

## SECTION 1 – MAJOR APPLICATIONS

ITEM NO: 1/01

ADDRESS: 62-64 KENTON ROAD, HARROW

REFERENCE: P/0525/16

DESCRIPTION: REDEVELOPMENT TO PROVIDE A FOUR STOREY BUILDING WITH BASEMENT FOR A THIRTY-THREE ROOMED HOUSE OF MULTIPLE OCCUPATION (HMO) WITH FRONT AND REAR LIGHT WELLS AMENITY SPACE PARKING LANDSCAPING AND BIN / CYCLE STORAGE

WARD GREENHILL

APPLICANT: SAV DEVELOPMENTS LTD

AGENT: CITY PLANNING

CASE OFFICER: JUSTINE MAHANGA

EXPIRY DATE: 31/03/2016

### RECOMMENDATION

**GRANT** permission for the development described in the application and submitted plans, subject to conditions and no significant number of representations material to planning consideration being received by 28<sup>th</sup> April 2016:

### INFORMATION:

This application is reported to Planning Committee as it would provide in excess of 400 sqm of floorspace. The application is therefore referred to the Planning Committee as it is excluded by Provisos 1(a-h) of the Scheme of Delegation dated 29 May 2013.

The recommendation includes a provision that permission be granted subject to there not being a significant number of representations of material planning consideration being received by 28<sup>th</sup> April 2016. This is included as the development exceeds the threshold for minor development i.e. the development proposals exceed 1000sqm of floorspace. It should therefore be advertised as a 'major development'. This was carried out on 7<sup>th</sup> April 2016 and the timeframe allows 21 days for any subsequent representations to be received.

Statutory Return Type: Major Development

Council Interest: None

Gross Floorspace: 1,063.11sqm

Net Additional Floorspace: 771.11sqm

GLA Community Infrastructure (CIL) Contribution: £26,988.85

Harrow Community Infrastructure (CIL) Contribution: £42,411.05

## Site Description

- The application site is located on the northern side of Kenton Road, at no. 62-64 and contains a two-storey detached building.
- The property is irregular in shape, with a narrow projection at the rear.
- The existing building is constructed of white painted render and is located at the front of the site, with a single-storey projection at the side (adjacent Belvoir Court to the east).
- The Council's Licensing Department has confirmed that the premises was most recently in use as a 12 bedroom (22 occupant) HMO (Licence number – LN/000004806).
- To the front of the building is a parking forecourt, with two dropped kerbs.
- The surrounding area is predominantly residential, consisting of flatted developments along Kenton Road and semi-detached dwellings to the north-east along Rufford Close.
- Three-storey blocks of flats adjoin the application site on both sides of Kenton Road; Belvoir Court to the east and St Georges Court to the west.
- The rear boundary of the site adjoins the communal amenity space of a three-storey block of flats along Rufford Close.
- The property is not located within a conservation area, nor are there any listed buildings in the immediate surrounds.

## Proposal Details

- The proposed development intends to demolish the existing two-storey building.
- The proposed replacement build would comprise a four storey detached HMO (house in multiple occupation) building (sui generis) providing 33 rooms, with a gross internal area of 1,063.11sqm.
- The building would include a basement level which would comprise a plant room, utility storage and a 175sqm communal amenity space.
- The proposed building would be constructed of red and orange brickwork, with a recessed lightweight fourth floor.
- 159sqm of outdoor communal amenity space would be located at the rear of the building.
- 2 wheelchair accessible car parking spaces would be provided in the front forecourt off Kenton Road.
- Refuse and recycling storage and secure sheltered cycle parking for 33 cycles would be provided in the rear garden.
  - The HMO would comprise 33 single rooms, of which:
  - 5 rooms would have en-suite facilities;
  - 25 rooms would have an ensuite and kitchen facilities; and,
  - 3 wheelchair rooms would be provided on the ground floor.
- Communal facilities would include 4 kitchens, one living room on the ground floor, a communal space within the basement and communal bathrooms on each level.

### Revisions to approved development P/4426/15:

- The proposal intends to enlarge the approved basement level (shown on 1469-109-D) from 55.9sqm to 245.10sqm (proposed plan 1469-109-F);
- The approved utility room would increase from 17.5sqm to 26.9sqm;
- The approved plant room would increase from 17.5sqm to 24.2sqm;

- The basement would now also include a 175sqm communal amenity space. The proposal plans indicate that this area would include TVs, seating areas and indoor recreation facilities;
- Access to this level would remain as approved; and,
- With the exception of the front and rear lightwells with metal grates over, no alterations are proposed to the external appearance of the approved scheme.

### **Relevant History**

P/4426/15

Redevelopment to provide a four storey building with basement for a thirty-three roomed house of multiple occupation (HMO) with amenity space parking landscaping and bin / cycle storage

Granted: 15/01/16

WEST/485/95/FUL

Change of use from Class C1 to C2 (guest house to residential care home for the elderly)

Refused: 17 October 1995

WEST/162/94/FUL

Single storey side to rear extension

Granted: 08 July 1994

WEST/606/93/FUL

Change of use: Class C1 to C2 (hotel to children's care home)

Granted: 17 January 1994

WEST/162/94/FUL

Single storey side to rear extension

Granted: 08 July 1994

### **Applicant Submission Documents**

- Design and Access Statement, prepared by DGA
- Planning Statement, prepared by City Planning.
- Sunlight and Daylight Appraisal, prepared by Model Environments
- Environmental Health and Housing Statement, prepared by Glazebrook Associated LTD
- Energy Statement, prepared by Ensphere
- Transport Statement, prepared by TTP Consulting
- Travel Plan, prepared by TTP Consulting; and,
- Construction Management Plan, prepared by TTP Consulting.

### **Consultations**

- Environmental Health: No objections subject to standard conditions

### **Neighbourhood Notifications:**

Belvoir Court, 68 Kenton Road, HA3 8UX

Beaufort court, Rufford Close, Harrow, HA3 8UX24

24 Flambard Road, Harrow, HA1 2NA

26 Flambard Road, Harrow, HA1 2NA

St George Court, 58 Kenton Road, Harrow, HA3 8AB  
1-11 Rufford Close, Harrow, HA3 8UX

Sent: 40  
Replies: 0  
Expiry: 01/03/2016

Site Notice: General Site Notice & Major Development  
Expiry: 11<sup>th</sup> March 2016 & 7<sup>th</sup> April respectively

Advertisement: Major Development  
Expiry: 28<sup>th</sup> April 2016

### **Summary of Comments;**

- 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 (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  
Equalities  
Consultation Response

#### **Principle of the Development**

The principle to demolish the existing HMO building and construct a four storey building for a 33 roomed HMO has been established under the original planning permission P/4426/15, dated 15 January 2015.

There has been no material change to the development plan nationally, regionally or locally since the decision relating to P/4426/15. As such, the principle of demolishing the existing HMO and redeveloping the site to provide a new build 33 room HMO remains to

be acceptable for the purposes of this application.

As the principle of the redevelopment of the site has already been established under application ref: P/4426/15 and there has been no change in the development plan since this permission, the subject application seeks approval for alterations to the approved basement level. All other aspects of the proposal remain as approved under P/4426/15.

Accordingly, it is considered that for the purposes of this application, aspects relating to the considerations listed below which formed part of the material considerations under the substantive planning permission do not need to be duplicated under this current application:

*Accessibility*

*Traffic and Parking*

*Sustainable Build and Design*

*Crime and Disorder*

Accordingly, while the proposal to introduce a 33 bedroom HMO at the application site is acceptable in principle, the proposed alterations to the approved basement are subject to compliance with the relevant London Plan policies, development plan policies and supplementary planning guidance which seeks to provide high quality residential development and protect the residential amenity of surrounding occupiers.

Should the alterations to the approved basement comply with the relevant policies, the conditions of approval attached to permission P/4426/15 will be attached to this permission.

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

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

Within application P/4426/15 the overall massing and scale of the proposed building was considered to be proportionate to the site and the surrounding scale of the development. Subject to the use of robust materials, which was secured by a condition of approval, the architectural approach was considered to sit comfortably within its surroundings. An additional condition was attached requiring the submission of further details relating to landscaping, landscaping materials and the proposed boundary treatment.

The subject application seeks amendments to the approved basement level. Specifically, the footprint of the basement would be increased by approximately 193sqm. A lightwell with a metal grate would be provided at the front and rear of the building. The inclusion of the metal grate at ground level would be the only external alteration to the appearance of approved scheme P/4426/15.

Within approved scheme P/4426/15 hedging was proposed to the front of the ground floor

windows and to the rear of the rear facing ground floor windows to provide a defensible barrier to these rooms. At the front of the building the approved hedging extended 1.2m from the front elevation of the building. The proposed metal grate over the front lightwell would be wholly surrounded within this approved hedging. While the approved rear hedging also extended 1.2m from the property, within the amended scheme the hedging would extend 2.1m from the building elevation to accommodate the depth of the proposed rear lightwell. Given the modest scale and appropriate screening to the lightwells, the appearance of the proposed alterations are considered acceptable.

Accordingly, the building and proposed amendments would remain to accord with policies 7.4.B and 7.6.B of the London Plan, policy CS1.B of the CS and policy DM1 of the DMP.

## **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.

Within application P/4426/15 the potential increased activity at the site as a result of the 33 room HMO was not considered to increase noise and disturbance to the detriment of the amenities of neighbouring occupiers, in accordance with DM1 of the DMP. The proposed enlargement of the basement would provide additional communal space to the approved HMO rooms, no additional rooms or change to the number of occupants is proposed. Accordingly, the proposed amendments would not result in increased residential activity on the site.

In terms of the impact of the new build on neighbouring amenity, within P/4426/15 the layout and scale of the building was considered to have an acceptable impact on the amenities of neighbouring occupiers. The proposed amendments would not result in any building closer the neighbouring properties, nor would introduce additional windows. As discussed, the only amendment to the physical appearance of the approved scheme would be the inclusion of metal grates over the front and rear lightwells.

Accordingly, the proposal remains to 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**

### Internal Configuration

The proposed development would provide an HMO comprising 33 rooms. The applicant has indicated that the internal layout of the proposal has been designed in accordance with the Harrow Standards for Licensable Houses in Multiple Occupation and following advice from the Council’s Licensing Officer.

While no changes are proposed to the approved internal layout of the ground, first, second and third floors, the assessment of the proposed accommodation detailed within P/4426/15 has been reiterated below:

### 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.

Given that the proposal is for HMO accommodation rather than self-contained private units, regards has been given to the standards provided within the London Plan Supplementary Planning Guidance, which requires the minimum area of a single bedroom to be 8sqm, while a double or twin room should include a minimum area of 12sqm. In addition to this the Standards for Licensable Houses in Multiple Occupation requires that a single person unit (bedsit room) with kitchen facilities includes a minimum area of 13sqm.

The proposed development includes the following:

#### **Ground floor:**

Room	Type	Area (sq m)
G.1	Disabled access room with ensuite	18.8sqm (including ensuite)
G.2	Disabled access room	12.4sqm
G.3	Disabled access room	13.2sqm
G.4	Single room with ensuite and kitchen facilities	15.9sqm including ensuite
G.5	Single room with ensuite	14.4sqm including ensuite
G.6	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
G.7	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
G.8	Single room with ensuite and kitchen facilities	15.6m including ensuite

#### **First floor:**

Room	Type	Area (sqm)
1.1	Single room with ensuite and kitchen facilities	16.4sqm including ensuite
1.2	Single room with ensuite and kitchen facilities	15.5sqm including ensuite
1.3	Single room with ensuite	13.1sqm including ensuite
1.4	Single room with ensuite	16.2sqm including ensuite
1.5	Single room with ensuite and kitchen facilities	16.1sqm including ensuite
1.6	Single room with ensuite and kitchen facilities	16.5sqm including ensuite
1.7	Single room with ensuite and kitchen facilities	18.2sqm including ensuite

1.8	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
1.9	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
1.10	Single room with ensuite and kitchen facilities	15.6sqm including ensuite

**Second Floor:**

Room	Type	Area (sqm)
2.1	Single room with ensuite and kitchen facilities	16.4sqm including ensuite
2.2	Single room with ensuite and kitchen facilities	15.5sqm including ensuite
2.3	Single room with ensuite	13.1sqm including ensuite
2.4	Single room with ensuite	16.2sqm including ensuite
2.5	Single room with ensuite and kitchen facilities	16.1sqm including ensuite
2.6	Single room with ensuite and kitchen facilities	16.5sqm including ensuite
2.7	Single room with ensuite and kitchen facilities	18.2sqm including ensuite
2.8	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
2.9	Single room with ensuite and kitchen facilities	15.6sqm including ensuite
2.10	Single room with ensuite and kitchen facilities	15.6sqm including ensuite

**Third floor:**

Room	Type	Area (sqm)
3.1	Single room with ensuite and kitchen facilities	16.4sqm including ensuite
3.2	Single room with ensuite and kitchen facilities	16.0sqm including ensuite
3.3	Single room with ensuite and kitchen facilities	17.1sqm including ensuite
3.4	Single room with ensuite and kitchen facilities	17.4sqm including ensuite
3.5	Single room with ensuite and kitchen facilities	16.2sqm including ensuite

As detailed in the above tables, each room either meets or exceeds the requirements set out in the London Plan for minimum room sizes. It is also considered that each of the rooms would provide an adequate outlook and receive a satisfactory level of natural light. The proposed section plans also demonstrate that habitable rooms within the proposed fourth floor would have adequate room that would be of a satisfactory height for future occupiers. In this context, it is considered that the proposed living accommodation provided within the 33 rooms, in terms of size and layout would be considered acceptable.



### Communal facilities

The proposed enlargement of the approved basement would provide an additional 175sqm of internal amenity space for use by the proposed occupiers. The proposal plans indicate that this space would include seating areas, TVs and recreational equipment such as snooker tables and table tennis. This space would be served by French doors opening onto the front and rear lightwells. While the outlook and level of natural light to this space would be limited, given this amenity space has been provided in addition to the approved ground floor communal living area, no objections are raised in this respect. No amendments are proposed to the communal facilities on the ground and upper floors approved within P/4426/15:

Ground floor:

- 37.8sqm open plan living / dining / kitchen;
- WC accessible bathroom and WC.

First / second / third floor:

- 10 sqm kitchen / dining room on each level

Communal garden provided at the rear.

The Council's HMO Licensing officer has confirmed that the provision of shared kitchens, bathrooms and living room facilities at each level are acceptable and meet the required standards set out at Schedule 3 of The Licensing and Management of Houses in Multiple Occupation & Other Houses (Miscellaneous Provisions) (England) Regulations 2006. The Council's Environmental Health officer has not raised any objections to the proposed communal amenity space within the basement.

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 DM30 of the DMP and the Council's adopted Supplementary Planning Document 'Residential Design Guide (2010)' in that respect.

### **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.

## Consultation Responses

- N/A

## CONCLUSION

It is considered that the proposed scheme for a 33 bedroom house in multiple occupation would contribute to a strategically important part of the housing stock of the borough, in accordance with paragraph 3.55 of the London Plan and Policy DM30 of the DMP (2013). Furthermore, the proposed development, including the proposed enlargement of the basement and associated front and rear lightwells 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: 1469-001A; 1469-109-F; 1469-010-A; 1469-011-A; 1469-021-D; 1469-022-D;146-023-B; 1469-024-A; 146-025-A; 1469-100-L; 1469-110-K;1469-111-H; 1469-113-G; 1469-114-E; 1469-210-F; 1469-211-G; 1469-212-G; 1469-300-C; 1469-301-B ; Design and Access Statement (1469-DAS Rev A); Sunlight and Daylight Appraisal; Environmental Health and Housing Statement; Energy Statement; Travel Plan; Construction Management Plan.

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, provided at the application site, 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

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) A scheme of hard and soft landscape works for the site;
- b) Details and specifications of boundary treatments

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, thereby according with policy 7.4.B of The London Plan 2015 and policies DM1 and DM22 of the Development Management Policies Local Plan 2013.

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

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

6 Notwithstanding the approved plans, prior to development beyond damp course proof level, details for a scheme for works for the disposal of surface water, 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.

7 Prior to the occupation of the development hereby approved, measurements of the noise from the plant must be taken and a report / impact assessment demonstrating that the plant (as installed) meets the design requirements, shall be submitted to be approved in writing by the Local Planning Authority.

The rating level of noise emitted from any plant, machinery and equipment shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with BS 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation.

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

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

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (consolidated with alterations since 2011)(2015) and policy DM1 of The Development Management Policies Local Plan 2013.

9 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.

10 The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2) and M4(3), of the Building Regulations 2010 and thereafter retained in that form.

REASON: To ensure that the development meet the appropriate accessibility standards in accordance with policies 3.5 and 3.8 of The London Plan, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

11 Notwithstanding the details of the approved plans, the development hereby permitted shall not be constructed until elevations of the refuse and cycle store showing that this building shall not exceed 2.5m in height from the adjacent ground level, have been submitted in writing for approval to the local planning authority. The development shall be completed in accordance with the approved details and thereafter retained in that form.

REASON: To safeguard the character and appearance of the area and neighbouring amenity, thereby according with policy DM1 of the Development Management Policies Local Plan 2013. Details are required prior to the submission of the application to ensure a satisfactory form of development.

## **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, 5.12, 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/KHarrow Development Management Policies Local Plan (2013): DM1, DM2, DM10, DM12, DM30, DM42, DM45.

Supplementary Planning Document: Residential Design Guide 2010

Supplementary Planning Document: Sustainable Building Design 2009

Supplementary Planning Document: Accessible Homes 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 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 £26,988.85 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 £26,988.85 for the application, based on the levy rate for Harrow of £35/sqm and the residential floor area of 711.11sq.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: £42,411.05

## 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 Nuisance from demolition and construction works is subject to control under the Control of Pollution Act 1974, the Clean Air acts and other related legislation. In particular, you should ensure that the following are complied with:

- a) demolition and construction works should only be carried out between the hours of 08:00 and 18:00 Monday to Friday and between the hours of 08:00 and 13:00 on Saturday. No works shall be carried out on Sundays or Bank Holidays.
- b) All noise generated during such works should be controlled in compliance with British standard BS 5228-1:2009
- c) The elimination of the release of dust or odours that could create a public health nuisance
- d) No bonfires that create dark smoke or nuisance to local residents

You are advised to contact the Council's Domestic Environmental Health Team, Civic Centre, PO Box 18, Station Road, Harrow, HA1 2UT if you anticipate any difficulty in

carrying out construction other than within the normal working hours set out above and by means that would minimise disturbance to adjoining premises.

## 9 REMOVE YELLOW SITE NOTICE

A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

Plan Nos: 1469-001A; 1469-109-F; 1469-010-A; 1469-011-A; 1469-021-D; 1469-022-D; 146-023-B; 1469-024-A; 146-025-A; 1469-100-L; 1469-110-K; 1469-111-H; 1469-113-G; 1469-114-E; 1469-210-F; 1469-211-G; 1469-212-G; 1469-300-C; 1469-301-B ; Design and Access Statement (1469-DAS Rev A); Sunlight and Daylight Appraisal; Environmental Health and Housing Statement; Energy Statement; Travel Plan; Construction Management Plan.

# 62-64 KENTON ROAD, HARROW



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ITEM NO: 1/02

ADDRESS: 11-17 HINDES ROAD, HARROW

REFERENCE: P/4225/15

DESCRIPTION: REDEVELOPMENT TO PROVIDE A THREE AND FOUR STOREY BUILDING FOR TWENTY-NINE RETIREMENT LIVING (CATEGORY II SHELTERED HOUSING) APARTMENTS FOR THE ELDERLY; PARKING; PRIVATE AND COMMUNAL AMENITY SPACE, LANDSCAPING; BIN STORAGE

WARD: GREENHILL

APPLICANT: YOURLIFE MANAGEMENT SERVICES LTD

AGENT: THE PLANNING BUREAU

CASE OFFICER: CALLUM SAYERS

EXPIRY DATE: 02/11/2015

## **RECOMMENDATION A**

**GRANT** planning permission for the development set out in the application and submitted plans 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.

