - Bentley Priory evolved from a monastic site, with the present house originating as a modest country villa built in the late-eighteenth century which was dramatically altered when owner James Hamilton employed Sir John Soane to remodel and extend the property in the late 1780s.
  - The house also underwent alterations following the lease of the property to the Dowager Queen Adelaide in the 1840s.
  - In 1880, the estate passed into the hands of Fredrick Gordon, who turned Bentley Priory into a grand hotel.
  - The venture failed and the Priory was used as a girls school for a period, before being split up for sale in various lots in 1926 with the largest portion of the estate was bought by the RAF.
  - One of the most significant parts of Bentley Priory's history is its former use as home of the RAF Fighter Command centre.
  - The mansion is most notably known during this period for being the location from which Lord Dowding co-ordinated the Battle of Britain, and where the Dowding system of filtering and interpreting field and operational information was tested, developed and used.
  - Architecturally its significance rests principally on the designs for its enlargement made by Sir John Soane and subsequently by other distinguished architects, such as Robert Smirke and Charles Cockerell.
  - It's architectural significance is partially eclipsed and over shadowed by its historic associations, initially with Queen Adelaide, and later and more importantly , with Lord Dowding, Sir Keith Park and Fighter Command during the Second World War's Battle of Britain.
  - The original Priory was built in 1170. During the Dissolution in 1546 Henry VIII gave the priory and the grounds as a reward to one of his supporters. In 1776 James Duberly demolished the original priory and constructed Bentley Priory that has since been altered, enlarged, and damaged by two fires. The latest stage of its evolution since the departure of the RAF has been its conversion in part into the Battle of Britain Museum with the balance of the mansion being converted into private residential flats by the joint developers, Barratt Homes and City & Country.
  - Unfortunately the house suffered in the late 20th Century with two disastrous fires, which resulted in a considerable loss of original historic fabric, particularly that designed by Sir John Soane.
  - The creation of the Museum by the developers was the subject of a Section 106 Agreement, which required them to provide the basic museum to be subsequently fitted out by the Museum Trustees with the assistance of the HLF and private funding. This has been carried out and the Museum is now open to the public acknowledging its architectural and social history.

- However, it is the intrinsic association with the Battle of Britain and Fighter Command that makes this mansion both nationally and internationally significant, not only for Britain, but also for the Commonwealth and all the European Countries, like Poland and Czechoslovakia that contributed so much to the RAF during the last war.
- It was the Headquarters of Fighter Command RAF, from where victory in the Battle of Britain was planned and delivered. Bentley Priory is now not only an important museum, information and education centre, but it is also the spiritual home and a memorial to those that saved the United Kingdom from defeat in the air and potential subjugation during the air battles of World War II.
- The complex and extensive system created for the defence of the United Kingdom, which became known as the Dowding System, was devised at Bentley Priory; its implementation was directed from the Priory and, further, Bentley Priory was at the very heart of the operation of the system.
- Telling the story of the role of Bentley Priory in saving the nation and building a lasting memorial to those that delivered victory has included using the medium of stained glass to embed the story into the very fabric of the building.
- This process started many years ago, in the original stained glass windows proposed by Soane. These may not have been installed as the images are from the design proposal sketches. Then following the fires, the impressive RAF large windows in the Entrance Hall and entrance window were integrated into the historic fabric.
- The most recent part of this story is the new windows that were granted Listed Building Consent during the conversion into the Museum.

### **Proposal Details**

- The application proposes to insert two new stained glass windows into existing frames whilst retaining the historic purple bands.

### **Revisions to Previous Application**

- N/A

#### Relevant History

P/1453/08CLB – LISTED BUILDING CONSENT: CHANGE OF USE FROM DEFENCE ESTABLISHMENT TO PROVIDE A MUSEUM/EDUCATION FACILITY (D1 USE CLASS) 103 DWELLINGHOUSES (C3) WITH ASSOCIATED CAR PARKING, ANCILLARY STAFF ACCOMMODATION, ENERGY CENTRE, WORKS TO LANDSCAPE (INCLUDING OPEN SPACE PROVISION, BOUNDARY FENCING AND REMOVAL OF TREES) WITH IMPROVISED MEANS OF ACCESS TO THE COMMON, AND INCLUDING ALTERATIONS AND PARTIAL DEMOLITION OF THE MANSION HOUSE, ALTERATIONS AND EXTENSION OF BUILDING 7. RELOCATION OF ENTRANCE TO THE WALLED GARDEN AND DEMOLITION OF OTHER LISTED BUILDINGS.

GRANTED – 22/09/2010

P/1452/08/CFU - CHANGE OF USE FROM DEFENCE ESTABLISHMENT TO PROVIDE A MUSEUM/EDUCATION FACILITY (D1 USE CLASS) 103 DWELLING (C3 CLASS) WITH ASSOCIATED CAR PARKING, ANCILLARY SERVICE/ACCOMMODATION, ENERGY CENTRE, WORKS TO LANDSCAPE (INCLUDING OPEN SPACE PROVISION, BOUNDARY FENCING AND REMOVAL OF TREES) WITH IMPROVED MEANS OF ACCESS TO THE COMMON, AND INCLUDING ALTERATIONS AND PARTIAL DEMOLITION OF THE MANSION HOUSE, ALTERATIONS AND EXTENSION OF BUILDING 7. RELOCATION OF ENTRANCE TO

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

- N/A

### **Applicant Submission Documents**

- Design and Access Statement

### **Consultations**

The following groups were consulted and any response was due by 14th, April 2015:

The Georgian Group

Society for the Protection of Ancient Buildings

Ancient Monument Society

The Pinner Association

Twentieth Century Society

Victorian Society

Stanmore Society

### **Advertisement**

Harrow Observer

Harrow Times 23<sup>rd</sup> April

Site Notice

Expiry:

### **Notifications**

- N/A

### **Summary of Responses**

- English Heritage responded on 1<sup>st</sup> April, 2015 to state that the Council is authorised to determine the application as they see fit.
- The Council for British Archaeology responded on 6<sup>th</sup> May 2015 to state 'As you are aware, this Committee acts on behalf of the Council for British Archaeology in respect of Listed Buildings and Applications within the Greater London area. The Committee discussed the above case at its meeting on Tuesday, 28 April 2015 and made the following observations:  
The Committee raised no objections to this scheme as it appeared appropriate and welcome but it was thought the overall design of the stained glass could be of a higher standard. The Spitfire window was dramatic but other windows suffered because of the narrative content and lack of relationship between the subject matter and leading'.

## **APPRAISAL**

### **MAIN CONSIDERATIONS**

#### **Special Interest of the Listed Building**

In order to assess the acceptability of the proposal, it needs to be assessed against relevant conservation policy and guidance. The National Planning Policy Framework (NPPF) paragraph 131 states: local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets...the

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

The existing glazing in the windows that are to be replaced are not historic fabric. The new windows are to tell the story of the Dowding System itself. The first window formed the first part of the story and was installed in 2011. Sufficient funds have now been raised to apply for Listed Building Consent for the remaining two windows (W23 and W24 on the floor plan). The current modern glass does not do justice to the building. The proposed stained glass windows will utilise the historic purple borders and original frame and will enhance the setting of the listed building. It will add colour and interest with the important addition of helping to tell the story of the history of the building. One window in an opposite lobby will not become a stained glass window and will be left as the plain glass with purple border to ensure that the architectural heritage can be understood. This will be explained as part of the description below two of the windows. The precise elements to be incorporated in the new window design and how these relate to the history of the listed building are fully explained within the Design and Access Statement.

It is noted that Historic England raised no objections to the proposal. The Council for British Archaeology similarly raised no objections to this scheme as it appeared appropriate and welcomed, but it was thought the overall design of the stained glass could be of a higher standard. Their view is that the Spitfire window was dramatic but other windows suffered because of the narrative content and lack of relationship between the subject matter and leading. The detail for one of the windows (W24) has been provided in the storyboard illustration and this seems appropriate. However, the precise proposed design for window 23 has not been provided and therefore a suitable condition is recommended to ensure this is provided prior to installation. Subject to this condition, the proposal is considered to overcome the above concern and preserve the special interest of the listed building.

The proposal will therefore preserve, and in some ways enhance the special interest of the listed building in accordance with the above outlined policy and guidance.

## **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification as set out above, it is considered that the proposal would preserve the character and special interest of the Listed Building. Accordingly, this application is recommended for grant.

## **CONDITIONS**

### **1 LBCA\_FULTIME3**

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

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

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

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

4 Detailed plans of the precise design for window 23, to a scale of 1:10 or 1:20 shall be submitted and approved in writing by the Local Planning Authority prior to the installation of the window on site.

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

## **INFORMATIVES**

1 The following policies are relevant to this decision:-

National Planning Policy Framework

Harrow Core Strategy (2012): policy CS 1

The London Plan (consolidated with alterations since 2011) (2015): policy 7.8

Development Management Policies Local Plan (2013) policy DM 7

### **2 CONSIDERATE CONTRACTOR CODE OF PRACTICE**

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

### **3 PARTY WALL ACT:**

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

1. work on an existing wall shared with another property;
2. building on the boundary with a neighbouring property;
3. excavating near a neighbouring building,

and that work falls within the scope of the Act.

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

#### 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.

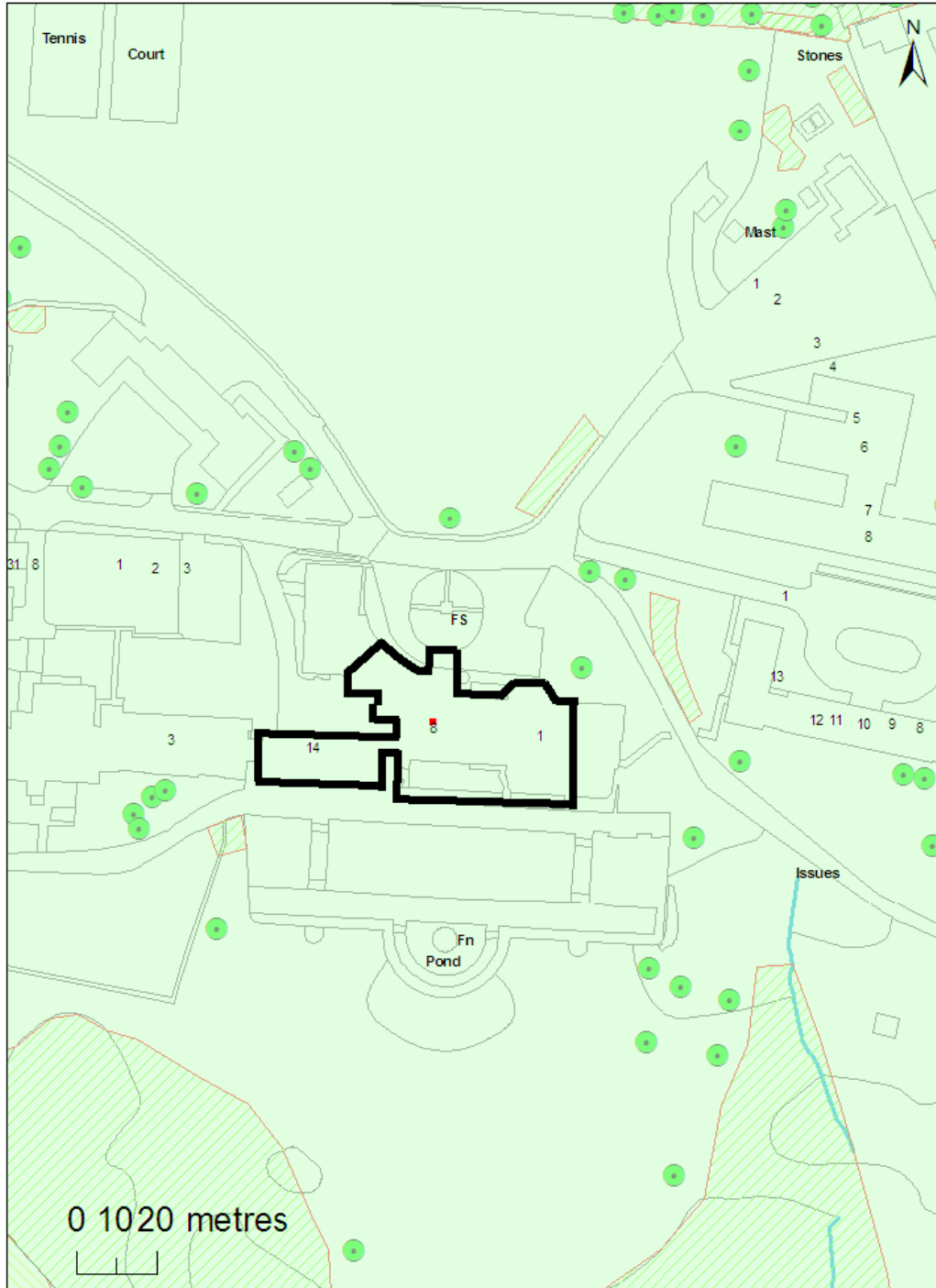
- Beginning development in breach of a planning condition will invalidate your planning permission.

- 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.

Plan Nos: LISTED BUILDING CONSENT DESIGN AND ACCESS AND HERTIAGE  
STATEMENT: TWO STAINED GLASS WINDOWS AT BENTLEY PRIORY; LOCATION  
PLAN NO: L(0)01; 5900/400; 5900/100;



# BENTLEY PRIORY, THE COMMON, STANMORE



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ITEM NO: 2/02  
ADDRESS: 25 – 25A CORBINS LANE, HARROW  
REFERENCE: P/0893/15  
DESCRIPTION: REDEVELOPMENT TO PROVIDE 10 FLATS IN TWO X TWO STOREY BUILDINGS WITH ACCOMMODATION IN ROOF; NEW VEHICLE ACCESS; LANDSCAPING AND PARKING; CYCLE AND BIN STORAGE (DEMOLITION OF EXISTING DWELLINGS)  
WARD: ROXETH  
APPLICANT: WE BLACK  
AGENT: PRESTON BENNETT PLANNING  
CASE OFFICER: JUSTINE MAHANGA  
EXPIRY DATE: 28/04/2015

## **RECOMMENDATION**

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

## **INFORMATION:**

This application is reported to Planning Committee as it creates more than two residential units. The application is therefore referred to the Planning Committee as it is excluded by Proviso 1(b) of the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: 13: Minor Dwellings

Council Interest: None

Gross Floorspace: 786sqm

Net Additional Floorspace: 605sqm

GLA Community Infrastructure (CIL) Contribution: £21,175.00

Harrow Community Infrastructure (CIL) Contribution: £66,550.00

## **Site Description**

- The existing site contains a two detached dwellinghouses located on the southeastern side of Corbins Lane, but are accessed via a narrow unadopted road known as Findon Close.
- The property is irregular in shape and generally flat in level.
- Residential properties are located to the north and west of the site. Along the southern boundary is Findon Close.
- To the east of the site, and located between Findon Close and Corbins Lane is a row of terrace properties in residential use.
- The surrounding area is a mixture of single family homes, flatted developments, and

also the Listed Building of St Paul's Church.

- The property is not located within a conservation area.

### **Proposal Details**

- The proposed replacement build on site would be located broadly in a similar position to the existing dwellings on site, albeit covering a larger footprint and projecting deeper into the site.
- It is proposed to erect two separate residential blocks on the site, both of which would provide living accommodation within the roof space.
- The development would be accessed via a single central access onto Findon Close, before accessing Corbins Lane. It is proposed to provide 10 car parking spaces within the development, with three in the front garden and six to the rear of the site.
- Communal amenity space would be provided for within the rear garden.
- Refuse storage would be provided within the front garden adjacent to Findon Close. Cycle storage is proposed within the rear garden adjacent to the rear car parking provision.

### **Block A**

- Block A would be located nearer the southern boundary of the application site. It would set behind the front elevation of proposed Block B, whereby following the curvature within Findon Close.
- Would be 10.5m wide and 16.5m deep, it would be 5.8m to the eaves and a maximum height of 9.4m. Block A would have an entrance from the front elevation to one of the proposed flats, with a further access on the flank elevation providing access to the remainder of the flats.
- Block A is characterised by a crown roof and a centrally located projecting gable feature facing towards Corbins Lane. Two box dormers would be located within the rear roof slope. Proposed Block A would provide for five, two bedroom flats, which would include accommodation within the roof slope.

### **Block B**

- Block B would be located to the north of the proposed Block A, and adjacent to the common boundary with No. 23a Corbins Lane.
- This block would be 10.5m wide and 16.5m in depth. It would be 5.8m high at the eaves and have a maximum height of 9.4m.
- Block B would be identical to proposed Block A. Specifically, Block A is characterised by a crown roof and a centrally located projecting gable feature facing towards Corbins Lane. Two box dormers would be located within the rear roof slope. Proposed Block B would also provide for five, two bedroom flats, which would include accommodation within the roof slope.

### **Revisions to Previous Application**

The subject application seeks amendments to the design of previously approved Block B (P/4599/14). Specifically, within this scheme, Block B has been amended to replicate the design, scale and massing of Block A.

Within permission P/4599/14, Block B was approved as follows:

- *This block would be 10.5m wide and 16.0m in depth. It would be 5.3m high at the eaves and have a maximum height of 8.3m.*
- *Proposed block B would be characterised by having a crown roof with a projecting gable on the southern end of the front elevation. Block B would have an entrance on*

*the front elevation fronting Corbins Lane, and another on the southern flank elevation to provide access to the remainder of the flats.*

- *Proposed Block B would provide for four, two bedroom flats.*

The proposed scheme proposes to replace the projecting gable on the southern end of the front elevation with a centrally located projecting gable. The height of the extension therefore increases from 5.3m to 5.8m at the eaves and 8.3m to 9.4m at the pitch. The amendments to the roof form enable an additional two-bedroom unit to be contained within the roof slope.

The proposed amendments represent a 2.0sqm (approximate) increase in the building footprint. The proposed siting of the building also sits marginally forward of the proposed scheme.

An additional carpark has been included within a front garden carparking area approved within P/4599/14.

The proposed materials will remain as previously.

## Relevant History

P/0189/14

Redevelopment to provide 10 self-contained flats in two storey building with accommodation roof, new vehicle access; landscaping and parking; cycle and bin storage (demolition of existing dwellings).

REFUSED: 22/04/2014

## Reasons:

- 1) *The proposed dwellinghouses would be sited on residential garden land which is excluded from the definition of previously developed land in the National Planning Policy Framework (2012). As such the principle of the development is at odds with the Harrow Core Strategy of directing new residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites and would therefore harm its implementation contrary to the National Planning Policy Framework (2012), policy 3.5A of The London Plan (2011) and policies CS1.A and CS1.B of the Harrow Core Strategy (2012).*
- 2) *The proposed scheme, as a result of being capable of providing more than ten residential units, fails to provide a provision of affordable housing to the boroughs housing stocks. In the absence of a robust viability assessment to demonstrate the scheme would be unviable to provide such a provision, the scheme fails to address the key aims of policy 3.13 of the London Plan (2011), Policy CS1.J of the Harrow Core Strategy (2012), Policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).*
- 3) *The proposed building, by reason of its excessive bulk, size and scale, unsatisfactory design, layout and excessive hardstanding, would give rise to an unsatisfactory, inappropriate and visually dominant and obtrusive form of development which would be at odds with the predominant pattern of development within the immediate Corbins Lane context, to the detriment of the character and appearance of the surrounding area and the visual amenities of neighbouring occupiers. The proposal is contrary to policies 7.1D, 7.4B and 7.6B 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 adopted Supplementary Planning Document Residential Design Guide (2010).*
- 4) *The proposed development, would result in a poor layout between the units on the first floor and those within the loft space by reason of unacceptable stacking. This would result in a substandard level of accommodation between the two flats leading to unreasonable levels of disturbance. The proposal would therefore be detrimental to the amenities of the future occupiers of these units contrary to the Policy CS1K of the Harrow Core Strategy 2012, policy DM1 of the Development Management Policies Local Plan 2013 and the adopted Supplementary Planning Document Residential Design Guide 2010.*
- 5) *The proposed development by reason of failing to provide details of achieving a reduction in carbon emissions, fails to accord with the key aims of the NPPF (2012), policy 5.2c of the London Plan (2011), Policy CS1.T of the Harrow Core Strategy (2012), and Policy DM12 of the Harrow Development Management Policies Local Plan (2012).*
- 6) *The proposed development would, by reason of its relationship with No. 23a Corbins Lane, would result in unreasonable levels of overlooking, perceived overlooking, overbearing impact and loss of light and outlook to those occupiers. The proposal would therefore be detrimental to the amenities of the neighbouring occupiers contrary to policy DM1 of the Development Management Policies Local Plan 2013 and the*



## **Appeal APP/M5450/A/14/2221570: Dismissed 10 October 2014**

In concluding on the appeal scheme, the Inspector concluded that the development would harm the character of the area and the living conditions of the occupiers of 23a Corbins Lane by reason of overlooking. In other respects, the Inspector considered that details could be conditioned to mitigate impacts or no harm arose. In terms of the principle of development, no objection was raised to the provision of a 'flatted' scheme on the site.

P/4599/14

Redevelopment to provide 9 flats in two x two storey buildings with accommodation in roof; new vehicle access; landscaping and parking; cycle and bin storage (demolition of existing dwellings)

Granted: 16/02/2015

### **Pre-Application Discussion:**

- N/A

### **Applicant Submission Documents**

- Design and Access Statement
  - Development is located within a suburban area with an eclectic character
  - Development would provide 10x2 bedroom units
  - Each of the units would comply with Lifetime Homes Standards
  - Each unit would have a car parking space. Electric parking dock provided and a designated disabled car parking space.
  - Current scheme has been split into two blocks to respond to concerns raised by Planning Inspector.
  - Proposed development would not harm neighbouring residential amenity
- Sustainability Statement
  - New build would be energy efficient and meet Code Level 4
  - Timber sources from sustainable sources and where possible materials sourced locally.
  - Waste and recycling provided
  - Reuse of materials onsite where appropriate

### **Consultations**

- Highways Authority (Parking): No Objection
- Drainage Engineer: Recommended conditions of approval.
- Landscape Architect: No Objection subject to a condition.
- The South Harrow Residents Association: No Comment Received

Newspaper Advertisement:

Major Development

Posted: 02/04/2015

Site Notice:

Major Development

Posted: 31/03/2015

### **Neighbourhood Notifications:**

22, 24, 26, 28, 30, 30a, 32, 34, 36 Corbins Lane, Harrow, HA2 8EH

23, 23a, 27, 29, 31, 33, Corbins Lane, Harrow, HA2 8EL

25, 25a, 26, 27, 28 Grovelands Close, Harrow, HA2 8PA  
Flats 30 – 35 Grovelands Close, Harrow, HA2 8PA  
St Pauls Vicarage, Findon Close, Harrow, HA2 8NJ  
Avenida, Findon Close, Harrow, HA2 8NJ

Sent: 76

Replies: 2

Expiry: 16/04/2015

### **Summary of Comments;**

- Corbins Lane has been overdeveloped.
- Number of accommodation proposed will create congestion, traffic and noise pollution.
- Damage is being caused to pavement on boundary by heavy lorries.
- Front line of development is forward of adjoining property.
- An application for 10 flats has previously been refused.

### **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 (consolidated with alterations since 2011)(2015) 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.

### **MAIN CONSIDERATIONS**

Principle of Development

Character and Appearance of the Area

Residential Amenity

Accessibility

Affordable Housing

Traffic and Parking

Sustainable Building and Design

Equalities

S17 Crime & Disorder Act 1998

Consultation Response

### **Principle of Development**

The use of the land for more intensive residential use has been established through recent appeals and most pertinently, the recent grant of planning permission on 16<sup>th</sup> February 2015, application reference P/4599/14. There have been no changes to site circumstances



or planning policy since this time to warrant a different conclusion on the principle of development. The very marginal additional footprint of the development (approx. 2sqm) would not alter the conclusions reached previously in respect of garden land development. The scheme would deliver a more effective and efficient use of the land. Due to the nature of the proposed revisions and the minor increase in building footprint, it is considered that the scheme remains to be acceptable in principle.

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

In dismissing appeal APP/M5450/A/14/2221570 (dated 10 October 2014) the Inspector cited that the proposal failed to provide a development that would accord with the character of the site or area. Specifically, it was noted that the excessive width and depth of the proposed development would result in an unrelenting development within the site and streetscene.

Within application P/4599/14, the applicant addressed the inspectors concerns by proposing the erection of two separate blocks with a gap between them. This design ensured that a single wide frontage was not presented to the public highway.

The current scheme seeks minor alterations to the siting, roof design and footprint of Block B only. No amendments are proposed to the layout, massing or design of the approved scheme. Specifically, the proposal intends to replicate the design and massing of Block A, approved within P/4599/15.

The proposed amendments to the massing and roof design of Block B have previously been assessed against the relevant policies when the assessment for Block A was undertaken as part of application P/4599/14. As indicated by the approval of this application, at the time of the planning decision (16/02/2015) the proposed design, massing and scale of Block A was considered to comply with the relevant policies. Specifically, as discussed within application P/4599/15, the proposed two-storey height with accommodation within the roofslope was considered to be broadly in keeping with the height of the existing residential properties along this side of Corbins Lane, while the proposed roof design and materials were also considered to be acceptable.

Accordingly, as the acceptability of the Block A has already been established under application ref: P/4599/15 and there has been no significant changes in the development plan or site circumstances since this permission, it is considered that for the purposes of this application, the proposal to replicate the approved design of Block A within Block B is considered acceptable. Further to this, the proposal to replicate the design of Block A is considered to provide uniformity to the scheme, ensuring that that the two buildings appear as one development within the streetscene.

While the proposed scheme within P/4599/15 was set marginally forward of the front building elevation of the property to the north (23a Corbins Lane), this was not considered to be unacceptable given the lack of a strong front building line along this side of Corbins Lane. It is noted that the proposed scheme intends to set proposed Block B further forward of the front building elevation of 23A Corbins Lane. Specifically, within P/4599/15 Block B was located: 3.5m off the common boundary with 23a Corbins lane; extended 0.7m forward of the front building line of 23a on the northern side of the front elevation and; extended forward 3.9m on the southern side. Block B would now include an increased setback from the common boundary with no. 23a (3.9m); would extend 1.4m forward of 23a Corbin's Lane on the northern side of proposed Block B and; would continue to extend 3.9m at the southern end of the front elevation of Block B. Given the varied front building lines along this part of Corbins Lane and also considering the acceptable remaining depth of the front garden, this minor alteration to the siting of Block B is considered acceptable in terms of its impact on the streetscene and surrounding area.

Furthermore, it is considered that the additional car parking space provided within the front garden would not unacceptably increase the proposed hardstanding area.

Accordingly, it is considered that the proposed amendments to approved scheme P/4599/14 would provide a development that would not appear as an overdevelopment of the site, and would be appropriate within both the existing site and streetscene. The proposed development is therefore considered to accord with policies 7.4 and 7.8 of the London plan, Core Strategy Policy CS1 A/B/K, Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

## **Residential Amenity**

### Impact of the development on Neighbouring Amenity

Policy DM1 of the DMP seeks to "ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded.

As there have been no significant changes in the development plan or site circumstances since permission of P/4599/14, it is considered that for the purposes of this application,

aspects relating to the considerations that formed part of the amenity assessment for Block A do not need to be duplicated under this current application.

New development should respect a 45 degree code when measured from adjoining properties, which assists in ensuring that development would;

- i) Maintain a reasonable relationship between existing buildings and extensions;*
- ii) Avoid an overbearing visual impact in terms of bulk and proximity to boundaries from inside adjacent properties and from neighbouring gardens; and*
- iii) Reduce potential loss of light and overshadowing to neighbouring dwellings and garden.*

Within application P/4599/15, whilst it was noted that the proposed development would only marginally project forward of the building line with No. 23a Corbins Lane, it projected 5.5m beyond the rear elevation of the two-storey side extension of this property. The assessment of this scheme concluded that the footprint of the proposed building complied with the relevant 45 degree code and in this respect would not result in an unreasonable loss of light, outlook or overbearing impact to the occupiers of this property.

Due to the minor alteration to the location of proposed Block B, the potential impacts on the amenity of the adjoining neighbour to the north, no. 23A Corbins Lane, are required to be readdressed. It is noted that concerns have been received in regards to the proposal to set proposed Block B further forward of the established front building line of no. 23a Corbins Lane.

At the rear, proposed Block B would not extend as far beyond the rear building line of no. 23a Corbins Lane as the approved scheme and would also include an increased setback from the common boundary. The horizontal line, indicating the 45 degree rule, has been demonstrated within the supporting information submitted with the application, and it appears to have been taken from the edge of the rear two-storey side extension. Accordingly, the proposed amendments to Block B would comply with the relevant 45 degree code and as such, no unreasonably loss of light would occur. Furthermore, due to the minor extension of the proposed building forward of the front building line at no. 23a and the 3.9m offset from the common boundary, the proposal is not considered to result in a loss of outlook or light to front facing windows on this property, nor it is considered to result in a detrimental sense of enclosure.

The proposed plans indicate that the proposed development would have its northern flank elevation aligning with the common boundary with No. 23a Corbins Lane. As such the rear facing windows of the development would be orientated away from the rear garden of No. 23a. The proposed plans indicate that the proposed flats nearest this boundary would have flank windows facing No. 23a that serve habitable rooms. However, within the Inspectors decision, it was considered that the relationship of the proposed flank windows and the property at No. 23 Corbins Lane would be acceptable. The submitted plans indicate that the secondary windows in the flank elevation facing towards No. 23a Corbins Lane are all obscurely glazed. As such the high level secondary windows, subject to a condition ensuring they be obscurely glazed, are considered to be acceptable.

The proposed rear elevation of Block B would be approximately 19m from the rear elevation of the property to the west of the application site that fronts onto Grovelands Close. This is considered to be an acceptable distance and would be similar to a traditional residential relationship between two back-to-back properties.

It is considered that the proposed development would have an acceptable impact on the amenities of neighbouring occupiers, and would therefore accord with the aims and objectives of policies 7.4B and 7.6B of The London Plan (consolidated with alterations since 2011)(2015), Core Policy CS1B of the Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Plan (2013), and the adopted SPD: Residential Design Guide (2010).

## **Future Occupiers**

### **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 DM26 of the DMP specifies that “proposals will be required to comply with the London Plan minimum space standards.

In view Policy 3.5C of The London Plan (consolidated with alterations since 2011)(2015) 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). As an SPG, this document does not set new policy. It contains guidance supplementary to The London Plan (2011) policies. While it does not have the same formal Development Plan status as these policies, it has been formally adopted by the Mayor as supplementary guidance under his powers under the Greater London Authority Act 1999 (as amended). Adoption followed a period of public consultation, and it is therefore a material consideration in drawing up Development Plan documents and in taking planning decisions.

The table below illustrates the extent to which the proposed development would comply with the recommended room sizes of the London Housing Supplementary Planning Guidance (2012).

<b>Type and GIA</b>	<b>Kitchen/Living/Di</b>	<b>Bedroom</b>
Flat 1 (2 bedroom, 3 person) 67sqm (61sqm)	3 Person 26sqm (26sqm)	Double 12.4sqm (12sqm) Single 9.5sqm (8sqm)
Flat 2 (2 bedroom, 3 person) 64sqm (61sqm)	3 Person 25sqm (26sqm)	Double 12.2sqm (12sqm) Single 7.8sqm (8sqm)
Flat 3 (2 bedroom, 3 person) 66sqm (61sqm)	3 Person 30sqm (26sqm)	Double 13.0sqm (12sqm) Single 8.1sqm (8sqm)
Flat 4 (2 bedroom, 3 person) 64sqm (61sqm)	3 Person 26sqm (26sqm)	Double 12.0sqm (12sqm) Single 7.8sqm (8sqm)
Flat 5 (2 bedroom, 3 person) 77.8sqm (61sqm)	3 Person 21sqm (At full height) (26sqm)	Double 12.1sqm (12sqm) Single 8.2sqm (8sqm)
Flat 6 (2 bedroom, 3 person) 68sqm (61sqm)	3 Person 25.9sqm (26sqm)	Double 13.5sqm (12sqm) Single 8sqm (8sqm)
Flat 7 (2 bedroom, 3 person) 66sqm (61sqm)	3 Person 25.7sqm (26sqm)	Double 14sqm (12sqm) Single 9sqm (8sqm)
Flat 8 (2 bedroom, 3 person) 67sqm (61sqm)	3 Person 30sqm (26sqm)	Double 13.5sqm (12sqm) Single 8.0sqm (8sqm)
Flat 9 (2 bedroom, 3 person) 65sqm (61sqm)	3 Person 26sqm (26sqm)	Double 12.3sqm (12sqm) Single 8.9sqm (8sqm)
Flat 10 (2 bedroom, 3 person) 77.8sqm (61sqm)	3 Person 21sqm (At full height) (26sqm)	Double 12.3sqm (12sqm) Single 8.9sqm (8sqm)

As detailed within P/4599/15, the proposed 9 2-bedroom flats complied with the minimum internal floor areas as required by the London Plan (consolidated and with alterations

since 2011) (2015). Each of the rooms provided had an adequate outlook and receive a satisfactory level of natural light. The proposed floor plans also demonstrated that habitable rooms within the loft space would have adequate room that would be of a satisfactory height for future occupiers. The subject application seeks approval for an additional 2-bedroom unit within the loft space of Block B. This flat would include identical floorspace, outlook and levels of light as approved Flat 5, above. In this context, it is considered that the proposed living accommodation provided within the ten flats, in terms of size and layout would be considered acceptable and would accord with the relevant policies listed below.

It is therefore considered that the proposed accommodation would be satisfactory and as such would comply with policy 3.5 of The London Plan (consolidated with alterations since 2011)(2015), standard 5.4.1 of the Housing SPG (2012), policies DM1 and DM26 of the Harrow DMP (2013).

### Layout and Stacking

Paragraph 5.12 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'.

Some overlapping of proposed flat 5 above proposed flats 3 and 4. However, this would be a similar situation with the vertical stacking proposed under the previously refused scheme (P/0189/14). As appropriate levels would need to be secured under Building Regulations, the arrangement is considered to be reasonable.

The proposal would thereby accord with policy DM1 of the Harrow DMP (2013) and the Residential Design Guide SPD (2010).

### Refuse Storage

The proposed location and storage facilities remain unchanged from approved scheme P/4599/15 and are considered acceptable.

The proposed cycle storage would provide secure storage for 20 bicycles for the development, which would comply with London Plan requirements.

The proposed refuse facility would meet the requirements of the residential units onsite. It is considered that this element could be secured by way of condition.

### Outdoor Amenity Space

Policy DM26 of the DMP also requires new development *'to make adequate arrangements for the provision of amenity space for future occupiers of the development'*.

Paragraph 5.16 of the Residential Design Guide SPD (2010) states that providing amenity space for residents of flats would be encouraged. It is proposed to provide the rear garden area as communal amenity space for the entire development. There is sufficient space to provide an adequate amount of amenity space for the development, and the space would be functional and useable. Furthermore, the ground floor units of the development would each have 1.2m high railings and soft landscaping to provide private, defensible amenity spaces.

Given the above, it is considered that the proposal would have no significant adverse implications for host and neighbouring residential amenities, and would accord with policies 7.4B and 7.6B of The London Plan (consolidated with alterations since 2011)(2015), policies DM1 and DM26 of the DMP and the Council's adopted Supplementary Planning Document 'Residential Design Guide (2010)' in that respect.