### Affordable Housing

- a) A Financial Obligation towards off-site Affordable Housing Contribution
- b) Legal Fees: Payment of Harrow Council's reasonable costs in the preparation of the legal agreement

## **REASON**

The proposed development would replace a school on the site which has been demonstrated as being a site that is not being required or suitable to continue as an educational use on the site, with no firm interest in another D1 user to occupy the site. The use as a care home would make a contribution to the housing stock of the borough, as well as increasing housing choice within the borough. The proposed land use would conform with the surrounding residential land use, would have satisfactory access to public transport links and local shops. Furthermore, the proposed development would provide a development with a high quality design and appearance. The proposed

development would therefore accord with Development Plan policies.

### **Recommendation B**

That if, by 17<sup>th</sup> August 2016, or such extended period as may be agreed in writing by the Divisional Director of Planning and Regeneration in consultation with the Chair of the Planning Committee, the section 106 Planning Obligation is not completed, then delegate the decision to the Divisional Director of Planning to REFUSE planning permission for the following reason:

The proposed development, in the absence of a legal agreement to provide appropriate level of affordable housing on site provision that directly relates to the development, would fail to comply with the requirements of policies 3.11 and 3.12 of The London Plan 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) 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

Gross Additional Floorspace: 2910.00 m<sup>2</sup>

Net Additional Floorspace: 1795.00 m<sup>2</sup>

GLA Community Infrastructure Levy (CIL) Contribution (provisional): £62,825.00

Harrow Community Infrastructure Levy (CIL) Contribution (provisional):£197,450.00

### **Site Description**

- The application site occupies a substantial site of 0.22ha at the northern side of Hindes Road, which include the four sites that are known as 11, 13, 15 and 17 Hindes Road.
- The combined site is located between the Hindes Road junctions with Station Road to the east, and Hamilton Road and Welldon Crescent to the west. Directly on the eastern boundary is the access road into the Tesco Superstore car park.
- Directly to the south of the application site and fronting onto Hindes Road, is a purpose built flatted development, a property converted into a hotel, and residential dwellings. Directly to the west are properties of a similar appearance, and are also in education use, as a Preparatory School. Further west again of this site are predominantly residential properties.
- Directly to the east and along part of the northern boundary is the car park to the Tesco Superstore. Further to the east is Station Road, which is characterised by commercial units with some residential above.
- The application site, is an amalgamation of four properties, were historically were used for residential purposes. Each of the properties maintain a residential appearance externally, which is in a Victorian style of architecture.
- The application site sits just outside of the Town Centre Opportunity Area, as defined within the Harrow and Wealdstone Area Action Plan (2013).
- There is a slight change in the levels across the site, falling from south to north.
- The application site is not located within a conservation or within the setting a Listed Building.

- The site is not located within a Flood Risk Area, although is within a Critical Drainage Area. There are no trees on site that are protected.

### **Proposal Details**

- The application proposes to demolish the existing buildings on site, and to erect a part 3/part 4 storey replacement assisted living care home.
- The proposed development would provide for 29 units of Retirement Living (Category II) accommodation, with associated communal facilities, parking and landscaping.
- Access to the premises would be via Hindes Road, on the western end of the site.

### Built Form

- The proposed replacement building on the site would have an 'L' shape within the site, with the front elevation fronting onto Hindes Road, before having a rearward projection that would run along the eastern boundary with the Tesco Superstore Carpark.
- The proposed building would have a front elevation that would be 40m wide and 31.2m deep along the eastern boundary. On the western boundary, the building would be 12m deep, before stepping deeper into the site the further east it travels. The deepest point of the building, would be located some 34m from the western boundary.
- It is proposed that the building would be a three and four storey building, with accommodation within the roof area of the development.
- At its closest point to the western boundary, which would be set off by 6.5m, the building would be 9.0m high. A further 1.7m set in from the edge of the third floor, a mansard style roof would be erected with an overall height of 12.1m. The mansard style roof would provide for further accommodation, and would have dormers to provide light and outlook for accommodation within the roof.
- On the eastern end of the front elevation, the proposed building would have a traditional four storey appearance, with a flat roof. The proposed building at the most eastern end would have a height of 13.3m.
- The Design & Access Statement states that the materials would be locally distinctive. It would be primarily a brick building with traditionally tiled roofs. It is proposed to provide UPVC windows/glazing details, with steel railings and handrails to be incorporated for balconies.

### Accommodation

- The proposed development would provide for 29 units for independent living, with an element of care tailored to the specific requirements of individual occupiers.
- The proposed development would comprise of 12 one bedroom and 17 two bedroom units.
- Each of the units would be self-contained, and would be barrier free and would be entirely wheelchair accessible.
- Alongside the independent living accommodation, the proposal would also provide;
  - Residents lounge
  - A guest suite
  - Concierge desk
  - Assisted WC
  - Internal refuse room
- Internal mobility scooter store

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

The Council has carried out a screening opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 (as amended) for the Redevelopment to provide a three storey building for a 29 unit assisted living care home (use class C2) with parking, landscaping and bin storage. The opinion concludes that the proposed development is not EIA development.

### **Relevant History**

HAR/10403

Outline: Application for gymnasium and classroom

Grant: 19/04/1955

LBH/5406

Erection of single storey building at No. 15 – 17 Hindes Road, for tutorial

Grant: 20/07/1970

LBH/22075

Single storey classroom building

Grant: 16/09/1982

LBH/25607

Single and three storey extensions for educational use

Grant: 28/06/1984

LBH/29604

Change of use of No. 13 Hindes Road from residential to school use

Grant: 24/04/1986

LBH/35209

Temporary single storey classroom building assistant

Grant: 04/05/1988

LBH/41440

Retention of temporary single storey classroom building assistant

Grant: 17/08/1990

WEST/430/93/FUL

Change of Use: C2 to D1 (Elderly persons care home to educational)

Grant: 02/12/1993

WEST/1/95/FUL

Three storey side and rear extensions, including accommodation in the roof space with disabled access and forecourt parking.

Grant: 19/06/1995

P/160/03/CFU

Demolition of existing buildings and construction of car park with associated landscaping

Grant, Subject to a Legal Agreement: 03/06/2003

## **Pre-Application Discussion - Planning Performance Agreement**

The applicant engaged in pre-application consultation with the Local Planning Authority.

- Principle of the loss of the Educational floor space is not encouraged. The loss of this would need to be robustly evidenced with any forthcoming planning application.
- Layout of the building followed a rational approach
- The design of the building needed to be simplified, and have a more appropriate appearance within the existing streetscene
- The corner of the building needs to address the corner of the site more appropriate, as it is such a prominent location.

## **Amendments to the Scheme**

Throughout the application stage, a number of amendments have been made to the scheme and are as follows;

- The gable features have been revised to remove the pitched elements. The only true four storey element, is located on the corner to address the corner. The remaining dormers have been removed and the mansard roof has front dormers.
- Railings around the roof edge of the third floor element have been removed, and replaced with Juliet balconies to the dormers.
- The entrance to the property has been rationalised to provide a more legible entrance.
- Simplification of the materials palette.

## **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 one-to-one meetings with Councillors, neighbours and third party groups on Wednesday 10<sup>th</sup> June 2015. These were held on an appointment basis. A public exhibition was held on Monday 13<sup>th</sup> July 2015, which 1000 residents and businesses were invited to attend. A press release was also issued within *The Harrow Observer* and *The Harrow Times*. On the day of the public exhibition, 9 residents attended. Three local Councillors attended this public exhibition.

## **Applicant Submission Documents**

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

## **Consultations**

Highway Authority: No Objection, appraised under section 5 of this report

Harrow Drainage Team: No Objection, subject to conditions

Reason for Advertisement: Major Development

First Round of Consultation:

Press Release: 17<sup>th</sup> September 2015

Expiry: 9<sup>th</sup> September 2015

Site Notice Erected: 21<sup>st</sup> August 2015 (X 3)

Expiry: 10<sup>th</sup> September 2015

Second Round of Consultation.

Notification

Sent: 406

Expiry: 7<sup>th</sup> October 2015

Reponses Received: 5

Neighbours Consulted:

Extensive consultation has been carried out, which covers a wide area surrounding the site, including Station Road, Hindes Road, Warrington Road, Fairholme Road, Hamilton Road, Welldon Crescent.

Summary of Responses:

- Objections (5)
- Support (1)

Objections:

#### Alpha Preparatory School

- Overlooking into the grounds (TOILETS) of the Preparatory School
- Loss of D1 use space within the area which would allow the expansion of the neighbouring school.
- Would create an imbalance within the area as there are too many retirement homes within Hindes Road
- Disruption to children in the adjacent school as a result of the construction noise.
- Potential harm to health with asbestos within the existing buildings.
- Amount of car parking, and the location of this to the rear of the site results in an increase in vehicles along this common boundary which would cause nuisance
- Many parents in the car park of the Tesco Superstore (with their permission), and walk children to Alpha Preparatory School, and would have to cross the busy entrance way.
- Entrance to the application site is located directly adjacent to the School's east fire escape location.
- Loss of fine examples of late Victorian architecture.

#### Wider Neighbour Consultation

- Loss of the D1 floorspace as there is a demand for school and nursery places
- The location of the driveway is completely blind for drives and pedestrians due to the existing fence on Alpha Preparatory School.
- Loss of the existing properties that are an example of Victorian architecture, and would detrimental to the local area.

- Discussions in place looking to purchase the property.

Support:

- Excellent use of the premises
- Existing buildings appear to have been neglected

The above responses are discussed within the body of this report, and specifically within Section 13.

## **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

Affordable Housing

Design, Character and Appearance of the Area

Residential Amenity

Traffic, Parking, Access, Servicing and Sustainable Transport

Sustainability and Climate Change Mitigation

Flood Risk and Development

Equalities Implications and the Human Rights Act

Trees and Development

Ecology and Biodiversity

Land Contamination and Remediation

S17 Crime and Disorder Act

Consultation Responses

### **Principle of the Development**

- 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 of The London Plan 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 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.

London Plan Policy 3.18 provides guidance on Education Facilities across London, and notes that ‘*proposals which result in the net loss of education facilities should be resisted, unless it can be demonstrated that there is no ongoing or future demand*’. Paragraph 3.103 provides further guidance, stating that land already in educational use should be safeguarded and new sites secured to meet additional demands in provision. At a local level, the loss of an existing education facility must demonstrate compliance with one of the elements detailed under Policy DM47A of the Harrow Development Management Policies Local Plan (2013). Policy DM47A provides four points, of which an application proposing the loss of the education facility, must find compliance with one of, to enable the Local Planning Authority to support a scheme in regard to this point. Policy



DM47A reads as follows;

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

In determining the application, as mentioned previously, a scheme would only need to accord with one of the above points for the loss of the education facility considered to be acceptable. In terms of the current application, the applicant has attempted to demonstrate compliance with as many of the points listed above as possible, and each point as part of this assessment will be reviewed.

The applicant has attempted to demonstrate that there is no longer a need for this specific use on this site, and has set about demonstrating this through active marketing of the site. The Local Planning Authority would expect this marketing to be carried out over a substantial period of time. It is therefore reasonable to expect 12 months of continuous marketing to have been undertaken, with little or no interest in the floor space as its current authorised use. The applicant has not provided 12 months of continuous marketing, rather it has been sporadic over this period. The application property was initially marketed in September 2014, and was then subsequently purchased by the applicant. Having purchased the property, it was then marketed again in June 2015 up until March 2016. From this date to the writing of this report, there has been, generally speaking, limited interest in the property.

One offer was made on the property from a Free School, which had it eventuated, would have retained the D1 use class of the application site. Whilst it would be encouraged to retain the site as a D1 use, any further evidence on the validity of the offer or indeed any progression beyond this has not come to light. The marketing of the site is considered to not be sufficiently robust in the length or in its continuity to satisfy the policy test in itself. However, it is considered that on balance, the evidence has satisfactorily demonstrated that there is little uptake in the need for such a floor space within this area.

Lastly on this point, the Education Department have provided comment with regard to the actual use of the application property for the continued use as a D1 use class. With regard to the need within the borough, it is noted that that the Education departments planned works and upgrading of existing schools stock, would ensure that the required target for both Central Primary and Secondary Area spaces would be met over the next 10 years. Specifically to the application site, the Education Department noted a number of issues with the property, which would lead to it being difficult to be occupied by a D1

user. The application property is noted as being converted residential dwellings, which have been extended over time. As such, there is limited scope for outdoor amenity space to be utilised by students, although this is noted as being an on-going issue across London. On a final note, there is no funding available for Harrow Council to purchase the property and operate a school use at the site.

Policy DM47A(b) would allow the loss of D1 floor space if there is adequate similar facilities within close proximity to the application site. Whilst no purpose built sites are located within close proximity to the application site, the Wickes Building is located approximately 260m away, and has been changed to a D1 use under Prior Approval (P/3941/15). This property is in the process of being fitted out to provide for a school space, and has further planning applications being considered for improvements to the site. It is considered that the Wickes Building, which is located on Station Road, some 260m to the east of the application site, would provide a similar and satisfactory use in the same vicinity. As such, the proposed development would satisfy this policy requirement.

Policy DM47A(c) states that the loss of a D1 use from a site would be considered acceptable, if the existing use is inconsistent with neighbouring uses, and are unable to be made consistent. Whilst the properties on the site are currently vacant, the authorised use of the application site has historically been as a School (Use Class D1). It is noted that the property directly adjacent to the west, is of the same use class, being the Alpha Preparatory School. Directly to the east and along the northern (rear) boundary, is the car park for the Tesco Superstore. The existing use on site would not conflict with either of the two properties on the flank boundaries. There are residential properties within the vicinity of the application site, with properties on the southern side of Hindes Road, and also to the west along Hamilton Road. However, the existing use of the property has been carried out for some time on site, and does not appear to have generated a conflict with the nearby residential properties. It is therefore considered that the existing use of the property as a School (Use Class D12), would not conflict with the amenities of nearby residential occupiers. In this instance, the proposed development would not accord with Policy DM47A(c).

DM47A(d) permits the loss of floor space in Use Class D1 should the redevelopment of the site secure an overriding public benefit. The proposed redevelopment of the site would provide a contribution towards the housing stock of the borough. However, it is noted that the allocations (as detailed within the Harrow Council Site Allocations Plan (2013)) provide enough quantum for the housing targets for the borough over the plans lifetime. Accordingly, the provision of a contribution to the borough housing stock on its own, would not result in an overriding public benefit for which the loss of the D1 floor space could be justified. Furthermore, the proposed scheme as it stands, does not provide a provision of affordable housing. The application does find favour in providing a mix of, and a certain type of residential accommodation to the boroughs housing stock, namely housing for the elderly which is not well catered for in the Borough. Evidence submitted by the applicant, in support of the application, indicates that there is a shortfall in the amount of bed spaces for this type of accommodation both across the London and more specifically, the London Borough of Harrow. Figures indicate that this deficit is set to increase. Given the mix of housing that would become available, and also the type of residential, for which there is a need, the proposed development would find some support in providing a development that would assist in ensuring a public need is met.

However, this is only insofar as providing the option of a different housing type. The proposed units would be marketed on the open market, with the scheme unable to provide an affordable housing contribution. The above must therefore be balanced against the loss of the D1 (Educational) floor space. It is considered that on balance, the proposed scheme would not provide an overriding public benefit, by reason of the failure to provide an affordable housing contribution, which would override the loss of the Educational (Use Class D1) floorspace, but there provision of a varied housing offer should be afforded some weight.

The proposed loss of a D1 use class floor space from the borough stocks, need only to comply with one of the points from Policy DM47A. The applicant has satisfactorily demonstrated that the proposed loss of D1 floor space would comply with DM47(A) (b) and to a lesser extent, sub-criterion (a), and as such is considered to be acceptable.

Turning to the proposed use of the site, this would fall within a C2 use (Category II) Retirement Living. Any form of Sheltered Housing, Care Homes and Extra Care Housing would be supported by the Local Planning Authority where the following can be demonstrated '*...that the proposal is accessible by public transport with good access to local amenities including shops and community facilities.*'

The application site is located on Hindes Road, near its junction with Station Road. The application site has a Public Transport Accessibility Level of 3, which is good. However, it is noted that this is directly adjacent to the Station Road intersection, which in the immediate vicinity of this intersection has a PTAL rating from 4 – 6. From the Hindes Road/Station road intersection, it is an approximately 850m to the Harrow-on-the-Hill Train Station, and approximately 875m north to the Harrow and Wealdstone Train Station. It is considered that the location of the application property, in terms of highways terms, is highly sustainable and would comply with this part of Policy DM29.

The application site is noted as being located on the northern side of Hindes Road, and a short distance to the Station Road intersection to the east. Located behind the application site, and accessed directly from Hindes Road (along the eastern property boundary of the application property), is a Tesco Super Store. The Tesco Superstore provides a number of local amenities, such as a bakery, fishmonger, halal counter, delicatessen and a pharmacy. Predominantly located on the western side of Station Road, either side of the Hindes Road intersection, are a vast number of amenities including restaurants, takeaways, pharmacy, betting shops and a tattoo parlour. Furthermore, the Harrow Metropolitan Town Centre, which contains the St Ann's shopping centre, is directly opposite the Harrow-on-the-Hill Train Station, some 850m from the application site. Given the proximity to the vast number of amenities, the proposed location is considered to satisfy policy DM29 in this respect.

The applicant has satisfactorily demonstrated that the existing use of the property, authorised as an Education (Use Class D1), is no longer required to be retained as part of the boroughs stocks. Furthermore, the proposed use of the property as a care home (Use Class (C2), has been demonstrated as being acceptable in terms of its location within the borough. The proposed development therefore is in general accordance with Policies DM29 & DM47 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 is considered, and agreed by the applicant that the proposed residential development, would fall within the thresholds that require an affordable housing contribution.

The proposed units within the development would provide for independent living flats (29 units) which would be self-contained. Given the nature of the residential use of the site, and the proposed quantum of units exceeding 10 households, the application is liable to provide an affordable housing contribution. In support of the planning application, the applicant has submitted a Financial Viability Assessment, which attempts to demonstrate that the proposed development is unable to provide a policy compliant scheme in terms of affordable housing provision. The supporting information demonstrates that the proposed development once delivered, having considered the cost of land acquisition and the development of the proposed scheme, in conjunction with the associated costs, would not result in the scheme being financially able to afford units within the application site.

The submitted information has been robustly tested by an independent financial cost consultant, and after protracted negotiations has generally agreed with the assumptions of the submitted document. Much discussion has been held around the sales values, and the comparable sales values of the development. The applicant had relied on the comparative sales values of a similar development (also within the ownership of the applicant) within Willesden Green. Initial sales values were considered to be significantly lower than the comparable scheme provided, and discussions about revising the sales values to a more realistic figure were then undertaken.

At the time of writing of this report, there is a general agreement between the applicant and the LPA that the sales values are broadly acceptable. Furthermore, it is agreed that the costs associated with bringing the development forward have also risen since when the application was first submitted. Taking all of the above into account, there would be a surplus generated by the development. However, it would not be sufficient to enable an on-site contribution, from a physical and an on-going managerial perspective. Notwithstanding this, there would still be a surplus generated by the scheme, which would then be utilised as a planning obligation. Currently, modelling of the revised information is still being undertaken by the independent reviewer, to ensure the maximum reasonable obligation would be sought and provided for the scheme. This will be reported to Elected Members at Planning Committee by way of an addendum.

It is considered that the remaining assumptions made within the Financial Viability Assessment are generally reasonable and as such accepted. Subject to a planning obligation, it is considered that the proposed development would deliver the maximum reasonable amount of affordable housing and would be acceptable in terms of the Planning Obligations SPD (2013).

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

The application site is currently vacant in terms of use, but has been used most previously as a school. However, it is noted that the built form, rather than being a purpose built school, has resulted through the amalgamation of residential properties. Buildings on the application site are relatively attractive, and a fine example of Victorian Architecture. However, the buildings occupying the application are not afforded any protection by virtue of being listed or within a conservation area. Whilst it is noted that an objection was received in relation to the retention of these houses, the demolition of them (physically) would not require planning permission. Accordingly, the Local Planning Authority would be unable to protect these dwellings as structures. The demolition of the dwellings is therefore acceptable.

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 (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. 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.”

The application site is located on the northern side of Hindes Road, between the junctions with Station Road to the east and Hamilton Road to the west. The site is currently an amalgamation of a number of sites, which were traditionally used as residential properties, before being converted into a school use. However, the fabric of the buildings have retained a distinctly residential character that is predominant to the west of the site. To the east and north, which is directly on the common boundary with the application site, is the Tesco Superstore site car park.

### Layout

The proposed replacement building would continue to be located to the front of the site, fronting onto Hindes Road. However, it's most obvious variation to that which is existing, is that the building line would project much deeper into the site along the eastern boundary. As such, the overall footprint would represent an ‘L’ shape within the site. The proposed layout would run parallel with Hindes Road, and then run northward along the common boundary with the Tesco Superstore Car Park. Given that this elevation would run along the common boundary with the car park, which has a very open aspect, the

flank elevation would be much more prominent from the public realm. By positioning the bulk of the building along these two boundaries, it provides a vehicle access along the eastern boundary, and as such a set off of the proposed buildings from this common boundary with the adjoining occupiers. The rear of the site would provide for car parking, which is discussed later within this report, and also some hard / soft landscaping for amenity space for future occupiers.

Along the northern side of Hindes Road, and to the west of the application site, there is a strong building line which the front elevations of existing properties follow. No building line exists to the east, which is the open aspect of the Tesco Superstore car park. Respecting a strong building line is a fundamental urban design principle, one that the proposed building would achieve by following that of the properties to the west. Given that by reason of the applications location within the streetscene adjacent to the entrance to the Tesco Superstore car park, via a roundabout within Hindes Road, the application site takes on a corner site within the streetscene. The open aspect across the Tesco Superstore car park when traveling west, results in the application site being very prominent within the streetscene. Accordingly, it is important that the design of the scheme not only satisfactory elevation fronting Hindes Road, as a traditional front elevation, but also one that faces the east across the Tesco Superstore car park.

Amended plans have been received which have resulted in the design of the proposed development being altered along both the front and flank elevation. The proposed development four storey building located on the southwestern corner of the site, and results in full height brick built, flat roof element fronting onto the corner. This element would run for equal distance from the corner in both a western and northern direction, where a recessed mansard style roof form would be present. Set within this full length element would be recessed balconies/winter gardens facing onto Hindes Road, with a small opening facing out onto the car park to the east. On the eastern elevation facing the Tesco car park, the elevations are slightly recessed to a similar extent to the dimensions of the fully recessed balconies/winter gardens. This recess is an important feature, as it both provides some connection between the two most prominent elements of the development, and also provides some articulation within the eastern elevation. Both of these points are crucial, as this element is the most prominent, and must provide a strong frontage onto the corner of the site.

Set behind the full length four storey, flat roof brick element, would be a mansard style roof. This element would be set back from the edge of the three storey element, finished in a different material, with projecting dormers. The different style roof to the rear of the corner element assists in breaking up the roof form, which in turn lessens the bulk and scale of the proposed development, whilst still allowing habitable space within the roof space (which will be considered later within this assessment). Though the applicant has indicated some materials on the plans, the LPA is not able to confirm the quality of these materials at this point or their inter-relationship as insufficient information has been provided, the indicative materials demonstrate a reasonable contrast in the brick and the dark roof tiles which would assist in breaking up the roof form, and allowing it to be viewed as a much more subordinate feature within the development. A condition requiring details of the materials to be used is recommended.

With regard to the proposed height of this scheme, it is noted that the nearest adjacent property to the application site is to the west, which is used as a school, albeit with a

more residential appearance (Alpha Preparatory School is converted dwellings also). These properties are noted as two-storey with accommodation in the roofslope (with front dormers). On the common boundary with the application site, the nearest building has a hipped roof away from the application site. The existing building on the application site effectively has a three storey flank elevation, with a roof form that could be described as a half hip. The proposed new build would be set off this common boundary, set off by the width of the access way to the rear car park. It would have a three storey flank elevation along this boundary, with a mansard roof set back from the flank elevation. The existing property would have an eave height of 9.9m and set off the common boundary with Alpha Preparatory School by 2.5m. The proposed building would have an eave height of 9.3m and set some 6.3m from the common boundary. The proposed replacement building would provide a satisfactory set off from the adjacent property to the west, so that the flank elevation would not compete with the hipped roof of that property. Whilst it is acknowledged that the proposed development would provide a scheme that is of contrasting design to the adjacent property, it would nonetheless provide an adequate break between the two properties. Furthermore, the appropriate height, in conjunction with the setback mansard roof form would ensure that it would not be overbearing to the existing neighbouring property. It could also be concluded that the existing relationship between the Alpha Preparatory School and the existing building on the application site, by reason of the full height flank elevation and half-hip roof form, has to some extent been reflected in the design rationale of the proposed building; being a mansard roof setback behind the third floor element.

As the proposed building moves in an easterly direction away from the Alpha Preparatory School, it increases in height to being a full four storey's. The stepping up away from the three storey property at Alpha Preparatory School. It is considered that the relationship near the common boundary with Alpha Preparatory School is appropriate in terms of the design and scale of the proposed building. The fourth floor element is at the opposite end of the proposed building and as such would not unacceptably impact on this property from a character point of view.

On the southern side of Hindes Road, and opposite the application site, there is an eclectic nature in the properties. To the west are relatively traditional two-storey residential properties that change to purpose built three storey flatted properties, before decreasing in bulk to two-storey building with a residential appearance. The proposed building would be read as a part three storey, part four storey building, with the four storey element being the shortest element of the front elevation. Furthermore, the front building would align with the remainder of the properties on the northern side of the Hindes Road. Given that the bulk of the proposed development is appropriately proportioned, and also has a generous setback from the back of the footpath (as to do the properties on the southern side of Hindes Road), the proposed development would not have an overbearing impact on the public highway.

The proposed front elevation, which would be the most visible within the streetscene, has utilised subtle variations within the brickwork to articulate the ground floor of the development. The use of the subtle variations in the brickwork and a deep reveal around the entrances provides a level of legibility to the scheme within the streetscene, which allows clarity to this elevation. Furthermore, a soldier course beneath the first floor provides a simple and subtle, but effective method of providing further strength to the ground floor. On the two floors above, there is a level of symmetry provided through the

use of fenestration and winter gardens. These features are evenly spaced across the front elevation, with the windows having deep reveals. Within the mansard roof on the front elevation, the projecting dormer windows are appropriately proportioned within the roof slope. Along the western elevation, that is noted as being relatively short before travelling east along the rear of the site. It has a small recess at the end each of both of the recessed balconies/winter gardens, with a recess in the brick work to lengthen recess within the main elevation. The soldier course below the first floor would be carried along the flank elevation.

The eastern flank elevation would have a long run of the three storey element, with the setback roof with dormer windows above. The dormer windows with doors within the roof space would have Juliet Balconies. At ground and first floor would be a recessed balcony/winter garden. At third floor, these features would not be continued, rather a larger door with a Juliet Balcony would be located. This elevation would front onto the Tesco Car park Superstore, but still have a relatively prominent view from within Hindes Road. The eastern flank elevation would have the four storey element located at the southern end, adjacent to Hindes Road, and where the brick built element decreases to only three floors, the mansard style roof would be set back from the flank elevation. At either end, the recessed balconies/winter gardens would be visible, with the remaining windows/doors being full length. It to ensure this elevation would not appear as overly flat and uninteresting, it is considered reasonable that a condition be attached to require details of the reveal for the doors and windows. The mansard style roof would be set back from the third floor element, which would assist in both reducing the appearance of bulk, and would also assist in providing a level of interest to this elevation. The contrasting materials used within the roof element add further interest to this elevation.

The rear elevation, which is primarily viewed from Tesco Superstore car park, is not proposed to have any recessed balconies/winter gardens. However, the full length doors with Juliet Balconies and full length windows would continue to have deep reveals, which would ensure a satisfactory level of articulation within the rear elevations. To ensure that a satisfactory reveal is provided to the windows and doors within the elevations, it is considered reasonable that a condition be attached to receive 1:20 detailed drawings to confirm that these would be provided. It is considered that the proposed building would be of an appropriate design and appearance.

### Materials

The supporting information submitted with the application provides detail of the materials that are proposed to be used across the scheme. It is acknowledged that a relatively simple palette of materials is proposed to be used. Whilst this is considered to be an appropriate and acceptable approach, there is some concern over the specific materials that have been proposed. Of note it is proposed that uPVC windows and door frames are to be used within the development. The use of uPVC windows are not encouraged as they would not provide a high quality finish, which as a result, would fail the high quality of design test as required by DM1 of the Harrow Development Management Policies Local Plan (2013). However, as more suitable materials could be secured by way of a condition, such a condition is therefore recommended.

It is considered that the proposed replacement building on site, subject to safeguarding conditions, would provide a high quality of development. The proposed building would appear appropriate within the application site and within the wider streetscene. It would



provide an appropriate presence in what is essentially a corner, and prominent site.

▪ Landscaping:

Cumulatively, the existing buildings that occupy the application site have a larger footprint than the proposed replacement building. The existing buildings consist of a number of buildings on the site, whereas the proposed replacement building would rationalise the buildings into one structure across the site. Notwithstanding the broken up footprints of the existing buildings on site, this does not appear to have enabled a high quality of landscaping across the site, either soft or hard landscaping at this. From a streetscene appearance, there is little meaningful soft landscaping, and the hardstanding is inconsistent and in poor condition. To the flank and rear boundaries to the rear of the existing properties on site, are a number of relatively mature trees.

The proposed development would rationalise the built structure into one build. It would provide a vehicle access along the western boundary, which would provide access to the car parking area to the rear. By the very nature of providing a carpark to the rear, there will be a substantial amount of hardstanding. Furthermore, the established trees along the rear and western boundary are shown as being retained, which is encouraged. However, where possible, the opportunity to provide soft landscaping has been taken. The hardstanding at the front of the site would be re-laid with a mix of soft and hard landscaping. It is therefore considered that given the specific site circumstances, there would be an appropriate level of both hard and soft landscaping within the site.

Hard landscaping

The existing hardstanding in the front garden would be removed. As mentioned above, the front garden is dominated by hard surfacing, with very little meaningful soft landscaping to break this up or enhance the appearance of the site. Full details of hard landscaping has not been developed other than hard surfacing and boundary treatment. A condition has been attached accordingly to ensure further detail in relation to hard landscaping is received. Notwithstanding this, it is considered that the ratio between hard and soft landscaping would be appropriate, and subject to a safeguarding condition this would be acceptable.

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 introduce soft landscaping between the front elevation and Hindes Road.

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. It is considered that the amount of soft landscaping proposed within the site would be appropriate, and would ensure that there would not be a dominance of hardstanding or buildings. A condition is recommended requiring further details of the soft landscaping on the site and a subsequent management plan.

Conclusion:

Subject to the conditions, 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 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 existing site is characterised by having a building layout on site that starts on Gayton Road, before turning the corner and being parallel with Northwick Park Road up to its junction with Manor Road. Along the Manor Road frontage, a pair of semi-detached dwellings are located which provide staff accommodation for the existing Comfort Inn Hotel. The proposed development would result in a replacement building of a similar layout within the site, although is noted as having a continuous building form and consistent design rationale. Furthermore, there would be a change in the use of the property away from being a hotel to a care home providing assisted living.

### **Future Residents**

The proposed development is a purpose built development to provide accommodation for elderly people, many with varying levels of mobility. Accordingly, the applicant has stated that as a result of the extra care accommodation provision, the space standards provided within the development are larger than a traditional C2 care home. The supporting documents state that the proposed accommodation (both private and communal areas) would comply with Lifetime Homes Standards. It is acknowledged that the Lifetime Homes criteria (and Code for Sustainable Homes) has now been superseded by the London Plan (2015) Housing Technical Standards, these criteria provide guidance for residential accommodation. Notwithstanding this, the proposed accommodation would exceed or meet the requirements of the London Plan in all instances.

The applicant has confirmed that the proposed design of the care home will be fully compliant with the Care Standards Act 2000 for the recommended National Minimum Standards 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 submitted plans indicate that a lift would be provided within the development, which, potentially can lead to noise disturbance to habitable rooms that are adjacent to the lift

shafts. Accordingly, it is considered appropriate that details of noise mitigation be required to ensure that this element would not result in unacceptable harm to the future occupiers. As such, a condition has been recommended accordingly.

## **Neighbouring Residential Amenity**

### Use of the site

The authorised use of the existing property is currently a school (Use Class D1), although is noted as being vacant. Directly to the east is the car park to the Tesco Superstore, which also runs along park of the northern boundary. To the west of the property is the Alpha Preparatory School, which has buildings that follow the same building line fronting Hindes Road, and also extends north along the Hamilton Road, for the full depth of the application property. A small part of the site, which is at its most northern point, would adjoin the southern flank boundary of the residential property known as No. 1 Hamilton Road. Along the southern side of Hindes Road, and directly opposite, are residential properties. Further east, towards Station Road, a number of properties have been converted for Hotel Use. Whilst there is a number of differing use classes present within the immediate vicinity, residential uses are prevalent. The proposed use would be a form of residential use, and as such would not be considered to be inconsistent with the surrounding area.

A small part of the northern most boundary would sit directly on the common boundary with No. 1 Hamilton Road, which is noted as being a residential property. However, it is noted that in this corner would be located car parking for the proposed care home. The change of use away from a school to a care home would likely result in a decrease in the amount of noise generated from the site, when compared with that of a school, notwithstanding the existing property (when in operation) being used only on week days. Furthermore, No.1 Hamilton Road is located directly on the common (rear) boundary with the Alpha Preparatory School, which has its playground located on the common boundary. As such, it is considered that during weekdays, specifically, there would already be a relatively high (yet intermittent) background noise. The proposed care home would be a residential use which would not conflict with, or be harmful to the amenities of the occupiers of No. 1 Hamilton Road through noise.

On the opposite side of Hindes Road, there are residential properties. Again, the proposed use of the property as a care home, would be of a residential nature, and as such would not result in harm to the amenities of these occupiers in terms of noise.

The proposed change of use would result in an access way along the western boundary, adjacent to the Alpha Preparatory School, which would serve a car park to the rear of the site. Currently, whilst a vehicle cross over exists, there is little vehicular traffic that enters/exists the site. As such, there would be some difference in the use of the site insofar as visitor/servicing parking accessing the rear of the site. However, care homes by their very nature do not require a high parking provision, given the visitation and demand placed on them. As such, it is considered that the proposed care home would not result in comings and goings that would be harmful to the residential amenity of neighbouring occupiers.

An objection has been received from the Alpha Preparatory School with regard to the use of the properties, which would result in windows within the flank elevation that would

overlook the school. It is noted that the adjoining property is a school, and as such does not have habitable windows. However, the applicant acknowledges that there is scope to enhance the screening along the existing boundary, which would assist in improving the privacy of the occupiers of this site. Firstly, it is noted that there is already an existing 1.8m high close boarded concrete fence along this common boundary, and there is scope to provide further soft landscaping along this boundary. It is therefore considered reasonable to attach conditions seeking further detail with regard to both the proposed boundary treatment and also the soft landscaping for the site.

A further objection for the Alpha Preparatory School also raises concern over safety of the access of the property, in relation to the impacts on the users of Alpha Preparatory School. However, any concerns relating to highway and pedestrian safety are considered later within this report.

An objection has been received regarding the construction nuisance from the site. It is noted that this would be temporary in nature, and hours of work has been condition as part of this permission to assist in mitigating harm to neighbouring amenity. Furthermore, a Construction Management Plan is considered appropriate to be condition, which shall be submitted to the Local Planning Authority for authorisation. Such an approved document shall be implemented accordingly with the aim to reduce impacts on neighbouring occupiers during the construction phase. Subject to such conditions, it is considered that the proposed development would not have an unacceptable impact on the neighbouring residential amenity.

#### Built Development

In terms of the potential for the impact on residential amenity as a result of the proposed development, it is noted that either side of the application site are non-residential properties. Directly adjacent to the west is the Alpha Preparatory School and to the east is the car park for the Tesco Superstore. The only residential property that is adjoining the application site is No.1 Hamilton Road, which is located to the north along part of the rear boundary. The eastern flank boundary runs along the rear of the property known as No. 1 Hamilton Road. The submitted plans indicate the proposed building, at its nearest point would be some 35m from the common (rear) boundary with No. 1 Hamilton Road. Given the distance of the proposed building to No. 1 Hamilton Road, it is considered that there would be no harm on the amenities of the occupiers of this properties in terms of light or outlook.

Located either side of the application site on the flank boundaries, are properties that are non-residential in nature. Whilst there are no buildings on the Tesco Superstore car park directly adjacent to the application site, there are to the west, being the Alpha Preparatory School. Whilst it is acknowledged that there are windows located on the flank elevation of the Alpha Preparatory School, these are non-residential and unable to be protected. In terms of the built structure proposed on site, it is considered that it would not have an unacceptable impact on the amenities of this property.

With regard to the residential properties located on the southern side of Hindes Road, the proposed replacement building would represent a traditional residential relationship with these buildings. As such, it is considered that the proposed development not result in any harm to the neighbouring occupiers on the southern side of Hindes Road.

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.

### Conclusion.

The proposed development would result in a residential use on the site, which is considered to not be inconsistent with the prevailing pattern of development. It is considered that a care home as a use would not unacceptably harm the amenity of the nearby residential properties, by reason of unreasonable comings and goings from the site. Furthermore, the proposed development, by reason of its appropriate siting and location, would not result in a loss of outlook or light to residential amenity. 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 existing property does not provide for a formal car parking provision on the site. Dropped kerbs onto Hindes Road exist by reason of the pre-existing use as residential properties. However, there is little scope to provide satisfactory parking within the front garden area.

The proposal seeks to utilise the dropped kerb at the western end of the front boundary, which would then provide an access way to the rear garden area. The existing frontage would be redeveloped to provide for a mix of hard and soft landscaping. It is proposed to provide for 19 car parking spaces to the rear of the site, two of which would be set aside for disabled parking bays.

Whilst it would appear that the amount of on-site car parking is relatively low for a 29 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, and with regard to the amount of car ownership by residents. The application site is noted as having a Public Transport Accessibility Level (PTAL) of 3 (good), but bordering on 5 and 6 which are excellent. For these reasons it is considered that the quantum of car parking would be appropriate, and would not lead to unacceptable harm to the safety and free flow of the surrounding highway network.

It is likely that the biggest user group of the car parking spaces is likely to be the staff of

the development. Accordingly, it is considered that to promote sustainable modes of transport, and encourage a shift away from the use of the private vehicle, the development should implement a Travel Plan. A Travel Plan should promote the use of sustainable transportation modes of transport to be utilised by staff members. 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 affect is recommended.

An objection has been received relating to the vehicular access to the site, which concerns the safety implications it would have on the students attending Alpha Preparatory School. The objections notes that the access to the rear car park would be located directly adjacent to the common boundary with the Alpha Preparatory School resulting in visibility concerns, and that students area frequently walked past this entrance from the Tesco's Superstore Car park (which the Alpha School apparently have an agreement with for parents to park in to drop off and pick up children). Alpha Preparatory School has also noted that the access to the application site would be directly adjacent to the fire escape location.

With regard to the visibility of vehicles existing/entering the site, this relationship would be an existing situation at the site. Whilst is acknowledged that there is likely to be more vehicles accessing the site, it would be unlikely to exacerbate the existing situation to a point where this would impact pedestrian and highway safety. Firstly, it appears that the fence located on the common boundary is in the ownership of the Alpha Preparatory School, and as such would be within their remit to alter the fence to improve the visibility of the access point. However, a condition is recommended for further details relating to boundary treatment for the site, so any boundary treatment on the applicants property would be able to be considered further at that time. With regard to the objection stating that proposed access arrangements would compromise pedestrian safety, specifically those students that are walked from the Tesco Superstore Carpark to the Alpha Preparatory School, having to walk past the access. The access to the site is existing, and as noted previously, whilst there will be a noticeable increase in comings and goings from the site compared to the existing authorised use, the nature of the proposed use is not identified as a high use in terms of traffic generation. Furthermore, given that the students of Alpha Preparatory are utilising the pedestrian walkway, usual road rules would apply. Lastly, it is noted that the students are walked to the school from the Tesco Superstore Carpark, which suggests there is adult supervision.

Notwithstanding the above, any potential conflicts between the operators of the proposed care home and the Alpha Preparatory School could be someone mitigated by implementing a servicing plan for the site. This would be a management strategy that would dictate when servicing and deliveries of the site would occur during the day. This would then allow servicing and deliveries to site to occur outside of hours that are when students are to be either dropped off or picked up from the school, and as such walking across the front of the application site. It is therefore considered reasonable that a condition be attached to secure a servicing and delivery plan to be agreed with the Local Planning Authority prior to the occupation of the development.