### **Accessibility**

Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (consolidated with alterations since 2011)(2015) 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 Design & Access Statement as required by policy 7.2 of the London Plan (consolidated with alterations since 2011)(2015), has confirmed that level access would be provided to the site at ground floor level from the parking area, within one wheelchair unit provided on the ground floor of the development. Furthermore, the staircase would be of a design that could incorporate a chairlift in future. The Design & Access Statement does not demonstrate that the Lifetime Home Criteria would be achieved in each of the proposed units. However, the proposed units are of a good size and functional layout, and as such Lifetime Homes would be able to be demonstrated. Accordingly, it is considered acceptable to impose an appropriately worded condition would secure this detail.*

*Subject to an operational condition, it is considered that the proposed development would accord with the principles and objectives of Lifetime Homes and policies 3.5.B/C/D, 3.8.B and 7.2.C of The London Plan (consolidated with alterations since 2011)(2015) policy DM2 of the Harrow Development Management Policies Local Plan (2013), and the Council's adopted SPD: Accessible Homes 2010.*

### **Affordable Housing**

It is acknowledged that application P/0189/14 which sought approval for the redevelopment to provide 10 self-contained flats in two storey building with accommodation roof, new vehicle access; landscaping and parking; cycle and bin storage (demolition of existing dwellings) listed the following as one reason for refusal:

*'The proposed scheme, as a result of being capable of providing more than ten residential units, fails to provide a provision of affordable housing to the boroughs housing stocks. In the absence of a robust viability assessment to demonstrate the scheme would be unviable to provide such a provision, the scheme fails to address the key aims of policy 3.13 of the London Plan (2011), Policy CS1.J of the Harrow Core Strategy (2012), Policies DM24 and DM50 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Document: Planning Obligations and Affordable Housing (2013).'*

Although the proposed scheme also seeks permission for 10 units, as a result of recent amendments to Paragraph 012 of the NPPG (revision date: 28-11-2014), the Local Planning Authority can no longer seek planning obligations to contribute to affordable housing or to pooled funding 'pots' intended to fund the provision of general infrastructure in the wider area from developments of 10 houses or less which have a combined maximum gross floor space of 1,000 square metres.

As the proposed scheme involves 10 units with a total combined floorspace less than 1,000sqm, the aforementioned reason for refusal is not relevant to the current scheme.

### **Traffic and Parking**

Policies DM26 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

The proposed scheme proposes an increase in carparking spaces from 9 to 10 in order to accommodate for the additional 2-bedroom unit. The proposed 10 parking spaces provided are within The London Plan (consolidated with alterations since 2011)(2015) maximum parking standards for this quantum of development and hence this level of



provision is considered acceptable given the reasonable transport sustainability of the location with the need to minimise any adverse parking displacement onto the local highway. The on-street parking controls within the surrounding Controlled Parking Zone also assist in deterring long term parking on the public realm.

Traffic generation is not considered to increase significantly from the approved scheme due to the additional 2-bedroom unit. Specifically, P/4599/15 considered the proposed 9 unit development would generate on average one vehicle movement into/out of the site every 15-20 minutes. This impact was considered relatively de-minimis in measurable highway impact terms as compared to overall traffic flows in the area and therefore the proposal is acceptable in this respect.

Secure and readily accessible cycle parking is provided, at two space per unit, in line with the The London Plan (consolidated with alterations since 2011)(2015) requirements. This has been provided on site and is therefore considered acceptable.

It is therefore considered that the development would not result in any significant increase in traffic movements from the site or unreasonable impacts on highway safety and convenience, and subject to safeguarding conditions would therefore accord with policies DM26 and DM42 of the DMP (2013).

## **Sustainable Build and Design**

The applicant has not provided any information on the energy demand of the buildings but policy 5.2 of the London Plan requires that applications for major residential developments achieve carbon reductions of 40% below the Target Emissions Rates [TER] of the 2010 Building Regulations. It is considered that this target could be secured by condition of development and a conditions is attached to this effect.

## **Equalities**

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 not considered that there are any equality impacts as part of this application.

## **S17 Crime & Disorder Act 1998**

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**

- *Corbins Lane has been overdeveloped.*

As discussed within the proposal section of this report, the subject application seeks a small amendment to approved scheme P/4559/15. In this context, the proposal is not considered to represent an overdevelopment of the application site or wider area.

- *Number of accommodation proposed will create congestion, traffic and noise pollution.*  
Addressed in section 6 of this report.

- *Damage is being caused to pavement on boundary by heavy lorries.*

This is not considered to be a material planning consideration and should be address the Council's Highway Enforcement Team

- *Front line of development is forward of adjoining property*

Addressed within sections 2 and 3 of this report.

- *An application for 10 flats has previously been refused.*

The reasons for refusal associated with planning application ref: P/0189/14 have been addressed. The subject application for 10 units complies with the relevant planning policies.

## **CONCLUSION**

The proposed application seeks permission to amend approved Block B of planning permission P/4599/15, dated 16/02/2015, to allow an additional 2-bedroom self-contained flat within the roof slope of the building. The proposed amendment seeks to replicate the approved design of Block A and in doing so involves minor alterations to the building footprint, roof form and height. It is considered that the proposed scheme would continue to provide suitable living accommodation for future occupiers, and would increase the housing stock of the borough. Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

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

## **CONDITIONS**

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

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

2 The development hereby permitted shall be carried out in accordance with the following documents and plans: 13/3312/6, 13/3312/7, 13/3312/8, 13/3312/20 Rev A, 13/3312/21, 13/3312/22, 13/3312/23, 13/3312/24, 13/3312/25 Rev A, Site Plan, Sustainability Statement, Design & Access Statement.

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

3 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above ground floor damp proof course level until 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: External materials of the proposed buildings

b: external materials of the proposed bin and cycle storage

c: Shared ground surfaces

d: Rainwater goods

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (consolidated with alterations since 2011)(2015) and policy DM1 of The Development Management Policies Local Plan 2013. Details are required prior to the development proceeding beyond damp course level as the approval of details beyond this point would be likely to be unenforceable.

4 The development hereby permitted shall not proceed above ground floor damp proof course level 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. Details are required prior to the development proceeding beyond damp course level as the approval of details beyond this point would be likely to be unenforceable.

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

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

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

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

7 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. Details are required prior to the development proceeding beyond damp course level as the approval of details beyond this point would be likely to be unenforceable.

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

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

and appearance of the area, in accordance with policies 7.4.B of The London Plan (consolidated with alterations since 2011)(2015) 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 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:

- vi. the parking of vehicles of site operatives and visitors
- vii. loading and unloading of plant and materials
- viii. storage of plant and materials used in constructing the development
- ix. measures to control the emission of dust and dirt during construction
- x. a scheme for recycling/disposing of waste resulting from demolition and construction works
- xi. measures to ensure Findon Close does not become damaged during the construction phase.
- xii. Details of the means of enclosure for the site during construction

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. Details are required prior to the development proceeding beyond damp course level as the approval of details beyond this point would be likely to be unenforceable.

10 The 10 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 (consolidated with alterations since 2011)(2015), policy DM1 of the Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document: Accessible Homes (2010).

11 Notwithstanding the approved plans, prior to occupation the windows in the north west flank elevation of Block B facing over No. 23b Corbins Lane, shall be obscurely glazed and non-openable below 1.7m from internal floor level. The windows shall be retained as such thereafter.

REASON: To safeguard the amenities of neighbouring residential occupiers in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

12 Prior to the construction of the building hereby approved on site beyond damp course level, additional 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 (consolidated with alterations since 2011)(2015) and policy DM1 of the Harrow Development Management Policies Local Plan 2013. Details are required prior to the development proceeding beyond damp course level as the approval of details beyond this point would be likely to be unenforceable.

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

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement, in accordance with policies DM1 and DM10 of the Councils Development Management Policies Local Plan 2013. Details are required prior to the development to the commencement of development beyond this point would be likely to be unenforceable.

14 The development hereby permitted shall not commence until an Energy Strategy demonstrating a reduction the reduction of CO<sub>2</sub> emissions of 40% below Target Rate Emissions of the Building Regulations 2010, shall be submitted to and approved in writing by the Local Planning Authority. The development shall therefore be constructed and operated in accordance with the details of the approved Energy Strategy

REASON: To ensure the delivery of a sustainable development in accordance with policy 5.2.B/C/D/E of The London Plan. Details are required prior to the development to the commencement of development beyond this point would be likely to be unenforceable.

## **INFORMATIVES:**

### **1 INFORMATIVE:**

The following the policies are relevant to this decision:

National Planning Policy Framework 2012

The London Plan (consolidated with alterations since 2011)(2015): 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, DM12, DM42.

Supplementary Planning Document: Residential Design Guide 2010

Supplementary Planning Document: Sustainable Building Design 2009

Supplementary Planning Document: Accessible Homes 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 Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

### 3 INFORMATIVE:

Please be advised that this application attracts a liability payment of £21,175.00 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 £21,175.00 for the application, based on the levy rate for Harrow of £35/sqm and the residential floor area of 605sq.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: £66,550.00.

### 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](mailto:communities@twoten.com)

## 8 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.

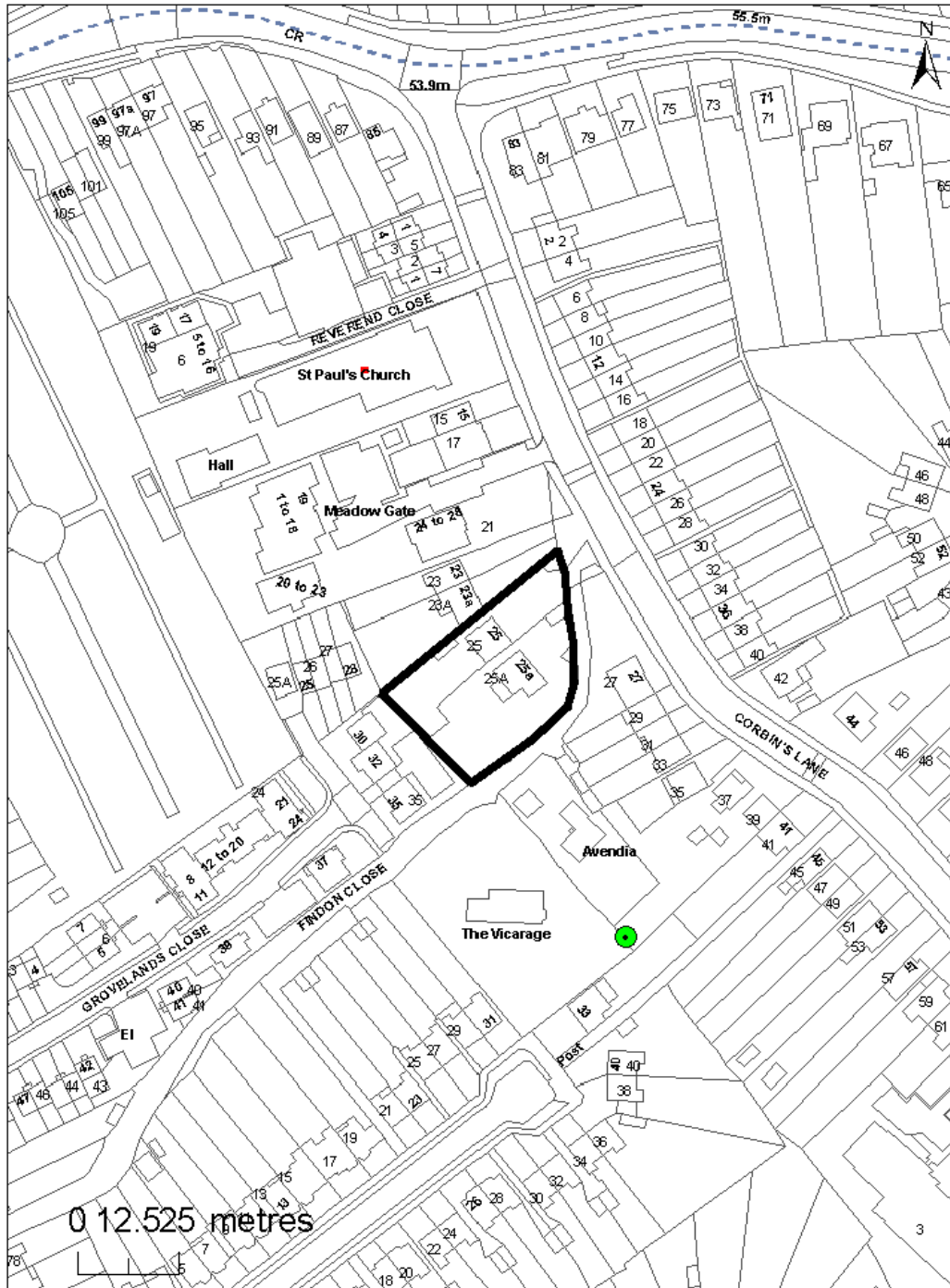
Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

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: 13/3312/6, 13/3312/7, 13/3312/8, 13/3312/20 Rev A, 13/3312/21, 13/3312/22, 13/3312/23, 13/3312/24, 13/3312/25 Rev A, Site Plan, Sustainability Statement, Design & Access Statement.

# 25 CORBINS LANE, HARROW



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## Appeal Decision

Site visit made on 20 August 2014

by **M C J Nunn BA BPL LLB LLM BCL MRTPI**

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

Decision date: 10 October 2014

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**Appeal Ref: APP/M5450/A/14/2221570**

**25 & 25a Corbins Lane, Harrow, Middlesex, HA2 8EL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by W E Black Ltd against the decision of the Council of the London Borough of Harrow.
  - The application Ref: P/0189/14, dated 17 January 2014, was refused by notice dated 22 April 2014.
  - The development proposed is described as: "demolition of existing dwellings and erection of a new building to provide 10 x 2 bed flats with associated parking and garden amenity area".
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### Decision

1. The appeal is dismissed.

### Procedural Matters and Main Issues

2. The appellant has submitted a revised plan (13/3312/1 Rev A) that shows the proposed block repositioned further forwards within the site towards Corbins Lane. The Council has commented on the revised plan, but importantly, others with an interest in the scheme, including local residents, would not have had the opportunity to do so. Therefore, to avoid any prejudice, I have assessed the application as it was originally submitted to the Council.
  3. The appellant has submitted a Unilateral Undertaking (UU) dated 3 September 2014. This relates to a methodology for calculating an affordable housing contribution were the scheme to generate profits in excess of that predicted in the submitted Financial Viability Assessment. I deal with this matter in my decision.
  4. An application for costs has been made by the Council of the London Borough of Harrow against W E Black Ltd. This application is the subject of a separate decision.
  5. The main issues are:
    - i. the effect of the proposal on the character and appearance of the area; and
    - ii. whether the scheme provides adequate living conditions for existing residents in terms of outlook and privacy.
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## Reasons

### *Character and Appearance*

6. The appeal site is currently occupied by two detached bungalows, both set in reasonably substantial plots. Recessed from the road, the dwellings are on a similar, albeit curved alignment, with the neighbouring semi-detached properties at Nos 23a and 23. The east and southern boundaries of the site are bounded by Findon Close. The surrounding area is mixed in character, and includes bungalows, semi-detached and terraced dwellings, as well as some more recent blocks of flats. St Paul's Church, a substantial building, is located close by to the north.
7. I appreciate that the appellant has attempted to achieve a high quality design. The proposal would comprise a substantial block of flats, of a traditional architectural style, incorporating pitched 'crown' roofs, with dormer windows to the rear elevation. The design would include brick faced elevations as well as render finishes. An attempt has been made to break up the mass of the elevations, with projecting front gabled bays that would provide articulation. The building would not exceed the height of the adjacent properties at Nos 23 & 23a. Landscaping is also proposed to enhance the development.
8. Also, other flat developments exist in the vicinity, notably to the north in Meadow Close, so a scheme comprising flats would not be intrinsically unacceptable here. That said, I have concerns about aspects of the scheme. The considerable overall width of the frontage and significant depth of the block would give the impression of an unduly bulky and dominant building. The proposed higher density of development, compared with that currently existing at the site, together with the substantial size of the block, means that the appeal scheme would appear over-dominant in this setting.
9. Notwithstanding the attempt to break down the mass of the block through architectural detailing, and the retention of gaps either side of the building, it would nonetheless appear overly large and unremitting. The width of the proposed building would exceed that of the three storey block positioned at the rear of Meadow Gate (Nos 1-18), itself a substantial building.
10. Furthermore, the plans show that a large portion of the area to the front would be given over to hardstanding to provide parking spaces for ten cars. The relatively limited space for soft landscaping would create an unduly harsh and stark impression, and fail to provide an appropriate setting for the building. It would detract from the existing street scene, notwithstanding its mixed character. The appellant mentions that some front gardens of individual dwellings in the vicinity comprise mainly hardstanding. This may be so, but the proposed car parking area here is more extensive than in those cases.
11. The scheme would also result in a change in terms of the vistas into the site from public vantage points. The presence of this large block on an area that is currently occupied by two modest bungalows with associated gardens would inevitably entail the removal of some existing greenery, shrubs and trees. Whilst I accept no protected trees would be removed, the effect of the proposal and its frontage car parking would be to introduce increased urban built form on land that is currently green and verdant, altering views from surrounding areas. Although there may be some scope for landscaping to soften the

- appearance of the scheme, I consider the development would make the area a less attractive place.
12. The Council has raised an 'in principle' objection that the proposal would involve development of land which includes private residential gardens, contrary to Policy CS1 of the Core Strategy and the Supplementary Planning Document (SPD) on 'Garden Land Development'. These create a presumption against garden development and seek to direct growth to town centres and strategic previously developed sites. Importantly, the National Planning Policy Framework ('the Framework'), whilst excluding gardens from the definition of 'previously developed land' (the effective use of which is encouraged), does not prohibit garden development where no harm would be caused to the area's character, and so does not convey a 'blanket ban' on such development. However, in this case the proposal would seriously detract from the locality's appearance.
  13. In support of the proposal, the appellant refers to an appeal scheme for nine flats allowed at 21 Corbins Lane in 2009 (Ref APP/M5450/A/08/2089146), now forming part of the Meadow Gate development. However, that scheme differs from this appeal in certain significant respects: unlike the appeal plot, that site was narrow and previously contained a bungalow located at its front. That appeal scheme permitted two separate blocks, one set behind the other, both less than half the width proposed here. The resulting blocks are more domestic in scale, and blend more naturally with the neighbouring dwellings at Nos 23a and 23. Because of these differences, I do not consider that that appeal sets a precedent for this scheme.
  14. Reference is also made to the 'prior approval' extensions recently granted at each existing bungalow enabling a full width single storey extension some 8 metres deep. If built, these extensions would increase the total floor area of each bungalow, although their combined enlarged footprint would still be significantly less than that of the proposed apartment block. Furthermore, the effect of the additions would not be comparable to the overall size and bulk of the appeal scheme. Consequently, I do not consider that they provide a justification for the appeal proposal.
  15. I conclude overall on the first issue that the proposal would materially harm the character and appearance of the area. It would conflict with Policy CS 1 of the Core Strategy which states that proposals that harm the character of suburban areas and garden development will be resisted. The scheme would also be contrary to Policy DM 1 of the Development Management Policies which requires proposals to achieve a high standard of design, having regard to the local character and pattern of development. It would conflict with Policies 3.5, 7.1, 7.4 and 7.6 of the London Plan which have similar aims. The proposal would also be contrary to advice within the Council's SPDs: '*Residential Design Guide*' and '*Garden Land Development*' which provide further guidance on the implementation of development plan policies.

#### *Living Conditions*

16. Although the new block would be set away some 3.5m from the common boundary, the plans as originally submitted show it would project significantly beyond the rear elevation of No 23a closest to the appeal site. As a

consequence, the proposal would appear overbearing, imposing and obtrusive when viewed from that property. This would cause a loss of outlook, particularly to the rear first floor window at No 23a closest to the appeal site and would create a more 'hemmed in' feeling, both within that dwelling itself and its rear garden. I acknowledge that there is currently a single storey pitched roof garage close to the boundary, but its height and resulting impact on No 23a is far less than would be the case were the appeal proposal to succeed.

17. The Council has also raised concerns that the proposal would give rise to overlooking to the adjacent property, No 23a, resulting in a loss of privacy, both actual and 'perceived'. I acknowledge a number of secondary flank windows serving the kitchens and lounges of the flats would face directly towards the neighbouring property. However, the appellant has indicated that these secondary windows, none of which is large, could be obscure glazed in order to safeguard privacy and to prevent direct overlooking to No 23a. Consequently, I do not find this a valid reason for the appeal to fail.
18. I find overall on the second issue that the scheme would harm the living conditions of existing residents at No 23a in respect of outlook. This would conflict with Policy DM1 of the Development Management Policies which requires proposals to achieve a high standard of amenity having regard to the visual impact of the development when viewed from within buildings and outdoor spaces.

#### **Other Matters**

19. The Council has raised objections regarding the vertical stacking arrangement of the rooms of the flats, in that some of the living and kitchen areas overlap with bedrooms on the first and second floors. However, a condition requiring proper sound insulation so as to meet the relevant building regulations and to avoid noise transmission would ensure satisfactory living conditions for future residents, were I minded to allow the appeal.
20. Another of the Council's reasons for refusal related to the failure of the scheme to make provision for affordable housing. The appellant has subsequently provided a Financial Viability Assessment (FVA) which seeks to demonstrate that the scheme could not viably support the inclusion of on-site affordable housing. The Council broadly accepts the findings of the FVA, and I see no reason to take a different view on this issue. However, this does not alter my other concerns.
21. Further to the FVA, the Council has also suggested 'heads of terms' to form the basis of a planning obligation. Essentially, this would seek to secure a proportion of any 'surplus' profit over that anticipated in the FVA as a contribution to affordable housing. The appellant has subsequently completed planning obligation in the form of a UU dated 3 September 2014 to address this issue. However, as I have found the appeal unacceptable for other reasons, the appeal does not turn on this matter. It is therefore unnecessary for me to consider the UU in detail, or whether it complies with the tests within the Framework or Community Infrastructure Levy Regulations.
22. A further reason for refusal relates to the lack of details as to how the proposal would seek to reduce carbon emissions and incorporate sustainable design

measures. The appellant has now provided a Sustainability Statement providing further details. Although the Council has reservations about its contents, I am satisfied that such matters could be dealt with by a condition, were I minded to allow the appeal.

23. In reaching my decision, I have taken into account all the submissions of the appellant. I have considered the proposals in the context of the presumption in favour of sustainable development set out in the Framework, including encouraging the effective use of previously developed land. However, the Framework is clear that it is proper to promote or reinforce local distinctiveness, and to seek a good standard of amenity for all existing and future occupants of land and buildings. I find this proposal would fail to achieve those objectives.
24. I have also weighed the advantages of the scheme, including that it would provide additional housing stock, thereby addressing housing needs in London; that the proposed units would provide suitable accommodation for first time buyers; that the scheme would represent a more efficient use of land in a sustainable location, close to public transport, shops and services; that it is proposed to employ energy efficiency measures within the building, and achieve Code Level 4 for Sustainable Homes. I have also taken into account the appellant's point that the Draft Further Alterations to the London Plan suggest a substantial increase in London's population that will necessitate increased housing targets. However, none of these factors outweigh my concerns about the scheme.

**Conclusion**

25. For the reasons above, I conclude that the appeal should be dismissed.

*Matthew C J Nunn*

INSPECTOR

ITEM NO: 2/03  
ADDRESS: GARAGES REAR OF 43 MASEFIELD AVENUE, STANMORE  
REFERENCE: P/0779/15  
DESCRIPTION: REDEVELOPMENT: TWO DETACHED DWELLINGHOUSES WITH SHARED COURTYARD PARKING LANDSCAPING BIN / CYCLE STORAGE AND ACCESS  
WARD: STANMORE PARK  
APPLICANT: MS ALISON PEGG  
AGENT: PRP ARCHITECTS LLP  
CASE OFFICER: NABEEL KASMANI  
EXPIRY DATE: 11/05/2015

## RECOMMENDATION

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

## INFORMATION

The application is reported to the Planning Committee because the application is on land owned by the Council and would create over 100m<sup>2</sup> floorspace. The Proposal therefore falls outside of the scheme of delegation under Part 1, 1(h).

Statutory Return Type: E(13) Minor Dwellings

Council Interest: The Council is the applicant and the landowner

Net additional Floorspace: 206.8m<sup>2</sup>

GLA Community Infrastructure Levy Contribution (provisional): £7,238

Harrow Community Infrastructure Levy Contribution (provision): £22,748

## Site Description

- The application site comprises of a garage site located to the western side of Masefield Avenue on the northern end of the road. The site is served by an existing access point from Masefield Avenue.
- The application site abuts the Green Belt, Area of Special Character and Site of Importance for Nature Conservation to the north and west. There is substantial tree coverage in close proximity to the application site
- To the north of the application site is an existing grassed playing field that is within the Green Belt.
- Two-storey semi-detached dwellings are located to the east of the application site in addition to an existing electric substation.
- Kemble House, a two-storey building providing 8 purpose built flats adjoins the application site to the south.



- No. 2 Bridges Road is located to the south-west of the application site

## **Proposal Details**

- The application proposes the demolition of the existing garage block and the construction of two detached dwellings
- The proposed detached dwellings would be two-storey in height and would feature a flat roof. They would be identical in appearance and layout, featuring an open plan living/kitchen/dining area on the ground floor in addition to a single bedroom and a W/C. The first-floor would feature two-double bedrooms and a bathroom with a void over part of the ground floor living/dining area. Two rooflights are proposed for each dwelling
- The proposed dwellings would have a depth of 7.6m and a width of 10.4m with a maximum flat roof height of 6.85m.
- The proposed dwellings would be clad in timber and would feature green roofs
- The proposed southern Dwelling (type A) would be located on the southern end of the application site with the front entrance facing the parking court and access road. A private rear garden would be located to the west of the proposed dwelling adjacent to no. 2 Bridges Road.
- The proposed northern Dwelling (type B) would be located towards the northern end of the site and would be sited perpendicular to Dwelling A. It would feature a private rear garden that would abut the northern boundary of the site.
- A communal orchard is provided within the shared forecourt of the proposed dwellings in addition to a communal parking court. The existing vehicular crossover and access road would be used to enter the site
- It is proposed to provide additional 'designated open space' that would have an area of 375m<sup>2</sup>
- Dedicated integral refuse and cycle storage are provided along the southern flank elevation of Dwelling A and the western flank elevation of Dwelling B

## **Revisions to Previous Application**

- n/a

## **Relevant History**

- n/a

## **Pre-Application Discussion**

Informal discussions were held between the Housing department, Architects and the Planning Department. The following advice was provided prior to the submission of this application.

- The substantial constraint is the mature trees that surround the site. In view of the designations it is likely that these will be considered to be of high biodiversity and amenity value so any development on the garage site that prejudices these either directly or as a result of pressure by future residents for pruning is unlikely to be acceptable.
- In view of the proximity of the neighbouring gardens it is envisaged that two storey developments would be unlikely to be supported within the site.
- There may be a culvert that runs through the site

## **Applicant Submission Documents**

- Design and Access Statement (Summarised as follows)

- The trees form the immediate context of the site and any development here should respect and respond to the existing trees
- Development of the site will allow for significant improvements to be made to the adjacent open space and will present the prospect to improve the existing

- connection from Masefield Avenue to the playing field (north of the site)
  - Openings on the upper floors would be kept to a minimum to avoid overlooking into neighbouring properties. Additional light will be provided through rooflights
  - The concept for the proposed design aims to take the site back to a more natural environment which sits comfortably in the existing context and encourages wildlife and natural habitats
  - The new homes would be designed to be compliant with Lifetime Home Standards
  - Public consultation undertaken on 16<sup>th</sup> September 2014. Consultation was also undertaken with the Local Planning Department. The subsequent feedback has been incorporated in to the final design
- Daylight and Sunlight Report
  - Energy Strategy
  - Tree Survey and Arboricultural Implications Assessment
  - Phase 1 Ecological Appraisal

## Consultations

### Arboricultural Officer

The Arboricultural impact assessment is acceptable and I have no objections to the proposals subject to the following:

- Arboricultural Method Statement (AMS) detailing sequence of operations, tree protection methods and on-going management of the Oak trees to be approved prior to commencement of development
- Approved Arboricultural scheme of supervision in relation to
  - proper installation of protective fencing and ground protection prior to commencement
  - installation of piling mat and periodically during pile operation
  - excavation of trenches for ground beams
  - Construction of reduced no-dig surfaces
- Arboricultural Method Statement (AMS) detailing sequence of operations, tree protection following enabling trees works but prior to all other development, Tree Protective fencing and ground protection shall be installed in accordance with Method Statement that is to be submitted and approved by the LPA prior to commencement of development
- All enabling tree works to be carried out in accordance with BS3998:2101 Recommendations for Tree Works

### Biodiversity Officer

Overall this proposal is acceptable if the recommendations of the Biodiversity Report and my additional comments (*in italics*) – are adhered to i.e.

- Any tree works should be undertaken outside of the breeding season (March-September), or a nest search undertaken by an ecologist immediately prior to works commencing;
- Holes or deeper excavations should be covered overnight, or have a secured scaffold board/rough sawn plank within that will enable mammals to climb out. All materials harmful to mammals (such as chemicals and wire) should be securely stored;
- Post development lighting should follow BCT Guidance (Bat Conservation Trust 2009) to avoid and minimise impacts. Sensitive lighting should include the use of hoods or directional lighting, installing light sensors that are sensitive to large moving objects only and having short timers on external lighting. This should make it possible for the proposed development to proceed with minimal risk of harm to, or impact to, potentially foraging and/or commuting bats; *I would expect amber LED luminaries to be used to minimise the impact on bats.*
- It is recommended that the site be enhanced post development for the benefit of local biodiversity via the implementation of a landscape scheme that incorporates native and wildlife friendly species. The inclusion of bird and bat boxes should also be considered as part of any future development even if this is not required as part of a mitigation scheme. *Bird boxes should cater for London Biodiversity Action Plan species applicable to the area. The positioning of bird and bat boxes should be done in consultation with a suitably qualified ecologist and sited both on the new buildings and trees as agreed by the LPA.*
- *The green roofs should have a reasonable depth of substrate > 160mm and not be vegetated with Sedum spp. Instead a biodiverse green roof seed mixture should be employed in consultation with a suitably qualified ecologist and agreed by the LPA.*
- *The lopping of mature trees should be kept to the bare minimum as recommended by a bona fide arboriculturalist and agreed by the LPA*

### Drainage Engineer

The proposed development is in Flood Zone 3a and 3b according to our Flood Maps and there is open ordinary watercourse within the land of the proposed development. The submitted proposals are not acceptable, as they would contravene Harrow Land Drainage Bylaws.

In principle Land Drainage Consent would be possible if the applicant proposes a 3m buffer zone along the culvert. Please request a drawing showing the culvert (its position should be established by a site investigation/trial excavation) in relation to the proposed buildings with a buffer zone marked.

Other conditions requiring the provision of a Flood Risk Assessment, the disposal of sewage/surface water storage and attenuation works are required.

### Landscape Officer

Careful detailing would be required under the oak tree to the north side of the access road into the development, where the car parking spaces are proposed. Care will need to be taken not to sever too many tree roots and consequently damage the health of the tree. This can be covered by a tree condition, requested by the Arboricultural Officer.

The public open space area adjacent to Masefield Avenue is welcomed and the proposed low key treatment would be in keeping with the character of the area, in particular the footpath link, under the existing trees and in close proximity to Bentley Priory Open Space. The electricity substation would benefit from being screened and this would improve the appearance in the street scene. Climbing plants all along the length of the fence line need to be proposed and 2 new trees on the open space, adjacent to Masefield Avenue to soften and attempt to screen the substation area and the fence. This can still be proposed and I would suggest it is noted and that it can be done through the Landscape Conditions.

The proposed hard and soft landscape would be welcomed and provide an improvement on the derelict garages and hard surfaced area and the footpath through the open space would provide a slightly more formalised footpath link, thorough to Bentley Priory Open Space, which would add connections to Harrow's Green Grid.

If you are minded to approve this application 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
- Boundary Treatment
- Levels
- Hard landscape Material Details

### Highways Officer

No Comment

## Advertisement

- n/a

## Notifications

Sent: 17

Replies: 0

Expiry: 16-04-2015

## Addresses Consulted

43 to 57 (odd), Masfield Avenue, HA7 3LY

Flats 1 – 8, Kemble House, Bridges Road, HA7 3LZ

2 Bridges Road, HA7 3LZ

## Summary of Responses

- n/a

## APPRAISAL

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

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

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

In this instance, the development plan comprises the London Plan [LP] (consolidated with alterations since 2011) (2015) 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 [LAM].

## BACKGROUND

### Homes for Harrow development programme

Demand for affordable housing to rent and buy in Harrow is high and growing. The council now has around 150 families housed in temporary Bed and Breakfast accommodation when a few years ago there were none. The council's Housing Service now has the financial freedom to start building new council housing and the Homes for Harrow programme has identified a number of opportunities where we can start building the first new council homes in a generation.

The Council commissioned a capacity study to identify opportunities to build new homes within existing council housing estates, disused and dis-functional garages, (often the cause of anti-social behavior) and other areas of in-fill development. This work was carried out in consultation with the Harrow Federation of Tenant and Resident Associations and Councilors and with other council services.

A number of opportunities have been identified. The first phase of 13 sites will deliver 40 new Affordable homes for rent including large family houses which are in extremely short supply, as well as 10 new Shared Ownership homes also aimed at families. Planning applications have been worked up following resident consultation on each site and through

pre application discussions with Planning Services. The council has been successful in obtaining government support enabling us to borrow additional funding to support the cost of developing the new homes, as well as using capital receipts from the sale of council homes under the Right to Buy and other housing resources.

Additionally the council also has opportunities for some wider housing estate regeneration and redevelopment schemes which are being developed in partnership with local residents.

The Homes for Harrow programme contributes positively to the Council's vision for Harrow Working Together to Make a Difference for Harrow and the Council's priorities in the following ways:

1. Making a difference for the vulnerable – building a range of new affordable homes including homes for those who are most in need.
2. Making a difference for communities – This work provides an opportunity to involve and engage both residents on estates and from the wider community in the development of new homes, the replacement of poor housing and improvements to the external environment.
3. Making a difference for local businesses – The procurement of contractors for the infill development programme provides an opportunity to encourage and support local, small to medium sized contractors in tendering for the work.
4. Making a difference for families – building a range of new affordable homes with a significant proportion aimed at larger families and improving the worst social housing in Harrow. Other benefits flowing from these development programmes include the creation of apprenticeships, jobs and training opportunities to help those most in need, especially the young.

## **MAIN CONSIDERATIONS**

Principle of the Development  
Character and Appearance of the Area  
Residential Amenity  
Traffic and Parking  
Development and Flood Risk  
Trees and Development  
Biodiversity  
Accessibility  
Sustainability  
S17 Crime & Disorder Act  
Equality and Human Rights Considerations  
Consultation Responses

### **Principle of the Development**

Paragraph 12 of the NPPF (2012) 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.’

Policy 3.8 of The London Plan (consolidated with alterations since 2011) (2015) 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. This policy requires consideration to be given to the accessibility of the site to services and amenities. Furthermore, Policy DM24 of the Development Management Policies (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land.

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.

Paragraph 3.9 of the Harrow Core Strategy (2012) states that a key challenge facing Harrow is to provide a range of affordable housing to meet the current and future population's needs. To support this, 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. This includes the provision of a range of affordable housing tenures including social and affordable rent, as well as intermediate housing products such as shared ownership and shared equity’*.

The application site is not an identified site within the Sites Allocation Local Plan (2013), but is a previously-developed site. This site can be considered to be a windfall site for the provision of new housing insofar as it is not an identified site, but the provision of housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (consolidated with alterations since 2011) (2015) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough.



The proposed residential use would be consistent with the existing residential designation and the surrounding residential land use. 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). For these reasons it is considered that the principle of the use of this site for the provision of housing is acceptable.

#### Provision of new Designated Open Space

Paragraph 73 of the National Planning Policy Framework (2012) states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Furthermore, Paragraph 75 of the NPPF states that Local Authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

Local Plan Policy DM 18 states that open space (as defined on the polices map) will not be released for development , but does not allow for the reconfiguration of open space (criterion B) subject to:

- a) the reconfiguration being part of a comprehensive, deliverable scheme;
- b) no net loss of open space
- c) the reconfiguration would achieve enhancements in capacity, quality and accessibility and secure a viable future for the open space; and
- d) the reconfiguration would not be detrimental to any environmental function

As part of the recently approved application for the demolition of the existing garages and the construction of four, two-storey terraced houses to the rear of 56 Masefield Avenue (reference: P/0185/15), additional designated open space was proposed adjacent to the subject application site. It was considered that this new designation would secure additional Open Space within the area and act to offset the loss of Open Space as part of that recently approved development proposal.

Local Plan Policy DM 19 States that the provision of major new pieces of open space should contribute positively to Harrow's Green Grid. The proposed designated Open Space would add connections to Harrow's Green Grid providing a clear and established link from Masefield Avenue to Bentley Priory (a site of nature conservation importance) to the north and the existing recreational space immediately to the north of the application site.