Furthermore, a condition is recommended to be attached to secure details of the

boundary treatment (of all boundaries) to ensure that the most appropriate treatment be utilised along the common boundary with the Alpha Preparatory School.

It is noted that the scheme would provide a satisfactory level of cycle storage. 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 refuse and recycling facility is located on the western side elevation fronting onto the access way to the rear car park. This would be located internally within the building.

The location of this is considered to be appropriate as it would ensure a secure location that would not be harmful to the appearance of the area or conflict with the amenities of neighbouring properties. The Management of the development will ensure that this is brought to street for collection and then returned to the storage facility after collection. A condition is recommended to ensure that bins are only brought out on collection day, and shall be stored securely within the proposed storage area on all other days.

#### Access

The application site is currently accessed via a dropped kerb fronting onto Hindes Road. The development would continue to be accessed from Hindes Road and via the existing dropped kerb at the western end of the site. 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.

As part of the Design and Access Statement, the applicant has submitted a certain level of information with regard to the sustainability of the scheme. It states that the proposed development would include measures to ensure that the 40% improvement on Building Regulations would be met. The sustainability statement goes on to state that the development would look to use sustainably sourced construction materials. Furthermore, the construction of development would be undertaken using materials that would insure food thermal performance and generally well performing buildings from an energy consumption use. Lastly, the proposed new build would incorporate new technologies such as Photovoltaics to reduce energy demands.

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 states that the proposed development would meet the 40% requirements as set down in the London Plan 2015. Notwithstanding this, a further, more detailed Energy/Sustainability report would need to be presented to provide calculations as to how the 40% improvement on Building Regulations, as required under the London Plan (2015), would be achieved on site. Accordingly, a condition is recommended.

Subject to such a condition, it is considered that 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. 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**



It is noted that the application site is not located within a conservation area, and none of the trees located within, or adjacent to the site are protected by a Tree Protection Order. Accordingly, the Local Planning Authority is unable to protect the trees that are located within the development property. However, it is encouraged that existing trees and vegetation be retained where possible, the applicant has submitted a tree plan and also a soft landscaping plan. The details submitted demonstrate that where possible, trees are being retained within the site, which most notably are along the flank and rear boundaries. However, some will be moved as part of the scheme. The applicant has submitted a landscaping plan, which indicates where the soft landscaping would be located within the site.

As mentioned previously, the application site is predominantly hard landscaped. As part of the planning application, it is proposed to introduce significant amount of soft landscaping, which includes the provision of further trees within the front and rear of the property. The proposed introduction of the trees into the development site both enhances the appearance of the development and also its appearance within the streetscene. Furthermore, the introduction of the trees into the development would also assist in increasing the ecological and biodiversity value of the property, which is discussed further below.

Subject to such a condition, the proposal would be therefore accord with policy 7.21 of The London Plan 2015 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 surveys that have been undertaken are thorough, and have concluded that that no protected species have been found on the site. It is noted that as the site is predominantly hardstanding, and currently offers very little value in terms of ecological and biodiversity benefits.

The information submitted has been reviewed by the Councils Biodiversity Officer who considers that, for the most, the information and assessments that have been undertaken are fair and reasonable. Each of the submitted reports make a number of recommendations, and subject to these recommendations being condition to be implemented to improve habitats for birds, bats and invertebrates, the application would be acceptable. It is noted within the Preliminary Ecological Appraisal that vegetation disturbance should ideally be undertaken outside the period March to August inclusive, as this bird breeding season and nesting birds (protected by law) could be using trees and shrubs. If there is no alternative the site should be visited in the 24 hours prior to vegetation removal by a suitably qualified ecologist. If nesting birds are found all activities in that locality must stop until the chicks are fledged. A condition is recommended to secure this.

The submitted landscaping documents provides details of proposed bird and bat boxes within the development. However, they are considered to not be suitable for the site or fit for purpose. Notwithstanding this, a condition is suggested to require revised detail of how these would be provided for on the site. Furthermore, submitted information should cater for local biodiversity action plan species adapted to urban living such as house

sparrow and swift. Accordingly, it is considered appropriate that a condition be attached requiring the recommendations to be implemented, and as such the application would be acceptable in terms of ecology and biodiversity.

It is noted that Japanese Knotweed has been identified within the site, which is noted as being a highly invasive species, listed under Wildlife and Countryside Act. Prior to any development (construction or demolition) a detailed management plan must be submitted to, and approved, by the Local Planning Authority. To a lesser invasive species, Buddleia has been confirmed as being on site. Care must be taken when removing this from the application site so as not increase seed dispersal. A Management and Method Strategy has been condition to ensure its appropriate removal has been recommended accordingly.

Subject to such conditions, the proposed development would comply with policies DM20 and DM21 of the Harrow Development Management Policies Local Plan 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 any land contamination on the site. 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. 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.

### Alpha Preparatory School

- Overlooking into the grounds and toilets of the Preparatory School

*There would be some overlooking into this property. However, the applicant is amenable to increasing the screening along this common boundary. Details of this have been secured by way of a condition.*

- Loss of D1 use space within the area which would allow the expansion of the neighbouring school.

*The marketing evidence submitted in support of the property has demonstrated some level of interest in the application site. However, over the marketing period, no formal offer has been progressed.*

- Would create an imbalance within the area as there are too many retirement homes within Hindes Road

*Evidence indicates that there is still a need for this type of housing within borough. There is no principle objection to this use within the area.*

- Disruption to children in the adjacent school as a result of the construction noise.

*There would be some disruption to the occupiers of the adjoining Alpha Preparatory School. However, conditions to mitigate these impacts have been attached, which would limit the hours of construction, times of deliveries to the site etc. In any case, the works would be temporary in nature.*

- Potential harm to health with asbestos within the existing buildings.

*Should there be asbestos within the existing buildings, this would need to be removed from the site by approved contractors and in accordance with the relevant legislation.*

- Amount of car parking, and the location of this to the rear of the site results in an increase in vehicles along this common boundary which would cause nuisance

*The use of the property as a care home is not a high traffic generator. In any case, the introduction of car parking, and the proposed quantum would not result in an unacceptable nuisance to the Alpha Preparatory School.*

- Many parents in the car park of the Tesco Superstore (with their permission), and walk children to Alpha Preparatory School, and would have to cross the busy entrance way.

*The use of the property is not a high traffic generator. A condition requiring a service plan has been attached, would at least limit the amount of deliveries/servicing that would take place when students are entering or leaving the Alpha Preparatory School.*

- Entrance to the application site is located directly adjacent to the School's east fire escape location.

*This would still be available to be used. It is not proposed to build over this. The proposed development would need to ensure compliance with the Building Regulations which guide fire and emergency access.*

- Loss of fine examples of late Victorian architecture.

*It is acknowledged that the proposed development would result in the loss of the existing properties, which are quality example of Victorian architecture. However, there is no*

*policy protection for the buildings, and as such, consent is not required to demolish them.*

### Wider Neighbour Consultation

- Loss of the D1 floorspace as there is a demand for school and nursery places  
*The application would result in a loss of the D1 floor space. However, the applicant has followed the guidance set out within Policy DM46 of the Harrow Development Management Policies Local Plan (2013). This is set out in section 1 of the above report.*

- The location of the driveway is completely blind for drives and pedestrians due to the existing fence on Alpha Preparatory School.

*Addressed under Section 5 of the above report*

- Loss of the existing properties that are an example of Victorian architecture, and would detrimental to the local area.

*It is acknowledged that the proposed development would result in the loss of the existing properties, which are quality example of Victorian architecture. However, there is no policy protection for the buildings, and as such, consent is not required to demolish them.*

- Discussions in place looking to purchase the property.

*The marketing evidence submitted in support of the property has demonstrated some level of interest in the application site. However, over the marketing period, no formal offer has been progressed.*

### **CONCLUSION**

The principle of providing a care home on the site in replacement of the existing hotel is considered to be acceptable. The proposed development would result in an efficient use of the existing site and 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. Indeed the proposed development would have a much more appropriate appearance within the site and streetscene than the existing building, which is ad-hoc and piecemeal in appearance. 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: 9070/15 (REV A), 9071/15, 9072/15, 9074/15, 9075/15, 9076/15, 9077/15, 907/15, 9078/15, NL-2146-03-AC-001 (REV A), NL-2146-03-AC-003 (REV B), NL-2146-03-AC-101 (REV C), NL-2146-03-AC-004 (REV A), NL-2146-03-AC-110 (REV D), NL-2146-03-AC-111 (REV D), NL-2146-03-AC-112 (REV D), NL-2146-03-AC-114 (REV D), NL-2146-03-AC-114 (REV C), NL-2146-03-AC-130 (REV D), NL-2146-03-AC-131 (REV E), NL-2146-03-AC-132 (REV E), NL-2146-03-AC-140 (REV D), NL-2146-03-AC-151 (REV H), NL-2146-03-AC-155 (REV E), NL-2146-03-AC-156 (REV E), NL-2146-03-AC-160 (REV F), MCS1167.GA.000 (REV P01), MCS1167.GA.001 (REV P03), MCS1167.GA.002 (REV P01), MCS1167.GA.003 (REV P01), MCS1167.GA.004 (REV P01), MCS1167.GA.005 (REV P01), MCS1167.GA.400 (REV P01), Landscape Strategy (REV P01), OXF8989-R-001b, CCLO2663.BX16, 8753/01 (REV A), 8753/02, JTK/8753/jk, Planning Statement, Transport Assessment, Travel Plan, Statement of Community Involvement, Drainage Report (March 2015), PGJB/HJH/1403/81629 (August 2015), PGJB/HJH/1403/81629.

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 150mm above ground level until details and samples of the materials to be used in the construction of the external surfaces noted (but not limited) below have been submitted, provided on-site and approved in writing by, the local planning authority:

a: External appearance of the new build

b: Cycle storage facility

c: Rear substation

d: Boundary Treatment

e: Hard landscaping

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. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory development and as enforcement action after time may be unfeasible.

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 species numbers/locations, 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. Details are required prior to occupation to ensure a satisfactory form of development.

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 OCCUPATION to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

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 Notwithstanding the details shown on the approved drawings, the development hereby permitted shall not commence beyond 150mm above ground level 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. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

8 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). Details are required prior to commencement of development to ensure a satisfactory form of development. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT as enforcement action after time may be unfeasible.

9 Prior to commencement of development, a further Bat Survey shall be undertaken, with its finding 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.

REASON: In the interests of protecting biodiversity within the site in accordance with policy DM21 of the Harrow DMP (2013). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

10 If the development hereby permitted commences during the bird breeding season (March to August) inclusive, trees and buildings within the site shall be examined for

nests or signs of breeding birds. Should an active bird's nest be located, the advice of a suitably qualified ecologist shall be sought with the findings and recommendations of the ecologist submitted for review to the local planning authority within 10 working days of the location of the birds nest. No further development shall take place without the written approval of the local planning authority.

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

11 The building hereby permitted shall not be constructed above beyond 150mm above ground level until details of bat boxes within the building and bird bricks/boxes within suitable trees have been submitted to and approved in writing by the Local Planning Authority. The details approved shall thereafter be retained.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policy DM21 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

12 The development hereby permitted, shall not proceed BEYOND 150MM ABOVE GROUND LEVEL 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). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

13 Notwithstanding the submitted Geo-Environmental Report, a further (Phase II) 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. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

14 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. Details are required PRIOR TO OCCUPATION to ensure a satisfactory form of development.

15 The level of noise emitted from any plant, machinery and equipment shall be lower than the existing background level by at least 10 LpA. Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142:2014. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation.

Within three months of the date of this permission, measurements of the noise from the plant must be taken and a report/impact assessment demonstrating that the plant (as installed) meets the design requirements, shall be submitted to be approved in writing by the Local Planning Authority.

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

16 All constituent parts of the plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by under Condition 15 above.

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



17 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). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and that enforcement action after this may no longer be feasible.

18 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.

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.

19 Prior to the commencement 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). Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

20 Prior to the commencement of development 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. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

21 Notwithstanding the information submitted, 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. Details are required PRIOR TO COMMENCEMENT OF ANY WORKS, INCLUDING DEMOLITION, to ensure a satisfactory form of development.

22 Prior to the occupation of the development hereby permitted, a full Delivery and Service Plan shall be submitted to and approved in writing by the Local Planning Authority. The Delivery and Service Plan thereby approved shall be adhered to thereafter.

REASON: To ensure that the development does not harm the safety and free flow of the public highway, thereby according with policies DM1, DM42, DM43 and DM44 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO OCCUPATION to ensure a satisfactory form of development.

23 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.

24 The premises shall only be used for the purpose as set out in the application (Sheltered Housing (Category II)) and for no other purpose, including any other purpose in Class C3 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.

25 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 COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

26 Notwithstanding the submitted information, prior to the use of the development hereby permitted, a framework travel plan, including a detailed scheme for vehicle pick up and drop off times for the development shall be submitted to, and approved in writing by the local planning authority. The travel plan shall be implemented in accordance with the approved details from the commencement of the use on site and retained thereafter.

REASON: To safeguard the amenities of neighbouring residents and to ensure that highway safety is not prejudiced in accordance with policies DM1 & DM42 of the Harrow Development Management Policies Local Plan (2013). Details are required PRIOR TO THE COMMENCEMENT OF THE USE to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

27 No construction / works in connection with the proposed development shall be carried out before 0800hrs or after 1800hrs on weekdays and Saturdays or at any time on Sundays or Bank Holidays.

REASON: To safeguard the amenity of the neighbouring occupiers, thereby according with policy DM1 of the Harrow Development Management Policies Local Plan 2013.

28 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 Energy Strategy and 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 National Planning Policy Framework, policies 5.2.B/C/D/E of The London Plan 2015, policy D12 of the Harrow Development Management Policies Local Plan 2015.

29 None of the individual units of residential accommodation at the development shall be used otherwise than as a private place of residence for a person or persons of whom at least one must be a "qualified person" (defined below) at the date of his or her first occupation of the unit in question'

For the purposes of this condition “a qualified person” means a person who is or has attained the age of 65 years and thereby in need of personal care by reason of old age or by reason of disablement. (Whether or not such person suffers from a registered disability under the terms of the Chronically Sick and Disabled Persons Act 1970). An occupier of one of the individual units of residential accommodation who is not a “qualified person” but who shares or previously shared the accommodation with a “qualified person” (e.g. a spouse or surviving spouse) must have attained the age of at least 55 years.

REASON: To ensure the development continues to cater for those users requiring extra care housing, and thereby maintaining an appropriate housing choice and offer in the borough, thereby according with policy 3.8 of The London Plan 2015 and policy DM29 of the Development Management Policies Local Plan 2013.

30 Prior to commencement of development (including demolition) on site, a method statement and management strategy detailing how the Japanese knotweed identified on site will be eradicated and removed from the site in a safe manner. The details thereby approved shall then be carried out by a suitably qualified contractor.

REASON: To safeguard the ecology and biodiversity of the area in accordance with policy DM20 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and that enforcement action after this may no longer be feasible.

## **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

Local Development Framework  
Harrow Core Strategy 2012  
CS1 Overarching Policy  
CS2 Harrow and Wealdstone

Development Management Policies Local Plan 2013  
DM1 Achieving a High Standard of Development  
DM2 Achieving Lifetime Neighbourhoods  
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 £62,825.00 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 £101,850.00 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 2910m<sup>2</sup>

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>

#### 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: £197,450.00

#### 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.

## 8 SUSTAINABLE URBAN DRAINAGE

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

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2012) requires development to utilise sustainable drainage systems unless there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles. The applicant can contact Harrow Drainage Section for further information.

## 9 REQUEST TO REMOVE SITE NOTICE

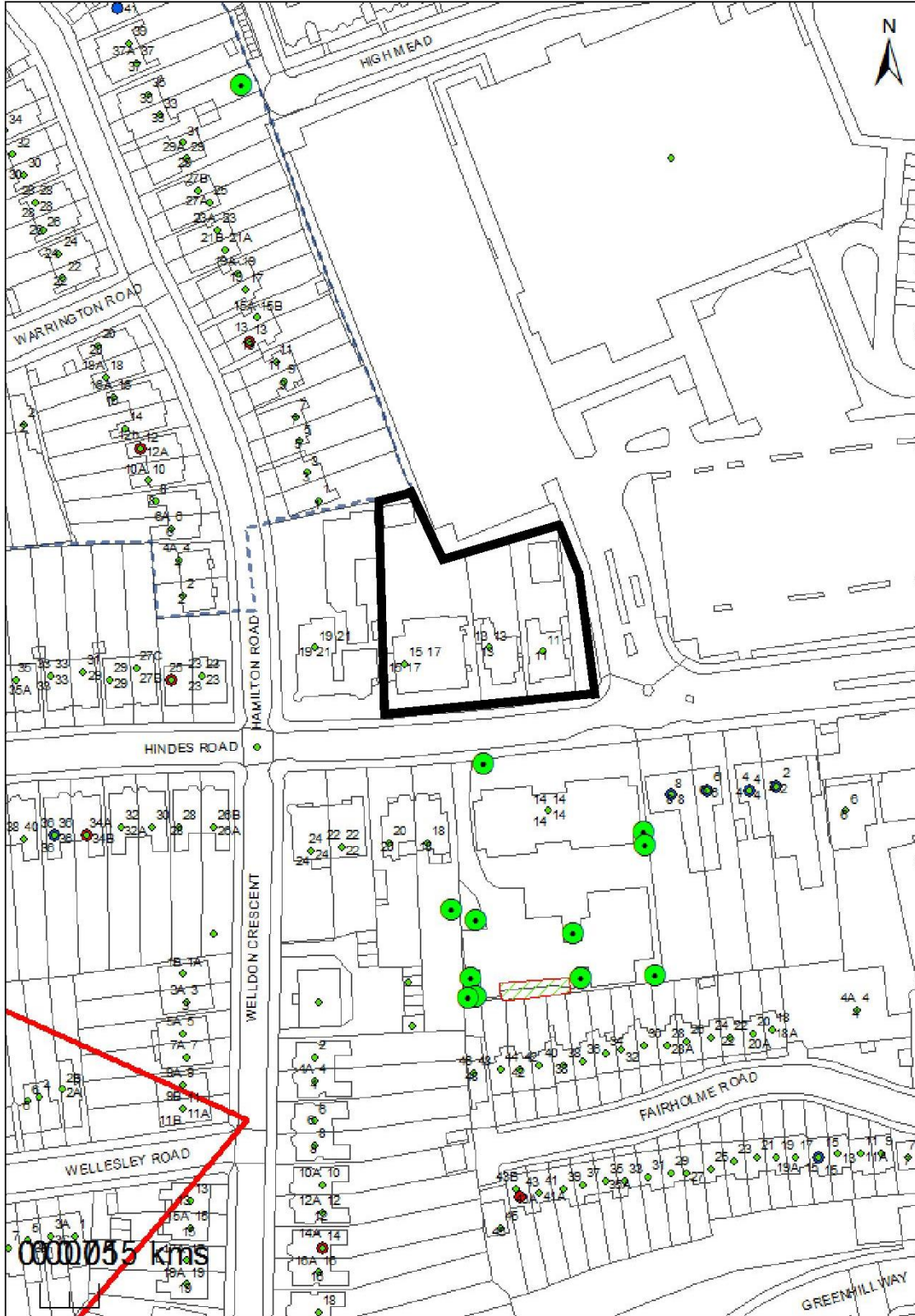
A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

Plan Nos: 9070/15 (REV A), 9071/15, 9072/15, 9074/15, 9075/15, 9076/15, 9077/15, 907/15, 9078/15, NL-2146-03-AC-001 (REV A), NL-2146-03-AC-003 (REV B), NL-2146-03-AC-101 (REV C), NL-2146-03-AC-004 (REV A), NL-2146-03-AC-110 (REV D), NL-2146-03-AC-111 (REV D), NL-2146-03-AC-112 (REV D), NL-2146-03-AC-114 (REV D), NL-2146-03-AC-114 (REV C), NL-2146-03-AC-130 (REV D), NL-2146-03-AC-131 (REV E), NL-2146-03-AC-132 (REV E), NL-2146-03-AC-140 (REV D), NL-2146-03-AC-151 (REV H), NL-2146-03-AC-155

(REV E), NL-2146-03-AC-156 (REV E), NL-2146-03-AC-160 (REV F), MCS1167.GA.000 (REV P01), MCS1167.GA.001 (REV P03), MCS1167.GA.002 (REV P01), MCS1167.GA.003 (REV P01), MCS1167.GA.004 (REV P01), MCS1167.GA.005 (REV P01), MCS1167.GA.400 (REV P01), Landscape Strategy (REV P01), OXF8989-R-001b, CCLO2663.BX16, 8753/01 (REV A), 8753/02, JTK/8753/jk, Planning Statement, Transport Assessment, Travel Plan, Statement of Community Involvement, Drainage Report (March 2015), PGJB/HJH/1403/81629 (August 2015), PGJB/HJH/1403/81629 (January 2016)



# 11-17 HINDES ROAD, HARROW



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 Cities Revealed® aerial photography copyright: The GeoInformation® Group, 2010



ITEM NO: 1/03  
ADDRESS: DUCKER FIELD, HARROW SCHOOL  
REFERENCE: P/4655/15  
DESCRIPTION: INSTALLATION OF DRAINAGE SYSTEM AND ASSOCIATED ENGINEERING WORKS  
WARD: HARROW ON THE HILL  
APPLICANT: HARROW SCHOOL  
AGENT: STRI  
CASE OFFICER: JUSTINE MAHANGA  
EXPIRY DATE: 17/04/2016

## **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 the site area exceeds 0.1ha. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 29 May 2013.

Statutory Return Type: 18: Major Development

Council Interest: None

Net Additional Floorspace: None.

GLA Community Infrastructure (CIL) Contribution: N/A

Harrow Community Infrastructure (CIL) Contribution: N/A

## **Site Description**

- The subject site relates to the Ducker Field sports field at Harrow School.
- The site has a relatively steep ground that slopes down towards the A404 Watford Road.
- The top soil on the site generally comprises clay loam/clay soil, varying in depth.
- Ducker Field includes an area of approximately 5.3ha and comprises one well-drained rugby pitch constructed on a separate platform and 4.2ha of natural turfs which will be drained and improved as part of this application.
- This area has some old drainage systems installed that are not effective in providing consistently good playing conditions.
- This area is bounded to the west by the elevated, drained natural turf pitch (to be

retained) and to the north by an unsurfaced track, with further drained pitches (Redding Field) to the north of the track.

- The eastern lower boundary is formed by a belt of trees alongside Watford Road.
- The southern boundary comprises a tree lined open ditch (Ducker ditch), leading to a culvert under Watford Road, which forms the main outlet from the Ducker Field site.
- The site is identified as Metropolitan Open Land [MOL], within the Harrow on the Hill Area of Special Character [ASC] and within a Site of Nature Conservation Importance [SINC]

### **Proposal Details**

- This application proposes to improve the drainage performance of the existing natural turf rugby pitches on the Ducker Field at Harrow School (4.2ha).
- The proposed works will take place within the drier, warmer months of the year to allow a more effective management of the soil and reducing the time taken to complete the earth works.
- Prior to the installation of the drainage system, earth works would be undertaken to prepare the area. This includes cultivation of the topsoil and lightly re-grading the site to build up low areas.
- A bund would be formed along the eastern edge of Ducker Field adjacent to the woodland strip (adjacent Watford Road) (maximum height of 500mm). The bund would be shaped around the existing trees.
- The pitch would be divided into two catchments; the first catchment for the upper, north western area (14,000sqm) and the second catchment for the eastern and south eastern area (25,000 sqm).
- The proposed drainage system would consist of pipe drains with 80mm lateral drains at 5m centres. The drains would be backfilled with permeable aggregate (sand / compost mixture).
- A secondary sand band drainage system (220mm deep x 40mm wide) would be installed across the lateral pipe drains.
- The drains would discharge into a 160mm diameter catchwater drainage system along the downhill edge of the pitches.
- 2 soakaway boreholes would be installed at the southern end of the site (adjacent the watercourse). Chambers would be constructed over the top of each borehole.
- The installation of the boreholes enables the flow of water from the pipe drains to be discharged directly to groundwater rather than directly into the ditch along the southern boundary.
- Grass seed would then be planted and the turf would be maintained.

### **Relevant History**

- N/A

### **Pre-Application Discussion**

- None

### **Applicant Submission Documents**

- Improvement of Natural Turf Pitch Drainage- Design Statement Revision 2 (dated 10.03.16);
- Design and Access Statement (dated 1.11.15); and,
- Flood Risk Assessment (July 2015).

## Consultations

- Drainage Engineer: Having checked the revised proposals, I can confirm that the drainage details are acceptable and we have no objections to the planning application.
- Brent Council (commented in regard to superseded proposal): During heavy rain, surface water overflows from the Harrow School playing fields causing flooding of Watford Road. Watford Road is a principal road and it is very critical network which served Northwick Park hospital and the University and links with other major road network. The application contains inadequate flood risk information and drainage details to demonstrate that the proposed works will not increase the risk of flooring. For these reasons, Brent Council raise objection to the proposal.
- Biodiversity Officer: No objections subject to a condition requesting the submission and approval of an amphibian survey.
- Tree Protection Officer: No objections.
- Environment Agency: Having looked at the application and screened the site we would not wish to be consulted on this application.

Site Notice: Major Development

Posted: 20/11/2015

## Notifications

Sent: 3

Replies: 0

Expiry: 07/12/2015

## Summary of Comments;

- 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 (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

Heritage Impacts

Flood Risk and Drainage

### **Principle of Development**

The application site is identified as Metropolitan Open Land (MOL) as set out in the Local Plan.

Policy DM17 'Beneficial Use of the Green Belt and Metropolitan Open Land' indicates that proposals would be supported where the use would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land than the existing use.

This application relates to the existing natural turf rugby pitches on the Ducker Field at Harrow School. The applicant has indicated that the existing drainage system of the pitches are not effectively intercepting or removing water from the topsoil of the pitch and as such, they have no significant influence on the drainage from the Ducker Field. The existing limited infiltration rate and relatively steep slopes at the site gives rise to high rates of surface water runoff. As a consequence, the pitch surface is affected by high moisture levels and is more prone to damage during play. This limits the use of the pitches during wetter weather and involves considerable additional maintenance work to repair damage and maintain a safe playing surface.

The subject application proposes to improve the drainage performance of the existing natural turf rugby pitches through the installation of a pipe and sand band drainage system. Due to the nature of the proposed drainage system, the application does not involve significant earthworks. While some minor re-grading work would be carried out to eliminate any abrupt changes in slope, the existing landform would be retained. The applicant has indicated that the objectives of the proposed works are to provide the potential for increased use of the pitches and to improve the effectiveness of maintenance operations. The drainage systems form part of an overall strategy for the long terms improvement and management of the sports facilities at Harrow School.

Accordingly, given the nature of the proposed works it is considered that in accordance with DM17a the proposal would not have an impact on the visual amenity and character of the MOL. Specifically, as indicated within the applicants supporting documents, the proposed works would not involve significant changes to the landform of the site, nor would it require the removal of existing trees. In this respect, the Council's tree officer has raised no objection to the proposal. Accordingly, while the retention of the woodland along the eastern boundary would ensure that the site would remain to be screened within the Watford Road streetscene, it is considered that the proposed grading works, together with the enhanced drainage system and grass seeding would improve the overall visual amenity of the site.

While the proposal would involve cultivation of the topsoil, the Council's Biodiversity Officer has confirmed that there is no objection to the works subject to the undertaking of an amphibian survey. Furthermore, due to the retention of the existing areas of woodland, the proposal would impact not upon biodiversity in this respect. Accordingly, subject to the undertaking of an amphibian survey, no conflict is identified with part e of DM17 or policies DM20 of the DMP.

The proposal to install an improved drainage system to the existing natural turf rugby pitches is considered to improve the quality of the existing metropolitan open land by providing the potential for increased use of the pitches by Harrow School. Given the nature of the proposed works, no significant impacts would result in terms of visual amenity or biodiversity in accordance with Policy DM17. The proposal is therefore acceptable in principle.

### **Heritage Impacts**

The western edge of the development site is located approximately 200m from the Harrow School Conservation Area to the west of the application site. There are Listed Buildings located a similar (or even greater) distance away. Given the nature and extent of the works proposed, the development would preserve the setting of the listed buildings to the west and the Harrow School Conservation Area. For similar reasons, the development would not adversely impact on the Harrow on the Hill Area of Special Character.

### **Flood Risk and Drainage**

The application site is located within flood risk zone 1 in accordance with the Environment Agency Flood Risk Zone Map. Flood Zone 1 is defined as land assessed as having a 1 in 1000 or less annual probability of river flooding in any year. The site is also identified as a critical drainage area of Harrow.

Given the site is located within flood zone 1, is over 1 ha in size and is also recognised as a critical drainage area, the proposal must meet the Council's requirements in regards to the control of surface water discharge.

Policy DM9 'Managing Flood Risk' requires that proposals demonstrate that the development would be resistant and resilient to all sources of flooding including surface water.

While the proposal is only categorised as major development due to the site area, given the proposal relates to the installation of a drainage system, the proposal should also meet the relevant requirements of Policy DM10B as follows:

*The design and layout of major development proposal will be required to:*

- a. Use appropriate sustainable drainage measures to control the rate and volume of surface water run-off;*
- b. Ensure separation of surface and foul water systems – N/A*
- c. Make reasonable provision for the safe storage and passage of flood water in excessive events' and*
- d. Demonstrate adequate arrangements of the management and maintenance of the measures used.*

Initial comments from the Council's Drainage Officer expressed concern regarding the infiltration rate, storage capacity within the drainage layout and the discharge into the watercourse. Specifically, it was indicated that the proposed system should provide 10 times the amount of storage than was initially proposed within the supporting documents. It was also advised that the discharge into the watercourse should be controlled to 5litres pre second per hectare through the use of a hydrobrake.

In addition to this, a meeting was held on site on the 11 February 2016 to discuss the required amendment to the proposal. Representatives from the drainage department from the London Borough of Brent and Harrow were in attendance at the meeting.

Based on the discussion at this meeting, it was agreed that an amended proposal would be provided, including 2 borehole soakaways to eliminate direct discharge into the Ducker Ditch. It was agreed that the boreholes would be at least 8m from the site boundary and 10m from the watercourse. Chambers should be constructed over the boreholes.

In addition to the boreholes, the following amendments were agreed:

- Attenuation was to be provided by discharging the drain flow to ground water;
- An overflow pipe would be provided from the chambers on the boreholes with a flow control device to meet the required discharge rate of 5/l/s/ha;
- The drains should be restricted through a pipe 100mm diameter, laid at 1:150 gradient in order to restrict flows to 5/l/s;
- A bund would be provided along the eastern boundary of the property to reduce the potential for surface runoff though the wood on to Watford Road.

The applicant has provided a revised proposal demonstrating the above amendments. The Council's drainage officer has confirmed that the revised proposals have addressed the previous concerns and as it stands, there are no objections to the proposed works. Specifically, it is considered that the proposed drainage system would provide adequate storage and attenuation to manage the volume and rate of surface water run-off in accordance with Policy DM10. The applicant has also provided sufficient detail demonstrating the management and maintenance of the drainage system.

No comments have been received from the Brent drainage officer in regards to the revised proposals. A follow-up email was sent on 18 March 2016, with no response received. However, given the drainage officer from Brent was present at the site meeting on 11 February 2016 and all concerns raised at this meeting have now been addressed, it is considered that there would be no objection to the amended scheme.

The applicant has submitted a Flood Risk Assessment in support of the proposed revised drainage system. Given the risk of fluvial flooding is minimal for a site within Flood Zone 1, the main focus of this assessment is on the management of surface water. This report concludes that the modelled discharge rates for the 1 in 100 year return period show a reduction in surface water runoff of 40% from the Ducker Field area. The modelling also shows no increase in the risk of flooding to the Watford Road.

Accordingly, in compliance with Policy DM9 and DM10, the proposed drainage system is considered to improve flood risk management at the site and result in a reduction of surface water runoff.

### **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 drainage system build would not adversely impact upon community safety issues and as such, would comply with policy 7.3 of The London Plan (2015).

### **Consultation Responses**

N/A

### **CONCLUSION**

The proposed drainage system to the existing natural turf rugby pitches would improve the quality of the metropolitan open land by providing the potential for increased use of the pitches by Harrow School. The drainage system would provide adequate storage and attenuation to manage the volume and rate of surface water run-off without having a detrimental impact on visual amenity or biodiversity in accordance with Policy DM 9, DM10 and DM17.

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 Harrow Development Management Plan Policies (2013), and to all relevant material considerations, and any comments received in response to publicity and consultation.

### **CONDITIONS**

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

REASON: To comply with the provisions of Section 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:

Site Plan; DE103465\_001; DE103465\_002; DE103465\_003; DE103465\_004; Improvement of Natural Turf Pitch Drainage, Design Statement Revision 2 (dated 10.03.16); Design and Access Statement (dated 1.11.15); Flood Risk Assessment (July 2015).

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

3 Prior to the commencement of works, a terrestrial great crested newt and reptile survey is required to be undertaken and submitted to the Local Planning Authority for



approval. Should this survey demonstrate a presence of reptiles and / or amphibians, an ecological assessment and management plan must be prepared for submission and approval in writing by the local planning authority. No works shall take place on the site until approval has been received.

REASON: To protect and mitigate against the potential impacts of the development on biodiversity, in accordance with Policy DM17, DM20 and DM21. Details are required prior to the commencement of works to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

## **INFORMATIVES:**

### **1 INFORMATIVE:**

The following national, regional and local planning policies and guidance are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2015):

Policies 5.127.4, 7.8, 7.17, 7.19, 7.21

The Harrow Core Strategy (2012)

Core Policies CS1

Development Management Policies Local Plan (2013)

Policies DM1, DM6, DM7, DM9, DM10, DM17, DM20, DM21

### **2 INFORM\_PF2**

Grant with pre-application advice

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

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. 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 IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences**

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

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

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

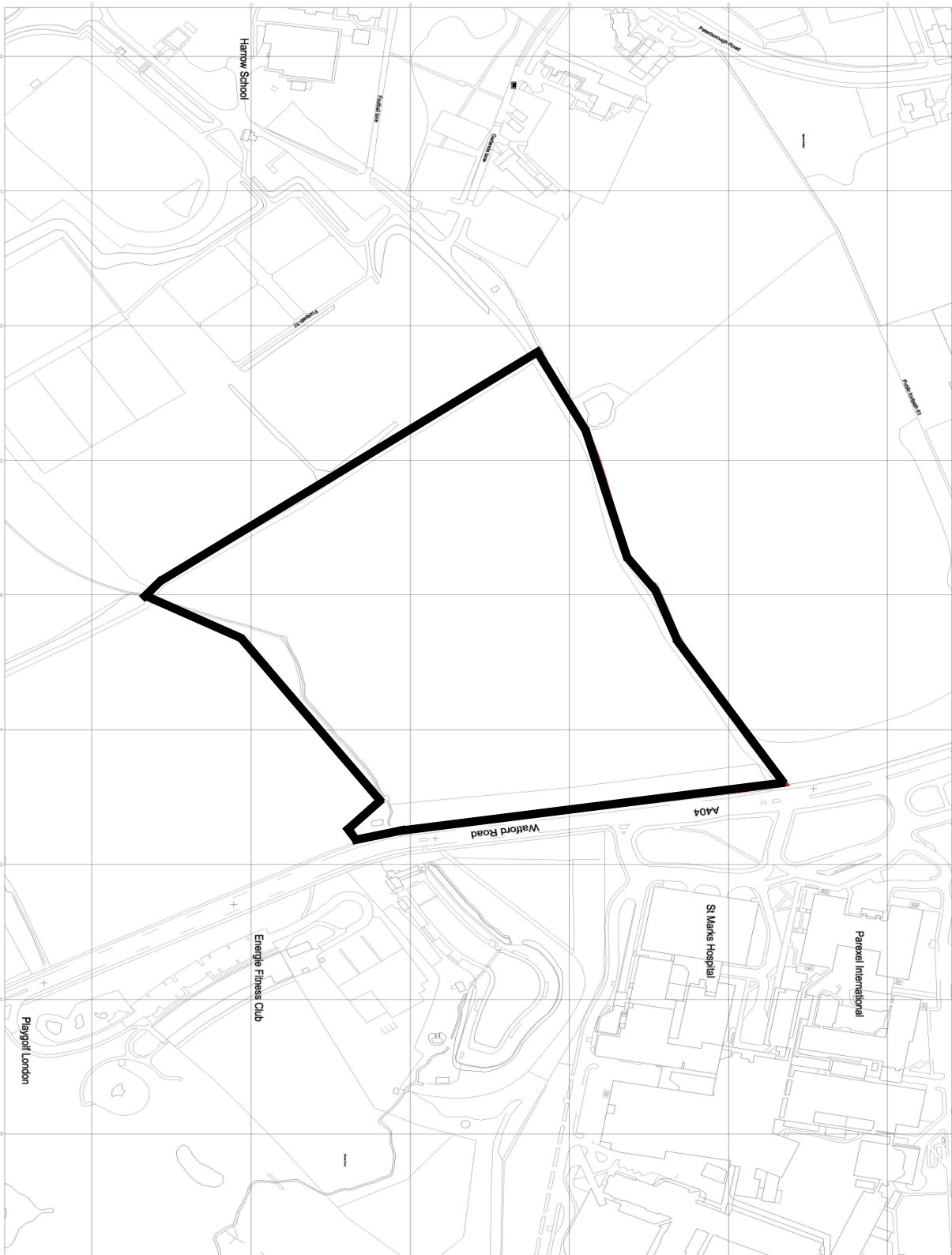
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.

### **4 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

Plan Nos: Site Plan; DE103465\_001; DE103465\_002; DE103465\_003; DE103465\_004; Improvement of Natural Turf Pitch Drainage, Design Statement Revision 2 (dated 10.03.16); Design and Access Statement (dated 1.11.15); Flood Risk Assessment (July 2015).

# DUCKER FIELD, HARROW SCHOOL



ITEM NO: 1/04

ADDRESS: WEALD RISE PRIMARY SCHOOL, ROBIN HOOD DRIVE,  
HARROW

REFERENCE: P/5914/15

DESCRIPTION: DEMOLITION OF EXISTING SCHOOL BUILDING AND RE-  
DEVELOPMENT OF ENTIRE SCHOOL SITE TO PROVIDE A  
SINGLE AND TWO STOREY BUILDING; CAR PARKING; HARD  
AND SOFT PLAY AREAS; LANDSCAPING;  
INTERNAL/EXTERNAL FENCING. (TO INCREASE SCHOOL  
FROM A THREE FORM OF ENTRY TO A FOUR FORM OF  
ENTRY SCHOOL)

WARD: HARROW WEALD

APPLICANT: EDUCATION FUNDING AGENCY (EFA)

AGENT: RH PARTNERSHIP ARCHITECTS

CASE OFFICER: CONOR GUILFOYLE

EXPIRY DATE: 30/04/2016

## **RECOMMENDATION**

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

Regulation 3 applications are applications for planning permission by an interested planning authority to develop any land of that authority. In this instance, the applicant is the London Borough of Harrow and the land at Weald Rise Primary School, Robin Hood Drive, Harrow, HA3 7DH.

## **INFORMATION**

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

## **Legal Comments**

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

The application is made by LB Harrow who intends to carry out the development on the

land at Weald Rise Primary School, Robin Hood Drive, Harrow, HA3 7DH.

The grant of planning permission for this development falling within Regulation 3 shall enure only for the benefit of LB Harrow.

Statutory Return Type: Major Development

Council Interest: None

Gross Floorspace: 2427 sqm

Net Decrease in Floorspace: 305 sqm

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

### **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 2015, 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.

Harrow has been opening additional temporary reception classes since 2009, with an increasing trend in the number of places opened. Phase 1 of the primary school expansion programme was implemented in September 2013 with 8 schools in the borough permanently increasing their reception intakes and 9 temporary additional reception classes were also opened. Statutory proposals for phase 2 of the Primary School Expansion has been completed with 19 school obtaining planning permission to expand.

The re-development of the site is now being considered as part of the Government's Priority Schools Building Programme (PSBP). The PSBP was launched in July 2011 and is procured by the Education Funding Agency on behalf of the Department for Education. The PSBP aims to raise standards in education, through a combination of investment in buildings and ICT, so that young people can fulfil their potential and so that staff can use their skills to best effect.