New residential development can increase the pressure upon existing open space but also offers the opportunity to provide new open space that can benefit future occupiers and the wider community. In view of the above, it is therefore considered that the proposal offers a viable and deliverable enhanced quality open space to function as play and amenity space for the families of the surrounding residential units in addition to strengthening the link to Bentley Priory and enhancing Harrow's Green Grid.

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 advises at paragraph 58 that planning policies and decisions should aim to ensure that developments 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.

Policies 7.4B and 7.6B of The London Plan set out the design principles that all boroughs should seek to ensure for all development proposals. 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'. Policy 7.6B states, inter alia, that all 'development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation'.

Core 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; extensions should respect their host building.'

Policy DM1 (A) of the DMP 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*". It goes on to say that:

*"The assessment of the design and layout of proposals will have regard to:*

- a: the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;*
- b: the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;*
- c: the context provided by neighbouring buildings and the local character and pattern of development;*
- d: the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;*
- e: the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;"*

Paragraph 4.6 of the Council's adopted Residential Design Guide SPD (2010) states that 'the design and layout of new development should be informed by the pattern of development of the area in which it is situated. Furthermore, Paragraph 4.7 goes on to state that 'the design and layout of new development should recognise the character of the area in which it is situated in...and respond to the positive features of that character'.

Masefield Avenue and Bridges Road are predominantly characterised by post-war two-storey semi-detached dwellings with hipped roofs. The majority of dwellings feature modestly sized front and rear gardens. The site immediately to the south of the application site is Kemble House, a two-storey flatted block that fronts the intersection between Masefield avenue and Bridges Road. It features a hipped/pitched roof form with a front and rear gable projection. The application site is located to the rear of Kemble house and set-away from Masefield Avenue (beyond the access road). Consequently, the application site is not readily visible from the streetscene.

### Siting, Scale and Massing

Paragraph 4.16 of the SPD makes clear that development proposals should recognise the scale, massing and roof form of the surrounding environment and should be appropriate in relation to other adjoining buildings and in the street. The application site is significantly constrained as a result of the proximity to various mature trees. Notwithstanding this, it is considered that the principle of residential accommodation can be supported subject to being of an appropriate design, proportion and having an acceptable relationship with the neighbouring properties. The proposed detached dwellings would each have a depth of 7.6m and a width of 10.4m and would therefore be slightly larger than the prevalent scale of the semi-detached dwellings within the vicinity. However, with maximum flat roof height of 6.85m, the proposed dwellings would be approximately 1.25m lower than the maximum ridge height of the neighbouring semi-detached properties. As the proposed detached dwellings would be of a suitable scale and form in relation to the application site, and as they would be located within a backland site (thereby not be readily discernible from the streetscene), it is considered that the proposed dwellings would respect the (residential) scale, proportions and pattern of development of the area. Accordingly, the proposed siting and the relationship of the scheme with the surrounding neighbouring properties are considered by officers to be appropriate. It is acknowledged that the flat roof design and materials to be used in the construction of the dwellinghouses would be different and unusual in this location. However, the benefit of the proposed affordable family houses would outweigh the harm caused by the unconventional design of the proposed dwellinghouses.

The proposed detached dwellings would feature a flat roof with a maximum height of 6.85m. Paragraph 4.15 of the Residential Design Guide states that the roof form is an important visual element of a building and can help to convey the overall design approach of a development. Roof forms should therefore recognise and respect the roof form of surrounding buildings and reflect these where they are a positive attribute of the area's character. The flat roofs would not be in keeping with the predominant roof form of the area. However, it is instructive to note that the proposed dwellings would not be readily visible from the streetscene and as such, the proposed flat roof would not have an unacceptable adverse impact on the character and appearance of the area with regards to the visual impact when viewed from the street. The flat roof would allow for the provision of a Green Roof which would be supported by Policy DM21 of the Harrow Development Management Policies (2013). Given the particular site context, it is therefore considered that the proposed roof form would enhance biodiversity within the area (see Section 7 below)

The proposed detached southern dwelling (type A) would feature the main entrance on the east facing elevation (fronting the main forecourt). The façade of the proposed dwelling would have an entrance door (below a glass canopy) and an additional floor to ceiling window/door serving the ground floor single bedroom. A corner window would be located at first floor level between the eastern and northern elevations which would serve the master-bedroom and a high level window on the southern side of the eastern elevation which would serve the first-floor bathroom. The proposed detached Dwelling (type b) would also have a similar detailing and openings on the front elevation. It is acknowledged that the proposed dwellings would not conform to the traditional design, appearance and detailing of the neighbouring residential properties. However, attention has been given to the design of the proposed dwellings so that they integrate within the immediate site context characterised by open space and woodland/shrubbery. Therefore, despite their modern contemporary appearance, officers consider that the proposed dwellings would make an acceptable contribution within this back land site.

### Density

Table 3.2 of the London Plan (2015) sets 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 99 habitable rooms per hectare (hr/ha) (provision of 8 habitable rooms) which is at the lower end of the prescribed density for the site characteristics. The proposal would therefore accord with the London Plan (2015) and is acceptable in this regard

### Design and Appearance

The proposed dwellings would be finished in timber. The proposed dwellings, whilst of a more modern contemporary and natural appearance would complement the environment, through use of design and materials.

The National Planning Policy Framework (2012) advises that local planning authorities should not attempt to impose architectural styles or particular tastes. However, it also sets out that it is proper to seek to promote or reinforce local distinctiveness. Moreover, one of the core principles of the Framework is to always seek to secure high quality design. Good design is a key aspect of sustainable development and is indivisible from good planning. Whilst the proposed dwellings would differ in their appearance and character from the neighbouring built residential form, it is considered that this would be as they would incorporate materials and design features that would be complementary to the surrounding character of the area. The design and appearance of the proposed development is therefore considered to be acceptable, subject to a condition to secure final details of proposed materials, which would be attached to the planning permission, should approval be granted.

### Landscaping and refuse storage

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).”*

Each dwellinghouse would have access to a private rear amenity space as well as to a communal orchard. The amount and form of private and shared amenity space is considered to be acceptable in relation to the wider character of the area.

The Landscape Officer has stated that the public open space area adjacent to Masefield Avenue is welcomed and the proposed low key treatment would be in keeping with the character of the area, in particular the footpath link, under the existing trees and in close proximity to Bentley Priory Open Space. The electricity sub-station would benefit from being screened and this would improve the appearance in the street scene. However, it is considered that climbing plants all along the length of the fence-line need to be proposed and two new trees planted in the open space, adjacent to Masefield Avenue to soften and attempt to screen the substation area and the fence, which can be incorporated through Landscape Conditions.

Additionally, the proposed hard and soft landscape would be welcomed and provide an improvement on the derelict garages, and hard surfaced area and the footpath through the open space would provide a slightly more formalised footpath link, through to Bentley Priory Open Space, which would add connections to Harrow's Green Grid in accordance with Policy DM21 of the Harrow Development Management Policies (2013).

Policy DM 45 of the Harrow DMP LP (2013) outlines that bin and refuse storage must be provided in such a way to minimise its visual impact and avoid nuisance to occupiers, while providing a secure and convenient facility for occupiers and collection". Under the subject planning application, refuse storage for the proposed dwellings would be within an integral enclosure sited on the flank elevation near to main entrance of each property which is considered to be acceptable.

In summary, it is considered that the proposed development would turn a derelict site into a productive use. In officer's opinion the re-development of the site would successfully integrate into the surrounding suburban context. The proposed dwellings, whilst of a more contemporary appearance, would nonetheless be complimentary to the adjacent surrounding built and natural environment. As such, the proposal is considered to comply with The National Planning Policy Framework (2012), policies 7.4B, 7.6B of The London Plan (2015) core policy CS1 B and D of the Harrow Core Strategy (2012) and policies DM1 of the Harrow Development Management Policies Local Plan (2013).

## Residential Amenity

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

Following on from this, Policy DM1 of the DMP 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 (c)*”. “*The assessment of privacy and amenity considerations will have regard to:*

- a. the prevailing character of privacy and amenity in the area and the need to make effective use of land;*
- b. the overlooking relationship between windows and outdoor spaces;*
- c. the distances between facing windows to habitable rooms and kitchens;*
- d. the relationship between buildings and site boundaries (applying the Council's 45 degree code where relevant);*
- e. the visual impact of development when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant);*
- f. the adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces (applying the Council's 45 degree code where relevant);*
- g. the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers;*
- h. the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution; and*
- i. the need to provide a satisfactory quantum and form of amenity space for future occupiers of residential development.*

### Amenity Impacts on neighbouring dwellings

#### ▪ scale, massing and siting

The Proposed dwellinghouse (type A) would be located on the southern part of the application site and would be adjacent to the shared boundaries with Kemble House and No. 2 Bridges Road. In relation to Kemble House, the southern flank elevation of the proposed dwelling would be located 1.6m away from the shared boundary with that adjoining flatted block and a further 15m (at its closest point) from the rear elevation of that neighbouring building. The existing southern garages act to de-lineate the shared boundary. As a result, the existing outlook from the rear amenity area of Kemble House is towards a continuous flank wall that extends across the full width of that shared boundary. It is considered that this relationship is unsightly at present. Although the proposal would introduce a larger (two-storey) dwelling in close proximity to that shared boundary, the site coverage and extent of development across the full width of the shared boundary would be reduced. Furthermore, as the application site would be partially screened from the rear elevation and private amenity area of Kemble House by mature trees (which are to be retained), it is considered that the proposed dwelling (type A) would not adversely harm the visual amenities of the neighbouring occupiers of Kemble House. Having regard to the distance of the proposed dwelling from the rear elevation of Kemble House, it is considered that the proposed dwellings would not give rise to any detrimental impact on the neighbouring occupiers in terms of loss of light, overshadowing or by means of an overbearing impact. No windows are proposed on the first-floor southern flank wall and a high level window is proposed on the east facing (front) elevation which would serve a bathroom. Consequently, it is considered that the proposed dwelling (type A) would not result in a loss of privacy to the neighbouring occupiers of Kemble House.

In relation to the amenity impacts upon the occupiers of the neighbouring dwelling no. 2 Bridges Road, the proposed southern dwelling (type A) would be sited 7.3m away from the shared boundary with that neighbouring dwelling and approximately 12m from the existing rear elevation of no. 2 (as the crow flies). Having regard to these distances, it is considered that the proposed dwelling (type. A) would not give rise to any detrimental impact on the neighbouring occupiers in terms of loss of light, overshadowing or by means of an overbearing impact. A window is proposed in the western (rear) elevation of the subject dwelling that would serve the first-floor double bedroom. Although the window would be orientated towards the rear garden of no. 2, it would be sited approximately 10m from the eastern side boundary of that neighbouring dwelling. Furthermore, part of the rear elevation would be obscured in view from the rear garden and elevation of no. 2 Bridges Road by the existing trees sited along the boundary which are to be retained. Accordingly it is considered that the proposed first-floor window in the rear elevation would not unacceptably harm the privacy amenities of the neighbouring occupiers at 2 Bridges Road.

With regards to the proposed northern dwelling (type B), the eastern flank wall of that property would be located 16m from the adjacent rear boundary of the neighbouring dwelling no. 43 Masefield Avenue and a further 6m from the rear elevation of that neighbouring property. The adjoining boundary of Kemble House is located 15m to the south of the proposed dwelling (type b). Given the separation distances between the proposed dwelling and the neighbouring dwellings/buildings, it is considered that the proposed dwelling (type b) would not give rise to any detrimental impact on the neighbouring occupiers in terms of loss of light, overshadowing or by means of an overbearing impact. A first-floor corner window is proposed that would extend across part of the first-floor front (southern) and flank (eastern) elevations. Again as a result of the separation distances, it is considered that the proposed first-floor windows would not unreasonably harm the privacy amenity of the neighbouring occupiers.

Notably, no objections have been received from any of the surrounding occupiers. It is acknowledged the new buildings will undoubtedly change the views and outlook from a small number of surrounding properties. However, these are not to a degree that would warrant the refusal of this application.

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 and that the surrounding occupiers will retain adequate levels of daylight and sunlight after the proposed development has been put in place. The analysis is based on the practice guidance contained in the Building Research Establishment (BRE) Digest 209 'Site Layout Planning for Daylight and Sunlight' (2011). Officers are satisfied with the analysis that has been undertaken.

▪ Vehicle Access, Noise and Disturbance

The proposed residential use is consistent with the surrounding land use. Although the new dwellings would generate more activity, 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, the location of the site and as only two parking spaces are proposed.

Street lighting will be achieved using low level lighting bollards within the access road and the forecourt of the proposed dwellings. 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.

Given the above, it is considered that the proposed development would not adversely harm the residential and visual amenities of the neighbouring occupiers and would accord with Policy 7.6B of The London Plan (consolidated with alterations since 2011)(2015), Policy DM1 of the DMP Local Plan (2013) and the guidance contained in the Council's adopted SPD Residential Design Guide (2010).

#### Amenity Impacts on the Future Occupiers

##### ▪ Room Size and Layout

Table 3.3 of The London Plan specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan specifies that these are minimum sizes and should be exceeded where possible.

In addition, paragraph 59 of the 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 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, 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 Housing SPG reiterates the residential unit GIA's in The London Plan and provides additional GIA's and minimum dimensions for rooms within the residential unit. Annex 1 of the SPG sets out a summary of the quality and design standards that new developments should seek to achieve.

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

<b>Dwellinghouse Size</b>	<b>Gross Internal Floor Area (GIA)</b>	<b>Kitchen/Living/Dining (m<sup>2</sup>)</b>	<b>Bedroom (m<sup>2</sup>)</b>
London Housing SPG (2012) – Minimum floor standards	3 bedroom, 5 person: 96m <sup>2</sup>	5 Person: 29m <sup>2</sup>	Single: 8m <sup>2</sup> Double: 12m <sup>2</sup>
Proposed Dwelling A	3 bedroom, 5 person: 103.4m <sup>2</sup>	29.9m <sup>2</sup>	Single: 8m <sup>2</sup> Double: 12m <sup>2</sup> Double (Master): 13.7m <sup>2</sup>
Proposed Dwelling B	3 bedroom, 5 person: 103.4m <sup>2</sup>	29.9m <sup>2</sup>	Single: 8.4m <sup>2</sup> Double: 12m <sup>2</sup> Double (Master): 13.7m <sup>2</sup>



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The table shows that the dwellinghouses would have GIAs that meet the minimum required space standards, and as such provide a satisfactory form of accommodation, compliant with The London Plan, the Housing SPG and the adopted Residential Design Guide SPD.

▪ Daylight and Sunlight to habitable rooms

The proposed dwellings would be located in close proximity to mature trees, the canopies of which would overhang the application site.

Sunlight, Daylight and Outlook are highly valued components of residential quality that contribute significantly towards successful living spaces. The supporting daylight and sunlight assessment finds that all habitable rooms will meet minimum BRE guidelines in terms of levels of daylight. It notes that the proposed living rooms would receive an adequate amount of sunlight. Officers are satisfied with the analysis that has been undertaken. Consequently, it is considered that the levels of daylight and sunlight and outlook for the future occupiers would be sufficient and would ensure a good standard of accommodation.

▪ Outdoor Amenity Space

Policy DM27 of the DMP does not stipulate a minimum or maximum standard of amenity space required, but will assess each case having regard to the location and dwelling mix; the likely needs of the future occupiers of the development; the character and pattern of existing development in the area; the need to safeguard the privacy and amenity of neighbouring occupiers and the quality of the proposed landscaping.

Each of the proposed dwellings would have access to a modest private rear garden in addition to a communal orchard. The accompanying daylight and sunlight report confirms that all the surrounding and proposed open spaces have adequate solar access along the year. As such, it is considered that the proposed private outdoor amenity spaces would be suitable.

▪ Privacy and Outlook

It is considered that the outlook from the proposed habitable rooms is considered to be acceptable and would meet minimum BRE guidelines in terms of levels of daylight. The first-floor corner windows of both proposed dwellings would overlook the proposed shared forecourt and would therefore maintain a suitable relationship that is appropriate to the character of the development being created without compromising on the private amenity of the future occupiers.

Consequently, it is considered that the proposed dwellinghouses would provide a satisfactory form of accommodation in accordance with the NPPF (2012), Policy 3.5C of The London Plan (consolidated with alterations since 2011) (2015), Policy DM27 of the Development Management Policies Local Plan (2013), the Mayor of London's Housing Supplementary Planning Guidance (2012) and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010).

## **Traffic and Parking**

The London Plan (2015) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS 1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.

Previously the site was occupied by some garages and as such levels of traffic generation are not expected to be significantly different from the previous use on the site. One parking space is proposed per dwellinghouse which would comply with the requirements of the London Plan (2015). The cumulative impact of two additional parking spaces is considered de-minimis in measurable highway impact terms as compared to overall traffic flows in the area and therefore the proposal is acceptable in this respect.

Cycle Storage would be provided in an integral enclosure adjacent to the proposed refuse storage, complying with the London Plan (2015) requirements.

Overall, officers consider that the proposal would not have an adverse impact on the free flow of traffic or highway and pedestrian safety. In view of the above, it is considered that the proposal is acceptable in relation to policies 6.3, 6.9 and 6.13 of The London Plan (consolidated with alterations since 2011)(2015), policy CS1 R of the Harrow CS (2012) and policy DM 42 of the Harrow DMP LP (2013).

## **Development and Flood Risk**

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”*. In respect of ordinary watercourse, policy DM 11 requires that an undeveloped buffer zone of at least 5 metres will be provided.

The site is located in Flood Zone 3a/b and is within a Critical Drainage Area. In addition, there is a culvert running across part of the site. As such, there are no restrictions in planning policy for construction of the buildings on the site, subject to flood risk and surface water management controls as well as appropriate protection and an undeveloped buffer zone to the culvert. The application has been referred to the Council’s Drainage Engineers who require further details to be provided by conditions.

To this end, planning conditions are recommended requiring the submission of a Flood Risk Assessment and details for the disposal of sewage and surface water attenuation and storage for considerations and discharge by the Local Planning Authority. A further condition is recommended for the provision of a scheme for the protection of the ordinary watercourse on the site to ensure that this would not be unduly affected by the proposed development. It is considered that appropriate sustainable drainage measures to control the rate and volume of surface water run-off and to protect the ordinary watercourse on the site will ensure no increase to the risk of flooding within or on the adjacent neighbouring

sites.

Subject to conditions, the development is considered to fulfil the objectives of the NPPF concerning managed impacts upon flood risk and would satisfy London Plan (2015), Policies 5.12, 5.13 and 5.14, policy CS1 U of the Harrow Core Strategy, and policies DM9, DM 10 and 11 of the Harrow Development Management Policies Local Plan (2013).

## **Trees and New Development**

Policy 7.21B of The London Plan (2015) 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.”* Furthermore *“B. The Council will require trees identified for retention to be protected during construction and to be retained or replaced where necessary following the completion of the development”*.

None of the trees on the site are protected by a Tree Preservation Order but they 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 Implications Assessment which concludes that the majority of the trees will be retained with only two trees proposed to be felled. The application has been referred to the Council’s Arboricultural Officer who is satisfied with the proposal subject to conditions requiring a detailed Arboricultural Method Statement and an Arboricultural Scheme of Supervision to be submitted an approved, prior to the commencement of development on the site.

Subject to conditions in respect of the above matters, officers consider that the development would thereby comply with policies 7.21 and 7.19 of The London Plan (2015) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

## **Biodiversity**

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

Policies DM 20 and DM 21 seek to ensure the protection and enhancement 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 DM21 states that *“where possible, proposals should secure the restoration and re-creation of significant components of the natural environment as part of the design and layout of the development. Particular attention will be paid to:*

- a) Green corridors and green chains; including the potential to extension or add to the network*
- b) Gardens, including planting for wildlife, green roofs and green walls*
- c) Landscaping, including trees, hedgerows or historical or ecological importance and ponds*
- d) Allotments*

*e) Habitat creation, such as nesting and roosting boxes*

An Ecological Appraisal was submitted in support of the application. This was referred to the Council's Biodiversity officer who advised that the recommendations of the Ecological Appraisal and additional comments by the Biodiversity Officer should be undertaken in order to safeguard and enhance onsite biodiversity. It is considered that these recommendations could be addressed by way of appropriately worded conditions. Subject to these conditions, the Councils Biodiversity Officer raises no objection to the proposed scheme.

## **Accessibility**

Policies 3.5 and 3.8 of The London Plan (2011) and Policy DM2 of the DMP (2013) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, Policy 3.8 of the London Plan (2015) requires 10% of all new housing to be wheelchair accessible and 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' and to be considered a 'wheelchair accessible' home.

The submitted plans and accompanying Design and Access Statement indicates that the proposed dwelling houses would meet Lifetime Homes Standards. It is evident from the plans that external door widths and turning circles in the proposed dwellings would be sufficient to accommodate wheelchair users and to meet all 16 points of the Lifetime Homes Standards. A condition is recommended to be attached to the permission, should approval be granted which would require the dwellings to be built to lifetime home standards. Subject to this, the proposed dwellings would provide an acceptable level of accessibility in accordance with the above policies.

## **Sustainability**

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

Policy DM 12 outlines that *"The design and layout of development proposals should:*

- a. utilise natural systems such as passive solar design and, wherever possible, incorporate high performing energy retention materials, to supplement the benefits of traditional measures such as insulation and double glazing;*
- b. make provision for natural ventilation and shading to prevent internal overheating;*
- c. incorporate techniques that enhance biodiversity, such as green roofs and green walls (such techniques will benefit other sustainability objectives including surface water attenuation and the avoidance of internal and urban over-heating); and*
- d. where relevant, the design and layout of buildings should incorporate measures to mitigate any significant noise or air pollution arising from the future use of the development."*

Following on from this, Harrow Council has an adopted Supplementary Planning Document in relation to Sustainable Building Design (2009).

An Energy and sustainability statement has been submitted indicating that the proposed dwellings could meet Code for Sustainable Homes Level 4. Additional energy efficiency measures are also proposed including a well-insulated building fabric, high levels of air tightness and mechanical ventilation with heat recovery. As such, it is anticipated that the proposed development will be able to achieve a 19% improvement over standards building regulations in terms of energy efficiency which is considered to be acceptable for the scale of development proposed.

## **S17 Crime & Disorder Act**

Paragraph 4.9 of the Harrow Core Strategy (2012) states that *'All development and alterations to the built environment should help to create accessible, safe and secure environments that reduce the scope for crime, fear of crime, anti-social behaviour and fire, having regard to Secured by Design principles'*.

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

## **Equality and Human Rights Considerations**

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

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

Section 149 states:-

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

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

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

## **Consultation Responses**

- n/a

## **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: AA5230 / 2301 Rev A, AA5230 / 2302 Rev A, AA5230 / 2303 Rev A, AA5230 / 2304 Rev A, AA5230 / 2305 Rev A, AA5230 / 2306 Rev A, AA5230 / 2307 Rev A, A15271/2.1/1301 Rev A, 58715-MA-03 Rev A, Design and Access Statement, Arboricultural Implications Assessment, Cover Letter (dated: 23 February 2015), Preliminary Ecological Appraisal (dated: October 2014), Daylight and Sunlight Assessment Issue 01-Final (dated 17 February 2015), Energy Statement Issue 01-Final (dated 12 February 2015), Initial Structural Engineers Comments by Ellis & Moore Consulting Engineers (dated 27 January 2015), Tree Survey Plan & Photos

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. The detailed landscape scheme shall include climbing plants along the length of the fenceline in addition to two new trees in the open space adjacent to Masefield Avenue

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 All hardsurfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency on <http://www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens>.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding, in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.



7 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).

8 No operations of any description shall commence on site in connection with the development, until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall contain full details of the following:

- (a) sequence of operations
- (b) tree protection methods
- (c) ongoing management of the Oak Trees
- (d) tree protection following enabling tree works but prior to all other development
- (e) tree protective fencing
- (f) ground protection

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

9 No operations of any description shall commence on site in connection with the development, until a detailed Arboricultural Scheme of Supervision has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall contain full details of the following:

- (a) proper installation of protective fencing and ground protection prior to commencement
- (b) installation of piling mat and periodically during pile operation
- (c) excavation of trenches for ground beams
- (d) Construction of reduced no-dig surfaces

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

10 All enabling tree works shall be carried out in accordance with BS3998:2101 Recommendations for Tree Works

REASON: To protect the trees of significant amenity value and to safeguard the appearance of the locality, in accordance with policy DM22 of the Councils Development Management Policies Local Plan (2013)

11 The development hereby permitted shall be undertaken in accordance with the recommendations provided in Paragraph 9.4 of the Preliminary Ecological Appraisal (dated: October 2014) 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 Ecological Appraisal which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To make a positive contribution to the protection, enhancement and management of biodiversity in accordance with Policies DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

12 The development hereby permitted shall not be occupied until bird and bat boxes have been provided in consultation with a qualified ecologist on the new buildings and trees as agreed by the Local Planning Authority.

REASON: To make a positive contribution to the protection, enhancement and management of biodiversity in accordance with Policies DM20 and DM21 of the Harrow Development Management Policies Local Plan 2013.

13 The proposed green roofs shall have a reasonable depth of substrate >160mm and shall be vegetated with biodiverse green roof seed mixture in consultation with a qualified ecologist on the new buildings and trees as agreed by the Local Planning Authority

REASON: To make a positive contribution to the protection, enhancement and management of biodiversity in accordance with Policies DM20 and DM21 of the Harrow Development Management Policies Local Plan 2013.

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

REASON: To minimise the impact on Bats and to ensure that the proposed development does not give rise to undue disturbance to neighbouring occupiers, in accordance with policies 7.6B and 7.19 of the London Plan (2015) and policies DM1, DM20 and DM22 of the Harrow Development Management Polices Local Plan (2013).

15 The development hereby permitted shall not commence until the applicant has submitted a completed consultation matrix, flood levels of the site (as confirmed by the Environment Agency) and a cross section of the proposed development with finished floor levels related to same Ordnance Datum. If the flood levels are unavailable for the site a 300mm depth of flooding should be assumed. To satisfy the Drainage Engineering Department that flood risk issues have been addressed, a Flood Risk Assessment containing flood mitigation measures that minimise water entry whilst maintaining structural integrity and use materials and construction techniques to facilitate drying and cleaning measures, shall be submitted to, and approved in writing by, the local planning authority. These measures must be incorporated into the development hereby approved and retained for the lifetime of the development. The applicant shall ensure that the structure is designed to mitigate the effects of any possible flooding on site or elsewhere and include resistance and resilience to flooding.

REASON: To ensure the protection of the natural flood plain, prevent increased risk of flooding and reduce and mitigate the effects of flood risk, in accordance with guidance in the National Planning Policy Framework (2012), policies 5.12 and 5.13 of the London Plan (2015), policy CS1.U of the Harrow Core Strategy (2012), policy DM9 of the Harrow Development Management Policies Local Plan (2013) and Harrow Strategic Flood Risk Assessment (2009).

16 The development hereby permitted shall not commence until a scheme for the protection of the piped watercourse has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a structural survey by CCTV and trial holes to assess the construction, position, condition and expected life of the culvert; proposal of an agreed method of repair or replacement if required; full details demonstrating that the new structure would not impart any load on the culvert or destabilise it in any way; details of any necessary build over or adjacent to the culvert; details of access for future repairs, blockage clearance, maintenance and future condition surveys. The works shall be implemented in accordance with the approved details and shall thereafter be retained.

REASON: To protect the integrity of the piped watercourse structure, reduce and mitigate the effects of flood risk in accordance with the National Planning Policy Framework (2012) and policies DM9 and DM11 of the Harrow Development Management Policies Local Plan (2013).

17 The construction of the buildings 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).

18 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).

19 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. 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 7.6 and 7.15 of The London Plan 2015, policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013).

20 The development hereby permitted shall be undertaken in accordance with the details outlined in the Energy Statement (Issue 01: dated 12 February 2015) 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 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 (2015) and policy DM 12 of the Harrow Development Management Policies Local Plan 2013.

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 7.6 of the London Plan (2015) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (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 on the dwellinghouses 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).

23 Prior to occupation 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 application site / 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> and shall include the following requirements:

1. **Windows:** Ground floor or accessible windows certificated to PAS24:2012 (or STS 204) with Glazing to include one pane of laminated glass to BS EN 356 level P1A
2. **Doors:** External Doors certificated to PAS24:2012, STS 201, LPS 1175 SR2 or STS 202 BR2

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy DM 2 of the Harrow Development Management Policies Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policy 7.4.B of The London Plan (2015) and policy DM1 of The Development Management Policies Local Plan (2013).

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

REASON: To ensure provision of 'Lifetime Homes' standard housing in accordance with policy DM 2 of the Harrow Development Management Policies Local Plan (2013).

26 Notwithstanding the details provided in the approved plans, secure cycle storage shall be provided within the rear garden of each dwelling.

REASON: To provide secure, convenient and accessible cycle parking facilities in accordance with Policy 6.9 of the London Plan (2015).

27 Prior to the occupation of the development hereby permitted, the rear garden shall be enclosed by close boarded fencing to a maximum height of 2 metres. Such fencing shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents, in line with the requirements of with Policies DM1 and DM 26 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATIVES**

1 The following policies are relevant to this decision:

### **National Planning Policy Framework (2012) (NPPF)**

#### **The London Plan (2011) (consolidated with alterations since 2011)(2015):**

- 3.3 – Increasing Housing Supply
- 3.5 – Quality and Design of Housing Developments
- 3.8 – Housing Choice
- 5.2 – Minimising Carbon Dioxide Emissions
- 5.3 – Sustainable Design and Construction
- 5.12 – Flood Risk Management
- 5.13 – Sustainable Drainage
- 6.3 – Assessing Effects of Development on Transport Capacity
- 6.9 – Cycling
- 6.13 – Parking
- 7.1 – Building London’s Neighbourhoods and Communities
- 7.2 – An Inclusive Environment
- 7.3 – Designing Out Crime
- 7.4 – Local Character
- 7.6 – Architecture
- 7.15 - Reducing noise and enhancing soundscapes
- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodlands

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

Core Policy CS 1 – Overarching Policy Objectives

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

- DM 1 - Achieving a High Standard of Development
- DM 2 – Achieving Lifetime Neighbourhoods
- DM9 – Managing Flood Risk
- DM 10 – On Site Water Management and Surface Water Attenuation
- DM 11 – Protection and Enhancement of River Corridors and Watercourses
- DM 12 – Sustainable Design and Layout
- DM 14 – Renewable Energy Technology
- DM 18 – Open Space
- DM 20 – Protection of Biodiversity and Access to Nature
- DM 21 –Enhancement of Biodiversity and Access to Nature
- DM 22 – Trees and Landscaping
- DM 23 – Streetside Greenness and Forecourt Greenery
- DM 24 – Housing Mix
- DM 27 – Amenity Space
- DM 42 – Parking Standards
- DM 44 - Servicing
- DM 45 – Waste Management

### **Relevant Supplementary Documents**

- Supplementary Planning Document – Access for All (2006)).
- Supplementary Planning Document – Residential Design Guide (2010)
- Supplementary Planning Document - Accessible Homes (2010)

## 2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

## 3 PARTY WALL ACT:

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

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

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

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

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

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

## 4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

## 5 DUTY TO BE POSITIVE AND PROACTIVE

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

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

## 6 INFORM61\_M

Please be advised that approval of this application, (by PINS if allowed on Appeal

following the Refusal by Harrow Council), attracts a liability payment of £7,238 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

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

Your proposal is subject to a CIL Liability Notice indicating a levy of £7,238 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 206sqm

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

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

7 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

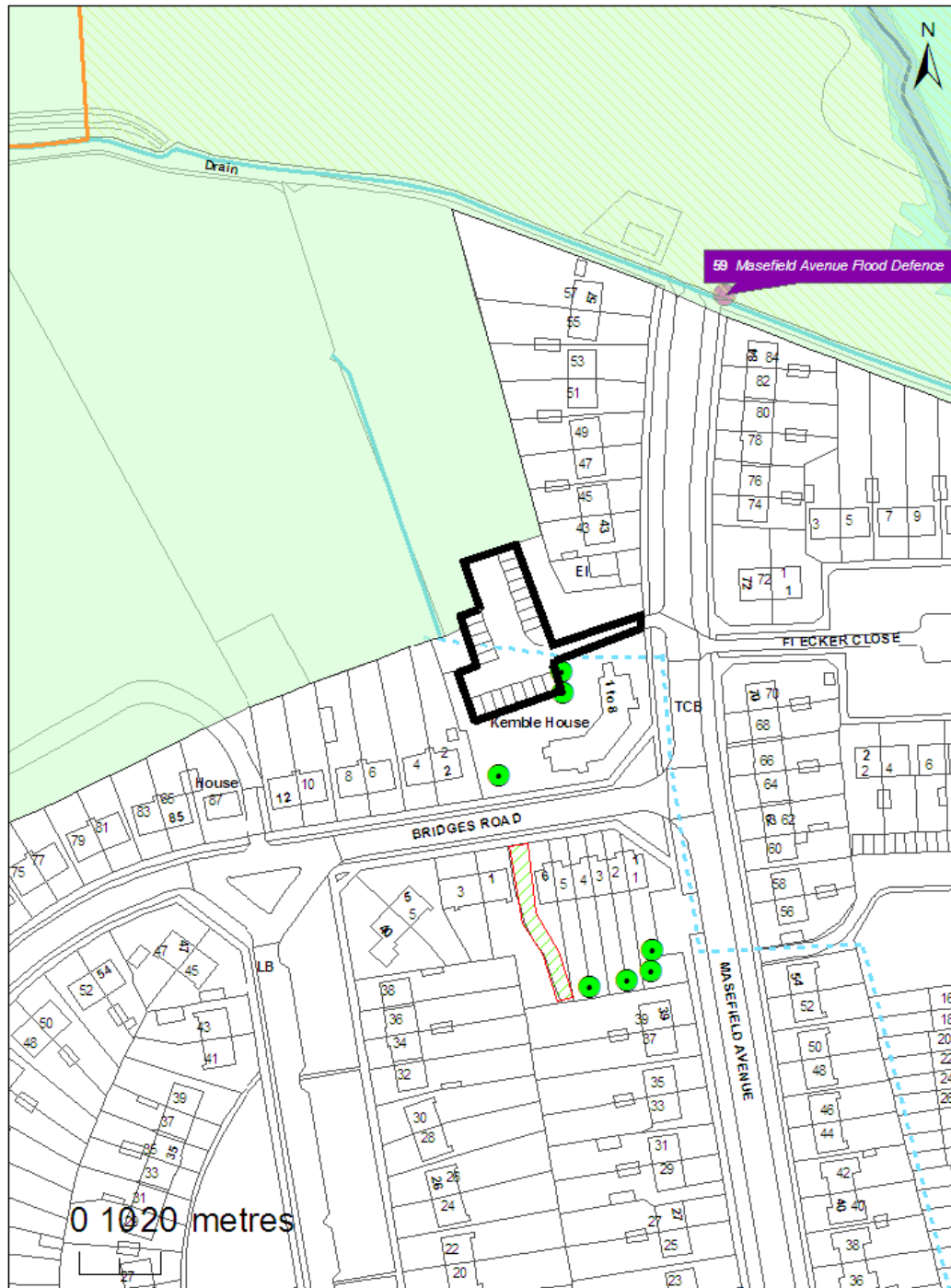
All other uses - Nil.

The Harrow CIL Liability for this development is: £22,748

Plan Nos: AA5230 / 2301 Rev A, AA5230 / 2302 Rev A, AA5230 / 2303 Rev A, AA5230 / 2304 Rev A, AA5230 / 2305 Rev A, AA5230 / 2306 Rev A, AA5230 / 2307 Rev A, A15271/2.1/1301 Rev A, 58715-MA-03 Rev A, Design and Access Statement, Arboricultural Implications Assessment, Cover Letter (dated: 23 February 2015), Preliminary Ecological Appraisal (dated: October 2014), Daylight and Sunlight Assessment Issue 01-Final (dated 17 February 2015), Energy Statement Issue 01-Final (dated 12 February 2015), Initial Structural Engineers Comments by Ellis & Moore Consulting Engineers (dated 27 January 2015), Tree Survey Plan & Photos



# GARAGES REAR OF 43 MASEFIELD AVENUE, STANMORE



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ITEM NO: 2/04  
ADDRESS: GARAGES REAR OF 59 BINYON CRESCENT STANMORE  
REFERENCE: P/0369/15  
DESCRIPTION: REDEVELOPMENT TO PROVIDE TWO SINGLE STOREY DWELLINGHOUSES WITH ACCOMMODATION IN ROOF; LANDSCAPING AND REFUGE STORAGE  
WARD: STANMORE PARK  
APPLICANT: HARROW BOROUGH COUNCIL  
AGENT: PRP ARCHITECTS LLP  
CASE OFFICER: NABEEL KASMANI  
EXPIRY DATE: 25/03/2015

## **RECOMMENDATION**

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

## **INFORMATION**

The application is reported to the Planning Committee because the application is on land owned by the Council and would create over 100m<sup>2</sup> floor space. The Proposal therefore falls outside of the scheme of delegation under Part 1, 1(h).