Weald Rise Primary School is an existing three form of entry (FE) primary school catering for circa 680 pupils and 90 full time staff. The proposal is to provide a new 4 FE school building on the existing site for pupils aged 4-11 with a capacity of 840 pupils and

102 full time staff. The proposal also includes a new replacement nursery with provision for 30 full time equivalent spaces, resulting in a total capacity in the new school for 870 pupils.

### **Site Description**

- The application site is a parcel of land roughly rectangular in shape. To the south, the site fronts Robin Hood Drive, and side of the plot of No.48 Robin Hood Drive (the street changes direction in front of the site). To the west, the site bounds rear gardens of properties on Chestnut Drive. To the north-west and north, the site bounds rear gardens of properties on Wynchgate and White Gate Gardens respectively. To the north-east and east respectively, the site bounds the flatted rear gardens of flats properties on Dromey Gardens and Laurel Park.
- At the south, the main vehicular pedestrian access is gained off Robin Hood Drive on the north-west corner of the site. This leads to a car parking area with 19 informally marked out parking bays, none of which are dedicated for use by disabled drivers. A secondary entrance exists on the south-east, at the corner of Robin Hood Drive, which is used access for maintenance vehicles.
- The main pedestrian access for the application site is also provided off Robin Hood Drive, adjacent to which lies limited cycle parking (10 spaces). Another pedestrian access is provided to the north, via a pathway linked to White Gate Gardens. A public path lined with trees and hedging runs along the west and north boundaries (between the site and adjacent rear gardens), connecting Robin Hood Drive with White Gate Gardens.
- Almost the entire western half of the site features hard standing, where not occupied by buildings. The eastern 'half' of the site is mostly occupied by most of the buildings.
- The existing school buildings are understood to have been constructed from the late 1940's onwards, comprising in-fill extensions and temporary buildings (retained over time), added in an ad-hoc manner. The main school building is predominantly housed in a single storey flat roofed building, clad in London Stock brick, with long strips of white painted metal framed windows.
- The buildings sprawl across the site, with a central 'spine' running north to south just east of the centre of the site, off which elements project east and west. The building(s) are set at different levels to accommodate the sloping uphill nature of the site from west to east. There is a retaining wall at the eastern boundary.
- In addition to the main school building sprawl, there are three 'demountable' classrooms to the north-east of the existing building(s).
- An existing children's centre lies in the north-west of the site, integrated with the existing building.

### **Proposal Details**

- The application proposes to demolish the existing three form of entry (FE) primary school and build a replacement four FE primary school for pupils aged 4-11 with a capacity of 840 pupils and replacement nursery for pupils aged 3 to 4 with provision for 30 full time equivalent spaces, resulting in a total capacity in the new school site for 870 pupils. It would feature 102 full time staff.
- The replacement school would feature a building with a more coherent singular 'C-shaped' main footprint (in contrast to the sprawling layout of the existing buildings), sited in the western 'half' of the site, in contrast to the eastern site in the case of most of the existing buildings.

- The building would be two storeys in height across all but a south-western single storey element. It would feature a contemporary external appearance, with contrasting brick finish on the ground floor and part of first floor (stairwells) and render on the first floor. The first floor render would be predominantly white, with elements of bright yellow colour at certain first floor elements around the entrance to articulate the school entrance/reception area to visitors.
- Car parking would be provided in front of the school and Robin Hood Drive to the south-west, but no longer up and along the western boundary. 19 car parking spaces would feature (as existing), including 1 accessible space (since required to be increased to 2 as outlined in the report). This area would also allow for deliveries/servicing to the south of the school building, with the detached bin store located at the south-west of the building at the rear of the car park area.
- The proposal also seeks to provide a total of 133 staff and pupil cycle spaces (including scooter places were appropriate for younger pupils) which could be secured by planning condition.
- The proposal also includes a landscaping scheme, details of which would form the basis of any approval, should planning permission be granted.

### **Revisions to Previous Application**

- N/A

### **Relevant History**

- None

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

- The revised scheme for the site was considered in consultation with the Education Funding Agency as part of the Priority Schools Building Programme ITT (Invitation to Tender) Process and further pre application meetings to discuss the developing design and application requirements. A public consultation meeting initially took place at the school on 1<sup>st</sup> October 2014, where concerns about its design were raised by members of the public. A subsequent public consultation meeting took place on 25th November 2015, with a broadly positive response received to the revised (current) design of proposal, and concerns raised about traffic and travel due to the constrained nature of the surrounding road network.
- A members briefing took place on 10<sup>th</sup> February 2016, with a broadly positive response to the scheme.

### **Applicant Submission Documents**

- Design and Access Statement
- Planning Statement
- Statement of Community Involvement
- School Travel Plan
- Drainage Strategy
- Landscaping Details
- Construction Method Statement
- Tree/Arboricultural Implication Assessment/Survey/Method Statement
- Preliminary Ecological Assessment
- Noise Impact Assessment

- Geo-Environmental Assessment
- Transport Statement
- Flood Risk Assessment

## Consultations

**Environmental Health** – No objection subject to conditions to require;

Dust management plan (to cover the construction period)

Standard contaminated land planning conditions (to ensure land under existing buildings which is to become soft landscaping under the proposal is checked, remediated, and verified, if necessary)

Noise limit condition to ensure that the level of noise emitted from any fixed installations and mechanical plant shall be lower than the existing background level by at least 10 LpA, unless otherwise agreed with the Local Planning Authority.

**Highways** – No objection

**Biodiversity (Ecology) Officer** – No objection subject to the following being secured (by condition);

- 1) *“Habitat Loss and Enhancement: In accordance with the provision of Chapter 11 of the National Planning Policy Framework (Conserving and Enhancing the Natural Environment) and in line with Harrow Development Management Policy DM21. Biodiversity enhancement measures should be incorporated into the landscaping scheme of any proposed works to maximise the ecological value of the site. Details from the applicant should include production of a plan and schedule outlining habitat creation and enhancement measures to maximise the ecological value of the site such as:*
  - *Planting of habitats which will be of value to wildlife, such as:*
    - *native seed/fruit bearing species to provide foraging habitat for mammals and birds;*
    - *nectar-rich species to attract bees, butterflies and moths;*
    - *species which attract night flying insects which will be of value to foraging bats, for example: evening primrose *Oenothera biennis*, goldenrod *Solidago virgaurea*, honeysuckle *Lonicera periclymenum* and fleabane *Pulicaria dysenterica*.*
  - *Provision of nesting habitat such as dense scrub habitat for species such as dunnock or song thrush or the installation of nest boxes for species such as house sparrow.*
  - *Installation of bat boxes for species such as pipistrelle.*
  - *Creation of deadwood habitat for herpetofauna and invertebrate species.*
- 2) *There is a possibility hedgehogs might visit the site. Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape.*
- 3) *Vegetation clearance should be undertaken outside the nesting bird season. The nesting bird season is weather dependent but generally extends between March and August inclusive. If this is not possible then any vegetation to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned*



naturally.

4) *Invasive species:*

- *Buddleia: The works must not cause Buddleia davidii to spread in the wild. It must be removed with care during vegetation clearance.*
- *Japanese Knotweed: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended) the works must not cause Japanese knotweed to spread. Japanese knotweed can spread from rhizomes in soil within a 7 m radius of the stand of the plant. A method statement should be produced detailing how Japanese knotweed will be controlled/eradicated and the proposed timetable for works.*

5) *Roosting Bats: The two bats surveys which originally accompanied this application were produced in 2014 and valid for 12 months (whereas the PEA is valid for 24 months). Consequently even though no bat roosts were recorded, the period of validity for both bat survey documents has expired. It will be essential to update the survey (as recommended by the applicant's ecologists') to establish if bats have colonised the buildings in the interim."*

**Landscape Architect** – No objection subject to landscape conditions to ensure suitable hard and soft landscaping scheme, details of levels, boundary treatment, trees/tree protection measures, method statement to eradicate Japanese Knotweed, management plan for the landscaping scheme on the school/school grounds

**Drainage** – No objection subject to conditions

**Tree Officer** – No objection subject to tree protection measures being secured by condition(s).

**Building Control** – No objection – suggestion that the design team (applicant) should give consideration as to how Fire Brigade access will be achieved in order to comply with Approved Document B1 Vol 2 –Section B5 of the Building Regulations. (This can be relayed to the applicant by an informative attached to the decision notice)

**Designing Out Crime** – No objection – scheme incorporates sufficient crime prevent measures into its design

**Thames Water** – No objection

**Transport for London** – No objection subject to increase in on-site accessible parking provision to 2 spaces in line with London Plan standards, full construction management and logistics plan (provided), and requests that the school travel plan be accredited by the School Travel Plan Accreditation Scheme

**Environment Agency** – No objection

**Sport England** – No objection

**Advertisement**

Press advert: 31/12/15: Major Development - Expiry: 21/01/16

Site Notice: 05/01/16: Major Development - Expiry: 26/01/16

## Notifications

Sent: 247

Replies: 17

Expiry: 20-01-16

## Addresses Consulted

247 properties, predominately those on The Avenue, Weald Rise, Chestnut Drive, Whitegate Gardens, Wynchgate, Laurel Park, Kingfisher Close, Dromney Gardens

## Summary of Responses

17 representations objecting to the proposal on the grounds of;

- inadequate parking on-site and on-street
- inconsiderate parking which blocks residents' driveways which causes problems for residents in accessing their driveway
- existing congestion would be exacerbated
- detrimental impacts to highway capacity/safety/access from the above issues
- existing traffic damages roads and verges – construction traffic and resultant traffic levels would exacerbate this
- concerns over access to site by pupils, parents and construction staff and machinery during the construction period
- proposal would reduce light and outlook to properties on Wynchgate and White Gate Gardens
- no demonstrable need for proposal

## 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

Development and Flood Risk

Accessibility

Sustainability

### **Principle of the Development**

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 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 wellbeing. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

The National Planning Policy Framework (2012) outlines at paragraph 72 that: *“The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Local Planning authorities should give great weight to the need to create, expand or alter schools”*.

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

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

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

Core policy CS1 of the Harrow Core Strategy (2012) states that: *“The development or expansion of physical or social infrastructure will be permitted where it is needed to serve existing and proposed development, or required to meet projected future requirements.”* Policies 3.16 and 3.18 of The London Plan (2015) 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.

Cedars Manor School is part of the Government's Priority Schools Building Programme (PSBP). The PSBP was launched in July 2011 and is procured by the Education Funding Agency on behalf of the Department for Education aiming to raise the standards of teaching spaces within education. The educational use of this site is long established. The existing buildings on the site are time served, with the Council and the EFA identifying them as being in poor condition and subject to high-cost repairs. The existing buildings are poorly configured and form an incoherent sprawl on the site. The proposed school would feature a good quality, sustainable design, with a considerable reduction in land-take, resulting in an improvement in education facilities for local people and an increase in the amount of open land on the school site. It would feature a building which is fit for its purpose and rational in its layout, use and form, with the resulting benefits to managing the accommodation in terms of efficiencies of scale/energy use, and classroom layouts.

Furthermore, as outlined above, Harrow needs to create more primary school places to meet a growing demand. Having regard to the very limited availability of land for new schools within the borough against the backdrop of existing and projected demand for places, it is considered that there is a clear need for additional educational space and, as such, the proposals have strong policy support at local, regional and national level. Furthermore, the site is located within a reasonably accessible, established location, with an established pupil catchment, to help meet the demand for places within the surrounding community.

A parcel of land in the far north-west of the site currently occupied by the Key-Stage1 soft informal space is identified within the Local Plan as an area of Open Space. Policy 7.18B of the London Plan (2015) and Policies DMP 18 and 19 of the Harrow Development Management Policies Local Plan are relevant in this respect. The proposed replacement school building would not partially encroach over the south-eastern corner of this small parcel of designated open space (the majority of other existing open space is not designated as such in the Local Plan). The use of the remaining open space would continue to be for Key-Stage1 soft informal space under the proposed development. However, those users would gain considerably more open space than that which would be lost, to the immediate and adjoining/continuing south/south-west, under the proposed development, resulting in a net gain in this regard. Therefore there is no conflict with the above policies which seek to retain, or secure sufficient replacement, open space as designated in the Local Plan.

In summary, having regard to the above policy considerations, the principle of development is considered to be acceptable by officers. It is considered that the proposal would make a significant contribution to social and educational infrastructure within the London Borough of Harrow. The proposed development will result in a significant improvement in terms of the quality of the physical facilities on the site and the removal of poor quality accommodation which is past its life-cycle.

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

The National Planning Policy Framework emphasises that in the pursuit of sustainable development, proposals which would replace poor design with better design and would provide positive improvements in the quality of the built environment should be

encouraged (Paragraph 9). The NPPF makes it very clear that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making better places for people.

The London Plan (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 (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. Policy 7.8D of The London Plan (2015) states that *'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'*.

Core Policy CS(B) states that *'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.'*

Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) reinforces the principles set out under The London Plan (2015) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces.

#### Layout, Scale and Massing

The design and layout of the replacement school seeks to consolidate the existing single storey school buildings which sprawl across the eastern half of the site in an incoherent manner, with an inefficient layout in terms of land-take, to a more coherent single school building with greater capacity, accommodated within a smaller area on the western half of the site. This would be achieved by a conglomeration of the existing functions into a singular building block, of increased mass and scale over existing. This layout was informed by other site constraints, notably the need to decant/work 'around' existing school accommodation, flood risk requirements and their resultant 'no-build' zones on the site, and the need to provide sufficiently sized and high quality outdoor play and recreation space for pupils. This is in clear contrast to the incoherent sprawl of buildings on the site, which have been extended in an ad-hoc fashion over time without the benefit of planned provision for the above educational aspects of the wider school unit, such that alongside existing hard standing on the western side of the site, considerably more of the existing site features building or hard-standing than under the proposed development.

The design and layout of the school in a 'C' shaped building footprint, combined with its main orientation running north-west along two storeys, and siting the western half of the site, would retain a clear element of spacing around the school building. Its nearest projection towards neighbours, at the west, would be set back at least 8.5m from the

deepest point of the rear garden of its nearest neighbours, with the majority of the building set back considerably further from neighbouring boundaries and dwelling houses. Furthermore, where that closest point arises to the nearest dwelling house to the west, the building would be limited to single storey in scale, at 27m away, with the nearest two storey element set back 36m away. Whilst two storeys in scale, its height would be limited at 8m with a flat roof. Accordingly, whilst larger in scale than the existing single storey buildings, given the reduced footprint of the proposed building, the conglomeration of its massing into one single element/building, the spacing retained around the site and between the building and the site boundaries, and the 'freeing-up' of the remainder of the site from large areas of hard standing, the proposal is considered to result in clear improvement to the character and appearance of the site in terms of layout, scale and massing.

The revised scheme includes a clearer, define, 'approach' to the school for pedestrian users from the existing main entrance from the south/south-west off Robin Hood Drive. It would feature clear path from the street to the new school entrance, with landscaping adjacent to it, to create a more attractive, direct route, with clearer way-finding than existing. This would be aided by a clearly articulated front entrance with a recessed frontage and different external materials and colours (yellow render) and signage above. This is considered a high quality design approach in this regard. The above layout, setback of the school, and design of the building, in contrast to the existing school buildings, would enable a 'softer' building frontage on to Robin Hood Drive, with (hard and soft) landscaping and considerable more 'soft' areas of greenery, including to the front of the site, on its eastern side, which would face Robin Hood Drive. The layout of the buildings would allow for passive surveillance of these areas by users of the school, and allow for such areas to surround the majority of the school, rather than the existing building layout which dominates the site and encloses certain areas whilst leaving others 'exposed'. This would result in an improved aesthetic outlook for its users and more useable/functional places in close proximity to the building, such as the hard and informal areas which would surround the ground floor rooms.

In choosing the above massing, siting and layout of the building, the applicant considered the feasibility of a variety of options as outlined in Section 2 of the Design & Access Statement. However, owing to various site constraints, particularly the need to minimise disruption to the existing operational school that needs to continue teaching during the construction of the new buildings, the need for high quality and sufficiently sized play/recreation areas, and physical constraints of the site (drainage considerations, flood zones and mitigation requirements), the current scale, siting and layout was chosen. Operational needs and improved internal teaching requirements, needs, efficiencies and educational standards also influenced the layout of the proposed building.

Given the above considerations, the proposal is considered acceptable in this regard.

### Design and Appearance

The main materials for the building would consist of two subtle and contrasting brick and render finishes, and the school's signage above the front entrance. The first floor render would be predominantly white, but elements of bright yellow coloured render would feature at certain first floor elements around the entrance to articulate the school entrance/reception area to visitors. This would break down the visual massing of the

building and add visual interest, providing a contemporary finish and appearance to the school building. Doing so would also 'break up' the repetitive sequence of the windows, aided by coloured insert panels along the sides of the windows which would vary in colour for each window, avoiding an 'institutional' appearance which emphasises bulk and mass. Consideration is given to the context and siting of the proposal 'tucked' behind the rear gardens of neighbouring properties, and the design of the more prominent front entrance when viewed from Robin Hood Drive with recessed frontage, signage, differing materials and a break-up of its bulk. Alongside the landscaped walkway leading to it, overall, officers consider that the proposed materials would be appropriate in this setting, and would allow for a modern, 'fresh' and uplifting finish and appearance fitting of its intended land-use.

The accompanying Design and Access Statement outlines that the window design has been driven by sustainable design principles, incorporating louvres and clear elements of glazing to allow for plenty of natural light, and the need to deliver an efficient internal environment. The side panels on the windows would feature coloured opaque glazing to introduce a pattern of colours which aids in the above contemporary design theme of the building, adding visual interest and breaking down the visual bulk of the building.

The roof-top plant would be concentrated on the roof of the lowest scaled element of the building; the single storey southern projection off the main school building, behind the car parking area. The taller scale of the main two storey main building adjoining it to the north/north-west, and the wrap-around visual screen for the roof-top plant, would screen the plant from view from the majority of the site, the approach walkway to the school entrance, and from the main street scene of Robin Hood Drive.

Subject to a condition, requiring specific material samples to be submitted to the Local Planning Authority for further consideration, prior to the commencement of the development, the material approach is considered to be acceptable.

As such, the proposal is considered to have an acceptable impact on the character and appearance of the area.

#### Landscaping

A landscape strategy has been submitted with the proposal. The proposed materials have been chosen to match the existing landscape, including asphalt, concrete and bonded rubber shred surfacing to the hard and social areas, pedestrian areas, and some hard standing areas near root protection areas (rubber shred) around the building and wider site. The key stage (KS) 1 and 2 play areas, as well as wider areas around the application site including a meadow area (south-east), and grass pitch (east) would feature lawn/grass to maximise play surface. A year-round planting palette is proposed. External dining areas and a substantial increase in open/grassed/landscaped areas would provide a high quality enjoyable space for students. Hard landscape areas around the building would allow for indoor and outdoor learning environments. In similar regard, by placing all KS1 classrooms on the ground floor with direct access to outdoor spaces, within a secure line, a high quality, secure learning environment for young children would be created, resulting in a positive learning environment.

The existing site boundary fence would be retained and made good with replacement 2.4m high twin wire welded mesh perimeter fencing as existing, where necessary, (part

of the west and north boundaries along the adjacent/surrounding footpath bordering the site, and within the site along the pedestrian walkway), to form secure lines/boundaries around the site. On the northern side of the site, where the nursery would be accessed off a new entrance off the northern perimeter footpath which surrounds the site, behind the 2.4m twin wire welded mesh external fence, a 1.5m high variant of the same fence type would feature to form a secure nursery playground and waiting area. To the south, along Robin Hood Drive, a small element of 2.4m high security mesh perimeter fencing would be inserted (closing an existing site entrance), to match existing. Internally, within the site, 1.2m high timber picket fencing would be used to separate the early years play areas, KS1 play areas, and the KS2 terraced play area from each other.

The above external fencing is required for security purposes to form 'secure lines'. Whilst 2.4m high (or 1.5m in the case of the nursery fencing within the site), it would be of a mostly transparent 'welded mesh' nature which would result in minimal visual obstruction and its 2.4m scale, 600mm above a standard residential boundary fence. It would be set within the context of the wider application site which already feature similar boundary fencing across the vast majority of the site boundary along the public footpath and elsewhere. As such, it is not considered to appear visually obtrusive. The latter internal fencing would be low-rise and its timber material would be in keeping with the trees and landscaping around the site as well as that of neighbouring residential properties and their boundaries, to ensure no unwanted stimulus affects its pupils.

Overall, on balance, the proposed landscaping strategy would result in a high quality, much improved 'useable' scheme for the benefit of both the character and appearance of the site, and the quality and enjoyment of space afforded to its users. This consideration is reiterated by the comments from the Council's landscape officer, who raises no objection to the proposal, subject to further details which could be secured by conditions. Subject to such details being secured by condition(s), (the suggested condition details could be combined into fewer conditions) the proposal is considered to comply with The National Planning Policy Framework (2012) and relevant planning policies, namely Policies 7.4B, 7.6B and 7.8 C and D of The London Plan (2015), Core Policy CS1 B and D of the Harrow Core Strategy (2012) and Policies DM 1, DM22 and DM24 of the Harrow Development Management Policies Local Plan (2013).

### **Residential Amenity**

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 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 and windows/overlooking

The design and layout of the school in a 'C' shaped building footprint, combined with its



main orientation running north-west along two storeys, and siting the western half of the site, would retain a clear element of spacing around the school building.

Its nearest projection towards neighbours, at the west, would be set back at least 8.5m from the deepest point of the rear garden of its nearest neighbours (No 50 Chestnut Drive), with the majority of the building set back considerably further from neighbouring boundaries and dwelling houses. Where that closest point arises to the nearest dwelling house (No.50) to the west, the building would be limited to single storey in scale (4m tall), and it would be sited at least 27m away from the rear of that dwelling house. The nearest two storey element of the proposed school building would be set back at least 36m away from the nearest property (No.50). Such distances are considered more than ample in order to avoid detrimental amenity impacts to the occupiers of that property, including, but not limited to, detrimental loss of outlook, overbearing impacts, overshadowing or loss of light. The same consideration is made with regard to the other neighbouring properties around the application site;

To the south, the main building (single storey scale) would not lie directly beyond the rear garden of No.48. Whilst the detached bin store would lie beyond its rear garden, its limited single storey scale and greater distance than the above building to No.50 to its rear garden and rear elevation boundaries would be sufficient to avoid detrimental amenity impacts.

Moving northwards, the large, obliquely angled gardens of Nos 50 and 52 Chesnut Drive, and Nos 24 and 25 Wynchgate, would lie at greater distances than the above properties to the proposed school building, with the school buildings at least 39m from largely oblique rear elevations of those houses.

To the north-west, the school building would move closer to Nos 25-27 Wynchgate but with respective distances to the rear garden fence and rear elevations of those properties of 25m and 30m (No.25), 27m and 34m (No.26) and 33m and 44m (No.27), a similar acceptable relationship and impacts with those properties as per above is considered to arise. Whilst these properties would be closer to the two storey school building than those identified above, the same acceptable considerations made with regard to the impact of the school building on the amenities of the occupiers of those properties is reached given the above distances which are considered sufficiently ample to avoid the above mentioned detrimental impacts, particularly with regard to access to day/sun/sky light, outlook/visual amenity, and avoiding overbearing impacts or loss of privacy. For the same reasons of distance and limited scale of the proposed building, and taking into account its southerly siting, the siting of the two storey school building of at least 12m and 25m respectively from the rear garden fence and rear elevations of properties to the north on White Gate Gardens is considered acceptable.

As the existing school building on the eastern half of the site would be demolished, and no physical structures would be erected in its place, that area would be used as amenity/landscaping space for the school site. As such, the eastern half of the site is not considered to result in development which would cause detrimental amenity impacts to the occupiers of the properties bounding the site to the north/north-east, east, south-east, and south.

To the south-west and south a car park area is proposed which would partly lie adjacent

to the rear gardens of neighbouring properties to the south-west (Nos 44-50 Chestnut Drive). However, this part the site bounding the rear of those properties (albeit with a footpath running in between) already features car parking. Given the fact that proposal would feature the same number of parking spaces as existing, and to the south the proposed car park area would front a public street (Robin Hood Drive), and external lighting impacts could be secured by condition, this element of the proposal is not considered to cause detrimental amenity impacts to neighbouring occupiers.

In terms of windows/overlooking, the above building layout is such that where closest to residential properties to the south-west (the rear of Nos 48-50 Chestnut Drive), the building would be single storey and not feature windows. Three windows on the remaining building, across two storeys, on its western elevation would be sited considerably further from most properties/rear gardens to the west, as outlined above. At other points, the residential properties would be closer to the windows on two storey building, notably to the north-west (No.27 Wynchgate, as outlined above), and the north (rear of properties on White Gate Gardens). The latter of which would involve the building being sited up to 12m away from rear garden boundaries, and 25m from rear elevations. Whilst closer than some properties, such distances to the nearest properties are nonetheless considered more than ample to avoid detrimental levels of, or detrimental perceived levels of, overlooking and resultant loss of privacy from windows in the two storey school building. Such distances are not atypical between school windows and residential properties (houses and gardens) when compared to other school sites in the borough in this regard.

Accordingly, whilst larger in scale than the existing single storey buildings which occupy the site, given the above the above distance and spacing around the site and between the school and neighbouring properties, the overall scale, siting, mass and bulk of the building, and its window layout, is not considered to lead to detrimental amenity impacts to the occupiers of neighbouring properties in this regard.

#### Increase in Intensity of Use

Paragraph 123 of the NPPF (2012) states that planning decisions should aim to “*avoid noise from giving rise to significant adverse impacts on health and quality of life arising from noise from new development*”. The proposal would result in a material increase in 190 pupils (including nursery) over existing. As such, some additional noise and disturbance is likely to arise as a result of the intensified use. It is inevitable that the noise impacts will become more acute as pupil numbers rise over the next few years. The National Planning Policy Framework places particular emphasis on meeting the need for school places. Within urban areas, the growth of school places will result in some additional impacts upon nearby residential properties. The NPPF nevertheless requires that particular weight be applied to the need to expand and provide new schools.

The site benefits from an existing use as a school which involves an element of noise generation during the school day, and to a lesser degree, by community events taking place at the school. The proposal would considerably increase the amount of open land and play area on the site, such that noise increases are not considered to take place to a degree materially greater than existing which would be sufficient to cause detrimental impacts. On balance, noise generation is not considered to take place to a degree detrimental to neighbouring amenity.

Plant will be installed directly above the single storey element of the building, which at its south-western corner would be 14.5 and 32.5m respectively from the nearest (south-westerly) neighbouring rear garden and house at No.50 Chestnut Drive, with similar (14m and 45m) to No.52 Chestnut Drive, and greater distances from other neighbours beyond the gardens of the aforementioned properties. However, given that the proposed plant is likely to be more modern/efficient over existing, and even with increased pupil numbers, the effect is not considered to result in a level of noise increase over existing which would be detrimental to neighbouring occupiers. In coming to the above consideration, regard is paid to the comments received from the Council's Environmental Health officer who advised that they were satisfied that the noise limits for the above plant/machinery outlined in the noise report submitted with the planning application would be acceptable. However, they suggest a condition for a recommended noise limit to ensure that, further to the times of the day in which the noise report suggested noise limits, the noise limits on plant and machinery would also apply and be relevant (i.e. at any time). The condition would ensure that the level of noise emitted from any fixed installations and mechanical plant shall be lower than the existing background level by at least 10 LpA, unless otherwise agreed with the Local Planning Authority.

Further to the above, in terms of general noise generation from school activities or extracurricular activities/community uses, a suitably worded planning condition could ensure that no music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises in the vicinity of the premises.

Accordingly, it is considered that whilst some increase in noise will arise as a result of the development, the additional noise and disturbance is not considered to significantly undermine residential amenity to a detrimental degree, and would not outweigh the strong emphasis given to expanding schools within the communities which they are intended to serve as set out in National Planning Policy and the support within the Local Plan.

#### Vehicle Access and Traffic

The proposed car parking area would be accessed from Robin Hood Drive to the south/south-west, as existing, and would feature 19 parking spaces, as existing. Its location would bound the south-west/western boundary on its western side, as existing. In contrast to existing, it would not 'extend' up the western boundary along the side of the site and building, but rather, would form a clearly defined dedicated car parking and service area to the front(south) of the proposed building, between the building and frontage onto Robin Hood Drive to the south.

Whilst the proposal would result in increased pupil numbers, the level of formal car parking provision would exceed not existing, at 19 spaces. This provision is for existing and future staff / staff increases rather than for pupil/parent parking, which is still encouraged, via the School Travel Plan, to take place by alternative methods (the school have no powers to prevent parking on the public highway). This level was advised upon, and informally agreed with, highways officers during pre-application discussions.

The comments received during consultation are noted and acknowledged. In such cases, the Council is required to strike a balance between fulfilling its statutory obligation

to provide for school places, including expansions in instances such as this where demographic pressures necessitate so, with the limited capacity of school sites and surrounding road networks to absorb further car parking spaces whilst not exacerbating existing constraints parking/access/traffic situations on surrounding road networks. The comments received with regard to, but not limited to, difficulties accessing the site, traversing the road, and accessing of/block of private driveways by congestion/inconsiderate stopping and parking area noted. However, these issues primarily relate to the drop-off and collection of pupils by parents rather than staff parking and access to and from the site, where the existing aims of the School Travel Plan in promoting and encouraging alternative methods of travel to school for pupils is relevant. In this case, highways officers acknowledge the above constraints, and advise that the aims of the School Travel Plan are the most appropriate means towards accommodating further pupils whilst minimising the above impacts insofar as the remit of the School Travel Plan and a grant of planning permission can do so.

Other means discussed, such as changes to road layout, traffic flow/direction, and/or engineering works to the Road (notably Robin Hood Drive), fall outside the remit of this planning application, and instead, on the borough as highway authority. Highways officers are aware of comments on such measures, but note that they would therefore need to be considered by Harrow Council in that separate capacity. If such changes, for example via a traffic regulation order, were to take place, affected residents would be consulted upon by the highway authority and such works would need to be funded and carried out separately by the borough, rather than by the Education Funding Agency via this planning application, as such physical/operations changes to the surrounding road network would fail to meet the tests for planning obligations set out in the National Planning Practice Guidance.

Further to the above, it is noted and hoped that the improved provision for pedestrian access proposed throughout the school site would further encourage pedestrian and cycle/scooter traffic through improved accessibility, consistent with the above aims. As such, significant increases in vehicular traffic to and from the site, which would take place to a detrimental degree to neighbours, are not considered to arise as a result of the proposal.

#### Community Use of Facilities

The proposed school building is intended primarily for primary education. However, as per the existing school, it is proposed to use it for community activities during term time and holiday periods as well as some evening and weekend use. Use of the building and external sports pitches by the local community outside of school hours would be supported by Local Plan policy.

Additional facilities for the use of the local community outside of school hours will result in additional vehicular trips and some noise and disturbance to neighbouring occupiers. As such, to reduce this impact, and as requested by the Council's environmental health officer, a condition is recommended to be added to the permission restricting the hours of use of the building and the playing fields for community use and to request further details of such activities.

#### Construction Phasing and Activity

It is inevitable that noise and disturbance would increase during the construction

process. However, the impacts would be temporary and can be mitigated to some extent. A detailed construction method statement has been submitted with the application. Highway officers are confident that its overall aims and objectives are sufficient and achievable. In addition, further to the air quality reports submitted with application which environmental health officers considered acceptable, a dust management plan, as requested by environmental health, could ensure dust impacts arising from the works are adequately addressed during the construction period, to avoid detrimental impacts to neighbouring occupiers. Accordingly, the proposal is considered acceptable in this regard.

### Lighting

The building is considered sufficiently distinct from neighbouring rear properties and their rear garden boundaries to avoid detrimental impacts in terms of lighting, and the car parking area adjacent to rear gardens would remain in the same area where adjacent to them, but of reduced depth. However, given the extent of works proposed, details of external lighting could be secured as part of the (hard) landscaping condition to ensure detrimental sighting of lighting columns/collards or similar features does not take place unacceptably close to residential properties. Subject to this, the proposal is considered acceptable in this regard.

In summary, officers consider that the proposal would accord with policy 7.6B of The London plan (2015) and policy DM 1 of the Harrow Development Management Policies Local Plan (2015).

### **Traffic and Parking**

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also contribute to wider sustainability and health objectives. It further recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The London Plan (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 and ensure that development proposals will not adversely impact on the transport capacity and the transport network, at both corridor and local level. This is further emphasised by 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 concerns raised in the letters of representation received are and addressed in the residential amenity section above. In terms of construction impacts, as outlined earlier in the report, whilst noise and disturbance would increase during the construction process, the impacts would be temporary and can be mitigated to some extent, with the construction method submitted with the application considered, after consultation with highways officers, to contain acceptable mitigation in this regard.

The main area of concern relates to parking constraints and volume of traffic generation associated with the school. Currently, parents are not permitted to park on site to drop-off children, and are discouraged from doing so via the School Travel Plan (STP). This is consistent with the aims of Transport for London (whose support is contingent upon no parking increase), and the Local Planning Authority and its Highway officers as it would lead to further traffic generation and congestion on surrounding streets, and travel

patterns for school children which run against the aims of the STP.

In terms of staff, the Highway officers consulted on this application stated that whilst they would not expect additional car parking provision, they would not support a loss/shortfall of existing car parking capacity on the site, particularly in light of the constrained nature of parking on surrounding streets. As such, the proposal to retain 19 parking spaces as existing is supported. As submitted, the application proposes one of the 19 spaces to be an accessible space. However, the support received from Transport for London was contingent on an increase in on-site disabled/accessible parking provision to 2 spaces in line with London Plan (2015) standards. This could be accommodated within the existing car parking area proposed and secured via the hard landscaping scheme. Highways officers have raised no objection to this minor alteration as it would accord with London Plan policy requirements.

Highways officers have indicated that they are satisfied with the revised (48 car parking spaces) now proposed, as this would address their concern with the originally submitted details, as there would no longer be to a shortfall over existing car parking provision.

Having considered the transport and highways implications of the proposal, no objection was raised by the Council's highway officers. In terms of cycle parking, it must be provided in accordance with London Plan standards (2015). This requires 1 long stay space per 8 staff (approximately 13 spaces for the 102 proposed staff), 1 long stay space per 8 students (109 spaces for the 870 pupils including nursery) and 1 short stay space per 100 students (8 spaces), totalling 130 spaces.

The application proposes between 131 and 133 cycle spaces (discrepancies exist in the supporting information and 132 are shown on submitted plans), which exceeds the above minimum standards and is supported. The supporting information notes that 10 existing visitor spaces would remain (i.e short stay spaces exceeding minimum standards), 12 staff spaces would feature (falling 1 short of minimum standards), and 112 pupil spaces (exceeding minimum standards by 4 spaces) would feature.

Cycle parking must be provided in accordance with London Plan 2015 standards which amount to 94 long stay spaces and 6 short stay spaces. This is based on a total number of 656 pupils and 98 staff. Details of the location and type of storage need to be identified, which could be secured as part of the wider landscaping condition suggested below.

The visitor spaces would be located close to the school entrance as shown on the submitted plans, and in doing so, they would benefit from passive surveillance and appear more attractive for their use. This would also be the case with the other spaces, where they would be set around different parts of the site in connection with their intended users and overlooked, sited within secure zones. In turn, this would encourage their use in accordance with the aims of the School Travel Plan, and discourage additional vehicular traffic trips to and from the school. Given the age of children using the school, cycle parking may be substituted in favour of scooter parking, as shown on the submitted plan. This is therefore supported, particularly given its proximity to the early years users which the scooter spaces would serve. Given the proposed details comply with the quantum of overall spaces required, and are shown in acceptable locations on the submitted plans, further details to be secured by planning condition are

not considered necessary. Whilst there is a shortage of one staff cycle parking space outlined in the supporting documentation breakdown of spaces, given the overall excess of spaces above minimum standards, and the minor level of shortfall, the proposed details are considered acceptable in this instance as an excess space elsewhere on the site could be substituted in this regard, as and when required.

Further to the above, a condition could ensure that approved details in the School Travel Plan are implemented upon first occupation of the school, and revised so that a gold accreditation is obtained by the time the school is at full capacity. This was also requested by Transport for London as a part of their conditional support for the proposal.

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

### **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”*.

The site lies in flood zone 1 and therefore has a low risk of fluvial flooding. It lies within a Critical Drainage Area. As such, there are no restrictions in planning policy for constructing of a building on the site, subject to surface water management controls. The proposed details, including the submitted Flood Risk Assessment, have been referred to the Council’s Drainage Engineers who are satisfied with the proposals, subject to further details which, at the time of writing this report, had broadly been informally agreed. Drainage officers are therefore confident that the outstanding details are capable of being secured by planning condition. Subject to the outstanding drainage details being secured by relevant condition(s) before the development is commenced, 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).

### **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 Development Management Policies Local Plan (2013) seeks to ensure that buildings and public spaces are readily accessible to all.

The revised scheme includes a new pedestrian approach’ to the school off Robin Hood

Drive along a clearer, more direct, pathway leading to the new school entrance. The existing pedestrian access off White Gate Gardens to the north would also be retained, as well as a new access to off the pathway bounding the northern side of the site, to serve the nursery, with level thresholds provided. Compared to existing, this should encourage dispersal of pedestrian traffic and clearer, more legible way-finding and routes to the school.

Level access and entrance doors meeting the requirements of Section 6 of the relevant British Standard BS8300 would be provided.

The proposals include the retention of 2 accessible parking bays (exceeding the 1 accessible space requested by the highway authority, to be secured by condition) located in close proximity to the main building.

All areas and circulation spaces within the building have been designed to be accessible in respect of door opening widths and internal circulation routes. Corridor widths would all have a minimum width of 1800mm and all doors would have a minimum clearance of 800mm. A lift would be provided to the upper floors. Accessible bathrooms would feature throughout.

Overall, these measures are considered acceptable to enable inclusive access for all throughout the school as per the requirements of policy 7.2 of the London Plan (2015) and policy DM 2 of the Harrow DMP LP (2013).

### **Sustainability**

London Plan (2015) policy 5.2 'Minimising Carbon Dioxide Emissions' defines the established hierarchy for assessing the sustainability aspects of new development. This policy sets out the 'lean, clean, green' approach, which is expanded in London Plan policies 5.3 to 5.11. Policy 5.2 B outlines the targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations. Currently the target is a 40% reduction for all major development proposals. Policy 5.2 C outlines that "major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions are to be met within the framework of the energy hierarchy". Policy 5.3 notes that (A) "*The highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments*" and (C) "*Major development proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance... The standards include measures to achieve other policies in this Plan and the following sustainable design principles... minimising pollution (including noise, air and urban runoff)*"

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



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

The building has been designed to benefit from solar heating opportunities through exposed thermal mass by exposing the concrete floor planks on the ground floor and incorporating 'phase change material' in the suspended ceilings on the first floors. The thermal mass acts as 'thermal sponges' to absorb daytime heat gains, limiting the rise in room temperature. Night time cooling is then used to dissipate the heat and cool the building for the following day. Natural daylight has also been maximised with glazing areas optimised to balance the competing demands of daylighting and thermal performance. The building envelope would be designed to significantly reduce the heating demands of the new building elements; insulation values and air tightness levels are planned to be significantly better than Part L2A (2013) of the Building Regulations as part of the strategy to achieve carbon emissions lower than the regulatory limit.

In terms of air quality, Environmental Health officers raise no objection subject to the submitted air quality (AQ) assessment and an AQ neutral assessment.

Given the above, it is considered that, overall, the proposal is in accordance with policies 5.2 and 5.3 of The London Plan, core policy CS1 T, policies DM 12 and DM 14 of the Harrow Development Management Policies Local Plan, the Council's adopted Supplementary Planning Guidance (SPG) on Sustainable Building Design and the Mayor of London's 2014 SPD on Sustainable Design and Construction.

### **Trees, Development and Biodiversity**

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 applicant has not provided a full arboricultural assessment, survey and method statement with the application. None of the trees are protected by a tree preservation

order and they are limited in number on this site owing to the expanse of existing buildings on the site. Some trees would be removed, but replacement planting would form part of a comprehensive landscaping strategy, with more planting than existing. The Council's Tree officer has reviewed the proposals, and considers the proposal capable of achieving a high quality outcome subject to landscape conditions to ensure suitable hard and soft landscaping scheme, details of levels, boundary treatment, trees/tree protection measures, method statement to eradicate Japanese Knotweed, and a management plan for the landscaping scheme on the school/school grounds. Subject to these measures, the proposal is considered to satisfy the above policy context.