Statutory Return Type: E(13) Minor Dwellings

Council Interest: The Council is the applicant and the landowner

Net additional Floor space: 209.8m<sup>2</sup>

GLA Community Infrastructure Levy Contribution (provisional): £7,344

Harrow Community Infrastructure Levy Contribution (provision): £23,078

## **Site Description**

- The application site comprises of a block of garages located to the (north-west) of nos. 59-65 Binyon Crescent.
- The application site is rectangular in shape and is served by an existing access point from Binyon Crescent.
- The application site abuts the Green Belt and Area of Special Character to the north and west and is heavily screened by semi-mature trees along that boundary which are the subject of a group Tree Preservation Order (TPO).
- The south-east of the site is adjoined by the rear gardens of nos. 59 to 65 Binyon Crescent. The application site is approximately 800mm higher than the finished floor level of the adjoining dwellings (nos. 59-65 Binyon Crescent)
- A two-storey residential block of flats (nos. 47-57 Binyon Crescent) adjoins the site to the south

- Bentley Wood High School adjoins the application site to the north-west with the access road to the school sited adjacent to the application site. The main school building is located 17m away from the application site at its closest point and is largely screened by a belt of semi-mature trees to the west and north of the site boundary.

## **Proposal Details**

- The application proposes the demolition of the existing garage block and the construction of two semi-detached dwellings
- The proposed dwellings would be orientated towards the north-east and would be sited perpendicular to the adjoining dwellings nos. 59-65 Binyon Crescent.
- A distance of 700mm would be maintained between the proposed flank walls of the building and the north-western and south-eastern boundaries
- The proposed dwellings would feature a crown roof with a maximum height of 6m and an eaves height of 3.5m. Each dwelling would have a maximum depth of 13 and a width of 7m
- An inset box dormer with a projecting frame is proposed in the front elevation of each dwelling and would provide a feature balcony. The dormer would have a height of 2.85m, a width of 2.5m and would protrude a maximum depth of 3.15m from the roofslope.
- A total of six rooflights are proposed (three for each dwelling). Four would be located in the side roofslopes and two would be located within the rear roofslope
- The dwellings would each contain a living room, kitchen/dining room, bathroom and a single and double bedroom on the ground floor, and a double bedroom and shower room within the roofspace.
- An integral designated secure refuse storage space would be provided within the front elevation of each dwelling
- A total of two parking spaces are proposed. The existing vehicular crossover and access road would be used to enter the site
- Each of the dwellings would feature a rear garden with an approximate area of 128m<sup>2</sup>
- The existing trees along the shared boundary are to be retained

## **Revisions to Previous Application**

- n/a

## **Relevant History**

- n/a

## **Pre-Application Discussion**

Informal discussions were held between the Housing department, Architects and the Planning Department. A number of proposals for the redevelopment of the site were put forward. The following advice was provided prior to the submission of this application.

- The neighbouring properties (59-65) Binyon Crescent have relatively short gardens and falling site levels. A pitched roof would be steep and span the full depth of these dwellings resulting in a substantial bulk of building in close proximity to the rear boundary of the existing Binyon Crescent properties. The bulk in addition to the site circumstances would be detrimental to the amenities of the neighbouring occupiers
- A hipped roof would be a better design solution to the site with respect to impact upon neighbouring occupiers
- The Arboricultural advice indicates that it may be necessary to remove further trees and it will be necessary to demonstrate that the dwellings can achieve satisfactory levels of daylight and sunlight
- In terms of design/appearance, it is unclear how the architectural inspiration of the proposed dwellings has been informed by the context of surrounding buildings/local character. The submitted sketches suggest the dwellings would have a utilitarian rural/light-industrial appearance and would be out of keeping with the 'garden suburb' characteristics of the existing Estate

- All habitable rooms and kitchens should have a source of daylight and outlook
- The site has a PTAL of 3 and based on alterations to the London Plan, this would suggest that up to a maximum of 1.5 spaces per dwelling would be appropriate in this suburban location. Cycle provision would also be required.

## **Applicant Submission Documents**

- Design and Access Statement (Summarised as follows)
  - Proposal is to provide much needed affordable family homes to a derelict site which recent evidence suggests is becoming prone to anti-social behaviour
  - The site is at a higher level than the neighbouring gardens of nos. 59 and 61 Binyon Crescent. Overlooking and visual impact of the development could be a constraint. Proposal is single storey with accommodation in roof space to minimise potential impact upon neighbouring properties
  - Mature trees located to the west and south of the site but do not prevent development as addressed in the accompanying Tree Survey and the Sunlight & Daylight report
  - The building would be brick based keeping with the local context and would feature glass reinforced concrete cladding to emphasise the main brick element. Windows would be black framed metal composite which would provide adequate levels of thermal and acoustic performances for future residents. The feature balconies on the front elevation will be obscure glazed
  - Proposal provides a large rear private garden to each new home. The access road and parking forecourt would be bredon gravel which would have the least impact to the roots of existing trees. Each home would be provided with one parking space and provides dedicated secure and covered cycle storage. It is proposed to increase the biodiversity of the site with both bird and bat boxes integrated into the fabric of the building
  - Public consultation undertaken on 16<sup>th</sup> September 2014. Consultation was also undertaken with the Local Planning Department. The subsequent feedback has been incorporated in to the final design
- Daylight and Sunlight Report
- Energy Strategy
- Tree Report
- Preliminary Ecological Appraisal

## **Consultations**

### Arboricultural Officer

The Arboricultural impact assessment is acceptable and I have no objections to the proposals subject to the following:

- Arboricultural Method Statement (AMS) detailing sequence of operations, tree protection methods and ongoing management of the Oak trees to be approved prior to commencement of development
- Approved Arboricultural scheme of supervision in relation to
  - proper installation of protective fencing and ground protection prior to commencement
  - installation of piling mat and periodically during pile operation
  - excavation of trenches for ground beams
  - Construction of reduced no-dig surfaces
- Arboricultural Method Statement (AMS) detailing sequence of operations, tree protection Following enabling trees works but prior to all other development, Tree Protective fencing and ground protection shall be installed in accordance with Method Statement that is to be submitted and approved by the LPA prior to commencement of development
- All enabling tree works to be carried out in accordance with BS3998:2101 Recommendations for Tree Works

### Biodiversity Officer

No objection subject to the imposition of conditions

Drainage Engineer

No objections subject to the imposition of conditions

Landscape Officer

No objection subject to the imposition of conditions

Highways Officer

As the PTAL level is low and the development is 3 bed 5 person, it is possible that there will be demand for more than one parking space per dwelling.

## Advertisement

- n/a

## Notifications

Sent: 19

Replies: 0

Expiry: 26-02-2015

## Addresses Consulted

47 to 67a (odd) Binyon Crescent, Stanmore, HA7 3NE

Bentley Wood High School, Stanmore, HA7 3NA

## Summary of Responses

- n/a

## APPRAISAL

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

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

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

In this instance, the development plan comprises the London Plan [LP] (consolidated with alterations since 2011)(2015) 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 [LAM].

## BACKGROUND

### Homes for Harrow development programme

Demand for affordable housing to rent and buy in Harrow is high and growing. The council now has around 150 families housed in temporary Bed and Breakfast accommodation when a few years ago there were none. The council's Housing Service now has the financial freedom to start building new council housing and the Homes for Harrow programme has identified a number of opportunities where we can start building the first new council homes in a generation.

The Council commissioned a capacity study to identify opportunities to build new homes within existing council housing estates, disused and dis-functional garages, (often the cause of anti-social behavior) and other areas of in-fill development. This work was carried out in consultation with the Harrow Federation of Tenant and Resident Associations and Councilors and with other council services.

A number of opportunities have been identified. The first phase of 13 sites will deliver 40 new Affordable homes for rent including large family houses which are in extremely short supply, as well as 10 new Shared Ownership homes also aimed at families. Planning applications have been worked up following resident consultation on each site and through pre application discussions with Planning Services. The council has been



successful in obtaining government support enabling us to borrow additional funding to support the cost of developing the new homes, as well as using capital receipts from the sale of council homes under the Right to Buy and other housing resources.

Additionally the council also has opportunities for some wider housing estate regeneration and redevelopment schemes which are being developed in partnership with local residents.

The Homes for Harrow programme contributes positively to the Council's vision for Harrow Working Together to Make a Difference for Harrow and the Council's priorities in the following ways:

1. Making a difference for the vulnerable – building a range of new affordable homes including homes for those who are most in need.
2. Making a difference for communities – This work provides an opportunity to involve and engage both residents on estates and from the wider community in the development of new homes, the replacement of poor housing and improvements to the external environment.
3. Making a difference for local businesses – The procurement of contractors for the infill development programme provides an opportunity to encourage and support local, small to medium sized contractors in tendering for the work.
4. Making a difference for families – building a range of new affordable homes with a significant proportion aimed at larger families and improving the worst social housing in Harrow. Other benefits flowing from these development programmes include the creation of apprenticeships, jobs and training opportunities to help those most in need, especially the young.

## **MAIN CONSIDERATIONS**

Principle of the Development  
Character and Appearance of the Area  
Residential Amenity  
Traffic and Parking  
Flood Risk and Sustainable Drainage  
Trees and Development  
Biodiversity  
Accessibility  
Sustainability  
S17 Crime & Disorder Act  
Equality and Human Rights Considerations  
Consultation Responses

### **Principle of the Development**

Paragraph 12 of the NPPF (2012) 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.’

Policy 3.8 of The London Plan (consolidated with alterations since 2011)(2015) 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. This policy requires consideration to be given to the accessibility of the site to services and amenities. Furthermore, Policy DM24 of the Development Management Policies (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land.

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.

Paragraph 3.9 of the Harrow Core Strategy (2012) states that a key challenge facing Harrow is to provide a range of affordable housing to meet the current and future population's needs. To support this, Policy CS(1) 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. This includes the provision of a range of affordable housing tenures including social and affordable rent, as well as intermediate housing products such as shared ownership and shared equity’*.

The application site is not an identified site within the Sites Allocation Local Plan (2013), but is a previously-developed site. This site can be considered to be a windfall site for the provision of new housing insofar as it is not an identified site, but the provision of housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (consolidated with alterations since 2011)(2015) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough.

The proposed residential use would be consistent with the existing residential designation and the surrounding residential land use. 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). For these reasons it is considered that the principle of the use of this site for the provision of housing is acceptable.

## Character and Appearance of the Area

The NPPF advises at paragraph 58 that planning policies and decisions should aim to ensure that developments 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.

Policies 7.4B and 7.6B of The London Plan set out the design principles that all boroughs should seek to ensure for all development proposals. 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'. Policy 7.6B states, inter alia, that all 'development proposals should; be of the highest architectural quality, which complement the local architectural character and be of an appropriate proportion composition, scale and orientation'.

Core 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; extensions should respect their host building.'

Policy DM1 (A) of the DMP 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*". It goes on to say that:

*"The assessment of the design and layout of proposals will have regard to:*

- a: the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;*
- b: the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;*
- c: the context provided by neighbouring buildings and the local character and pattern of development;*
- d: the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;*
- e: the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;"*

Paragraph 4.6 of the Council's adopted Residential Design Guide SPD (2010) states that 'the design and layout of new development should be informed by the pattern of development of the area in which it is situated. Furthermore, Paragraph 4.7 goes on to state that 'the design and layout of new development should recognise the character of the area in which it is situated in...and respond to the positive features of that character'.

Binyon Crescent is predominantly characterised by two-storey semi-detached dwellings featuring hipped/pitched roofs. The majority of dwellings feature modestly sized front and rear gardens. The eastern side of the crescent (to the south of the application site) features a two-storey flatted block and a single storey building which provides purpose built ground floor accommodation, both of which are set-away from the main road (behind a large grass verged area).

### Siting, Scale and Massing

Paragraph 4.16 of the SPD makes clear that development proposals should recognise the

scale, massing and roof form of the surrounding environment and should be appropriate in relation to other adjoining buildings and in the street. The proposed semi-detached dwellings would each have a depth of 13m and a width of 7m and would therefore be slightly larger in footprint than the adjoining semi-detached properties (nos. 59-65 Binyon Crescent) which have an approximate depth of 8m and a width of 7m. However, the increased footprint of the proposed dwellings would be offset by the reduced first-floor habitable accommodation and lower roof height of the proposed dwellings. As purpose built single storey residential accommodation is located within the Crescent (to the south of the applications site), it is considered that the massing and scale of the proposed dwellings would not detract from the predominant character or pattern of development within the area. Under these circumstances, it is considered that the proposed siting and the relationship of the scheme with the surrounding neighbouring properties is considered by officers to be appropriate.

The proposed dwellings would feature 3.5m high flank walls and a crown roof with a maximum height of 6m. Paragraph 4.15 of the Residential Design Guide states that the roof form is an important visual element of a building and can help to convey the overall design approach of a development. Roof forms should therefore recognise and respect the roof form of surrounding buildings and reflect these where they are a positive attribute of the area's character. The proposed crown roof would resemble the pitched/hipped roofs of the adjoining neighbouring dwellings to the south-east without appearing overly dominant or bulky and would therefore complement and relate to the character and appearance of the surrounding area.

The front elevation of both dwellings would feature an inset box dormer with a projecting frame which would provide a feature balcony. The proposed box dormer would have a height of 2.85m, a width of 2.5m and would protrude a maximum depth of 3.15m from the roof slope. Paragraph 6.67 of the Residential Design Guide advises that 'front or side dormers can be objectionable. Their potential bulk and impact on the appearance and character of the building will interrupt a regular pattern in the streetscene'. The proposed dwellings would not be directly visible from the Binyon Crescent and as such, the proposed front dormers would not visually harm the appearance and pattern of development within the streetscene. Furthermore, the proposed dormers would add interest and detailing to the front elevations and would provide an active frontage. The proposed dwellings would be constructed primarily in brick and would therefore be in keeping with the existing surrounding context. As such, despite their contemporary appearance, officers consider that the proposed dwellings would make a sympathetic and positive architectural contribution within this back land site and to the surrounding locality. Overall, officers consider that the scale, mass, articulation and use of materials for the proposed dwellings to be appropriate within the location and would provide a satisfactory relationship with the neighbouring residential dwellings.

### Density

Table 3.2 of the London Plan (2015) sets 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 112 habitable rooms per hectare (hr/ha) (provision of 8 habitable rooms) which is at the lower end of the prescribed density for the site characteristics. The proposal would therefore accord with the London Plan (2015) and is acceptable in this regard

### Design and Appearance

The proposed dwellings would predominantly be finished in brick with additional white

cladding for the frame of the inset dormer. Reconstituted slate tiles are proposed for the crown roof and the windows would have black frames. The inset balcony at would incorporate an obscure glazed balustrade. Each property would benefit from a recessed front entrance with an integral bin store to conceal the refuse bins. The proposed new housing, whilst of a more modern contemporary appearance would complement the surrounding suburban architecture, through use of design and materials.

The National Planning Policy Framework (2012) advises that local planning authorities should not attempt to impose architectural styles or particular tastes. However, it also sets out that it is proper to seek to promote or reinforce local distinctiveness. Moreover, one of the core principles of the Framework is to always seek to secure high quality design. Good design is a key aspect of sustainable development and is indivisible from good planning. Whilst the proposed dwellings would differ slightly in their form, design, massing and appearance from the adjoining semi-detached dwellings (nos. 59-65), it is considered that they would incorporate materials and design features that would be complementary to the surrounding character of the area. The design and appearance of the proposed development is therefore 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 and refuse storage

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).”*

Each dwellinghouse would have access to a private rear amenity space as well as a first floor feature balcony. The amount and form of amenity space it is considered to be acceptable in relation to the wider character of the area. There are various trees located adjacent to the site which are Protected and make an important contribution to the visual amenity of the area. The forecourt would incorporate a mix of hard and soft landscaping. The Landscape Officer has no objections to the proposal subject to conditions.

Policy DM 45 of the Harrow DMP LP (2013) outlines that bin and refuse storage must be provided in such a way to minimise its visual impact and avoid nuisance to occupiers, while providing a secure and convenient facility for occupiers and collection. Under the subject planning application, refuse storage for the proposed dwellings would be within an integral enclosure sited adjacent to main entrance of each property which is considered to be acceptable.

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 successfully integrate into the surrounding suburban context. The proposed dwellings, whilst of a more contemporary appearance, would nonetheless be sympathetic and complimentary to the adjacent surrounding residential dwellings. As such, the proposal is considered to comply with The National Planning Policy Framework (2012), policies 7.4B

and 7.6B of The London Plan (2015) 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 7.6B, subsection D, of The London Plan states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.

Following on from this, Policy DM1 of the DMP 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 (c)”*. *“The assessment of privacy and amenity considerations will have regard to:*

- a. the prevailing character of privacy and amenity in the area and the need to make effective use of land;*
- b. the overlooking relationship between windows and outdoor spaces;*
- c. the distances between facing windows to habitable rooms and kitchens;*
- d. the relationship between buildings and site boundaries (applying the Council's 45 degree code where relevant);*
- e. the visual impact of development when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant);*
- f. the adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces (applying the Council's 45 degree code where relevant);*
- g. the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers;*
- h. the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution; and*
- i. the need to provide a satisfactory quantum and form of amenity space for future occupiers of residential development.*

### Amenity Impacts on neighbouring dwellings

#### ▪ scale, massing and siting

The south-eastern flank wall of the proposed eastern dwelling would be sited approximately 13.8 metres from the rear elevations of Nos. 59 to 63 and would be set off their rear garden boundaries by 700mm. Having regard to these distances, it is considered that the proposed dwellings 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. Whilst the visual impact of the proposed dwellings would be more pronounced from the rear gardens of Nos 59 to 63 as a result of the variation in site levels between the application site and neighbouring dwellings, it is considered the visual prominence would be partially mitigated by the existing outbuildings (sited at the bottom of the rear gardens) of those adjoining dwellings and the relatively modest height of the proposed crown roof of the dwellings. Therefore officers consider that acceptable level of outlook from Nos. 59 to 63, including the rear garden areas would still be maintained away from the south-eastern flank wall of the proposed dwellings.

Notably, no objections have been received from any of the surrounding neighbouring occupiers. 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. It is noted that no flank wall windows are proposed and a condition is recommended to ensure that no windows are added in the future. The windows in the proposed south-eastern roof slope would provide light to the ground floor kitchen and lounge and would be located 3.23m above finished floor level. As a result, it is considered that the proposed windows in the



side roofslope would not result in a loss of privacy to the neighbouring occupiers. The proposed inset dormer in the front elevation of the south-eastern dwelling would be recessed. As such, it would only allow for views over the south of the application site (proposed forecourt) and would not give rise to direct overlooking of the rear gardens of the adjoining semi-detached dwellings nos. 59 and 61.

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 and that the surrounding occupiers will retain adequate levels of daylight and sunlight. The analysis is based on the practice guidance contained in the Building Research Establishment (BRE) Digest 209 'Site Layout Planning for Daylight and Sunlight' (2011). Officers are satisfied with the analysis that has been undertaken.

With respect to the amenity impact on the adjoining flatted block (nos. 47-57 Binyon Crescent) the front elevation of the proposed dwellings would be sited 10m from the shared boundary with that neighbouring building. As such, it is considered that the proposed dwellings 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 proposed front inset dormer would face the forecourt of the proposed dwelling. Views from the proposed first-floor front feature dormer towards the adjoining two-storey flatted block (to the south) would be limited as a result of existing trees and vegetation along that shared boundary. It is instructive to note that the trees along that shared boundary are the subject to a group Tree Preservation Order and as such, it is likely that the existing screening between the rear elevation/amenity area of the flatted block and the front elevation of the subject dwellings would be maintained.

▪ Vehicle Access, Noise and Disturbance

The proposed residential use is consistent with the surrounding land use. Although the new dwellings would generate more activity, 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, the location of the site and as only two parking spaces are proposed.

Street lighting will be achieved using low level bollards along the access road and a light column located on the southern side of the site. 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.

Given the above, it is considered that the proposed development would not adversely harm the residential and visual amenities of the neighbouring occupiers and would accord with Policy 7.6B of The London Plan (consolidated with alterations since 2011)(2015), Policy DM1 of the DMP Local Plan (2013) and the guidance contained in the Council's adopted SPD Residential Design Guide (2010).

Amenity Impacts on the Future Occupiers

▪ Room Size and Layout

Table 3.3 of The London Plan specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan specifies that these are minimum sizes and should be exceeded where possible.

In addition, paragraph 59 of the 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 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, 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 Housing SPG reiterates the residential unit GIA's in The London Plan and provides additional GIA's and minimum dimensions for rooms within the residential unit. Annex 1 of the SPG sets out a summary of the quality and design standards that new developments should seek to achieve.

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

<b>Dwellinghouse Size</b>	<b>Gross Internal Floor Area (GIA)</b>	<b>Kitchen/Living/Dining (m<sup>2</sup>)</b>	<b>Bedroom (m<sup>2</sup>)</b>
London Housing SPG (2012) – Minimum floor standards	3 bedroom, 5 person: 96m <sup>2</sup>	5 Person: 29m <sup>2</sup>	Single: 8m <sup>2</sup> Double/twin: 12m <sup>2</sup>
Proposed Eastern dwelling	3 bedroom, 5 person: 104.9m <sup>2</sup>	33m <sup>2</sup>	Single: 8m <sup>2</sup> Double: 12.1m <sup>2</sup> Twin (in roofspace): 12.4m <sup>2</sup>
Proposed western dwelling	3 bedroom, 5 person: 104.9m <sup>2</sup>	33m <sup>2</sup>	Single: 8m <sup>2</sup> Twin: 12.4m <sup>2</sup> Double (in roofspace): 12.1m <sup>2</sup>

The table shows that the dwellinghouses would have GIAs that meet the minimum required space standards, and as such provide a satisfactory form of accommodation, compliant with The London Plan, the Housing SPG and the adopted Residential Design Guide SPD.

▪ Daylight and Sunlight to habitable rooms

Sunlight, Daylight and Outlook are highly valued components of residential quality that contribute significantly towards successful living spaces. The canopy of the adjacent trees would cast a shadow (particularly in the summer months) over the proposed forecourt, rear garden and roof of the dwelling which could compromise the quality daylight/sunlight to the proposed dwelling. This may be significant for the western dwelling, which would be sited adjacent to the respective trees and may therefore be susceptible to greater overshadowing/loss of light.

Notwithstanding this, the supporting daylight and sunlight assessment finds that all habitable rooms will meet minimum BRE guidelines in terms of levels of daylight. It notes that the proposed living rooms would receive adequate amounts of sunlight. Officers are satisfied with the analysis that has been undertaken. Consequently, on balance, the levels of daylight and sunlight and outlook for the future occupiers are considered to be sufficient and would ensure a good standard of accommodation.

▪ Outdoor Amenity Space

Policy DM27 of the DMP does not stipulate a minimum or maximum standard of amenity space required, but will assess each case having regard to the location and dwelling mix; the likely needs of the future occupiers of the development; the character and pattern of existing development in the area; the need to safeguard the privacy and amenity of neighbouring occupiers and the quality of the proposed landscaping.

Each of the proposed dwellings would have access to a 125m<sup>2</sup> private rear garden which would be delineated by a close-boarded fence. A condition is included to ensure the proposed fence would be no less than 2m in height to protect the privacy amenity of the host occupiers. The accompanying daylight and sunlight report confirms that all the surrounding and proposed open spaces have adequate solar access along the year. As such, it is considered that the proposed private outdoor amenity space would be suitable.

Consequently, it is considered that the proposed dwellinghouses would provide a satisfactory form of accommodation in accordance with the NPPF (2012), Policy 3.5C of The London Plan (consolidated with alterations since 2011)(2015), Policy DM27 of the Development Management Policies Local Plan (2013), the Mayor of London's Housing Supplementary Planning Guidance (2012) and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010).

## **Traffic and Parking**

The London Plan (2015) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS 1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.

Previously the site was occupied by garages and therefore levels of traffic generation are not expected to be significantly different from the previous use on the site. One parking space is proposed per dwellinghouse which would comply with the requirements of the London Plan (2015). The cumulative impact of two additional parking spaces is considered de-minimis in measurable highway impact terms as compared to overall traffic flows in the area and therefore the proposal is acceptable in this respect.

No details have been provided with regards to Cycle Storage. However, it is considered that this could be readily addressed through the imposition of a condition requiring secure cycle storage to be provided within the application site.

Overall, officers consider that the proposal would not have an adverse impact on the free flow of traffic or highway and pedestrian safety. In view of the above, it is considered that the proposal is acceptable in relation to policies 6.3, 6.9 and 6.13 of The London Plan (consolidated with alterations since 2011)(2015), policy CS1 R of the Harrow CS (2012) and policy DM 42 of the Harrow DMP LP (2013).

## **Flood Risk and Sustainable Drainage**

The site is not located within a flood zone. However, is located within a Critical Drainage Area and given the potential for the site to result in higher levels of water discharge into the surrounding drains, could have an impact on the capacity of the surrounding water network to cope with higher than normal levels of rainfall. The Council's Drainage Team have commented on the application and recommended conditions to ensure that development does not increase flood risk on or near the site and would not result in unacceptable levels of surface water run-off.

It is considered reasonable that this matter could be addressed by way of appropriately worded safeguarding conditions. Subject to such conditions the development would accord with National Planning Policy, Policy 5.12 of The London Plan (consolidated with alterations since 2011)(2015), and Policy DM10 of the DMP (2013).

## **Trees and New Development**

Policy 7.21B of The London Plan (2015) 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.”*

The application site adjoins a group of trees that are subject of a Group Tree Preservation Order (TPO) to the south and west of the site. The Council’s Tree Officer considered that the proposal would be acceptable subject to conditions requiring a detailed Arboricultural Method Statement and an Arboricultural Scheme of Supervision to be submitted and approved, prior to the commencement of development on the site.

Subject to conditions in respect of the above matters, officers consider that the development would thereby comply with policies 7.21 and 7.19 of The London Plan (2015) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

## **Biodiversity**

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

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*

A Preliminary Ecological Appraisal was submitted in support of the application. This was referred to the Council’s Biodiversity Officer who advised that the recommendations outlined in Paragraph 9.4 of the Appraisal should be undertaken in order to safeguard and enhance onsite biodiversity. It is considered that these recommendations could be addressed by way of appropriately worded conditions. Subject to these conditions, the Councils Biodiversity Officer raises no objection to the proposed dwellings.

## **Accessibility**

Policies 3.5 and 3.8 of The London Plan (2011) and Policy DM2 of the DMP (2013) seek to ensure that all new housing is built to ‘Lifetime Homes’ standards. Furthermore, Policy 3.8 of the London Plan (2015) requires 10% of all new housing to be wheelchair accessible and 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’ and to be considered a ‘wheelchair accessible’ home.

The submitted plans and accompanying Design and Access Statement indicates that the proposed dwelling houses would meet Lifetime Homes Standards. It is evident from the plans that external door widths and turning circles in the proposed dwellings would be sufficient to accommodate wheelchair users and to meet all 16 points of the Lifetime Homes Standards. A condition is recommended to be attached to the permission, should approval be granted which would require the dwellings to be built to lifetime home standards. Subject to this, the proposed dwellings would provide an acceptable level of accessibility in accordance with the above policies.

## **Sustainability**

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

Policy DM 12 outlines that *“The design and layout of development proposals should:*  
*a. utilise natural systems such as passive solar design and, wherever possible, incorporate*

*high performing energy retention materials, to supplement the benefits of traditional measures such as insulation and double glazing;*  
*b. make provision for natural ventilation and shading to prevent internal overheating;*  
*c. incorporate techniques that enhance biodiversity, such as green roofs and green walls (such techniques will benefit other sustainability objectives including surface water attenuation and the avoidance of internal and urban over-heating); and*  
*d. where relevant, the design and layout of buildings should incorporate measures to mitigate any significant noise or air pollution arising from the future use of the development.”*

Following on from this, Harrow Council has an adopted Supplementary Planning Document in relation to Sustainable Building Design (2009).

An Energy and sustainability statement has been submitted indicating that the proposed dwellings could meet Code for Sustainable Homes Level 4. Additional energy efficiency measures are also proposed including a well-insulated building fabric, high levels of air tightness and mechanical ventilation with heat recovery.

## **S17 Crime & Disorder Act**

Paragraph 4.9 of the Harrow Core Strategy (2012) states that *'All development and alterations to the built environment should help to create accessible, safe and secure environments that reduce the scope for crime, fear of crime, anti-social behaviour and fire, having regard to Secured by Design principles'*.

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

## **Equality and Human Rights Considerations**

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

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

Section 149 states:-

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

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

## **Consultation Responses**

n/a

## **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: AA5230/2101, AA5230/2102, AA5230/2103, AA5230/2104 Rev A, AA5230/2105, AA5230/2106, AA5230/2107, 15298/SK01 Rev B, 56715-BC-01 Rev A, 56715-BC-02 Rev A, 56715-BC-03 Rev B, Tree Photos, Design and Access Statement, Cover Letter (dated: 28 January 2015), Preliminary Ecological Appraisal (dated: October 2014), Daylight and Sunlight Assessment Issue 01-draft (dated 27 January 2015), Energy Statement Issue 01-Final (dated 22 January 2015), Initial Structural Engineers Comments by Ellis & Moore Consulting Engineers (dated 29 January 2015), Arboricultural Impact Assessment (dated 23 March 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 All hardsurfacing shall EITHER be constructed from porous materials, for example, gravel, permeable block paving or porous asphalt, OR provision shall be made to direct run-off water from the hard surfacing to a permeable or porous area or surface within the curtilage of the site. Please note: guidance on permeable paving has now been published by the Environment Agency on

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding, in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013.

7 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).

8 No operations of any description shall commence on site in connection with the development, until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall contain full details of the following:

- (a) sequence of operations
- (b) tree protection methods
- (c) ongoing management of the Oak Trees
- (d) tree protection following enabling tree works but prior to all other development
- (e) tree protective fencing
- (f) ground protection

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

9 No operations of any description shall commence on site in connection with the development, until a detailed Arboricultural Scheme of Supervision has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall contain full details of the following:

- (a) proper installation of protective fencing and ground protection prior to commencement
- (b) installation of piling mat and periodically during pile operation
- (c) excavation of trenches for ground beams
- (d) Construction of reduced no-dig surfaces

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

10 All enabling tree works shall be carried out in accordance with BS3998:2101 Recommendations for Tree Works

REASON: To protect the trees of significant amenity value and to safeguard the appearance of the locality, in accordance with policy DM22 of the Councils Development Management Policies Local Plan (2013).

11 The development hereby permitted shall be undertaken in accordance with the recommendations provided in Paragraph 9.4 of the Preliminary Ecological Appraisal (dated: October 2014) 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 Ecological Appraisal which thereafter shall be submitted to the Local Planning Authority for written approval.

REASON: To make a positive contribution to the protection, enhancement and management of biodiversity in accordance with Policies DM20 and DM21 of the Harrow Development Management Policies Local Plan (2013).

12 The construction of the buildings 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).

13 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).

14 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 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 7.6 and 7.15 of The London Plan 2015, policies DM 1 and DM 42 of the Harrow Development Management Policies Local Plan (2013).

15 The development hereby permitted shall be undertaken in accordance with the details outlined in the Energy Statement (Issue 01: dated 22 January 2015) 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 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 (2015) and policy DM 12 of the Harrow Development Management Policies Local Plan 2013.

16 Prior to the commencement of the development, a detailed lighting 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 (2015) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 7.6 of the London Plan (2015) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (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 on the dwellinghouses 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).

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policy 7.4.B of The London Plan (2015) and policy DM1 of The Development Management Policies Local Plan (2013).

20 Prior to occupation 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 application site / 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> and shall include the following requirements:

1. **Windows:** Ground floor or accessible windows certificated to PAS24:2012 (or STS 204) with Glazing to include one pane of laminated glass to BS EN 356 level P1A
2. **Doors:** External Doors certificated to PAS24:2012, STS 201, LPS 1175 SR2 or STS 202 BR2

Following implementation the works shall thereafter be retained.

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime, in accordance with Policy DM 2 of the Harrow Development Management Policies Local Plan (2013), and Section 17 of the Crime & Disorder Act 1998.

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

REASON: To ensure provision of 'Lifetime Homes' standard housing in accordance with policy DM 2 of the Harrow Development Management Policies Local Plan (2013).

22 Notwithstanding the details provided in the approved plans, secure cycle storage shall be provided within the rear garden of each dwelling.

REASON: To provide secure, convenient and accessible cycle parking facilities in accordance with Policy 6.9 of the London Plan (2015).

23 Prior to the occupation of the development hereby permitted, the rear garden shall be enclosed by close boarded fencing to a maximum height of 2 metres. Such fencing shall thereafter be retained.

REASON: To safeguard the amenity of neighbouring residents, in line with the requirements of with Policies DM1 and DM 26 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATIVES**

1 The following policies are relevant to this decision:

### **National Planning Policy Framework (2012) (NPPF)**

### **The London Plan (2011) (consolidated with alterations since 2011)(2015):**

- 3.3 – Increasing Housing Supply
- 3.5 – Quality and Design of Housing Developments
- 3.8 – Housing Choice
- 5.2 – Minimising Carbon Dioxide Emissions
- 5.3 – Sustainable Design and Construction
- 5.13 – Sustainable Drainage
- 6.3 – Assessing Effects of Development on Transport Capacity
- 6.9 – Cycling
- 6.13 – Parking
- 7.1 – Building London's Neighbourhoods and Communities
- 7.2 – An Inclusive Environment
- 7.3 – Designing Out Crime
- 7.4 – Local Character
- 7.6 – Architecture
- 7.15 - Reducing noise and enhancing soundscapes

- 7.19 – Biodiversity and Access to Nature
- 7.21 – Trees and Woodlands

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

Core Policy CS 1 – Overarching Policy Objectives

### **Harrow Development Management Polices Local Plan (2013)**

- DM 1 - Achieving a High Standard of Development
- DM 2 – Achieving Lifetime Neighbourhoods
- DM 10 – On Site Water Management and Surface Water Attenuation
- DM 12 – Sustainable Design and Layout
- DM 14 – Renewable Energy Technology
- DM 20 – Protection of Biodiversity and Access to Nature
- DM 21 –Enhancement of Biodiversity and Access to Nature
- DM 22 – Trees and Landscaping
- DM 23 – Streetside Greenness and Forecourt Greenery
- DM 24 – Housing Mix
- DM 27 – Amenity Space
- DM 42 – Parking Standards
- DM 44 - Servicing
- DM 45 – Waste Management

### **Relevant Supplementary Documents**

- Supplementary Planning Document – Access for All (2006)).
- Supplementary Planning Document – Residential Design Guide (2010)
- Supplementary Planning Document - Accessible Homes (2010)
- Mayor Of London, Housing Supplementary Planning Guidance (November 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](mailto:communities@twoten.com)

#### 4 COMPLIANCE WITH PLANNING CONDITIONS

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

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

#### 5 DUTY TO BE POSITIVE AND PROACTIVE

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

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

#### 6 INFORM61\_M

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £7,344 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

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

Your proposal is subject to a CIL Liability Notice indicating a levy of £7,344 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 209sqm

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

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

7 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

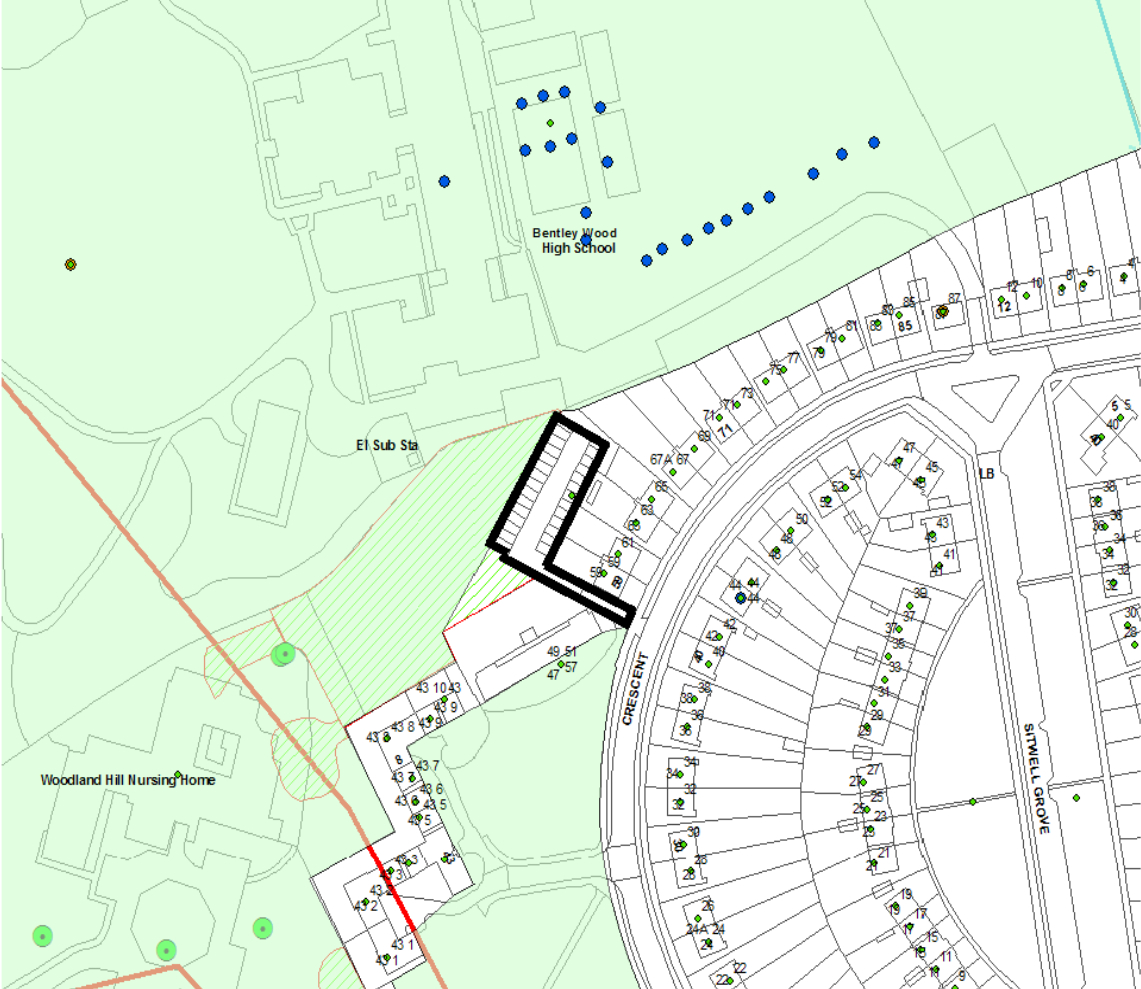
All other uses - Nil.



The Harrow CIL Liability for this development is: £23,078.

Plan Nos: AA5230/2101, AA5230/2102, AA5230/2103, AA5230/2104 Rev A, AA5230/2105, AA5230/2106, AA5230/2107, 15298/SK01 Rev B, 56715-BC-01 Rev A, 56715-BC-02 Rev A, 56715-BC-03 Rev B, Tree Photos, Design and Access Statement, Cover Letter (dated: 28 January 2015), Preliminary Ecological Appraisal (dated: October 2014), Daylight and Sunlight Assessment Issue 01-draft (dated 27 January 2015), Energy Statement Issue 01-Final (dated 22 January 2015), Initial Structural Engineers Comments by Ellis & Moore Consulting Engineers (dated 29 January 2015), Arboricultural Impact Assessment (dated 23 March 2015).

GARAGES REAR OF 59 BINYON CRESCENT, STANMORE



ITEM NO: 2/05  
ADDRESS: 'BIRCHDENE', 55 THE CHASE, PINNER  
REFERENCE: P/0845/15  
DESCRIPTION: TWO STOREY SIDE EXTENSION; FIRST FLOOR REAR EXTENSION; ALTERATIONS TO RAISE THE ROOF HEIGHT; ROOFLIGHTS IN THE FRONT, REAR AND SIDE ROOFSLOPES EXTERNAL ALTERATIONS  
WARD: PINNER  
APPLICANT: MRS ADIBA GHOURI  
AGENT: MD DESIGNS  
CASE OFFICER: GRAHAM MANSFIELD  
EXPIRY DATE: 28/04/2015

## **RECOMMENDATION**

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

## **INFORMATION**

This application is reported to planning committee as the applicant is an employee of Harrow Council under Part 1 Proviso B of the scheme of delegation dated 29th May 2013

Statutory Return Type: 21 (Householder)

Council Interest: None

Gross Floorspace: 119.5 sqm

Net additional Floorspace: 37.7 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 west side of The Chase
- The application property is an 1960's style dwellinghouse which has a shallow pitched gable ended roof
- The character of properties on The Chase are predominately a mixture of terraced and semi detached Victorian dwellinghouses although there are a number of 1960's and 1970's infill properties evident within the streetscene
- The property benefits from a single storey rear extension
- The adjacent property at no. 57 to the north is a detached Victorian dwellinghouse which has not been extended.

- The rear boundaries of 1, 2 & 3 Rose Cottages, The Chase and Nower Hill Cottage adjoin the application site to the south.
- 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 two storey side extension, a first floor rear extension and to raise the height of the existing roof and change the design from a gabled roof to a hipped roof.

#### Proposed Two Storey Side Extension

- It is proposed to attach a two storey side extension to the south side elevation of the existing dwellinghouse
- The proposed two storey side extension would be a width of 2.46m on the front elevation of the dwellinghouse and would be stepped in twice towards the rear of the existing dwellinghouse to a proposed width on the rear elevation of 1.0m
- It is proposed to construct a subordinate hipped roof over the top of the proposed two storey side extension which would be set down 0.8m from the main roof ridge.
- The proposed height of the roof over the two storey side extension would be a total of 7.47m and 5.23m to the eaves.
- It is proposed to insert two windows in the front elevation of the two storey side extension (one at ground floor and one at first floor).
- It is proposed to insert four windows in the south flank elevation of the proposed two storey side extension (one at first floor level and three at ground floor level).

#### Proposed First Floor Rear Extension

- The proposed first floor rear extension would be on top of the existing single storey rear extension
- The proposed first floor rear extension would be at a depth of approximately 2.24m and a width of approximately 3.23m.
- The proposed roof over the first floor rear extension would be a subordinate hipped roof which would be 5.3m to the eaves and a total height of 6.6m

#### Proposed Alterations to the Roof

- To accommodate the proposed two storey side and first floor rear extensions it is proposed to alter the existing roof
- It is proposed to raise the roof height of the main roof from the current maximum height of approximately 7.06m to 8.23m
- It is proposed to change the design of the current roof from a gabled to a hipped roof
- It is proposed to insert two rooflights into each side elevation of the proposed roof and one rooflight in the front and rear elevations of the proposed roof.

### **Revisions to Previous Application**

- N/A

### **Relevant History**

LBH/2908; Erection of detached dwellinghouse and garage; Grant; 03/01/1968

P/2891/07; Single Storey Front, Side & Rear Extension; Grant; 14/11/2007

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

- A scheme for a two storey side and first floor rear extension with roof alterations was considered and deemed acceptable in principle with suggested amendments

### **Applicant Submission Documents**

- N/A

### **Consultations**

Pinner Association – No Response

### **Advertisement**

N/A

### **Notifications**

Sent: 5

Replies: 1

Expiry: 06/04/2015

### **Addresses Consulted**

1 Rose Cottages, The Chase, Pinner, HA5 5QP

2 Rose Cottages, The Chase, Pinner, HA5 5QP

3 Rose Cottages, The Chase, Pinner, HA5 5QP

'Moorlands', 57 The Chase, Pinner, HA5 5QP

'Nower Hill Cottage, 36 The Chase, Pinner, HA5 5QP

### **Summary of Responses**

- Existing windows already overlook rear of no. 3 Rose Cottages
- Proposed extension will block in no. 3 Rose Cottages
- The proposal would have a detrimental affect on privacy and sunlight
- Planting trees and hedges would not be viable due to the proposed extension

### **MAIN CONSIDERATIONS**

Character and Appearance of the Area

Residential Amenity

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 (consolidated with amendments since 2011) (2015) 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 two storey side extension would be attached to the existing south elevation of the existing dwellinghouse. It is considered that the proposed two storey side extension would be a proportionate addition to the existing dwellinghouse. The proposed width of the two storey side extension would 2.46m in width on the front elevation and therefore this is considered to be a modest addition to the host dwellinghouse with an additional footprint of approximately 15sqm. Furthermore the proposed roof over the proposed two storey side extension would be a hipped design and would be subordinate to the main roof and as a consequence would not appear unduly bulky or out of scale when viewed within the streetscene.

The proposed two storey side extension would occupy the whole length of the south side elevation to a maximum depth of 8.8m. Due to the angled common boundary line between the application site and the rear of Rose Cottages the proposed two storey side extension would be stepped in twice to a maximum width of 1.0m on the rear elevation. This element of the proposed two storey side extension has been designed with the flank walls running parallel to the existing dwellinghouse and would therefore comply with paragraph 6.56 of the Harrow Residential Design Guide SPD (2010) which highlights the care that needs to be taken when dealing with extensions within irregular boundaries.

It is also noted that the two storey side extension would still maintain a gap of approximately 0.5m between the south elevation of the dwellinghouse and the common boundary with the rear of Rose Cottages and therefore the proposed two storey side extension would not appear unduly cramped in its location.

The proposal seeks to attach a first floor rear extension to the rear of the existing dwellinghouse which would sit above the existing single storey rear extension. It is considered that the relatively small size of the proposed first floor rear extension at approximately 7sqm would be an acceptable addition to the host dwellinghouse.

The proposed first floor rear extension would also set be in sufficiently by 1.0m from the adjacent rear corner of the dwellinghouse and would therefore comply with paragraph 6.53 of the Harrow Residential Design Guide SPD (2010). Furthermore, in compliance with paragraph 6.53 above, the proposed first floor rear extension would have a subordinate hipped roof and would therefore appear as a proportionate addition to the

host dwellinghouse or area.

It is proposed to alter the design of the existing roof over the dwellinghouse from a gable end to a hipped design. The alteration in design would also seek to raise the main roof ridge from a current maximum height of 7.06m to 8.23m. It is considered that the alterations to the roof would not unduly harm the character of the streetscene or the area. It is noted that the gabled roof of the adjacent neighbouring house at no. 57 is set higher than that of the application site and therefore the proposed raising of the existing roof would not unduly impact on the character of visual amenity of the streetscene.

The change from a gabled roof to a hipped design would be considered as a proportionate and acceptable design that would not detract from the character of the area. It would alter the design of the building from a vertical to a horizontal emphasis. However, given its limited architectural quality and the fact the majority of dwellinghouses within The Chase are of Victorian origin of a gabled roof design, the building would maintain a satisfactory relationship with the street. There are also a number of infill properties that are evident within the streetscene which have of a variety of roof forms that include flat and hipped designs.

The application also proposes to insert rooflights into all sides of the proposed roof. This element is considered as acceptable as it is noted that there are a number of properties within The Chase which have existing rooflights within the roofslopes.

In summary, in terms of its impact upon the character and appearance of the existing dwellinghouse and the streetscene, the proposal is considered to comply with the aims and objectives of policies 7.4B and 7.6B of The London Plan (consolidated with amendments since 2011) (2015), 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 (consolidated with amendments since 2011)(2015) 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.

It is considered that the proposed twostorey side extension would not unduly harm the neighbouring occupiers to the north at no. 57 in terms of outlook or overshadowing. This is due to the fact that the proposed two storey side extension would be located on the existing south elevation of the dwellinghouse and therefore would not be visible from no. 57.

An objection received highlighted concerns that the proposed two storey side extension would block in the rear of no. 3 Rose Cottages and have a detrimental impact on the

light to the rear of no. 3 Rose Cottages.

However, it is considered that the proposed two storey side extension would not cause unduly impact the occupants of no. 3 Rose Cottages as the extension maintains a reasonable distance to the rear boundary of this property and the proposed extensions are sited to the north-east of Rose Cottages. Though some impact on the light received to the rear garden of this property would therefore occur, it is considered that unreasonable impacts would not occur. No conflict with policy DM1 of the Development Management Policies Local Plan would therefore occur.

From the site visit it was noted that the rear of no.3 Rose Cottages has an existing two storey outrigger which contains a habitable window at first floor. Due to the distance from the habitable window at 3 Rose Cottages, it is considered that the proposed two storey side extension at no. 55 would not interrupt a 45 degree splay and therefore the proposed two storey side extension at no. 55 would comply with paragraph 6.31 of the Harrow Residential Design Guide SPD (2010).

Furthermore, it was noted that the no. 3 Rose cottages benefits from a part single, part two storey rear extension which is attached to the side of the existing two storey outrigger at no. 3 Rose Cottages. The rear elevation of the two storey rear extension at no. 3 Rose Cottages contains a window at first floor level which appears to serve a bathroom. Although this is close to the boundary with no. 55 the Chase, the bathroom window is not a protected source of light as stated in paragraph 6.26 of the Harrow Residential Design Guide SPD (2010).

The ground floor of the extended rear and side of no. 3 Rose Cottages appears to contain windows and patio doors which serve a habitable room. However, as these windows appear to be dual aspect, with the ground floor side windows opening up onto the side garden of no. 3 Rose Cottages, it is considered that the proposed two storey side extension at no. 55 would not unduly affect the occupiers of no. 3 Rose Cottages in terms of overshadowing, outlook and daylight.

The application has demonstrated that the proposed first floor rear extension would not interrupt a 45 degree splay from the adjacent rear corner of the neighbouring property at no. 57 and therefore this element of the proposal would comply with paragraph 6.31 of the Harrow Residential Design Guide SPD (2010).

Nower Cottage also adjoins the southern boundary of no. 55 The Chase. However, due to the distance from the proposed extensions at no. 55, it is considered that there would be very little impact in terms of overshadowing, outlook and daylight on the occupiers of Nower Cottage.

It is proposed to insert 4 windows in the south elevation of the proposed two storey side extension. An objection has been received stating that the windows on the south elevation of the property would be detrimental to the occupiers of no. 3 Rose Cottages. There is currently a window on the south elevation of no. 55 which serves a hallway at first floor level. The proposed two storey side extension would bring that window closer to the boundary with no. 3 Rose Cottage. It is proposed to insert a further three windows at ground floor level, these windows would serve habitable rooms.

Paragraph 6.20 of the Harrow Residential Design Guide SPD (2010) states that extensions should not result in any significant loss of privacy to neighbouring houses and gardens. Windows should be omitted from flank walls adjacent to a neighbouring boundary, where these would allow overlooking of a neighbouring house or garden, or result in perceived overlooking or loss of privacy.



The inclusion of windows on the proposed south flank wall of the two storey extension would not be grounds for refusal in itself and therefore a condition has been attached to this permission requiring all proposed windows on the south flank wall of the two storey extension to be high level non-opening and obscurely glazed.

It is proposed to insert roof lights in the side roofslopes which would face the boundary of no. 57 The Chase and the rear of Rose Cottages. However, due to the fact the facing elevation at no. 57 has no flank windows it is considered that there would be little impact in terms of overlooking or perceived overlooking on the occupiers of no.57. With regards to the roof light on the south flank of the proposed roof, any overlooking would not be demonstrably worse than the existing relationship with regards to overlooking in this location. Therefore the rooflights proposed for the side roofslopes would be considered as acceptable.

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 (consolidated with amendments since 2011) (2015), 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 (consolidated with amendments since 2011) (2015).

### **Consultation Responses**

- Existing windows already overlook rear of no. 3 Rose Cottages
- Proposed extension will block in no. 3 Rose Cottages
- The proposal would have a detrimental affect on privacy and sunlight

*These concerns are dealt with in the Residential Amenity section*

- Planting trees and hedges would not be viable due to the proposed extension-  
*This is not a material planning consideration*

### **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 (as amended) 2015 (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 & Block Plan; bi/plan/14; bi/plan/15

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

5 The windows in the south flank elevation of the proposed development shall: (a) be of purpose made obscure glass, (b) be permanently fixed closed below a height of 1.7m above finished floor level, and shall thereafter be retained in that form.

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

## **INFORMATIVES**

1 The following policies are relevant to this decision.

### **National Planning Policy**

National Planning Policy Framework 2012

### **The London Plan (consolidated with amendments since 2011) (2015)**

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**

## **Adopted Supplementary Planning Documents**

Supplementary Planning Document Residential Design Guide 2010

### 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 2015 (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:

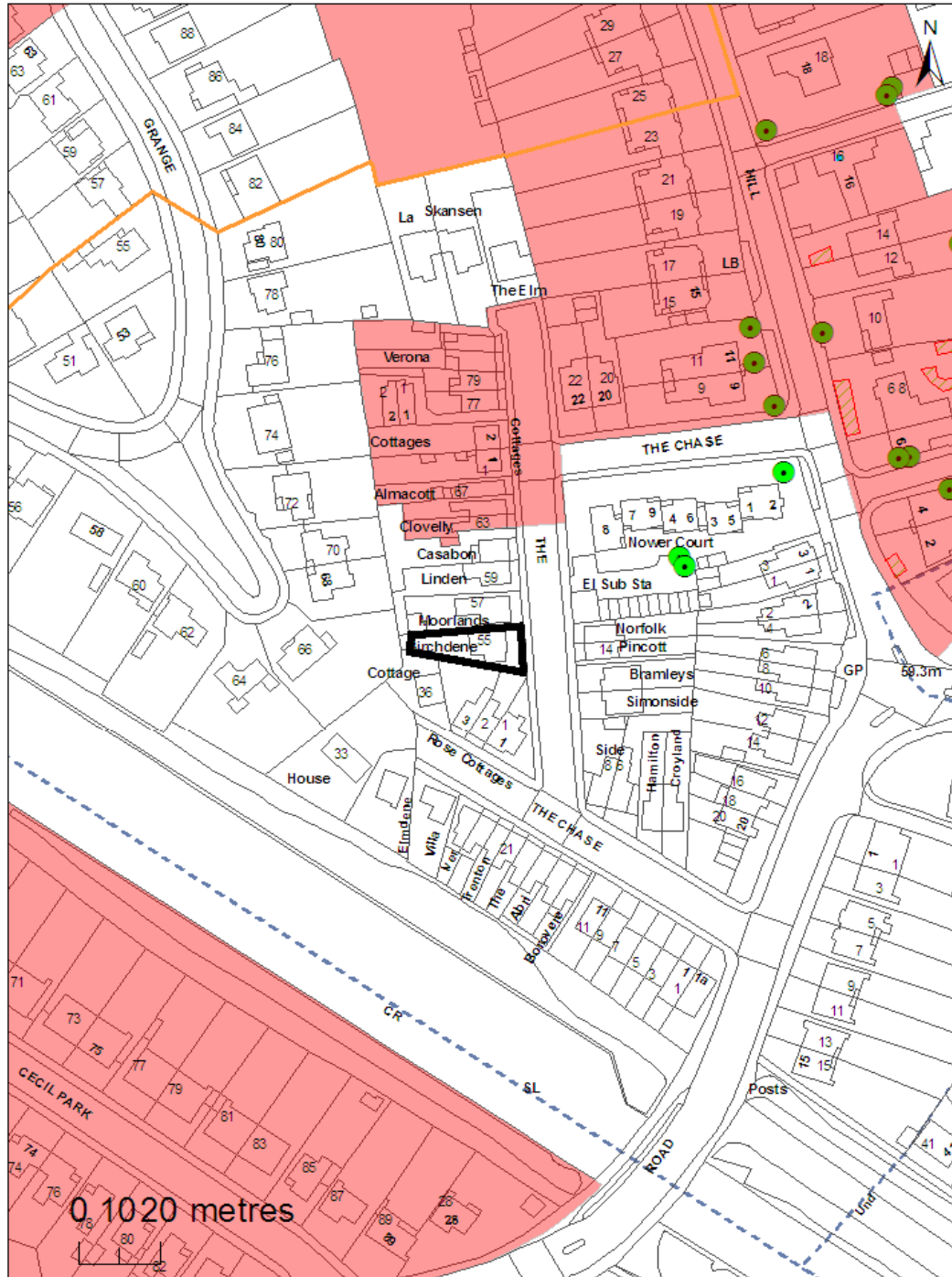
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

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

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

Plan Nos: Site & Block Plan; bi/plan/14; bi/plan/15

**BIRCHDENE, 55 THE CHASE, PINNER**



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ITEM NO: 2/06

ADDRESS: VAUGHAN PRIMARY SCHOOL, VAUGHAN ROAD, WEST HARROW

REFERENCE: P/0617/15

DESCRIPTION: DETAILS PURSUANT TO CONDITIONS 3 (MATERIALS), CONDITION 4 (CONSTRUCTION METHOD, PHASING PLAN AND LOGISTICS STATEMENT), CONDITION 5 (TREATMENT OF FIRST FLOOR WINDOWS), CONDITION 6 (HARD AND SOFT LANDSCAPE WORKS), CONDITION 9 (HOARDING DETAILS), CONDITION 11 (SITE LEVELS), CONDITION 14 (DRAINAGE), CONDITION 15 (DRAINAGE & MANAGEMENT OF PUMP SYSTEM) AND CONDITION 22 (SCHOOL TRAVEL PLAN) ATTACHED TO PLANNING PERMISSION P/2515/12 FOR RE-DEVELOPMENT OF SCHOOL SITE OVER A SERIES OF CONSTRUCTION PHASES; INVOLVING CONSTRUCTION OF A NEW TWO-STOREY BUILDING; REMODELLING OF EXISTING SINGLE STOREY BUILDING; DEMOLITION OF EXISTING STRUCTURES; ASSOCIATED LANDSCAPING TO INCLUDE HARD AND SOFT PLAY AREAS; BOUNDARY TREATMENT; ALTERATION TO CAR PARKING LAYOUT; PROVISION OF CYCLE STORAGE AND REFUSE STORE (TO EXPAND EXISTING 2 FORM ENTRY PRIMARY SCHOOL AND TO PROVIDE 3 FORM ENTRY PRIMARY SCHOOL)

WARD: WEST HARROW

APPLICANT: HARROW COUNCIL

AGENT: LOM

CASE OFFICER: NICOLA RANKIN

EXPIRY DATE: 20<sup>TH</sup> APRIL 2015

### **RECOMMENDATION**

Under Regulation 3 of the Town and Country Planning General Regulations 1992, **APPROVE** the details pursuant to condition 3, 4, 5, 6, 9, 11, 14, 15 and 22 described in the application and submitted plans:

Regulation 3 applications are applications for planning permission by a local authority to develop any land of that authority. In this instance, the applicant is the London Borough of Harrow and the land at Vaughan Primary School, Vaughan Road, West Harrow, HA1 4EL.

### **INFORMATION**

The application is reported to the Planning Committee because of the level of the level of

public interest in the expansion of the school, in accordance with category E of the Scheme of Delegation.

Statutory Return Type: E(16)

Council Interest: The land is owned by the Council.

Gross Floorspace: n/a

Net additional Floorspace: N/A

GLA Community Infrastructure Levy (CIL) Contribution (provisional): None

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): None

### Site Description

- The application relates to a primary school accessed from the southern side of the junction of The Gardens and Blenheim Road, located within West Harrow.
- The school site covers an area of approximately 1.4 hectares.
- The site is solely occupied for educational purposes by Vaughan Primary School.
- The site is embedded within an area primarily comprised of residential housing with modest scale commercial uses (including a car repair garage and shops) clustered around the site entrance at the junction of The Gardens and Blenheim Road.
- The Vaughan school site is entirely enclosed and has no public frontage beyond the main school gate entrance at The Gardens.
- The residential gardens of the predominantly semi-detached properties of Dorchester Avenue adjoin the western boundary of the site. To the north west of the site are the rear gardens of the properties of 127 to 135 Blenheim Road. Adjacent to this is a car workshop and garage.
- The eastern boundary of the site adjoins the rear gardens of the residential properties situated along the western side of The Gardens.
- The south western boundary of the site adjoins the West Harrow allotments.
- West Harrow London Underground tube station is located along The Gardens and rail tracks run adjacent to the south eastern boundary of the site.
- There are two points of access to the school. The main access for both pedestrians and vehicles is from The Gardens which consists of a narrow driveway and adjacent public footpath. There is a further pedestrian entrance accessed from a footpath to the northern side of West Harrow Station.
- The existing school is comprised of three distinct parts which include the “infant school,” the “junior school” and the “administration area and hall.”
- The “infant school” is contained within a single storey 1980s building which is centrally located within the site while the “junior school” is located in a two storey building towards the southern boundary of the site. The administration and hall block is linked to the infant and junior school. There is also a separate single storey mobile structure adjacent to the south eastern side of the administration/hall block which is used as a music room.
- The boundaries of the site are mixed, being occupied by a mix of mature trees and vegetation and more formal “open” type fencing structures (including chain link and concrete post fences). The density of vegetation varies considerably and is greater towards the southern, south eastern and south western boundaries of the site. Other parts of the site, notably towards the North Eastern corner, are more open with clearer views into gardens. None of the trees within the site or along the boundaries are subject to a Tree Preservation Order.
- The school has two existing hard outdoor play spaces. A smaller hard play spaces is located adjacent to the western side of the existing infant school. The main outdoor hard play and games area is located adjacent to the southern and south east

boundary of the site.

- The school also has two soft outdoor playing areas, including a playing field which is located to the northern side of the site and a small grassed area in the south eastern corner of the site.
- Both the playing field and the small grassed area of land in the south eastern corner of the site together with the area of land to the west of the school buildings and a small strip of land adjacent to the southern boundary of the site is allocated as designated open space as identified in the Harrow Core Strategy (2012). The designated open space covers an area of 6810m<sup>2</sup>.
- The entire site lies within flood zone 3b (functional floodplain) as identified in the Harrow Strategic Flood Risk Assessment (2011). The highest point of the site is located towards the south eastern corner with the lowest point of the site located approximately 70 metres from the northern boundary of the site. There are no significant falls across the site with the ground gently sloping towards the low point from all directions.

### Proposal Details

- The application seeks approval of details pursuant to conditions 3 (materials), condition 4 (construction method, phasing plan and logistics statement), condition 5 (treatment of first floor windows), condition 6 (hard and soft landscape works), condition 9 (hoarding details), condition 11 (site levels), condition 14 (drainage), condition 15 (drainage & management of pump system) and condition 22 (school travel plan) attached to planning permission P/2515/12 for re-development of school site over a series of construction phases; involving construction of a new two-storey building; remodelling of existing single storey building; demolition of existing structures; associated landscaping to include hard and soft play areas; boundary treatment; alteration to car parking layout; provision of cycle storage and refuse store (to expand existing 2 form entry primary school and to provide 3 form entry primary school).
- **Condition 3 states:** *“The development hereby permitted shall not be constructed above DPC 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: all external materials for 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 appearance and character of the area, and to enhance the appearance of the development in accordance with policies of The London Plan 2011 and policies D4 and D9 of the Harrow Unitary Development Plan 2004.”*
- **Condition 4 states:** *“No development shall take place, including any works of demolition, until a Construction Method, phasing plan 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 2012 and saved policies D4 and T13 of the Harrow Unitary Development Plan (2004)."*

- **Condition 5 states:** "Notwithstanding the details shown on approved plans, detailed drawings showing a scheme for the treatment of the first floor windows on the western teaching block to prevent perceived overlooking shall be submitted to and approved by the Council before any work on the superstructure is commenced on site. This part of the development shall be carried out and completed only in accordance with the approved details:

*REASON: To safeguard the residential amenities of the neighbouring occupiers, in accordance with policy 7.6 of the London Plan (2011)."*

- **Condition 6 States:** "The development hereby permitted shall not be built above DPC level until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works for the site, including full details of irrigation proposals. 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 saved Policies D4 and D9 of the Harrow Unitary Development Plan (2004)."*

- **Condition 9 states:** "Prior to the commencement of development, details of the hoarding and screening to be erected during the construction phase of the development shall be submitted to, and approved in writing, by the Local Planning Authority. The development shall proceed only in accordance with the approved details.

*REASON: To safeguard the residential amenities of the neighbouring occupiers, in accordance with policy 7.6 of the London Plan (2011)."*

- **Condition 11 states:** "No site works or development shall commence until final 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, taking account of the requirements of the agreed Flood Risk Assessment (MLM, revision 5, 15 March 2013) have been submitted to, and approved by, the local planning authority. The development shall be carried out in complete 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 in accordance with Policy D4 of the Harrow Unitary Development Plan (2004)."*

- **Condition 14 states:** "The construction of any buildings hereby permitted shall not be commenced until works for the disposal of surface water and surface water storage and attenuation works, based on the agreed Flood Risk Assessment (MLM, revision 5, 15 March 2013), have been submitted to, and approved in writing by, the local planning authority. These works shall include provision for proper management of surface water drainage and flood risk throughout the construction phase of the development. The development shall be carried out 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), policies 5.3, 5.12 and 5.13 of the London Plan (2011) and saved policy EP12 of the Harrow Unitary Development Plan (2004) and to ensure that the necessary construction and design criteria for the development proposals follow approved conditions.”

- **Condition 15 states:** “Prior to commencement of the development hereby permitted, a scheme for the management of the failure of the pump system shall be submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall include provision for the automatic activation of a secondary pump (without human interference) to turn on in the event of the first pump failing during a flood event

The flood level shall be determined under the following conditions:

- The pumps were to fail and,
- The attenuation storage was full and,
- A design storm occurred.

The floor levels of the affected development shall be raised above this level and all flooding safely stored onsite.

REASON: To prevent the increased risk of flooding in accordance with policies 5.3, 5.12 and 5.13 of the London Plan (2011).”

- **Condition 22 states:** “The new buildings hereby permitted shall not be occupied until an updated school travel plan has been submitted to, and approved in writing by the local planning authority. The revised travel plan shall be implemented in accordance with the approved details from the first occupation of any part of the new school buildings.

REASON: To ensure the satisfactory provision of facilities for all users of the site and in the interest of highways safety in accordance with the saved policies D4 and T13 of the Harrow Unitary Development Plan 2004.”

## Relevant History

**P/2515/12** RE-DEVELOPMENT OF SCHOOL SITE OVER A SERIES OF CONSTRUCTION PHASES; INVOLVING CONSTRUCTION OF A NEW TWO-STOREY BUILDING; REMODELLING OF EXISTING SINGLE STOREY BUILDING; DEMOLITION OF EXISTING STRUCTURES; ASSOCIATED LANDSCAPING TO INCLUDE HARD AND SOFT PLAY AREAS; BOUNDARY TREATMENT; ALTERATION TO CAR PARKING LAYOUT; PROVISION OF CYCLE STORAGE AND REFUSE STORE (TO EXPAND EXISTING 2 FORM ENTRY PRIMARY SCHOOL AND TO PROVIDE 3 FORM ENTRY PRIMARY SCHOOL).

**GRANTED 24<sup>TH</sup> JUNE 2013**

**P/0534/15** NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2515/12 DATED 24/06/13 TO ALLOW INTEGRATED LOUVRES TO THE TOP CORNERS OF CLASSROOM WINDOWS AND PROPOSED RENDER FINISH TO HALL

**GRANTED 16<sup>TH</sup> MARCH 2015**

## Pre-Application Discussion (Ref.)

- None

## Applicant Submission Documents

- None

## Consultations

**Landscape Architect:** The hard and soft landscape details are acceptable.

**Drainage Authority:** The surface water drainage and the surface water storage and attenuation works are acceptable

**Environment Agency:** The applicant has now demonstrated a worst case flood scenario covering the events should both pumps were to fail, the attenuation storage reach capacity and if a design storm was to occur. The applicant has stated that there is an emergency gravity overflow pipe activated if both pumps were to fail which feeds into the culvert.

Based on this we now recommend the discharge of Condition 15. We can also recommend the discharge of Condition 14 as the information that we have previously reviewed can now be considered at face value because acceptable pumping system information, which it relies upon, has now been submitted.

**Highways Authority:** No Objection

**Neighbour Consultation:**

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

**Sent:** 04.03.2015

**Expiry:** 25.03.2015

**2<sup>nd</sup> Consultation:**

**Sent:** 06.05.2015

**Expiry:** 20.05.2015

**Overall Replies: 3**

**Summary of Neighbour Consultation Response:**

Condition 3

- The west facing façade will be painted white and this will stick out like a sore thumb.

Condition 5

- The 1.4 metre height is not sufficient to prevent perceived overlooking and this should be increased to at least 1.8 metres.
- The proposed frosted film is not a permanent solution.
- The ground floor windows also need treating.

Condition 6

- Tree T27 which is proposed for removal has not been shown on the proposed hard and soft landscaping plans.
- Some of the trees at the end of our garden are diseased and therefore further tree planting is required in the gap.
- There are no details on the height of the trees when planted.

Condition 9

- The hoarding should be green so that it is more in keeping with the surroundings.

#### Condition 14

- There are no details of the raised bund level on the planning drawings.
- It appears from the levels plan that the propose bund would not reach the desired height of 52.2m along its length. Why are the schools floor levels being raised 310mm above the potential flood level of 51.90m but residents are only being protected up to a level of 52.0m. The bund must be raised higher to afford the residents the same level of protection.
- We were advised that some temporary flood solutions were to be utilised during construction.
- Why have the micro drainage calculations been duplicated?
- Harrow Council will not provide us with indemnity insurance and this means this means the proposed solution to the flood risk may not work.

#### Condition 22

- There are no figures for the 2015 school travel plan.
- Vaughan School has been asking parents not to travel to the school by car to help with the result of the hand up survey.

#### Other Comments

- There is a mismatch between the details of the documents on the web site and those at the community consultation event.

#### **Advertisement**

N/A

#### **APPRAISAL**

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

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

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

In this instance, the Development Plan comprises The London Plan 2015 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

#### **MAIN CONSIDERATIONS**

Character and Appearance and Residential Amenity  
Flood Risk and Drainage  
Traffic and Highway Safety  
Consultation Responses

#### **Character and Appearance and Residential Amenity**

##### Condition 3 - Materials

The London Plan (2015) policy 7.4B states, inter alia, that all development proposals

should have regard to the local context, contribute to a positive relationship between the urban landscape and natural features, be human in scale, make a positive contribution and should be informed by the historic environment. Core Strategy policy CS1.B states that 'all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design'. Policy DM1 of Harrow's the Development Management Policies Local Plan requires all development proposals to achieve a high standard of design and layout.

The following materials are proposed for the building:

External Walls: White Render, Cedar Cladding, dark grey brick plinth

Windows and Doors: polyester powder coated aluminium grey (RAL 7012).

The design of the proposed two storey junior block was conceived as a series of blocks and linking elements that accommodate different functional areas. The objective was for the main formal classroom block and the hall block to appear as distinct elements from the less formal linking elements of the building which also provides the main circulation and less formal group spaces.

The design of the new school buildings, deliberately avoids reflecting the suburban form of the surrounding residential homes. Having regard to the development plan, and national guidance, such an approach is entirely acceptable and reflects the fact that the use and form of educational buildings is different to residential use. This school site is not located in a designated conservation area, requiring the observance of a particular stylistic or architectural form as a matter of policy. The contemporary appearance and use of materials is accordingly considered acceptable in this case. The differentiation in materials results in a building that has clear legibility and articulation. The linking elements comprised of untreated cedar cladding will weather quickly but have durability and are low maintenance.

The proposed boundary treatment will consist of Tongue and groove panel fencing (1.8m), Hit and miss fencing (1.8m), Steel mesh fencing (1.8m) and Timber palisade fencing (1.2m). The proposed ground surfacing would include a mixture of hard and soft and would include tarmac, wetpour surfacing, concrete block and slab paving as well as grassed areas. There is no objection to the proposed boundary treatment or ground surfacing which in officer's opinion would be appropriate in relation to the surrounding school environment. Accordingly, it is recommended that condition 3 be discharged.

#### Condition 5 – Treatment of First Floor Windows

Policy 7.6 of The London Plan (2015) states that "Buildings and structures should not cause unacceptable harm to the amenity of the surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate". Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) requires that: "*All development and change of use proposals must achieve a high standard of privacy and amenity of neighbouring occupiers*".

The distance of the western teaching block from the western boundary of the site would be approximately 16 metres and in the original application it was acknowledged that this distance could give rise to a perception of overlooking and loss of privacy to the rear gardens areas of the closest properties along Dorchester Avenue, particularly, No's 5- 11. To respond to this potential adverse impact, condition 5 was attached to the permission to ensure some form of obscure glazing to part of the upper floor windows.

The applicants propose the application of a decorative glass adhesive film to 1.4 metres from the finished floor level. The proposed height would prevent overlooking from children of primary school age, whilst still enabling good levels of daylight to be received into the classrooms. Officers consider that the proposed material and height proposed would be sufficient to ensure no undue perceived overlooking would occur for the closest neighbouring occupiers along Dorchester Avenue. Some representations received have expressed concerns that this would not be a permanent solution. However, should the application be approved, it would be required to be retained in accordance with the details the Council approved. Accordingly, it is recommended that condition 5 be discharged.

#### Condition 6 – Hard and Soft Landscaping

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.”*

The application is accompanied by detailed hard and soft landscaping proposals. Notwithstanding the removal of some trees, the strategy proposes to provide 18 new trees which is equivalent to the number that would be lost to facilitate the development. The proposed landscape scheme would introduce a green landscape buffer zone around the perimeter of the site which is considered to make a positive contribution to the character of the area. In particular, it is proposed to significantly enhance the landscaping along the western and northern boundaries of the site through 3 layers of dense planting. The proposals includes a variety of evergreen and deciduous species in order to provide a year round screen and would include a mixture of hedging, shrubs and trees that in time would significantly soften the appearance of the development and filter views at both low and higher levels. The details have been referred to the Councils landscape architect who considers that they are acceptable. It is therefore recommended that condition 6 be discharged.

#### Condition 9 – Details of Hoarding

The applicants propose to use Heras mesh fencing and temporary hoarding in order to provide a secure boundary to the construction area. It is proposed to use debris netting to screen the Heras fencing to provide an element of visual barrier. It is considered that the proposed fencing would be sufficient to provide safety and segregation to the boundaries of the adjoin properties as well as a degree of visual screening. It is therefore recommended that condition 9 be discharged.

### **Flood Risk and Drainage**

### Condition 11 –Site Levels

A detailed levels plans has been submitted with the application which indicates that the proposed building would result in a satisfactory relationship with the adjacent land and surrounding residential buildings and would not be detrimental to residential amenities of the surrounding neighbours. The proposed levels also demonstrate that an appropriate and effective drainage scheme can be implemented on the site. Officers therefore consider that the details are satisfactory in relation to condition 11.

### Condition 14 – Surface Water Storage and Attenuation Works

The site lies partially within flood zone 3b 'developed' and as such conditions 14 and 15 were required to ensure that the proposed development would not increase the risk of flooding within or off the site.

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.

The Harrow Core Strategy (2012) identifies Borough wide strategic objectives which link the spatial vision and the delivery strategy. Core policy CS 1 U set out that "*Development will be managed to achieve an overall reduction in flood risk and increase resilience to flood events...proposals which risk contaminating ground water will be resisted*". This requirement is amplified by more detailed policy guidance outlined under policy DM 10 and DM 9 of the Harrow Development Management Policies Local Plan (2013) which requires that "*proposals requiring a Flood Risk Assessment must demonstrate that the development will be resistant and resilient to flooding for and 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 design and layout of major development proposals will be required to use sustainable drainage measures to control the rate and volume of surface water run-off and ensure separation of surface and foul water systems*".

The applicant proposes to install below ground attenuation tanks in the southern part of the site. The attenuation tanks would provide a volume of 615m<sup>3</sup> of water storage. In the event of a flood the water displaced by the construction of the new school building will be routed to the area provided as flood compensation. The surface water will be collected using grated manhole covers and via other drains within the site. It will be routed, through a 450 mm diameter pipe, to the attenuation crates below the surface.

The proposed drainage strategy will improve the surface water drainage regime at the site which at the moment has uncontrolled surface water discharge. However, the proposed surface water strategy attenuates the surface water run-off from the entire site, including the school building that is to remain, and discharges it to the watercourse at rate of 5 l/s/ha which is equivalent to the site's greenfield run-off rate. The culvert diversion works will also provide small additional storage volume due to the increased length of the 1050 mm diameter pipe to account for the diversion.

The applicants have also provided a letter from the Thames Water for consent to connect to the existing public sewer, thereby ensuring adequate separation of foul and surface water systems.

Officers from the Environment Agency and the Councils drainage team are satisfied that the development will therefore have no detrimental effect on the capacity of flood storage within flood zone 3b as any volume that is lost through the construction of the new building will be compensated elsewhere within the site. Accordingly, it is recommended that condition 14 is discharged.

#### Condition 15 – A Scheme for the Management of the Failure of the Pump System

The management of the failure of the pump system has been considered on the basis of the following two worst case scenarios:

1. 100yr +30% return period rainfall event with pump failure
2. 100yr + 30% return period rainfall event at the same time as 100% culvert blockage with pump failure

The proposed attenuation tanks will have a built in pumping chamber which will contain two pumps which can be automatically activated through a float system. The pump system will be connected to the school buildings with an alarm management system.

The applicants have outlined that the proposed pump will be subject to a regular maintenance programme and the school will have access to a nominated emergency call out company which can visit the site within a couple of hours should the pump fail. Notification to the call out company would be automatic in case the pump would fail in the middle of the night.

In the event that both pumps failed an emergency gravity overflow pump would be activated to carry water to the culvert.

Further to this, some additional modelling has been undertaken which shows that even during a 10hr storm of critical intensity and in the event that a failure of the pump occurred, there would still be significant flood compensation storage available within the tank.

The worst case flood level will therefore be 51.9m in the event of into a 10hr pump failure with 100% blockage of the culvert. The finished floor level of the building will be set 310mm above this level at 52.210m.

In addition, a bund is proposed on the northeast corner of the site to a level of 52.0m which will provide some additional surface level storage on site.

A number of high capacity linear drainage channels will be installed across the site which will connect back to the culvert and to the attenuation tank to the south which enable water to be quickly moved away and drained in a high intensity rainfall event.

The details have been referred to the Environment Agency who are satisfied that the proposals would not result in an increase in flood risk on or off the site. Accordingly, it is recommended that condition 15 can be discharged.

#### **Traffic and Highway Safety**

##### Condition 4 – Construction Method, Phasing Plan and Logistics Statement

The applicants have provided an indicative construction programme and have identified key phases of the project as follows:

- Phase 1 – Culvert Diversion, flood compensation and additional parking June to August 2015

- Phase 2 – New Junior school construction – July 2015 – June 2016
- Phase 3 – Refurbish existing infant block – June to August 2016
- Phase 4 – Demolish existing school and complete hard and soft landscaping August to December 2016

No deliveries will be undertaken during peak AM and PM traffic times and all plant and materials will be unloaded within the site and not on the public highway. A site manager will ensure that all deliveries are received directly onto the site. Dust suppression equipment will be employed during excavation and demolition operations to ensure that all areas are damped down to prevent dust. All vehicles will have their wheels cleaned before exiting the site boundary. All sub-contractors will be required to reach the site by public transport. Demolition waste will be segregated into specific waste streams and removed from the site for re-use at separate location.

The Highways Authority have raised no objection to the proposals. Officers consider that the above measures are sufficient to ensure that there would be no unreasonable adverse impacts on the residential amenities of the neighbouring occupiers or local highway during the construction process. Accordingly, it is recommended that condition 4 be discharged.

#### Condition 22 – Travel Plan

The London Plan (2015) policies 6.3, 6.9, 6.10 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. This is further emphasised by policy core policy CS 1 R of the Harrow Core strategy (2012). Policy DM 42 of the Harrow Development Management Local Plan outlines the council's parking standards and cycle parking standards.

Harrow places a strong emphasis on School Travel Plans (STP) and associated walking and cycling measures that deliver health benefits and a reduction in air pollution.

The council travel planning officer's work closely with schools to produce a School Travel Plan document. This work is done in partnership with the schools, parents and children to change travel habits and travel modes and use any infrastructure schemes developed in accordance with the travel plan that will encourage walking, cycling or public transport use.

At the moment this programme is targeted at primary and middle schools to change and influence children's attitudes about the use of the cars at an early stage of their development and officers of the Council regularly go into schools to talk about the problems that the school run can cause and to promote viable alternative modes of transport.

Transport for London operates an accreditation scheme known as STARS (Sustainable Travel Accredited And Recognised) which provides a robust framework for achieving sustainable transport targets and for increasing effectiveness year on year. This scheme rewards schools for efforts made toward reducing the travel impact of their activities, and has three accreditation levels, Bronze, Silver and Gold.

The school's current STP is accredited to silver standard by TfL's STARS (Sustainable Travel Accredited & Recognised) scheme. This scheme rewards schools for efforts made toward reducing the travel impact of their activities. The 'Hand up Survey' shows that in 2014 74% of pupils walk to school while only 18% travel by car.



The school has provided supporting documentation setting out their objectives for the 2015 School Travel Plan and is striving to achieve Gold accreditation through the TFL STAR scheme. The school has been working towards reducing the number of car users and aim to reduce this by 8% by 2015. They hope to meet this target by increasing the number of scooter pods on the site, by raising the profile of cycle and scooting to pupils and by providing training. The school are also encouraging staff to car pool and as well as becoming a member of the staff cycle to work scheme.

Officers consider that the Travel Plan and supporting documentation successful demonstrates the schools commitment to further increase their mode shift away from the private car with an aspiration to achieve 90% travelling by other modes in 2015. The details have been referred to the Highways Authority who is satisfied with the proposals. As such, officers recommend that condition 22 be discharged.

## **Consultation Responses**

### Condition 3

- The west facing façade will be painted white and this will stick out like a sore thumb.
- *This is discussed in section 1 of the above appraisal.*

### Condition 5

- The 1.4 metre height is not sufficient to prevent perceived overlooking and this should be increased to at least 1.8 metres.
- The proposed frosted film is not a permanent solution.
- *This is discussed in section 1 of the above appraisal.*
- The ground floor windows also need treating.
- *The condition is for consideration of the first floor windows only. The impact of the ground floor windows was considered at the planning application stage and given their low height and screening from the boundary vegetation, it is not considered they would result in unreasonable actual or perceived overlooking.*

### Condition 6

- Tree T27 which is proposed for removal has not been shown on the proposed hard and soft landscaping plans.
- *This has now been shown on the revised landscape plans which are the subject of a second round of consultation.*
- Some of the trees at the end of our garden are diseased and therefore further tree planting is required in the gap.
- *An additional tree has now been introduced in the gap to provide additional screening at the end of the gardens of No. 7 and 11 Dorchester Avenue.*
- There are no details on the height of the trees when planted.
- *The details of the heights of the trees have been indicated on the revised landscaping schedule which has been subject to a second round of consultation with residents.*

### Condition 9

- The hoarding should be green so that it is more in keeping with the surroundings.
- *The proposed netting is considered to be sufficient to provide an adequate visual screen.*

### Condition 14

- There are no details of the raised bund level on the planning drawings.
- *The details of the bund are shown on the revised plans which have been subject to a*

*second round of consultation with residents.*

- It appears from the levels plan that the proposed bund would not reach the desired height of 52.2m along its length. Why are the schools floor levels being raised 310mm above the potential flood level of 51.90m but residents are only being protected up to a level of 52.0m. The bund must be raised higher to afford the residents the same level of protection.
- *The bund is a requirement of the Harrow Council Drainage Engineers to provide some additional protection to the downstream buildings. The bund only needs to be raised to the identified flood water level as a result of a 100% culvert blockage. The requirement to raise the finished floor level of the building 300mm above the worst case flood scenario is a requirement of the Harrow Development Management Policies Local Plan (2013) and the National Planning Policy Framework (2012).*
- We were advised that some temporary flood solutions were to be utilised during construction.
- *Attenuation works will be provided in phase 1 of the construction process to ensure that there are no detrimental flood impacts.*
- Why have the micro drainage calculations been duplicated?
- *The calculations submitted are for different storm events : 1, 2, 30 and 100 year return period and are modelling drainage system to check how it performs i.e. should be no on-site flooding.*
- Harrow Council will not provide us with indemnity insurance and this means this means the proposed solution to the flood risk may not work.
- *The Councils drainage engineers and the Environment agency are satisfied that the scheme is acceptable and will not result in flood risk. Insurance is not a matter for the planning department to consider.*

#### Condition 22

- There are no figures for the 2015 school travel plan.
- Vaughan School has been asking parents not to travel to the school by car to help with the result of the hand up survey.
- *The condition requires that a revised travel plan be provided and therefore satisfies the requirements of the condition. Officers consider that encouraging that the school has made a clear commitment to encouraging sustainable travel. The gold accreditation would need to be achieved based on a number of initiatives throughout the year. It is considered that the school actively encouraging parents to walk, cycle or scoot is positive.*

#### Other Comments

- There is a mismatch between the details of the documents on the web site and those at the community consultation event.
- The community consultation was undertaken by the applicant to outline the proposals to residents in a clear and understandable way. They are not required to submit the same material as part of the application which inevitably contains some detailed technical information.

#### **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 approval.

## **INFORMATIVES**

1 The following policies are relevant to this decision:

### **National Planning Policy:**

National Planning Policy Framework (2012)

### **The London Plan (2015):**

5.12 Flood Risk Management

5.13 Sustainable Drainage

6.3 Assessing effects of development on transport capacity

6.9 Cycling

6.10 Walking

6.11 Smoothing traffic flow and tackling congestion

6.13 Parking

7.4 Local character

7.6 Architecture

7.21 Trees and Woodlands

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

CS1: Overarching Principles

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

Policy DM 1 Achieving a High Standard of Development

Policy DM 9 Managing Flood Risk

Policy DM 10 On Site Water Management and Surface Water Attenuation

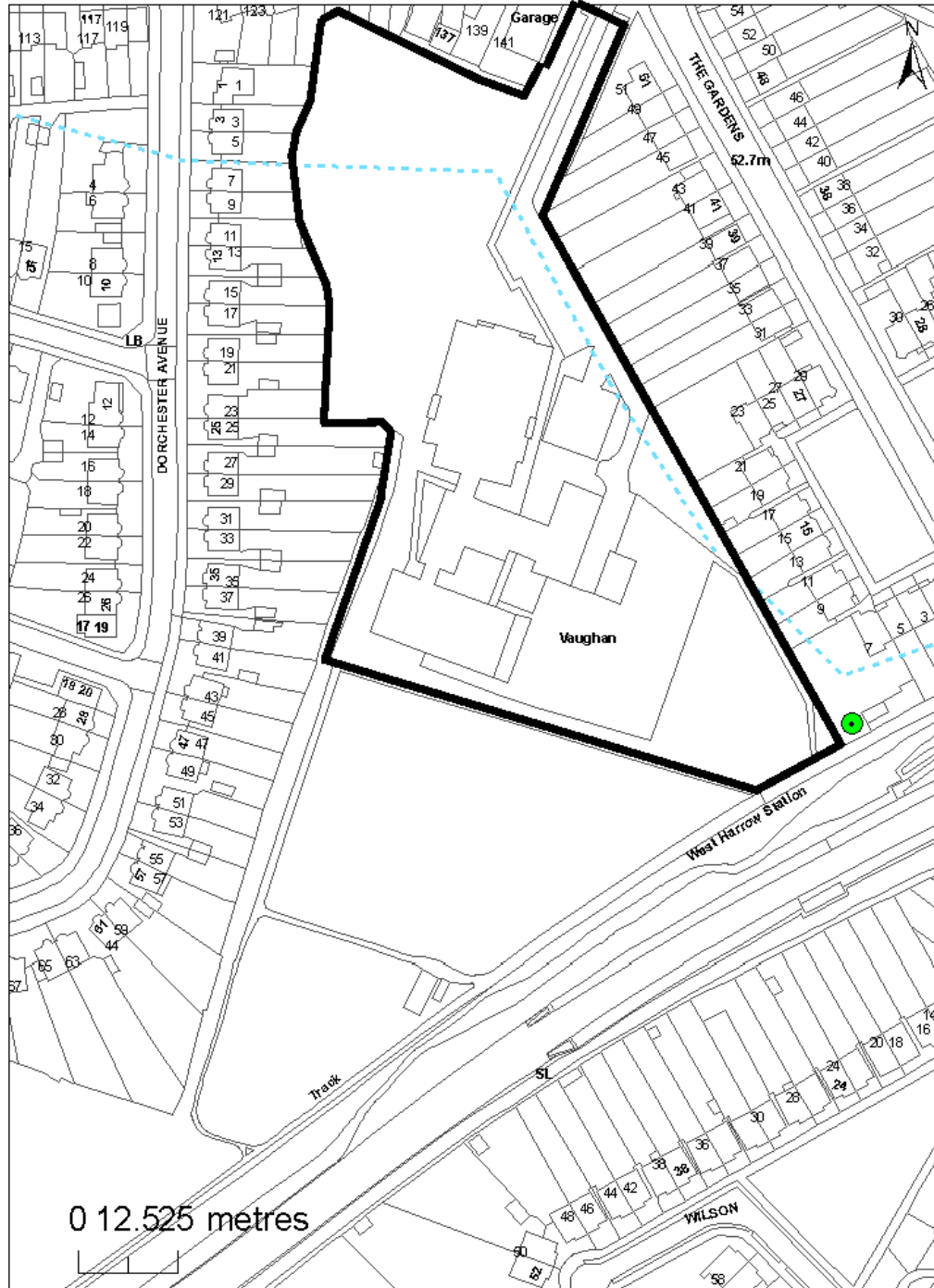
Policy DM 22 Trees and Landscaping

Policy DM 42 Parking Standards

Policy DM 43 Transport Assessments and Travel Plans

Plan Nos: 2014 Vaughan Nursery Primary School-School Travel Plan; Document titled: Vaughan Primary School – Travel Plan; Document titled Pisces Pumps (dated 02/01/13); Statement of Community Involvement; TUB/14279 Sheet 2 of 2 Rev B; TUB/14279 Sheet 1 of 2 Rev B; Document titled Section through Pump Chamber Indicating Switch Levels; HED.1150.204 Rev G; HED.1150.201 Rev D; 1413-30-EL-02 Rev B; HED/1150.202 Rev C; Technical Information – TP53V17/2 D; Un-numbered drawing: Drainage Section & Attenuation Crates; HED.1150.203 Rev C; 2140753 100 Rev P1; 2140753 002 Rev CP3; 2140753 0001 Rev CP3; 2140753 500 Rev P5; Document titled O&M of below ground drainage system by Elliotwood (dated 15.04.2015); Document titled: Vaughan School – Volume Calculation for Attenuation; Document titled Dual Pump Control Operation; Document titled Vaughan Primary School, Condition 4 Construction Method; Document titled Twinstore Tank Installation Guide; Technical Note – Flood Risk/Below Ground Drainage (Planning Condition Submission) by Elliotwood (dated 17.04.2015); Planting Schedule – Vaughan School Rev A; Technical Note – Flood Risk/Below Ground Drainage (EA Submission) by Elliotwood; Document titled Heavy Duty Level Controller MS 1; Micro Drainage Calculations (dated 10/02/2015 18:09); Micro Drainage Calculations (dated 10/02/2015 18:12); Document titled: Motor Performance Curve; Document titled: Pumpmatic 300; Document titled: Vaughan Primary School - Construction & Phasing; Document titled: Vaughan primary School –Construction Method; Document titled: Vaughan Primary School –North and South Elevation; Document titled: Vaughan Primary School, Condition 5-Treatment of first floor windows; Document titled: Vaughan Primary School – Condition 3 – Proposed finishes; Notice of consent for indirect connection to the public sewer under Section 106 of the Water Industry Act 1991

# VAUGHAN PRIMARY SCHOOL, VAUGHAN ROAD, WEST HARROW



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ITEM NO: 2/07  
ADDRESS: 6 AYLWARDS RISE, STANMORE  
REFERENCE: P/0959/15  
DESCRIPTION: VARIATION OF CONDITION 2 (MATERIALS TO MATCH EXISTING) OF PLANNING PERMISSION P/1767/12 DATED 17/04/2014 GRANTED ON APPEAL UNDER REFERENCE APP/M5450/D/13/2193372; TO READ THE EXTERNAL FINISHES OF THE DEVELOPMENT HEREBY PERMITTED SHALL BE AS SHOWN ON DRAWING NUMBER 150304-01 UNLESS OTHERWISE AGREED IN WRITING BY THE LOCAL PLANNING AUTHORITY AND CONDITION 5 (APPROVED DRAWINGS) PLANNING PERMISSION P/1767/12 DATED 30/11/12 GRANTED ON APPEAL ON THE 17/04/13 UNDER REFERENCE APP/M5450/D/13/2193372; TO READ THE DEVELOPMENT HEREBY PERMITTED SHALL BE CARRIED OUT IN ACCORDANCE WITH THE DRAWINGS NUMBERED 150304-01 AND 110308-01.  
WARD: STANMORE PARK  
APPLICANT: MR & MRS A SHARMA  
AGENT: THE DRAWING ROOM (LONDON) LTD  
CASE OFFICER: ABIGAIL CHAPMAN  
EXPIRY DATE: 29/04/15

## RECOMMENDATION

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

## INFORMATION

The application is reported to the Planning Committee at the request of the Service Manager, development Management and Building Control given the history of applications on the site.

Statutory Return Type: Variation of Planning Conditions

Council Interest: None

Gross Floor space: 640.27 sq.

## Site Description

The application site lies within the Harrow Weald Ridge Area of Special Character. The subject site is irregular shaped and located at the north western head of Aylwards Rise, which is a private cul-de-sac. Due to the subject site's location at the end of this cul-de-sac, the neighbouring properties at No's 5 and 7 are located to the north east and south east, respectively.

A large, two storey detached dwellinghouse is located within the front part of the site, setback approximately 12.0 m from the road boundary. This dwellinghouse has been constructed in the arts and crafts style and includes render clad brick and exposed brick on external walls at ground floor level; and hanging tiles on the external walls at first floor level. A tile clad hipped roof covers much of this dwellinghouse, although catslide roofs are located over the north eastern and south eastern wings seen from Aylwards Rise.

The original dwellinghouse has been extended in several phases. A two storey rear extension has been added to the rear or north western elevation (ref: LBH/24935). Two storey side extensions were added to the flank or south eastern elevation and single storey side to rear extensions have been added to the north eastern elevation (ref: E/50/93). As part of these latter extensions, the catslide roofs visible today were also added.

A single storey rear extension has also been added to the rear or south western elevation (ref: E/766/98).

The rear part of the site contains a large garden that slopes away from the dwellinghouse. This garden covers approximately three quarters of the site, has a maximum depth of approximately 35 m and a width that varies from approximately 13 m to 31 m. This garden is largely lawn covered with mature vegetation, including a TPO tree located around its periphery.

That part of the site located between the road and the front of the dwellinghouse is covered in hardstanding that is used for the parking and manoeuvring of vehicles as well as providing vehicular access to the garages located in the north eastern and south eastern wings.

Like the subject site, Aylwards Rise contains large detached dwellinghouses on large sites. These dwellinghouses have been constructed in a range of styles, ranging from arts and crafts to more contemporary designs.

### **Proposal Details**

This application seek permission to Vary Condition 2 (Materials to Match Existing) of Planning Permission P/1767/12 dated 17/04/2014 granted on appeal under reference APP/M5450/D/13/2193372; to read The external finishes of the development hereby permitted shall be as shown on drawing number 150304-01 unless otherwise agreed in writing by the Local Planning Authority and Condition 5 (Approved Drawings) Planning Permission P/1767/12 dated 30/11/12 granted on appeal on the 17/04/13 under reference APP/M5450/D/13/2193372; to read The development hereby permitted shall be carried out in accordance with the drawings numbered 150304-01 and 110308-01.

The original house is finished in wood facing, tile hanging, render and brick and the extension is required by the Inspector's planning condition to match this. The applicant has applied to change the external finishes of the whole house being finished in white render, new windows and doors throughout to be blue/grey aluminium and the tiles to match the existing tiles on the roof. The porch is also indicated on the plans to have a flat roof rather than hipped. Drawing number 150304-01 indicates the proposed changes in materials.

## **Relevant History**

P/1767/12 - Alterations, part two storey, part first floor side, rear extension, single storey front extension and loft conversion incorporating side and rear dormer windows; Refused 30/11/12; Appeal Allowed 17/04/13

P/2699/11 - Partial demolition of existing garage; partial demolition and reconstruction of existing roof; two storey side extension on north eastern side of property; single & two storey rear extension; front; rear and side dormers; canopy porch on front elevation; external alterations; internal demolition and reconfiguration - Refused - 12/12/11; Appeal Dismissed - 04/05/12

P/0629/11 - Partial Demolition of Existing Garage; two storey side extension on south eastern side of property; two storey and first floor front extensions; two storey side extension on north western side of property; single & two storey rear extension; front; rear and side dormers; canopy porch on front elevation; external alterations - Withdrawn

EAST/766/98/FUL - Single and two storey rear extension - Granted 28/10/98

EAST/50/93/FUL - Two storey side single storey side to rear extension - Granted 10/05/93

EAST/45844/92/FUL - Attached double garage and single storey side to rear extension - Granted 22/01/93 - Application not implemented

LBH/24935 - Two storey rear extension - Granted 05/04/84

HAR/12755 - Erection of House & Garage - Granted 22/03/57

## **Advertisement**

n/a

## **Notifications**

Sent: Sent: 8

Replies: 1

Expiry: 15/04/15

## **Addresses Consulted**

20, 22 Aylmer Drive

2, 5, 7 Aylwards Rise

16, 17, 18 Fallowfield

## **Summary of Responses**

Lack of information as Council cannot indicate the nature of the palette of the windows, rendering or roof

This change in materials would result in the house appearing incongruous and visually intrusive in the street scene

## **APPRAISAL**

### **MAIN CONSIDERATIONS**

Character and Appearance of the Area

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

The street and surrounding area is characterised by large detached dwellings organic in design and finished materials. The loss of the original wood facing, tile hanging, and brick is not considered significantly harmful. Indeed, No. 7 Aylwards Rise and many other dwellings within the immediate area are finished in render. The Inspector added the condition regarding matching the materials to the existing dwelling to prevent the extension being finished in completely different materials to the main house and appearing as an alien feature attached to the dwelling. Rendering the whole house will not result in an unsightly mixture of materials and as indicated above is not uncommon throughout the estate. Furthermore, the aluminium windows are considered to make a positive contribution to the character of the dwelling and contemporary window design is evident through the estate. It is not considered that finishing the extended dwelling in render with aluminium windows will result in the development appearing visually obtrusive and incongruous within the street scene.

With regard to the amendment to the porch, this is not considered a significant material change to the original approval and furthermore is considered more in keeping with the character of the extended house.

It is therefore considered that the proposed development will comply with policy 7.4 of the London Plan 2015, policy CS1 B of Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan and which seeks to ensure that development proposals achieve a high standard of design and layout.

### **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 deemed that this application would not have any detrimental impact upon community safety and is therefore acceptable in this regard.

### **Consultation Responses**

A sample of the aluminium window frame was available on the site visit and a photograph of this sample has been attached to the planning file to view online for a number of weeks. The render will be finished in white and the tiles are to match the existing house. As such, it is considered that sufficient information has been submitted to determine the application



The impact of the development on the street scene is discussed within section 2-Character and Appearance of the area.

## **CONCLUSION**

It is considered that the use of white render and the blue/grey aluminium windows is acceptable and will not be to the detriment of the character and appearance of the area. The proposed development will comply with policies 7.4 and 7.6 of The London Plan 2015, policy CS1 B of Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan which seek to ensure that development proposals achieve a high standard of design and layout.

It is recommended that the application is granted.

## **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 external finishes of the development hereby permitted shall be as shown on drawing number 150304-01 unless otherwise agreed in writing by the Local Planning Authority

REASON: To protect the character and appearance of the area in accordance with policy DM1 of the Harrow Development Management Policies Local Plan and policies 7.4 and 7.6 of the London Plan 2011 which seek to ensure that development proposals achieve a high standard of design and layout.

3 Prior to any equipment, machinery or materials being brought on to the site for the purposes of the development measures for the protection of retained trees shall be undertaken in accordance with the arboriculture impact assessment Ref. 133a0011 1470 dated 22 June 2012. 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 and nor shall any excavation take place within those areas without the prior written consent of the local planning authority. The measures shall remain in place until the completion of the development.

REASON: To safeguard the retained trees on site in accordance with policy DM22 of the Harrow Development Management Policies Local Plan 2013

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed in any roof plane of the dwelling or any wall of the extension hereby permitted.

REASON: To safeguard the residential amenities of adjoining residential occupiers in accordance with policy DM1 of the Harrow Development Management Policies Local Plan 2013

5 Notwithstanding the detail shown on the approved plans, detailed drawings showing the following modification to the scheme shall be submitted to and approved in writing by the Council before any work is commenced on site:

Revised elevations and plans showing the removal of the triangular projection which

appears to be a roof light extending beyond the roof line.

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

REASON: This triangular projection is considered unsatisfactory in the form shown on the drawings to date and this aspect of the scheme should be modified to ensure an acceptable form of development in accordance with Core Policy CS1 B of the Harrow Core Strategy and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

6 Other than as is required by condition 5, the development hereby permitted shall be carried out in accordance with the drawings numbered 150304-01 and 110308-01.

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 (consolidated with alterations since 2011)(2015)

7.4 – Local Character

7.6 – Architecture

The Harrow Core Strategy (2012)

Core Policy CS1 – Overarching Policy

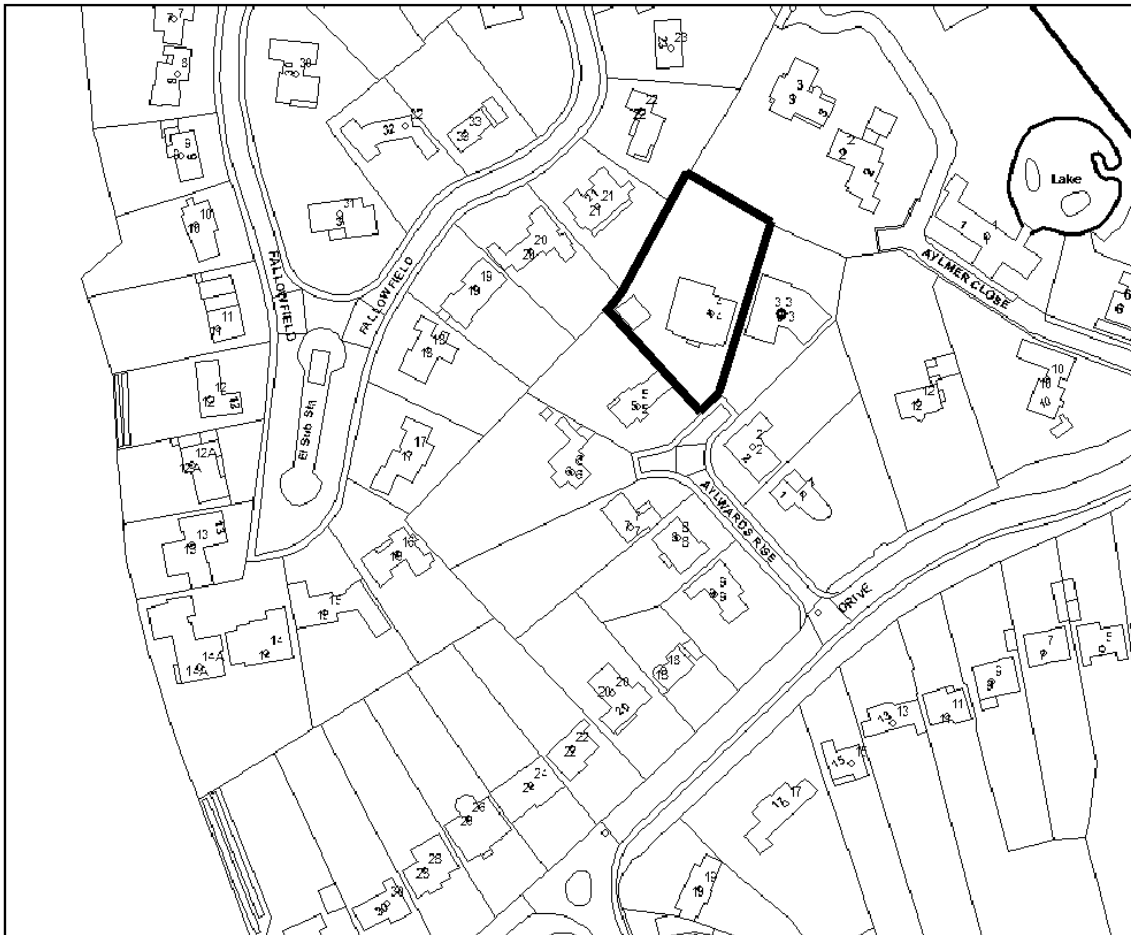
Core Policy CS7 - Stanmore & Harrow Weald

Harrow Development Management Policies Local Plan 2013

DM1 Achieving a High Standard of Development

Plan Nos: 150304-01

4 AYLWARDS RISE, STANMORE



ITEM NO: 2/08

ADDRESS: WESTGATE CHAMBERS, 8A ELM PARK ROAD, PINNER

REFERENCE: P/0652/15

DESCRIPTION: SINGLE STOREY FRONT EXTENSION; FIRST FLOOR ROOF EXTENSION, TWO FRONT DORMERS IN SOUTH WEST ELEVATION , TWO SIDE DORMERS AND ONE ROOFLIGHT IN THE SOUTH EAST ELEVATION , ONE SIDE DORMER AND ONE ROOFLIGHT IN THE NORTH WEST ELEVATION TO FORM TWO ADDITIONAL USE CLASS B1 OFFICES AND ONE SELF CONTAINED FLAT; EXTERNAL ALTERATIONS

WARD: PINNER

APPLICANT: MR P LEONG

AGENT: PRESTIGE PROJECTS MANAGEMENT LIMITED

CASE OFFICER: GRAHAM MANSFIELD

EXPIRY DATE: 10/04/2015

## **RECOMMENDATION**

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

## **INFORMATION**

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

Statutory Return Type: Minor Development

Council Interest: None

Gross Floorspace: Approx 132.2sqm

Net additional Floorspace

Residential Floor Space: Approx 60.2sqm

Office Floor Space: Approx 83sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £14,925.30, as proposed development will add more than 100sqm to the property

Harrow CIL: £5,013.05, as proposed development will add more than 100sqm to the property

## **Site Description**

- The application site is a single storey building set back from Elm Park Road and is used as an office for an accountancy firm.
- The building was built in the mid-1980's and has a shallow pitched roof
- The application site is adjacent to 'Little Common' which borders the application site to the North West.

- The north east of the application site abuts the rear gardens of Waxwell Lane, which along with 'Little Common' are located within the Waxwell Lane Conservation Area
- The south west of the application site abuts a set of single storage garages which are within the curtilage of North End Lodge.
- The application site is adjacent to the locally listed building at 10 Elm Park Road and the listed building to the rear at 23 Waxwell Lane.
- The property is located in a critical drainage area of Harrow

### **Proposal Details**

- It is proposed to attach a ground floor front extension to the existing property
- The proposed ground floor extension would be 4.0m in depth and 10.8m in width
- It is proposed to extend and raise the existing roofspace to cover the proposed ground floor front extension and provide two additional offices and a self contained flat at first floor level.
- The proposed roof would maintain a hipped style with a crown on top which would measure approximately 10.0m in length and 5.0m in width.
- The proposed roof would increase from its current highest level towards the rear from 4.8m to 5.6m
- The height of the roof on the front elevation would increase from the current height of 3.7m to 5.6m
- The proposed extensions to the existing building would accommodate two new office rooms and one self-contained, one bedroom residential flat.

### **Revisions to Previous Application**

- The design of the proposed first floor has been altered and the height of the proposed first floor and roof has been reduced. The number of dormer windows have been reduced and omitted from the proposed first floor rear elevation of the development

### **Relevant History**

- LBH/22467; Single Storey Depot Building; Grant; 13/01/1983
- WEST/164/96/CON; Continued use of former water authority depot (sui generis) as Barristers Chambers; Grant; 23/05/1996
- WEST/755/96/CON; Continued use of premises for B1 (a) purposes without compliance with Condition 5 of planning permission WEST/164/96/CON; Grant; 10/04/1997
- WEST/257/97/CON; Continued use of B1 (a) purposes without compliance with Condition 9 of planning permission WEST/164/96/CON dated 23/05/1996; Grant; 08/07/1997
- WEST/615/98/FUL; Single Storey Side Extension & Retention of door in rear elevation; Grant; 22/02/1999
- T/APP/M5450/A/99/1020975/P9; Appeal of Condition attached to Planning Permission WEST/615/98/FUL; Allowed; 14/07/1999
- WEST/162/00/VAR; Variation of Condition 7 of Planning Permission WEST/164/96/CON dated 23/05/1996 to permit use of premises from 07:00-21:00 Mon-Sat Inclusive and 09:00-19:00 on Sun; Refuse; 24/07/00
- APP/M5450/A/00/1054871; Appeal of Planning Application WEST/162/00/VAR; Allowed; 29/03/2001
- P/0574/13; Single Storey Front Extension; First Floor Front Extension Incorporating Front End Gable Feature; Two Front Dormers And Two Rear Dormers To Form Additional Use Class B1 Offices and One Self Contained Flat; External Alterations;

Refuse; 20/09/2013;

Reasons for Refusal;

1) *The proposed development would be of excessive scale and bulk with an over intensive use and would harm the character and appearance of the area and the amenities of the neighbouring properties, contrary to policy DM1 of the Harrow Development Management Policies Local Plan (2013), Policy CS1B of the Harrow Core Strategy (2012) and Policy 7.4 of the London Plan (2011).*

2) *The proposed development would harm the setting and character of the adjacent Waxwell Lane Conservation Area, contrary to policies DM7 of the Harrow Development Management Policies Plan (2013), Policy CS1D of the Harrow Core Strategy (2012) and Policy 7.8 of The London Plan (2011).*

- APP/M5450/A/14/2212049; Appeal of Planning Application P/0574/13; Dismissed; 12/06/2014

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

- The applicant sought pre-application advice for the current scheme following the previous refusal of planning permission and dismissed appeal. The principles of the development were considered acceptable and the amendments provided in the proposed roof design were considered to be an improvement on the previous scheme. The Applicant was advised that the reduced number of dormers facing Little Common and the revised roof design would likely to preserve the appearance of the adjacent Waxwell Lane Conservation Area

### **Applicant Submission Documents**

- Heritage Statement

### **Summary of Heritage Statement**

- Proposal would maintain the same separation between the application site and the adjacent listed and locally listed buildings
- The current proposal has a more compact hipped roof profile and therefore would have a modest impact on the adjacent conservation area
- The impact on amenities on the neighbouring occupiers of Waxwell Lane by reason of distances and orientation would not be overbearing (as confirmed by the inspector).
- The current proposal would have a hipped roof which would be angled away from the boundary with Little Common and therefore reduce the impact on neighbouring trees.
- Neighbourhood consultation was provided for the current scheme before the planning application was submitted.
- The current design has been designed to alleviate the previous concerns highlighted by the inspector under reference; APP/M5450/A/14/2212049.
- The current scheme would be less conspicuous than the refused previous scheme when viewed from Little Common
- The benefits of the scheme in the economic contribution to local business would outweigh any potential harm to the adjacent conservation area and the revised design would now address the previous concerns

### **Consultations**

- The Pinner Association – No Response
- Tree Officer – No Objections
- Conservation Officer – No Objections
- Policy & Research – No Response
- Drainage – No Response

- Highways – Disabled parking and two cycle spaces need to be provided
- Waste Management –No Response
- CAAC – Concerns regarding the roof; the roof should be lower as the proposed roof would add bulk to the existing building. Concerns regarding the materials used on the proposed dormer and the impact of the proposed extension on the area.

### **Advertisement**

- Newspaper Advertisement – Expiry Date; 02/04/2015
- Site Notice – Expiry Date; 26/03/2015

### **Notifications**

Sent: 18

Replies: 6

Expiry: 27/01/2015

### **Addresses Consulted**

6 Elm Park Road, Pinner, HA5 3LA

Flat, 6 Elm Park Road, Pinner, HA5 3LA

8 Elm Park Road, Pinner, HA5 3LA

10a Elm Park Road, Pinner, HA5 3LA

North End Cottage, 10 Elm Park Road, Pinner, HA5 3LA

1 North End Lodge, Elm Park Road, Pinner, HA5 3LA

2 North End Lodge, Elm Park Road, Pinner, HA5 3LA

3 North End Lodge, Elm Park Road, Pinner, HA5 3LA

4 North End Lodge, Elm Park Road, Pinner, HA5 3LA

5 North End Lodge, Elm Park Road, Pinner, HA5 3LA

6 North End Lodge, Elm Park Road, Pinner, HA5 3LA

Garages to rear of North End Lodge, Elm Park Road, Pinner, HA5 3LA

7 Waxwell Lane, Pinner, HA5 3EJ

9 Waxwell Lane, Pinner, HA5 3EJ

11 Waxwell Lane, Pinner, HA5 3EJ

15 Waxwell Lane, Pinner, HA5 3EJ

17 Waxwell Lane, Pinner, HA5 3EJ

21 Waxwell Lane, Pinner, HA5 3EJ

23 Waxwell Lane, Pinner, HA5 3EJ

### **Summary of Responses**

- It is unclear how the current proposal is materially different from the previous application
- The proposal would harm the character and appearance of the area
- The proposal would harm the character and setting of the Waxwell Lane Conservation Area
- The proposal would affect the living conditions of the occupants on the adjacent dwellings
- Objection to the change of use to part-residential
- Concerns regarding over-intensive use of the site
- Concerns regarding the visual intrusion of the proposal
- Potential overlooking from the proposed development
- There would be possibility of disturbance from the movement of vehicles in and out of the site as a result of the increase in business activity
- Reference to the possibility of the applicant converting the remaining office space into

residential accommodation

- Reference to inconsistencies within the application documents
- The proposal would block in the properties which adjoin Westgate Chambers
- Reference to the applicant proposing a three storey building at the application site in the future
- The proposal is larger than the previous applications
- The current proposal would be more intrusive to the surrounding area
- The boundary is close to the rear of no. 17 Waxwell Lane and would lead to a loss of privacy
- The current application has failed to address the previous reasons for refusal or the points highlighted in the Appeal Decision.
- Mixed use would be inappropriate for Westgate Chambers due to its proximity to the residential area
- The existing office space is used outside of the permitted times.

## **MAIN CONSIDERATIONS**

Character and Appearance of the Area

Residential Amenity

Critical Drainage

Accessibility

Traffic & Parking

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 (Consolidated with amendments since 2011) (2015) 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 Application site is adjacent to the boundary of the Waxwell Lane Conservation Area. Therefore in accordance with policy DM7 of the Harrow Development Management Policies Local Plan 2013. DM7 seeks to ensure that the historic environment and heritage assets would not be compromised by development. No.10 Elm Park Road and No.23 Waxwell Lane are listed and locally listed buildings respectively. They are therefore



'designated' and 'non-designated' heritage assets respectively within the context of the NPPF.

#### Front Ground Floor Extension

It is proposed to attach a ground floor front extension to the existing front elevation of Westgate Chambers. The proposed depth would be 4.0m and the width of 10.9m. It is considered that the proposed enlargement of the existing building at ground floor would be a modest and proportionate addition. Therefore is considered that the ground floor element of the proposal would not unacceptably harm the existing building in terms of character. Due to the fact that the building is set back away from Elm Park Road it is considered that the proposed ground floor front extension would not unduly harm the streetscene.

#### First Floor Extension & Roof Alterations

To accommodate the ground floor front extension and to incorporate the proposal to provide 2 further offices rooms and self-contained flat at first floor level it is proposed to raise the existing roof. The existing roof from is of a hipped design with a maximum height of 4.8m from ground level towards the rear of the building. The roof level drops towards the front of the existing building to form two separate hipped roof valleys with a maximum height from ground level of 3.7m. The proposed roof would remain hipped with a steeper roof pitch with a crown design on top. The proposed height of the new roof from ground level would be 5.6m.

A number of objections have stated that there is little difference between the current application and the previously refused planning application (P/0574/13), with one objection highlighting that the current proposal is larger than the previous refused application. However, it is considered that the current proposal in terms of the roof design has overcome the previous reasons for refusal in that the bulk and scale of the proposed roof has been significantly reduced. Furthermore, it is considered that the design of the roof is now more in keeping with the existing character of the building. In reducing the number of window openings, roof pitches and overall bulk of the roof, the development would provide a simpler design, more in keeping with the existing building. It would no longer appear contrived and incongruous.

There would also be one dormer on the elevation facing Little Common and the complexity and form of the form would be consistent with the existing building, albeit higher. As there would only be one small dormer on the elevation facing Little Common and in conjunction with the reduction in roof height from the previous scheme, it is considered that the proposal would not unduly harm the character or the setting of the Waxwell Lane conservation area.

Objections have highlighted that the current application would harm the appearance and area of the Waxwell Lane Conservation Area. However, the scale and simplicity of the design would ensure it would not unduly encroach on the attractive characteristics of the conservation area. As in the appeal decision and given the scale and impact of the building has been reduced since then, the proposed development due its separation distance would preserve the setting of the listed buildings at and 23 Waxwell Lane and locally listed 10 Elm Park Road. This is also mirrored by comments from the conservation officer who states that there would be no objections in terms of the impact of the proposed development on the adjacent conservation area and in particular Little Common. It is considered that the reduction in the number of dormers facing Little Common in conjunction with the reduction in roof bulk from the previous planning application

P/0574/13 would preserve the setting of the adjacent Waxwell Lane Conservation Area. Given the above considerations, the proposed development, by reason of its satisfactory design, massing, bulk and height, would constitute a visually harmonious and discreet feature. As such, it is considered that the previous reasons for refusal under planning application P/0574/13 have been overcome. The development preserve the character and appearance of the Waxwell Lane Conservation Area, as well as the setting of nearby locally listed and listed properties at 10 Elm Park Road and 23 Waxwell Lane respectively. It would therefore accord with policies 7.4.B, 7.6.B and 7.8C/D of The London Plan 2011, policy CS1.B/D of The Harrow Core Strategy 2012, policies DM1 and DM7 of the Harrow Development Management Policies Local Plan 2013, the guidance contained in the adopted Supplementary Planning Document 'Residential Design Guide' 2010 and the Pinner Conservation Areas SPD (appendix 1, the Waxwell Lane Conservation Area Appraisal and Management Strategy) 2009.

#### Internal Design and Layout of New Dwelling

The proposal seeks to include a self contained two person 1 bedroom flat into the first floor. Table 3.3 of The London Plan (consolidated with amendments since 2011) (2015) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan (consolidated with amendments since 2011) (2015) 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 SPD. As The London Plan (consolidated with amendments since 2011) (2015) has been adopted, the GIA's have considerable weight in this assessment. Furthermore, policy CS1.K of the Harrow Core Strategy (2012) reflects the standards required by London Plan (consolidated with amendments since 2011) (2015) whereby a consistent high standard of design and layout would be sought for the converted flat.

Table 3.3 of The London Plan sets out the essential GIA for various dwelling types and states an essential GIA of 50m<sup>2</sup> for a one bed, two person dwelling. The proposed floor area of approximately would be approximately 60.2sqm and therefore would be over the essential GIA as recommended in the London Plan Housing SPG. Whilst the proposed kitchen and living area, at approximately 27m<sup>2</sup>, would be above the essential GIA set out by Table 3.3 of the London Plan. Furthermore, at 2.5m the proposed internal height of the first floor level accommodation would comply with the minimum standards as set out in the London Plan Housing SPG. The application has therefore demonstrated compliance with the relevant development plan policies in this regard.

#### **Residential Amenity**

Policy 7.6B, subsection D, of The London Plan (consolidated with amendments since 2011)(2015) 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'.

It is proposed to attach an extension at ground floor level to the existing front elevation of the building. The proposed front extension would be approximately 10.9m in width and 4.0m in depth adjacent to the common boundaries of Little Common and the garages to rear of North End Lodge. Due to its location it is considered that the proposed ground floor front extension would have very little impact on the neighbouring properties located

on Elm Park Road. Furthermore due to its location and distance, the proposed ground floor front extension would not have any impact in terms of overshadowing, daylight or outlook on the occupiers of Waxwell Lane which adjoin the application site to the rear.

To incorporate the proposal to add an additional floor with two offices and a residential unit it is proposed to raise the roof height. The design of the roof would maintain a similar hipped design to the existing building albeit with a steeper angled roof pitch. Number 21 Waxwell Lane is the closest dwellinghouse located to the rear of the application site. An objection highlights that the current application would not overcome both the reasons for refusal under planning application P/0574/13 and the subsequent appeal APP/M5450/A/14/2212049. In the appeal decision it states *'the roof of the Appeal building would be materially increased in height and mass. It would dominate the outlook from the rear facing dormers and rear garden environment of no. 21 and be visually overbearing as a result'*.

The existing height of the roof on the rear elevation nearest to the rear boundary with no. 21 Waxwell Lane measures approximately 4.8m in height. The current proposal would seek to increase the maximum roof height to approximately 5.7m. It is therefore considered that the proposed height increase and roof enlargement would not be unreasonable when viewed from the rear of no. 21. Furthermore the removal of the dormers on the proposed rear roof slope would significantly reduce the bulk of the roof at the rear of the application site. It would also ensure that no overlook of this property from the residential unit could occur.

It is considered that the application has overcome the reason for refusal under application P/0574/13 and has addresses the inspectors concerns as highlighted in paragraph section 18 of the Appeal Decision APP/M5450/A/14/2212049 in that the bulk and height of the proposed roof has been reduced.

Objections have been received from occupiers of no's 9, 11 and 17 Waxwell Lane in relation to the visual impact of the proposed development and the effects of potential overlooking from the proposed office and residential unit in the first floor of the development. It is considered that although the proposed enlargement of the roof would be visible from the rear of Waxwell Lane at no' 9, 11 and 17, it is considered that the separation from these properties and the application site would offset any potential harm in terms overshadowing, loss of daylight and outlook. In addition, the proposal for the first floor at the application site has been reduced in terms of scale and bulk from the previous application (P/0574/13) and is of a different design. Furthermore, the distance and angle of the proposed dormer on the garage side elevation of Westgate Chambers is considered not to unduly harm the occupants of no's 9, 11 and 17 Waxwell Lane in terms of privacy or loss of privacy.

This is a view which reflects that of the planning inspector in paragraph 20 of the Appeal Decision APP/M5450/A/14/2212049 which states *'The development would also be clearly visible from the rear of Nos. 9 -17, 23 and 25 Waxwell Lane. However, in view of the distances and angles between those properties and the appeal building the scheme would not be visually overbearing or result in a material loss of privacy for the occupants of those dwellings. Similarly it would not result in a material level of overshadowing or loss of daylight for any residents, due to the hipped design of the roof and its distance from the nearby dwellings.'*

A number of objections also refer to concerns regarding the proposed mixed use of office

space and residential accommodation at Westgate Chambers. One objection highlights that this would lead to an over-intensive use of the site which would be to the detriment of the neighbouring occupants on Waxwell Lane.

It is considered that the proposed residential unit or additional two offices within Westgate Chambers would not unduly impact the surrounding area in terms of disturbance. Whilst it is acknowledged that the neighbouring Waxwell Lane is made up of a residential area, the buildings on Elm Park Road are of mixed use and close to Pinner District Centre. Furthermore, it is considered that any additional noise associated with the potential uplift in business activity would be minimal and concentrated towards the front of the building.

In the Appeal Decision APP/M5450/A/14/2212049 at paragraph 21 states: *the use of the additional office space and occupation of the proposed flat would result in additional noise and disturbance for local residents and in particular the occupants of no. 21. However, the site is located in a relatively busy mixed residential and commercial area and the resultant offices and proposed flat would be modest in size. As such the level of noise and disturbance likely to be generated by the proposed development would be unlikely to have a materially harmful impact on the living conditions of any local residents.*

Notwithstanding the above, a condition has been added to this permission to ensure that the usage of the additional offices are in line with the existing hours of use for the existing offices within Westgate Chambers. An objection has highlighted that the existing offices within Westgate Chambers have on a number of occasions have been used outside the permitted times of use. However, this cannot be considered under the current planning application. Any breach of conditions should be reported under the appropriate channels.

In summary, and noting the objections received, the proposal respects the amenities of the neighbouring occupiers in accordance with Policy 7.6B of The London Plan (consolidated with amendments since 2011) (2015), 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 may result in a net increase in development footprint and there is the potential for surface water run off rates to increase. An informative is recommended for the applicant to use sustainable urban drainage systems in the construction of the development.

### **Accessibility**

Policies 3.5, 3.8, and 7.2 of The London Plan (consolidated with amendments since 2011) (2015), policy CS1.K of the Harrow Core Strategy and policies DM1 and DM2 of the Development Management Policies DPD require all future development to meet the highest standards of accessibility and inclusion. To amplify these policies, the Council has adopted Supplementary Planning Document: Access for All SPD (2006) which requires all new development to comply with Lifetime Homes, where feasible.

It is considered that the plans demonstrate that the proposal would be compliant with Lifetime homes standards.

### **Traffic and Parking**

An objection has highlighted that there would be possibility of disturbance from the movement of vehicles in and out of the site as a result of the increase in business activity. However it is considered that the proposal would not result in a substantial increase in the intensity of use of the property resulting in any harmful impacts on local traffic conditions or highway safety. Furthermore, the application site has ample room for car parking within the front of the existing building and there is also a public car park situated off Waxwell Lane.

The Highway Authority has not raised any objections to the proposals. However, in accordance with policy DM 42 it has been requested that cycle storage be provided for a minimum of 2 storage spaces and one disabled car parking space to be provided. A Condition has therefore been attached to this permission to that affect.

### **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**

- It is unclear how the current proposal is materially different from the previous application
- The proposal would harm the character and appearance of the area
- The proposal would harm the character and setting of the Waxwell Lane Conservation Area
- The proposal is larger than the previous applications
- The current proposal would be more intrusive to the surrounding area

*These points are dealt with in the Character and Appearance of the Area section*

- The proposal would affect the living conditions of the occupants on the adjacent dwellings
- Objection to the change of use to part-residential
- Concerns regarding over-intensive use of the site
- Concerns regarding the visual intrusion of the proposal
- Potential overlooking from the proposed development
- There would be possibility of disturbance from the movement of vehicles in and out of the site as a result of the increase in business activity
- The boundary is close to the rear of no. 17 Waxwell Lane and would lead to a loss of privacy
- Mixed use would be inappropriate for Westgate Chambers due to its proximity to the

residential area

- The proposal would block in the properties which adjoin Westgate Chambers
- The existing office space is used outside of the permitted times.

*These points are dealt with in the Residential Amenity Section*

- The current application has failed to address the previous reasons for refusal or the points highlighted in the Appeal Decision.

*This point is dealt with in both the Character and Appearance of the Area and Residential Amenity sections*

- Reference to the possibility of the applicant converting the remaining office space into residential accommodation
- Reference to the applicant proposing a three storey building at the application site in the future

*There is no evidence of such a proposal and any application for such a proposal would be considered under its own merits*

- Reference to inconsistencies within the application documents

*There is a slight discrepancy between the proposed roof height as described in the Applicants heritage statement and the height as measured from the drawing. For the purposes of this application, an assessment is made against the submitted plans*

## **CONCLUSION**

The development would preserve the character and appearance of the property, the character and appearance of the adjacent Waxwell Lane Conservation area and the setting of neighbouring listed and locally listed buildings. Furthermore, the development would have a reasonable impact 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 The development hereby permitted shall be carried out in accordance with the following approved plans: PL/001 Rev D; PL/002 Rev A; PL/003 Rev C; PL/004 Rev E; PL005 A; PL006A; PL007A

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

4 The additional office space hereby permitted shall not be in use outside the following times:

07:00-21:00 Mon-Sat Inclusive and 09:00-19:00 on Sun

REASON: To safeguard the amenities of neighbouring residential properties, in accordance with policy DM1 of the Harrow Development Management Local Plans Policies (2013).

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 disabled parking provision and two cycle spaces. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that parking provision is available for use by the occupants of the site and in accordance with the Council's parking standards.

6 The ancillary residential accommodation in the first floor roof extension hereby permitted shall only be occupied by persons in direct employment of the Use Class B1 office use in the application building and site.

REASON: To safeguard amenities of neighbouring residential occupiers in accordance with policy DM1 of the Harrow Development Management Policies Local Plan 2013.

## **INFORMATIVES**

1 The following policies are relevant to this decision.

### **National Planning Policy**

National Planning Policy Framework 2012

### **The London Plan (Consolidated with amendments since 2011) (2015)**

3.5 Quality and Design of Housing Developments

3.8 Housing choice

7.2 An inclusive environment

7.4.B Local Character

7.6.B Architecture

7.8 C/D Heritage assets and archaeology

London Plan Housing SPG

### **The Harrow Core Strategy 2012**

CS1.B Local Character

CS1D Local Character

CS1K Housing

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

DM1 Achieving a High Standard of Development

DM 2 Achieving Lifetime Neighbourhoods

DM7 Heritage Assets

DM10 On Site Water Management & Surface Water Attenuation

DM 42 Parking Standards

### **Adopted Supplementary Planning Documents**

Supplementary Planning Document Residential Design Guide 2010

Waxwell Lane Conservation Area Appraisal and Management Strategy 2009

## 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 2015 (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](mailto: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.

#### 7 INFORMATIVE:

Please be advised that this application attracts a liability payment of £19,938.00 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 £14,925.30 for the application, based on the levy rate for Harrow of £35/sqm and the Office floor area of 83sq.m. and the Residential uplift in floor space of 60.23sqm

#### 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;

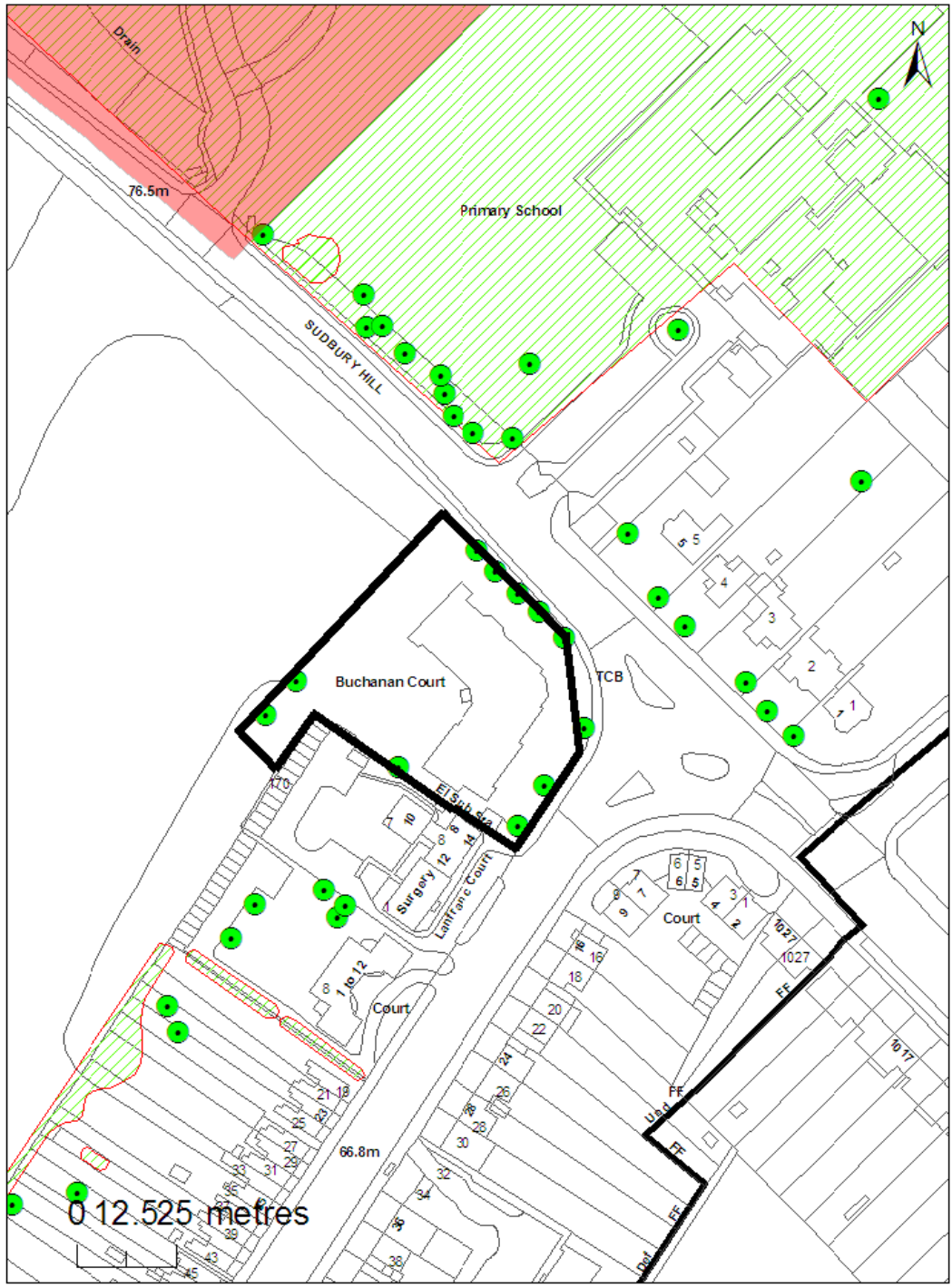
(Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is:£5,013.05

Plan Nos: PL/001 Rev D; PL/002 Rev A; PL/003 Rev C; PL/004 Rev E; PL005 A;  
PL006A; PL007A

# BUCHANAN COURT, SUDBURY HILL, HARROW



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ITEM NO: 2/09  
ADDRESS: 60 EVELYN DRIVE, PINNER  
REFERENCE: P/0094/15  
DESCRIPTION: SINGLE STOREY REAR EXTENSION  
WARD: HATCH END  
APPLICANT: MR JAYESH GORASIA  
CASE OFFICER: SYNDSEY BALLETT  
EXPIRY DATE: 09/03/2015

## **RECOMMENDATION**

**GRANT** planning permission subject to conditions:

## **INFORMATION**

The application is reported to the Planning Committee as a signed petition from neighbouring residents in objection of the proposal has been received.

Statutory Return Type: Householder Development

Council Interest: None

Gross Floorspace: sqm

Net additional Floorspace: 17.07sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): None

Harrow Community Infrastructure Levy (CIL) Contribution (provisional): None

## **Site Description**

- The subject site is a two storey semi-detached single family dwelling orientated to the north of Evelyn Drive.
- The property is not locally/statutorily listed. It is however located within a critical drainage area and is located in the Pinnerwood Park Estate Conservation Area.
- The property is subject to an Article 4 Direction, which removes Permitted Development Rights for;
  1. The addition/alterations to a building, including the alteration or replacement of windows and doors (excluding the replacement of windows and doors on rear elevations)
  2. Alterations to the roof; for example the insertion of dormer windows or rooflights and the gabling of existing hipped roofs
  3. The construction of a porch to any front or side door
  4. The provision of additional hardsurfaced areas, for example to provide off street parking (in relation to front and side garden areas only)
  5. The alteration of constriction of a gate, fence, wall or other means of enclosure (in relation to the front and side garden areas only)
  6. The painting of unpainted areas of brickwork

## Proposal Details

- The application proposes a single storey rear extension along the shared boundary with adjoining no 58. It would project 3m in depth and be a maximum height of 3m
- The proposal would consist of aluminium framed bi-fold doors in the rear wall and matching external surface brickwork

## Revisions to Previous Application

- None

## Relevant History

WEST/959/02/FUL; Replacement replica garage doors; Granted 18.11.2002

P/0095/15: Single storey rear extension; external alterations; Alterations to ground levels and hardsurfacing to the rear  
Currently under consideration

## Pre-Application Discussion (Ref.)

### • P/3760/14/PREAPP; Single storey rear extension

*As the proposal relates to an extension to a dwellinghouse, subject to the proposal safeguarding the character and appearance of host dwellinghouse and the conservation area, it is considered that the principle to extend the existing dwellinghouse would be acceptable.*

*This proposal is within the Pinnerwood Park Conservation Area. The Conservation Area Appraisal and Management Strategy (CAAMS) states that 'Pinnerwood Park Estate CA is an example of early 20th century domestic architecture and town planning which sought to provide accommodation for the artisan classes, through low density housing, tree lined streets and houses separated by hedges, not wall'.*

*This comment is supported by guidance in the CAAMS (2009) which states:*

*'Single storey extensions still need to respect the traditional character of properties in the area, and could include i.e. a flat roof; detailing should include a small brick on edge parapet and traditional tile creasing. Again, proportion is important as such roofs can become overpowering if too large, if a high parapet is applied or if not detailed appropriately'.*

*The proposed rear extension would consist of a pair of aluminium bi-fold doors in the rear wall, separated by a brick wall to match that of the existing brickwork and would include a full length brick wall in the west flank wall. The proposal would project 3m rearward along the shared boundary of no 58, and have an overall height of 3.35m.*

*It should be noted that there are no mitigating circumstances at no 58 to offset the height increase above 3m. The proposed rear extension would therefore be considered acceptable subject to a revised maximum height of 3m.*

*Larger windows in the flank wall of an extension sited within 3m of a boundary would be unacceptable, however as the proposal would be sited 3.6m from the boundary this would not apply. Again for consistency, you may wish to insert a single long window of similar width and height to match that of the proposed rear elevation.*

*In relation to works subject to Article 4 Directions;*

- *Rear extensions are not subject to an Article 4 Direction. Permitted Development rights apply but are slightly more restricted than those outside the Conservation Area*
- *Replacement rear windows are not subject to an Article 4 Direction and can be implemented without Planning Permission under Permitted Development*
- *Loft conversion by means of a rear dormer and rooflights requires Planning*

## *Permission*

### **Conclusion**

*The applicant submitted a set of 3 revised schemes on the 21<sup>st</sup> November 2014. Option 1 as per drawing no PP111 address to a degree what was discussed in the pre-app meeting dated 22<sup>nd</sup> October 2014. The proposal would be acceptable, subject to a revised maximum height of 3m.*

### **Applicant Submission Documents**

- Design and Access Statement

### **Consultations**

- Conservation officer; suggested use of:

Brick on edge parapet and tile creasing

3m maximum height and depth from rear wall

Matching brickwork

- CAAC; The other modern one looks quite refreshing. The parapet should be maintained all the way around. There should be some hoppers. It should be set in from the side a little. Repeat rooflight comment. 60 Evelyn Drive is on a hill and neighbours objected to the proposal due to overlooking.

### **Advertisement**

1<sup>st</sup> round

Site notice erected; 28.01.2015

Expiry; 18.02.2015

Newspaper published; 16.02.2015

2<sup>nd</sup> round

Site notice erected; 27.03.2015

Expiry; 17.04.2015

Newspaper published; 26.03.2015

### **Notifications**

Sent: 5

Replies: 10 individual responses; Petition with 4 signatories

Expiry: 08.04.2015

### **Addresses Consulted**

- 34, 35 Meredith Close
- 58, 62 Evelyn Drive
- 43 Woodhall Gate

### **Summary of Responses (Individual Letters of Objections)**

- We feel very strongly about the conservation area and keeping houses true to the 1930s which is why we moved here 16 years ago. We would hate for the character of the house to be compromised and hope that designs will not be allowed that have certainly been refused in the past. If an extension really has a negative effect on the light coming into a neighbour's house, particularly if it is north facing surely this is totally unfair and stressful?
- This will spoil the visual ethos of the estate.
- Out of keeping with the ethos of the estate. Will seriously impact the lives of the neighbours at no 58

- Out of keeping with the Pinnerwood park estate
- The proposed extension will cause a severe loss of amenity to the neighbouring property at no 58 Evelyn Drive, specifically loss of light to the lounge window.
- We object to this proposed rear extension which would be overly large and out of scale with the Artegen Design of the main building; and as a result it would be overbearing and unneighbourly to no 58 Evelyn Drive.
- The proposed extension is too large and out of keeping with the existing house. This is in Pinnerwood Park Conservation Area so extensions must be built in a sympathetic style and mass. Architectural details used on the existing house, such as red-brick quoins Georgian-framed windows and appropriately sized openings have been ignored.
- There is a public Sewer running at a shallow invert below the site of the proposed extension. The public sewer serves no 60 and other houses in the road. There is an inspection chamber to the sewer in the rear garden of no 60 which will fall within the proposed extension so I am surprised that this has apparently been missed by the applicant.
- Visually intrusive to neighbouring property no 58
- Alteration to the character and dominance of the host property
- Glazing is not complementary to the original window design
- The proposed proportion is not suitable for a small traditional semi-detached house in a conservation area.

#### **Summary of responses (Petition – 4 signatories)**

- Development would spoil view of the estate
- Development out of character and keeping with the area
- Will seriously impact neighbouring properties

#### **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 (Consolidated with alterations since 2011) (2015) 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.

#### **MAIN CONSIDERATIONS**

Character and Appearance of the Area

Residential Amenity

Development & Floodrisk

S17 Crime & Disorder Act

Equalities Statement

Consultation Responses

### **Character and Appearance of the Pinnerwood Park Estate Conservation Area**

This proposal is within the Pinnerwood Park Conservation Area. The Conservation Area Appraisal and Management Strategy (CAAMS) states that 'Pinnerwood Park Estate CA is an example of early 20th century domestic architecture and town planning which sought to provide accommodation for the artisan classes, through low density housing, tree lined streets and houses separated by hedges, not wall'.

The scale of the proposed extension, extending 3m from the rear main wall of the dwellinghouse and no higher than 3m would be proportionate to the existing dwellinghouse, the pattern of development locally and the character and appearance of the conservation area. The design of the scheme has been amended to ensure an appropriate finish, the high parapets on the flank elevations removed and replaced with soldier course brick detailing. The design of the extension would therefore be sympathetic to the host property.

Subject to the use of materials to match the existing dwellinghouse then, the proposed development would accord with policies 7.4, 7.6 and 7.8 of the London Plan, policy CS1.b of the Core Strategy and policies DM1 and DM7 of the Development Management Policies Local Plan 2013.

### **Residential Amenity**

The London Plan Policy 7.6B states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing.

Development Management Policy DM1 states that "*all development and change of use proposals must achieve a higher quality of privacy and amenity for future occupiers of development will be resisted*".

Para 6.58 of The Residential SPD (2010) state that rear extensions have the greatest potential for harm to the amenities of neighbouring residents. Their impact on neighbouring property and the character and pattern of development needs careful consideration. Rear extensions should be designed to respect the character and scale of the original house and garden and should not cause unreasonable loss of amenity to neighbouring residents.

The rear building line of properties along this stretch of Evelyn Drive is consistent. No window openings are proposed in the flank elevations and the development would therefore not have an adverse impact upon the residential amenities of no 58 and 62 in relation to loss of privacy.

It should be noted that the nearest window at adjoining property no 58 serves a habitable room. The proposal would project 3m in depth from the rear wall of the host property along the shared boundary with no 58 and set in approx. 3.6m from the shared boundary with no 62. The extension would project 2.3m beyond the rear window of No.58. notwithstanding the proximity of the living room window to No.58, given this relatively modest depth and height of the proposed extension, it would accord with paragraphs 6.59 and 6.63 of the Residential Design Guide SPD. It would also be sited to the north-west of No.58 where impacts on light to this property would be limited.

Whilst it is acknowledged that there will be some degree of loss of light to no 58, as the development would accord with the guidelines set out in the SPD and it would not be sited to the south of No.58, no undue impacts on light or outlook to this property would

occur. Due to the distance from the boundary with No.62, no undue impacts to this property would occur as a result of this modest extension.

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

### **Development and Flood Risk**

The application site is located in a critical drainage area of Harrow. Policy DM10 was introduced to address surface water runoff and flood risk from developments. An informative to this planning permission directs the applicant towards the use of sustainable urban drainage systems, which would mitigate any minor impacts arising.

### **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**

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

### **Consultation Responses**

Objections have been addressed in the Appraisal section of the report above. In relation to queries regarding 'protected' windows, the adjacent window at No.58 is 'protected' in the terms set out in the Residential Design Guide SPD. However, the Residential Design Guide does offer explicit protection for these windows from single storey extensions. Reference to 'protected' windows is made in relation to first floor or two-storey extensions.

### **CONCLUSION**

The proposed development would have a satisfactory impact upon the character and appearance of the locality and would meet the guidance set out in the Council's adopted Supplementary Planning Document on Residential Design. The proposal would have no undue impacts upon the residential amenities of the adjoining neighbours and appropriate conditions have been attached to ensure that the amenity and privacy of the neighbouring occupiers is safeguarded in the future.

### **CONDITIONS**

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

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



2 The development hereby permitted shall be carried out in accordance with the following approved plans: PL100, PL101, PL102, PL103, PL104-A

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

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

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no window(s)/door(s) shall be installed in the flank elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

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

5 All new brickwork including the brick bond, roof tiles, external works and finishes shall match the existing adjacent work with regard to the methods used and material, colour, size, texture, and profile.

REASON: To safeguard the appearance of the locality and the Mount Park Conservation Area in accordance with Policy DM7 of the Development Management Local Plans Policies (2013)

## **INFORMATIVES**

1 The National Planning Policy Framework (2012)

The London Plan (Consolidated with alterations since 2011) (2015); : Policy 7.4B, 7.6B, 7.8D

Harrow Core Strategy (2012): Core Policy CS1.B/D

Harrow Development Management Policies Local Plan (2013): Policy DM1, DM7, DM10  
Supplementary Planning Document: Residential Design Guide (2010)

Pinnerwood Park Estate Conservation Area Appraisal and Management Strategy 2009

2 Considerate Contractor Code of Practice

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

0800-1800 hours Monday - Friday (not including Bank Holidays) 0800-1300 hours Saturday

3 The Party Wall etc Act 1996

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

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

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

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

Also available for download from the Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

#### 4 Grant with pre-application advice.

Statement under Article 35(3) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. 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.

#### 5 INFORMATIVE

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

SUDS involve a range of techniques including soak ways, 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.

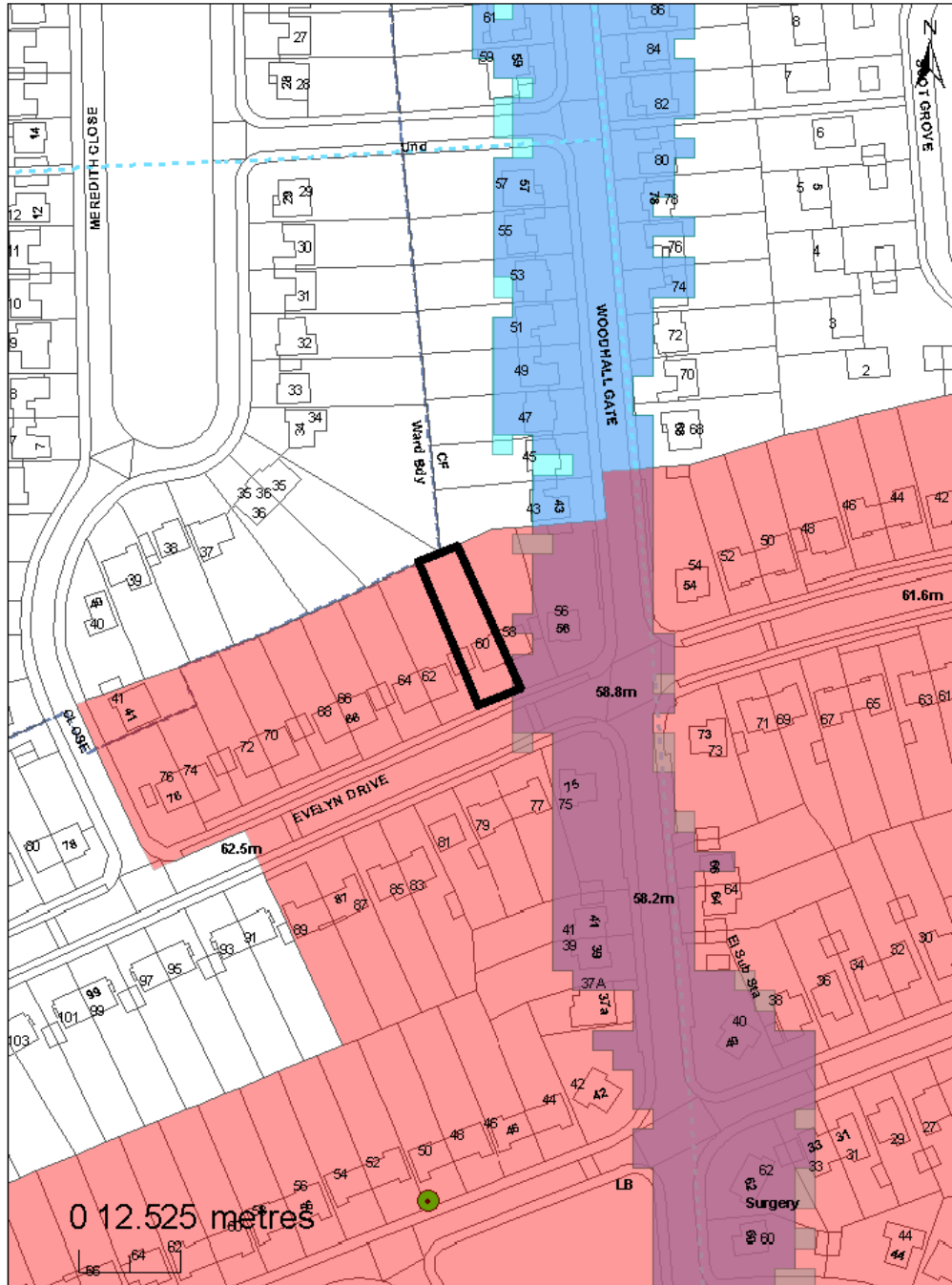
Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of 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 is advised to contact the Council's Drainage Department on 020284168366 at the earliest opportunity.

Remember to include DM10: On Site Water Management and Surface Water Attenuation within the policies in the informative.

Plan Nos: PL100, PL101, PL102, PL103, PL104-A

# 60 EVELYN DRIVE, PINNER



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ITEM NO: 2/10

ADDRESS: HEATHFIELD NORRIS SCHOOL, 31 BEAULIEU DRIVE,  
PINNER

REFERENCE: P/1041/15

DESCRIPTION: DEED OF VARIATION TO S.106 AGREEMENT RELATING TO  
P292LANNING PERMISSION WEST/666/97/FUL TO ALLOW  
THE INCREASE OF PUPILS ON THE SITE FROM 700 TO A  
MAXIMUM OF 1162

WARD: PINNER SOUTH

APPLICANT: EDUCATION FUNDING AGENCY

AGENT: DTZ CONSULTANTS

CASE OFFICER: MONGEZI NDLELA

EXPIRY DATE: 02/04/2015

## **RECOMMENDATION**

**Part 1)** Delegated Authority be given to the Divisional Director of Planning to determine Planning permission following the end of the consultation period on 29<sup>th</sup> May 2015.

**Part 2) APPROVE** modification to the principal Section 106 Agreement dated 12<sup>th</sup> November 1998 relating to the limitations of students numbers subject to the completion of a Deed of Variation. 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 Deed of variation and to agree any minor amendments to the conditions or the legal agreement. The Deed of Variation would cover the following matters:

1. Under Second Schedule, paragraph 3 replace the limit on pupil numbers 700 with 1162, subject to submission to the Council on an annual basis, a plan indicating credible gradual improvement in the Sustainable Travel Plan [STP] performance. Such improvement should demonstrate evidence of the exploration of car sharing, parking and ride measures.
2. To submit to the Council on an annual basis a plan indicating credible gradual improvement in the STP performance.
3. The School to make every reasonable endeavour to achieve a STP capable of Bronze Status by 31<sup>st</sup> October 2017, with a view to achieving Gold Status by 31<sup>st</sup> October 2022.
4. Payment of reasonable Legal Fees in the preparation of the legal agreement.

## **INFORMATION**

This application is reported to the Committee as the Council has received a number of objections to the application, and it is in the opinion of the Divisional Director of Planning Services, of significant public interest. It therefore falls outside of proviso E of the Scheme

of Delegation.

Statutory Return Type: Other

Council Interest: None

Gross Floorspace: n/a

Net additional Floorspace: n/a

GLA Community Infrastructure Levy (CIL) Contribution (provisional): n/a

### **Site Description**

- The application site covers an extended area of approximately 3.5ha and is located adjacent to the western boundary of the Borough.
- The site is occupied by a two/three-storey main building which is situated in the south-east corner of the site.
- To the east and south of the school buildings are designated car parking and cycling spaces. To the west of the school buildings are 6 tennis courts.
- Immediately to the north of the existing school buildings is a Junior School playground and nursery play area which was created in 2000 to the requirement of a Hard Play area for the younger children at the school.
- To the north of the playing fields is the Canon Lane First and Middle School with its associated playground and playing fields.
- The eastern boundary of Heathfield School abuts the rear gardens of properties on Beaulieu Drive. The western boundary of the site abuts the rear gardens of properties on Boundary Road.
- The southern boundary of the application site abuts the rear gardens of properties on two residential cul-de-sacs Hardy Close and Frobisher Close.
- Access to the school is in between no.29 and no.33 Beaulieu Drive.

### **Proposal Details**

- The application proposes to increase the number of pupils for full time education from its current roll of 700 to 1162 pupils.
- The site will be used by Pinner High School with an initial intake of 180 students in September 2016. The school will reach full capacity of 1162 in September 2022.
- It is also proposed that Avanti House Secondary School relocates to the site in September 2015 for a temporary period of two years.
- In September 2016, when Pinner High School and Avanti House share the premises, it is anticipated that 872 pupils will be accommodated at the site.
- The expansion would be undertaken within the demise of the existing buildings on the School site.

### **Revisions to Previous Application**

- N/A

### **Relevant History**

LBH/36784 - Single-storey extension to provide 11 classrooms, and ancillary accommodation.

Granted: 13/11/1998

WEST/44688/92/FUL - Single storey extension to hatted classroom block

Granted: 09/06/1992

WEST/173/97/FUL - Extension to school to provide swimming pool and changing rooms

Deemed Refusal: 03/07/2000

WEST/383/00/FUL - Provision of new hard surface to play area for junior school  
Granted: 11/08/2000

WEST/62/01/FUL - Construction of part two storey, part first floor extension within courtyard to provide additional teaching and ancillary accommodation, provision of temporary classroom and internal alterations associated with demolition of horsa hut classrooms  
Granted: 06/04/2001

P/3582/06 - Demolition of toilet block and construction of two and single storey extensions  
Granted: 14/02/2009

P/0339/11 - Installation of play equipment to north of junior school playground  
Granted: 03/11/2011

P/1612/12 - Details pursuant to condition 2 (hard and soft landscaping) attached to planning permission p/0339/11 dated 3/11/2011 for installation of play equipment to north of junior school playground.  
Granted: 02/08/2012

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

- The School held informal discussion with the Council prior to submitting this application. The School was advised that any uplift in student numbers would need to be justified by the School by way of an enhanced School Travel Plan and a Transport Assessment.

### **Applicant Submission Documents**

- **Planning Statement:**  
The document assesses the impact of the proposed modifications against the surrounding residential amenity. The document notes that the site is in a sustainable location with good transport accessibility, provides an appropriate level of car parking and cycle parking provision and would have a negligible impact on the operation of the local highway network. The document concludes by stating that the application demonstrates sound compliance with all relevant development plan policies, furthermore, the application is supported by key provisions in the NPPF, including the attachment of great weight to the need to create, expand and alter schools.
- **Transport Assessment**  
The document considers the implications of the increase in pupil numbers on the operation of the surrounding highway and transport network. The Transport Assessment (TA) concluded that the vehicular and pedestrian access will continue to operate effectively despite the increase in numbers. The TA noted that any vehicle drop off and pick up would take place off site and there is additional capacity during peak hours to meet the additional capacity. The report also states that pedestrian and public transport provision to the site is of a good standard. The findings within the TA conclude that there are no residual cumulative impacts in terms of highway safety or operational capacity of the surrounding transport network.
- **Travel Plan**  
This document provides historical data relating to travel modes to and from the School by students and staff and sets out the key objectives and targets to be put in place by

the School in addressing sustainable travel modes. The Travel Plan includes an Action Plan that will see the appointment of a Travel Plan Coordinator, provision of cycle parking and engagement with parents regarding a minibus facility.

### **Consultations**

#### Highways Authority:

The Travel Plan is approved as it would meet Harrow's and Transport for London (TFL) criteria.

### **Site Notices (6) erected:**

**Expiry:** 15/04/2015

### **Advertisement**

General Notification

Posted: 12/03/2015

Expired: 02/04/2015

### **Notifications**

Sent: 133

Replies: 17

Expiry: 02/04/2015

### **2<sup>nd</sup> Notification (same properties consulted as a result of revised Transport Information received)**

Sent: 133

Replies: At time of report being written

Expiry: 29/05/2015

### **Addresses Consulted**

1 – 51 Beaulieu Drive;

64 – 74 Eastern Avenue;

3 – 7 Frobisher Close;

49 – 57 Wimborne Drive;

62- 71 Lulworth Drive;

80 – 93 Chesnut Drive;

2a – 32 Boundary Road;

83 Boldmere Road;

99 – 109 North View;

1 -3 Hardy Close;

Heathfield School Cottage;

Cannon Lane Junior School; and

Heathfield School, Caretakers Flat.

### **Summary of Responses**

#### *Support*

- The proposal is a benefit to the wider community and should be approved.
- The expansion of the High School will be extremely beneficial to the local area. A high School with a greater capacity will be advantageous to all. I appreciate traffic may increase but the area is served by a bus route and the Local Council is capable of directing/assisting drivers doing drop off and pick ups.
- This will reduce pressure on existing schools.

- The area is in need of a secondary school and therefore the proposal is supported however short-term considerations for the convenience of residents need to be addressed.
- As a previous resident to Lulworth Drive, I understand concerns from residents however the benefits to local families far outweigh the possible increase in traffic flow.
- I support this proposal for a much needed high school in the area.
- As a local parent, I am very supportive of Pinner High Schools application to increase student numbers.
- The area is in need of a local secondary school. A larger allowance of pupils will mean the school can have a sixth form and have a greater choice of subjects. The larger number of students is unlikely to impact on traffic in the area as the majority of pupils are likely to live within walking distance of the school.
- Over subscription of local schools namely Nower Hill and Whitmore High School meant my child was given a school place a considerable distance from our residence in Pinner. A local authority state school will attract local children who would be able to commute by walking or cycling.
- The area requires a local secondary school. As a state school, where the catchment area is small, the traffic shouldn't be compared to the traffic levels of the site when it operated as a fee paying school with, it can be reasonably said, a different demographic of parent and a larger geographical spread of students who choose fee paying schools. As such, I fully support the proposals to increase school numbers.
- The opening of a new inclusive secondary school has significant support in the area. I would speculate that the traffic nuisance in the immediate area will be significantly less in for the local catchment, albeit larger. The majority of students at the new school are likely to be drawn from within a mile of the school. Insofar as pedestrian traffic will increase, this will only be for short periods at the start of each day.

### *Object*

- The residential roads will be unable to cope with the increase in traffic generated by the increase in numbers.
- For many years, residents have been plagued by mainly parents and at times, senior pupils, on irresponsible parking over driveways, parking on both sides of the roads, stopping the flow of traffic and causing gridlock at all junctions thus leading to confrontation and abuse.
- The increase in numbers would impact the parking problems outside the school.
- The number of on-site parking spaces for staff looks very low and therefore the additional staff would park on the local streets meaning less parking for parents.
- I question whether the site can accommodate the increase number in pupil numbers and the additional noise and pollution associated with it.
- There is already a significantly large volume of traffic in the area due to local schools.
- The increase in school numbers far exceeds the number for the residential area to accommodate the noise and disturbance.
- The increase in school numbers will result in huge traffic congestion on Chesnut Drive.
- The information contained within the Travel Assessment is flawed and inaccurate. The TA assumes that cars can be parked on both sides of Chesnut Drive which is incorrect as the road is too narrow to park cars on both sides of the road. As a consequence, the envisaged available parking is overstated by at least 50%. In addition, there are a maximum of 38 spaces to the north side of Chesnut dependant on the size of the car, sensible parking, and all on just one side of the road. If a resident is already parked on the other side, the available spaces reduce considerably. Therefore, the TA must be reviewed as a matter of urgency, recalculated and amended to ensure it is an accurate



reflection of reality so that an informed decision can be made.

- Local infrastructure will not cope with the increase in numbers. The Travel Plan implies that next year there will be insufficient parking available in local streets to cope with the expected car drop offs and pick-ups. The number of parking spaces shown as available on Wimborne Drive rather generous and this would impact the parking problem.
- Presumably the increase in numbers will require considerable building expansion on site.
- The traffic congestion caused by Heathfield School was significant and therefore an increase in numbers will result in extreme congestion in the future.
- Beaulieu Drive is already congested due to the traffic and noise caused by Cannon Lane School. Therefore the proposals will worsen the congestion.
- Given the increase in school numbers, and the associated traffic, can consideration be given to the creation of additional pedestrian/cycle access from Chesnut Drive?
- The current 700 places at the school make access to these four roads impossible at drop off and collection time as there is access to another school on the same road. Public transport is not geared for so many people and there is only one access way onto the school. Furthermore, it is impossible for pupils to be bussed onto the school as the roads are not wide enough.
- The surrounding road network is unable to cope with parking/traffic problems due to the expansion of two schools. Public transport inadequate (2 buses per hour).
- There has been no press coverage to the alterations. The Council has informed less than 5% of households about the application. There have been no improvements in infrastructure whilst car ownership has increased since the signing of the S106 Agreement in 1998. School capacity will increase to 2100 on effectively one site making it the largest school in the borough. Heathfield School had no more than 450 pupils however the traffic was always a problem. Eastcote is not on the Jubilee Line (P10 item 3.3).
- The proposals will result in an increase of older students which will in turn increase the noise heard from the playgrounds. We are concerned about traffic and being overlooked due to the school expansion.
- A large number of pupils will be driven to school by parents. The roads around the site of this school are very narrow and only suitable for parking on one side of the road however many parents park inconsiderately, double parking and blocking residents.

## **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 (with consolidated changes since 2011) 2015 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.

## **MAIN CONSIDERATIONS**

Principle of the Development (Modification) and Impact on Traffic and Parking  
Equalities Impact  
S17 Crime & Disorder Act  
Consultation Responses

### **Principle of the Development (Modification) and Impact on Traffic and Parking**

Paragraph 72 of the National Planning Policy Framework (2012) sets out that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. It goes on to state that the LPA's should give great weight to the need to create, expand or alter schools and work with schools promoters to identify and resolve key planning issues before applications are submitted.

Policy 3.18C of The London Plan (2015) will support development proposals which enhance education and skills provision. This is further emphasised under policy DM46 of the Development Management Policies Local Plan (2013). Policy DM43 in the case for major development sites will require a Transport Assessment to be undertaken. It goes onto state that any impact identified in the Transport Assessment should be mitigated through the implementation of Travel Plans which should include the desirability of achieving modal shift away from private car use towards sustainable modes of transport.

The principal S106 Agreement dated 12<sup>th</sup> November 1998 imposed a student number limitation of 700. This deed of variation now seeks to modify the S106 Agreement by increasing the number of students on roll to 1162. The proposed expansion in pupil numbers will take place gradually over the next seven years. Alongside this proposed expansion, the School will be aiming to achieve a higher status for sustainable transport and travel arrangements for all its pupils in accordance with the 'Sustainable Travel: Active, Responsible, Safe' (STARS) programme administered by the TFL.

It is acknowledged that local residents have raised strong concerns in terms of traffic generation during drop off and pick up period. This is recognised by the applicants and they are actively seeking through the implementation of a more enhanced Travel Plan to reduce journeys to and from School by car and seeking to encourage more sustainable modes of travel. In order for the School to meet its aspirations to achieve a gold STARS status by 2022, the School will be required to proactively reduce car reliance and encourage the use of sustainable transport modes.

The applicant submitted a Transport Assessment (TA) in support of the proposals. However, the Council's Highway Authority had concerns in relation to the document. It was noted by the Council's Highway Authority of the difficulty of assessing the situation given that the site has been unoccupied since August 2014. The Highways Authority concerns included:

- The parking surveys need to include the area around Cannon Lane Primary School as it currently stands and also with an anticipated projection for numbers post expansion. In addition, the on-street parking over spills into Chestnut Drive and Beaulieu Drive need to be assessed.
- The parking occupancy figures are not agreed – a further survey is required and must cover a wider area to take into consideration Cannon Lane Primary School.

- Further mitigation measures are required – walking options need to be considered, public transport options are limited in this area.
- Comments from Hillingdon – they also need to be considering the impact of the agreed expansion of Cannon Lane Primary along with this proposal.
- Clarification on the catchment area for Pinner High School.
- They need to look at any possible links between their own travel plan and Cannon Lane Primary’s travel plan.

The applicants sought to address the Council’s concerns and submitted an Addendum report to the Transport Assessment (TA), which also included amendments to the Travel Plan. The TA notes that the greater parking demand for the site will occur for one year, during Avanti House Secondary Schools (680 pupils) occupation of the site. This is due to the distance between the existing location of Avanti House and the subject site, and therefore it is anticipated that greater reliance will be on the car.

The Travel Plan proposes the following:

- Encourage siblings between schools to travel together and where possible sustainably eg. older sibling walking younger brother / sister to the Primary School before going to Pinner High School;
- Development of a car-sharing database between schools (subject to the relevant parental permissions) to minimise car trips to the schools;
- Shared resource where possible eg. running simultaneous or sequenced events on road safety / cycle education;
- Regular meetings and updates between TP coordinators reviewing the success or otherwise of TP measures / initiatives, meeting of targets.

The nearest London Underground Station is Eastcote, located approximately 0.75 miles from the site and therefore it is expected that the majority of public transport trips to and from the school would be undertaken by bus. Bus routes 398 and H12 operate within the vicinity of the school. Typically, the bus routes only operate twice per hour, however these are increased to three times per hour during the morning and afternoon school peak periods. Given that the increase in Pinner High School pupils at the school will be phased over seven years, it is considered that the School Travel Plan will monitor pupil bus use and its impact on overall bus patronage. Should the increase in pupil bus use have a negative impact on TfL bus operations, it is understood that a London Mayoral funding stream is available to mitigate the impact of Free Schools and improve services accordingly.

It is also noted that local residents have raised concerns with regard to the implementation of the Travel Plan and in particular, the parking and congestion in the nearby road network. Furthermore, residents are concerned about the cumulative increase of the former Heathfield School site alongside the neighbouring Cannon Lane School. The applicants have taken these concerns into account and addressed them in the Addendum report. To this end, the applicants state:

*“An addendum paper has been prepared to the TA / TP submission that provides an updated analysis of parking stress in the local area. Previous analysis considered total available parking supply against the principle that drop-offs / pick-ups would be time spread and could make use of all spaces. The updated analysis considers a single parking supply, with the number of available spaces reduced by 50% on narrow roads (Chestnut Drive, Lulworth Drive, Wimborne Drive, Boundary Road, Chandos Road). The*

*analysis also includes a reduction in parking to allow for drop-offs / pick-ups associated with the expansion of the neighbouring Cannon Lane Primary School.*

*Taking this into account there is still considered to be sufficient supply to meet the worst-case demand during the 2016/2017 year when there would be 180 Pinner High School pupils, and 680 Avanti House School pupils occupying the site. This one year period is considered the worst case as the temporary occupation of the school by Avanti House pupils will attract greater proportions of car trips given the distance travelled from their existing and proposed school sites. It should be noted that the levels of parking demand analysed during this period are robust, given that they make no allowance for the staggering of Avanti House start / finish times, an established principle at the school.*

*In the long-term however, Pinner High school will be attracting pupils from a local catchment and at full capacity the associated predicted parking demand (based on TRICS database figures for schools of similar scale / locality) will still leave considerable spare parking capacity on local roads during the peak periods”.*

Significantly, given the former Heathfield School’s status as a fee-paying school, experience from within the Borough would suggest a large proportion of its student population travelled from outside the catchment area via private car. It is reasonable to anticipate that the majority of students attending Pinner High School will come from the catchment area which will in turn lessen the dependence on the private car. Notwithstanding this, it is considered that the School’s objective to reduce travel by car and move towards more sustainable modes of travel can be achieved through a more pro-active partnership between the School and the Council through the annual monitoring of the Travel Plan, which would be secured under this deed of variation application. The School is committed to providing an up-dated Travel Plan on an annual basis for the Council to monitor. This annual Travel Plan monitoring provision would enable the Council to scrutinise the progress being made by the school more robustly and enable it to work together with the school in achieving a gold STARS status.

On balance, whilst taking note of local residents’ concerns with the existing traffic and parking situations, it is considered that the implementation of the submitted Travel Plan and the submission of updated Travel Plans on an annual basis would see the reduction in car reliance over time and a move towards more sustainable travel options. The proposed expansion in school population is considered acceptable with regards to the above stated policies. Subject to the completion of the deed of variation in line with the obligations set out above the proposal is considered acceptable. Officers considered that the proposed measures, which have been agreed to by the Council’s Travel Plan Officer would provide confidence to local residents that the school is seeking to seriously reduce car dependency in favour for more sustainable modes of travel and to reduce overall traffic flow in the locality.

### **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. The equality impacts of this application have been assessed and have been found to be in conformity to Section 149.

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

Policies 7.3.B and 7.13.B of The London Plan and policy 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 proposal is considered not to give rise to any conflict with regards to the above stated policies.

### **Consultation Responses**

The comments received from neighbouring residents have been addressed in the above report.

### **CONCLUSION**

Having regard to the policies and proposals in the NPPF, The London Plan (with consolidated changes since 2011) (2015), the Harrow Core Strategy 2012 and the Development Management Policies Local Plan 2013, it is considered that the impact of the proposed increase in pupil numbers in terms of traffic generation and parking can be mitigated through the provision of an enhanced Sustainable Travel Plan working towards a Transport for London Gold Status and associated traffic mitigation measures.

### **INFORMATIVES**

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (with consolidated changes since 2011) (2015)  
Policies 3.18, 6.3, 6.9, 6.13, 7.1, 7.2, 7.3, 7.13

The Harrow Core Strategy (2012)  
Core Policies CS1

Development Management Policies Local Plan (2013)  
Policies DM2, DM43, DM46

Plan Nos: SK21, Draft Framework Travel Plan (February 2015), Transport Assessment (February 2015); Addendum Note on Highways and Transport (Further to Transport/Travel Plan submission February 2015 – LPA Ref: P/1041/15) May 2015.

# HEATHFIELD NORRIS SCHOOL, BEAULIEU DRIVE, PINNER



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ITEM NO: 2/11  
ADDRESS: GLEBE PRIMARY SCHOOL, GLEBE AVENUE, KENTON, HARROW  
REFERENCE: P/0674/15  
DESCRIPTION: TWO STOREY SIDE AND REAR INFILL EXTENSIONS  
WARD: KENTON EAST  
APPLICANT: MRS DONNA BARRATT  
AGENT: WINTERSGILL LLP  
CASE OFFICER: RACHEL CAPLIN  
EXPIRY DATE: 30.04.15

### **RECOMMENDATION**

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

### **INFORMATION**

The application is reported to the Planning Committee because the Council is the Landowner, and the additional floorspace of the development is greater than 100 sqm.

Statutory Return Type: Minor

Council Interest: None

Net additional Floorspace: 111.96sqm

GLA Community Infrastructure Levy (CIL) Contribution (provisional): None

### **BACKGROUND**

#### **The Harrow School Expansion Programme**

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

Harrow Cabinet agreed its school place planning strategy in February 2010 to meet the increasing demand for school places. Harrow is a congested urban borough and there is very limited effective scope to build new schools. In July 2011, Cabinet agreed on a Primary School Expansion Programme as part of the School Place Planning Strategy. The strategy aims to secure sufficient primary school places through the creation of additional permanent places, supplemented by the opening of temporary additional

classes as required to meet the peak and variations in demand.

### **Site Description**

- The site is bounded by Glebe Avenue, D'Arcy Gardens, and the rear of Charlton Road
- The application site is a two storey primary school, located to the west of Glebe Avenue
- The site features a large outdoor play area which backs on to D'Arcy Gardens
- The site is accessed via Glebe Avenue
- The site features staggered building lines, and a flat roof
- Kenton Learning Centre is a detached building also located on the application site

### **Proposal Details**

- Two storey side extension to infill a space located in between the rear of the existing staff room and the Boys' Junior WC
- The proposal faces onto the boundary of the rear gardens of Charlton Road
- The proposed two storey side element would have a width of 4.5m, a depth of 4.86m, and a height of 6.17m with a flat roof
- The proposed first floor side extension element would be located to the rear and side of the existing first floor Music Suite
- The proposed two storey side element would have a ground floor and first floor flank window, located 11.05m off the boundary with the rear gardens of Charlton Road
- The proposed two storey side extension would not project beyond the existing Staff Room flank wall or Boys' Junior WC flank wall
- The proposed two storey rear extension is located adjacent to the Girls' and Boys' Infant WC, and set back from the rear wall by 0.25m
- The proposal would have a depth of 6.93m, a maximum width of 7.77m where it would adjoin an existing flank wall, and a height of 7.55m with a flat roof
- The proposed ground floor flank elevation of the two storey rear element features a window facing onto the rear elevation of an existing class room
- The single storey rear infill extension is to provide a medical room, and would be located in between the Girls' and Boys' Infant WC and the large hall
- The single storey side and rear infill extension would have a depth of 5.39m, a width of 2.13m, and a height of 3.71m with a flat roof

### **Revisions to Previous Application**

- N/A

### **Relevant History**

P/19/05/DFU; Single storey extension and alterations to toilet blocks; Grant; 03.03.05

P/2176/04/DFU; Fabric playground shelter; Grant; 30.09.04

EAST/967/97/LA3; Retention of alterations to provide new entrance to building incorporating ramp; Grant; 10.02.98

P/951/06/CLA; Two storey detached building to provide replacement Kenton Learning Centre; Grant; 01.08.06

P/0297/13; Two storey side extension to western elevation; Grant; 31.05.13

P/2342/12; ERECTION OF SINGLE STOREY BUILDING (UP TO 8.1M HIGH) WITH LINK-TO EXISTING SCHOOL BUILDING; EXTERNAL ALTERATIONS INCLUDING BOUNDARY TREATMENT ALONG GLEBE LANE; PROVISION OF 5 ADDITIONAL CAR PARKING SPACES; Grant; 06.11.12

P/2623/07; First floor extension to the main teaching block; Grant; 06.11.07



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

- None

## **Applicant Submission Documents**

- None

## **Consultations**

- None

## **Advertisement**

- N/A

## **Notifications**

Sent: 5

Replies: 0

Expiry: 21.02.15

## **Summary of Responses**

N/A

## **APPRAISAL**

The Government has adopted a National Planning Policy Framework [NPPF] on 27 March 2012 that consolidates national planning policy. This document now carries significant weight and has been considered in relation to this application.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:  
*'If regard is to be had to the Development Plan for the purpose of any determination to be under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'*

In this instance, the Development Plan comprises The London Plan (consolidated with alterations since 2011) (2015), the Harrow Core strategy 2012 and the policies of the Harrow Development Management Policies Local Plan 2013.

## **MAIN CONSIDERATIONS**

Principle of Development

Character and Appearance of the Area

Residential Amenity

S17 Crime & Disorder Act

Equalities and Human Rights

### **Principle of Development**

#### Educational Need

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating

a high quality build environment that reflect the community needs and support its health, social and cultural well being. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

The National Planning Policy Framework (2012) outlines at paragraph 72 that: “The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Local Planning authorities should give great weight to the need to create, expand or alter schools”.

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

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

The educational use of this site is long established. The proposal would result in the provision of permanent educational facilities with a high standard of design and layout to provide much needed school places within the existing community. Overall, it is considered that the impact on residential amenity would be negligible and that the proposal would not be detrimental to highway safety. The development will be constructed for educational use and it is considered to be fit for its purpose (from a planning perspective). Furthermore, Harrow has a clear, demonstrable need to create more school places to meet a growing demand for educational space identified in the development plan.

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

Policy 7.4B of The London Plan (2015) states that ‘Buildings, streets and open spaces should provide a high quality design response that (amongst other factors), (a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass, (d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area, (e) is informed by the surrounding historic environment’. Policy CS1.B of the adopted Harrow Core Strategy 2012 states that all developments shall respond positively to the local and historic context. Policy DM1 of the Council’s Development Management Policies Local Plan 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 proposed two storey side and rear infill extensions, and single storey rear infill extension, would feature matching brickwork and windows that would be in keeping with the design, scale and proportion of the existing windows in the school building. Consequently, it is considered that the proposal would respect the character and appearance of the application site and the visual amenity of the surrounding locality. The proposed two storey side and rear extension would be modest in size and would not

detract from the character of the area or building to be enlarged.

The proposal would infill existing spaces and would not project beyond existing building lines, ensuring that they would not be visible from the street. Given the modest dimensions of the proposal, it is considered that the proposal would constitute a proportionate addition to the school. Consequently, it would not have an adverse impact on the character or appearance of the application site, the visual amenity of the locality, or the surrounding street scene.

Given the above, it is considered that the proposal would have an acceptable impact on the character and appearance of the original property and surrounding area. The proposal would therefore comply with the aims and objectives of policies 7.4B and 7.6B of The London Plan (2015), Core Policy CS1B of the Harrow Core Strategy (2012), and policy DM1 of the Harrow DMP.

### **Residential Amenity**

Policy 7.6B, subsection D, of The London Plan (2015) 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 proposed two storey rear infill extension would be buffered / sandwiched by the presence of the existing school buildings, and would therefore not result in any undue impacts on adjacent residential properties. The proposed two storey side extension, whilst infilling an existing space, would face onto the rear gardens of Charlton Road. However, the proposed two flank windows are located at 11.05m off the flank boundary, and the rear gardens of the Charlton Road have a length of approximately 27m. These would serve to reduce the impact of the proposal on neighbouring amenities. In addition, the existing flank elevation facing the rear gardens of Charlton Road already features large glazed windows. Consequently, the proposal is not introducing a new impact on the residential amenities of neighbouring occupiers. Furthermore, the siting of the proposals ensure they have an acceptable impact on the visual amenity of the locality.

Given the above considerations, the proposed development would accord with the policies and guidelines outlined above in respect of the protection of neighbouring amenities.

For the reasons outlined above, it is considered that the first floor side extension is acceptable in terms of policy 7.6B of The London Plan (2015), and Policy DM1 of the Development Management Policies Local Plan (2013).

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

The proposal would not have any adverse impact on crime and disorder in the area.

### **Equalities and Human Rights**

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

In determining this planning application the Council has regard to its equalities obligations under section 149 of the Equalities Act 2010. For the purposes of this report there are no adverse equalities issues arising from this proposal. However, it is noted that equality

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

## **CONCLUSION**

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

## **CONDITIONS**

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1067.17-100; 1067.17-011; 1067.17-012; 1067.17-002; 1067.17-005; 1067.17-001; 1067.17-115; Design & Access Statement

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

3 The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing adjacent wall(s) and roofs of the existing buildings.

REASON: To safeguard the appearance of the locality, in accordance with Core Policy CS1 B of the Harrow Core Strategy and Policy DM1 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

3.18 – Education Facilities

5.3 – Sustainable design and construction

7.1 – Building London's neighbourhoods and communities

7.2 – An inclusive environment

7.3 – Designing out crime

7.4 – Local character

7.6 – Architecture

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

CS1: Overarching Principles

CS10: Kenton and Belmont

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

Policy DM 1 – Achieving a High Standard of Development

Policy DM 2 – Achieving Lifetime Neighbourhoods

Policy DM 12 – Sustainable Design and Layout

**Other Relevant Guidance:**

Supplementary Planning Document Sustainable Building Design (2009)

Supplementary Planning Document: Access for All (2006)

2 INFORM\_23

3 INFORM\_32

4 INFORM\_PF2

Plan Nos: 1067.17-100; 1067.17-011; 1067.17-012; 1067.17-002; 1067.17-005; 1067.17-001; 1067.17-115; Design & Access Statement

# GLEBE PRIMARY SCHOOL, GLEBE AVENUE, KENTON



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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.