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 biodiversity of the site will be enhanced through the planting of new trees and shrubs. Therefore officers consider that the ecological and aesthetic value of the area would be enhanced.

The Council's Ecology Officer was consulted on the application and raised no objection subject to a range of issues being adequately addressed or secured by condition, as outlined the consultation comments above. All of the requested measures can be secured by conditions.

To ensure that no offences occur under the wildlife and Countryside Act 1981, a condition is recommended to ensure that any vegetation clearance work is undertaken outside of the bird nesting season between March and August or if this is not possible for a suitably qualified ecologist to determine if nesting birds are present before any vegetation clearance takes place. In addition, a condition is recommended for bird boxes or bird bricks to be erected in suitable locations on or near the new school building which would cater for Regional (London) or UK Biodiversity Action Plan (BAP) species.

Subject to the above, officers consider that the ecological and aesthetic value of the area would be significantly enhanced and the development would thereby comply with policies 7.21 and 7.19 of The London plan (2015) and policies DM 20, 21 and 22 of the Harrow Development Management Policies Local Plan (2013).

### **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 proposed site is within a residential area and as such, the school receives very good levels of natural surveillance at its entrance points and from rear gardens of properties which surround it. The site will be protected by a secure line which will prevent people gaining access to secured/vulnerable user areas of the site unless through the designated entrance. The cycle parking spaces should be sited (and secured by condition) in areas which would benefit from natural/passive surveillance.

The Design and Access Statement (which would form an approved document of the planning permission to which the development should adhere, should permission be granted) outlines how the proposal would incorporate further crime prevention measures in accordance with 'Secured by Design'(SBD) principles, particularly the SBD "New Schools 2014" guidance document. All external windows and doors would be made to independently certified standards set out in BS 7950 and PAS 24 respectively. The Police's Designing Out Crime Officer was consulted on the application details and raised no objection, noting that the scheme incorporates sufficient crime prevent measures into its design.

Given the above, the proposal is considered satisfactory and in accordance with the above policies in this regard.

### **Consultation Responses**

The main issues raised in representations received relate to highway safety/capacity and parking implications of the proposal. These issues were considered by the Council's highways officers, and, on balance, subject to no decrease in existing parking levels (to be secured by condition), as set out in the relevant sections of the report (covering traffic and parking, and residential amenity) above, the proposal considered acceptable in this regard. Section 4 of the report also explains that there is no scope to fund or require highway/traffic changes on the surrounding road network, but the Council is aware of such concerns and will consider them separately as part of its role as highway authority. Issues raised in relation to loss of outlook/ light, and trees, are addressed in the relevant residential amenity, and landscaping sections of the report above. The need for the development is set out earlier in the report, namely due to demographic pressure for further school places and time-worn buildings inadequate for modern teaching accommodation demands. For the reasons set out above, the proposal is considered acceptable.

### **CONCLUSION**

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

### **CONDITIONS**

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: Weald Primary School - School Travel Plan, December 2015, Transport Statement, December 2015, Statement of Community Involvement, 1002 REV.2, 3985/P02 REV.B, 3985/P04 REV.E, 3985/P01, 14467cv-01, 3985/P10 REV.A, 2820.TPP.Ph3 REV.A, 2820.AIP REV.A, 2820.TPP.Ph1, 3985/P05 REV.C, 2820.TPP.Ph2, 3985/P06 REV.B, 3985/P20 REV.A, P0266-1111-1 REV.1, P0266-1121-1 REV.1, P0266-1120-1 REV.1, P0266-1102-2 REV.2, 3985/P09 REV.A, 3985/P03 REV.G, 3985/P08 REV.B, 3985/P07 REV.C, P0266-1110-1 REV.1, P0266-1112-1 REV.1, P0266-1022-1 REV.1, P0266-1021-1 REV.1, P0266-1020-1 REV.1, 1003

REV.1, 1004 REV.1, 1005 REV.1, 1001 REV.2, P0266-1101-1 REV.1, P0266-1100-1 REV.1, 3985/P22 REV.A, P0266-1010 REV.01 - Schedule of External Finishes, Schedule of Materials, Revision B, Energy Statement, Preliminary Ecological Assessment, ref. RT-MME-117449-05-01, dated August 2014, 11663-CIV-101 Drainage Strategy, Archaeological Desk Based Assessment dated September 2014, Ventilation Extraction Statement REV.00, dated 23/11/2015, Construction Method Statement including Logistics and Traffic Management Plan, REV.DEC2015, RT-MME-117644-05, dated September 2014 - Nocturnal Emergence and Dawn Re-Entry Bat Surveys, RT-MME-117449-05-02, dated August 2014 - Daytime Bat Survey, Long Term Landscape Management Plan, Revision A, dated 9th December 2015, Phase I Geo-Environmental Assessment Report, dated 10th July 2014, Phase II Geo-Environmental Assessment Report, dated 10th July 2014, Air Quality Assessment: Weald Rise Primary School, Harrow, February 2016, Weald Rise Primary School Transport Technical Note 1, Ref N01-SE-151966, dated 23 February 2016, Weald Rise Primary School BREEAM Pre-Assessment Summary Report dated 22 Oct 2015, Weald Rise Primary School Planning Statement dated 10 December 2015, PC-15-0270-RP1 Weald Rise Primary School - Environmental Noise Assessment, RAB: 902B Flood Risk Assessment, 11668 - Flood Risk Assessment Addendum, Weald Rise Primary School Design and Access Statement REASON: For the avoidance of doubt and in the interests of proper planning.

3 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 works above damp proof course level of the building(s) hereby permitted is carried out.

a: the external surfaces of the buildings

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

REASON: This condition is a PRE-COMMENCEMENT condition to safeguard the character and appearance of the locality, in accordance with policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

4 Notwithstanding the details shown on the approved plans and documents, including the submitted Geo-Environmental Report, prior to the commencement of the development, 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, whether or not it originates 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,
  - archaeological sites and ancient monuments;
- (iii) The results of the site investigation and detailed risk assessment and, based on these, if required an options appraisal and remediation strategy giving full details of the remediation measures required and how these will 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.

REASON: This condition is a PRE-COMMENCEMENT condition 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 of the London Plan (2015) and Policy DM 15 of the Harrow Development Management Policies Local Plan 2013.

5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 4, and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

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 of the London Plan (2015) and Policy DM 15 of the Harrow Development Management Policies Local Plan (2013).

6 The development hereby approved shall not commence until details of the means of protection of the trees, hedgerows and other existing planting to be retained within the site, and adjacent trees within adjoining sites, (including a tree protection plan), have been submitted to, and agreed in writing by, the local planning authority. The details shall include:

- a) identification of root protection areas;
- b) the method of any excavation proposed within the root protection areas;
- c) the type, height and location of protective fencing; and
- d) measures for the prevention of soil compaction within the root protection areas.

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

7 No site works or development shall commence until details of the levels of the existing and proposed 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: This condition is a PRE-COMMENCEMENT CONDITION 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 DM 1 and DM 10 of the Harrow Development Management Policies Local Plan (2013).

8 The development hereby permitted shall not be occupied until there has been submitted to and approved in writing by the local planning authority, and implemented, a scheme of hard and soft landscape works for the site.

Soft landscape works shall include: planting plans (at a scale not less than 1:100), cultivation works to be undertaken, and schedule of plants/trees/shrubs, noting species, plant/tree/shrub sizes, proposed numbers/densities and implementation programme, plan and schedule outlining habitat creation and enhancement measures to maximise the ecological value of the site such as; planting of habitats which will be of value to wildlife, provision of nesting habitat such as dense scrub habitat for species such as dunnock or song thrush or the installation of nest boxes for species such as house sparrow; installation of bat boxes for species such as pipistrelle and; creation of deadwood habitat for herpetofauna and invertebrate species, and a method statement to eradicate Japanese Knotweed and prevent the spread of *Buddleia davidii*.

Hard landscape works shall include: details of materials used, hard standing treatment, details of boundary treatment, formally marked-out car parking layout for 19 car parking spaces (including 2 accessible spaces), location and specification of external lighting detached from the school building, including any lighting columns or bollards.

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 20, DM1, DM 22 and DM 23 of the Harrow Development Management Policies Local Plan (2013).

9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in full 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).

10 The construction of the building(s) hereby approved 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 in accordance with the approved details.

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).

11 The construction of the building(s) hereby approved 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 in accordance with the approved details.

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).

12 The construction of the building(s) hereby approved shall not be commenced until surface water attenuation and storage works have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained in accordance with the approved details.

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).

13 The development hereby permitted shall not be occupied until there has been submitted to and approved in writing by the local planning authority, a scheme for an air quality assessment and an air quality neutral assessment, including an assessment of dust and other airborne risks from construction.

If the development hereby permitted does not meet the air quality neutral requirement, details of the impacts on the air quality neutral assessment shall be calculated and provided to the Local Planning Authority so their efficacy can be quantified and proportionate mitigation measures shall be submitted to and approved in writing by the Local Planning Authority, and implemented. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the proposal does not result in adverse air pollution impacts, in accordance with Policy 5.3 of The London Plan (2015) and the Mayor of London's 2014 Supplementary Planning Guidance: Sustainable Design and Construction.

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

14 The development hereby permitted shall not commence above damp proof course level, until details of bird and bat boxes to cater for National/Regional (London) or UK Biodiversity Action Plan (BAP) species, to be erected on the development or within the site, have been submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented on site and thereafter retained.

15 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 the NPPF and policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

16 Any excavations that need to be left overnight shall be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape.

REASON: Owing to the possibility that hedgehogs might visit the site, to safeguard the ecology and biodiversity of the area in accordance with the NPPF and policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

17 The construction of the building(s) hereby approved shall not be commenced until an updated bat survey has been submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained in accordance with the approved details.

REASON: In order to establish if bats have colonised the buildings in the interim in order to safeguard the ecology and biodiversity of the area in accordance with the NPPF and policies DM 20 and DM 21 of the Harrow Development Management Policies Local Plan (2013).

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

REASON: To secure well managed and safe community access to the facilities provided in accordance with policy DM 46 of the Harrow Development Management Policies Local Plan (2013) and to ensure that the community use would not give rise to adverse detrimental impacts on the residential amenities of the surrounding neighbouring occupiers in accordance with policy 7.6B of the London Plan (2015) and policy DM 1 of the Harrow Development Management Polices Local Plan (2013).

19 A dust management plan shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition taking place on the site. The plan shall include, but shall not be limited to:

i. measures to control the emission of dust and dirt during construction

The demolition and construction of the building on site shall be carried out in accordance with the approved Dust Management Plan.

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises, in accordance with policies DM1 and DM43 of the Council's Development Management Policies Local Plan 2013 and the Mayor of London Supplementary Planning Guidance: Controlling dust and emissions during construction 2014.

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

REASON: To ensure that the proposed development does not give rise to undue noise nuisance to neighbouring residents, in accordance with policy 7.6B of the London Plan



(2015) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

20 The level of noise emitted from any fixed installations and mechanical plant shall be lower than the existing background level by at least 10 LpA, unless otherwise agreed with the Local Planning Authority. Noise levels shall be determined at one metre from the boundary of the nearest noise sensitive premises. The measurements and assessments shall be made in accordance with B.S. 4142. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which the plant is or may be in operation.

REASON: To ensure that the proposed development does not give rise to undue noise nuisance to neighbouring residents, in accordance with policy 7.6B of the London Plan (2015) and policy DM 1 of the Harrow Development Management Policies Local Plan (2013).

21 The Weald Rise Primary School Travel Plan shall be implemented in accordance with the approved details upon the first occupation of the development hereby approved. Thereafter a Travel Plan review shall be undertaken and a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority annually and not later than June of each year of the expansion of the school. A gold accreditation shall be obtained by the time the school is at full capacity. The mitigation measures identified in the Travel Plan shall be implemented for the duration of the development.

REASON: To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with Policies 6.1 and 6.3 of the London Plan (2015) and policy DM 42 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 (2015):

3.16 – Protection and Enhancement of Social Infrastructure

3.18 – Education Facilities

5.2 – Minimising carbon dioxide emissions

5.3 – Sustainable design and construction

5.6- - Decentralised Energy in development proposals

5.7 – Renewable Energy

5.8 – Innovative Energy technologies

5.9 – Overheating and Cooling

5.10 – Urban Greening

5.11 – Green roofs and development site environs

5.12 – Flood risk management

5.13 – Sustainable Drainage

5.18 – Construction, excavation and demolition waste

6.3 – Assessing effects of development on transport capacity

6.9 – Cycling

6.10 – Walking  
6.13 – Parking  
6.11 – Smoothing traffic flow and tackling congestion  
7.1 – Building London’s neighbourhoods and communities  
7.2 – An inclusive environment  
7.3 – Designing out crime  
7.4 – Local character  
7.5 - Public Realm  
7.6 – Architecture  
7.8 – Heritage Assets  
7.13 – Safety, security and resilience to emergency  
7.15 – Reducing noise and enhancing soundscapes  
7.18 – Protecting Local Open space and Addressing Local Deficiency  
7.19 – Biodiversity and Access to Nature  
7.21 – Trees and Woodlands

Harrow Core Strategy (2012)

CS1: Overarching Principles

CS1 B – Local Character

CS 1 Q/R – Transport

CS 1 T – Sustainability

CS 1 U – Sustainable Flood Risk Management

Harrow Development Management Policies Local Plan (2013):

Policy DM 1 – Achieving a High Standard of Development

Policy DM 2 – Achieving Lifetime Neighbourhoods

Policy DM 7 – Heritage Assets

Policy DM 9 – Managing Flood Risk

Policy DM 10 – On Site Water Management and Surface Water Attenuation

Policy DM 12 – Sustainable Design and Layout

Policy DM 14 – Renewable Energy Technology

Policy DM 18 – Protection of Open Space

Policy DM 19 – Provision of New Open Space

Policy DM 20 – Protection of Biodiversity and Access to Nature

Policy DM 21 – Enhancement of Biodiversity and Access to Nature

Policy DM 22 – Trees and Landscaping

Policy DM 23 – Streetside Greenness and Forecourt Greenery

Policy DM 42 – Parking Standards

Policy DM 43 – Transport Assessments and Travel Plans

Policy DM 44 - Servicing

Policy DM 45 – Waste Management

Policy DM 46 – New Community Sport and Educational Facilities

Other Relevant Guidance:

Supplementary Planning Document Sustainable Building Design (2009)

Supplementary Planning Document: Access for All (2006)

Harrow Surface Water Management Plan (2012)

Mayor of London - Sustainable Design and Construction – Supplementary Planning Guidance (2014)

Mayor of London - Controlling dust and emissions during construction - Supplementary

## 2 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

## 3 COMPLIANCE WITH PLANNING CONDITIONS

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

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

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

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

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

4 The drainage details requested by condition above should address the following;

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

## 5 PROTECTED SPECIES

If at any time during the course of construction of the development hereby approved, a species of animal that is protected under Schedule 1\* or 5\*\* of the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats) Regulations 1994\*\*\* or the Protection of Badgers Act 1992 is discovered, all construction or other site work affecting the species shall cease until a suitable mitigation scheme has been approved by the Local Planning Authority in writing or a licence to disturb protected species has been granted by DEFRA or Natural England (Formerly English Nature)

\* Includes nesting birds

\*\* Includes great crested newts, bats, reptiles and water voles

\*\*\* Includes great crested newts and bats

6 The Design Team should give consideration as to how Fire Brigade access will be achieved in order to comply with Approved Document B1 Vol 2 –Section B5 of the Building Regulations.

## 7 GRANT WITH PRE-APP

Plan Nos: Weald Primary School - School Travel Plan, December 2015, Transport Statement, December 2015, Statement of Community Involvement, 1002 REV.2, 3985/P02 REV.B, 3985/P04 REV.E, 3985/P01, 14467cv-01, 3985/P10 REV.A, 2820.TPP.Ph3 REV.A, 2820.AIP REV.A, 2820.TPP.Ph1, 3985/P05 REV.C, 2820.TPP.Ph2, 3985/P06 REV.B, 3985/P20 REV.A, P0266-1111-1 REV.1, P0266-1121-1 REV.1, P0266-1120-1 REV.1, P0266-1102-2 REV.2, 3985/P09 REV.A, 3985/P03 REV.G, 3985/P08 REV.B, 3985/P07 REV.C, P0266-1110-1 REV.1, P0266-1112-1 REV.1, P0266-1022-1 REV.1, P0266-1021-1 REV.1, P0266-1020-1 REV.1, 1003 REV.1, 1004 REV.1, 1005 REV.1, 1001 REV.2, P0266-1101-1 REV.1, P0266-1100-1 REV.1, 3985/P22 REV.A, P0266-1010 REV.01 - Schedule of External Finishes, Schedule of Materials, Revision B, Energy Statement, Preliminary Ecological Assessment, ref. RT-MME-117449-05-01, dated August 2014, 11663-CIV-101 Drainage Strategy, Archaeological Desk Based Assessment dated September 2014, Ventilation Extraction Statement REV.00, dated 23/11/2015, Construction Method Statement including Logistics and Traffic Management Plan, REV.DEC2015, RT-MME-117644-05, dated September 2014 - Nocturnal Emergence and Dawn Re-Entry Bat Surveys, RT-MME-117449-05-02, dated August 2014 - Daytime Bat Survey, Long Term Landscape Management Plan, Revision A, dated 9th December 2015, Phase I Geo-Environmental Assessment Report, dated 10th July 2014, Phase II Geo-Environmental Assessment Report, dated 10th July 2014, Air Quality Assessment: Weald Rise Primary School, Harrow, February 2016, Weald Rise Primary School Transport Technical Note 1, Ref N01-SE-151966, dated 23 February 2016, Weald Rise Primary School BREEAM Pre-Assessment Summary Report dated 22 Oct 2015, Weald Rise Primary School Planning Statement dated 10 December 2015, PC-15-0270-RP1 Weald Rise Primary School - Environmental Noise Assessment, RAB: 902B Flood Risk Assessment, 11668 - Flood Risk Assessment Addendum, Weald Rise Primary School Design and Access Statement

# WEALD RISE PRIMARY SCHOOL, ROBIN HOOD DRIVE, HARROW



ITEM NO: 1/05  
ADDRESS: CYGNET HOSPITAL HARROW, 87 LONDON ROAD, HARROW  
REFERENCE: P/5518/15  
DESCRIPTION: TWO STOREY SIDE EXTENSIONS TO BOTH SIDES; SINGLE AND TWO STOREY LINK EXTENSION; CREATION OF REAR COURTYARD ENCLOSURE; ADDITIONAL CAR PARKING CYCLE STORAGE AND LANDSCAPING; EXTERNAL ALTERATIONS  
WARD: HARROW ON THE HILL  
APPLICANT: MR TOM WILSON  
AGENT: LEITH PLANNING LTD  
CASE OFFICER: CATRIONA COOKE  
EXPIRY DATE: 02/02/2016

## **RECOMMENDATION**

**GRANT** planning permission for the development set out in the application and submitted plans subject to conditions and no significant number of representations material to planning consideration being received by 28<sup>th</sup> April 2016:

## **INFORMATION**

The application is reported to the Planning Committee because the application site exceeds 0.1ha and therefore the proposal falls outside of the scheme of delegation under Part 1 (d).

The recommendation includes a provision that permission be granted subject to there not being a significant number of representations of material planning consideration being received by 28<sup>th</sup> April 2016. This is included as the development exceeds the threshold for minor development i.e. the application site exceeds 1ha. It should therefore be advertised as a 'major development'. This was carried out on 7<sup>th</sup> April 2016 and the timeframe allows 21 days for any subsequent representations to be received.

Statutory Return Type: Major Development

Council Interest: None

Net additional Floorspace: 585 sqm

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

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

## **Site Description**

- The application site comprises a hospital complex which is located centrally within a 3.35hectare site to the rear of London Road within the Sudbury Hill Conservation Area. The site is also within the Harrow on the Hill Area of Special Character [ASC]

- The Cygnet Hospital provides a wide range of mental health problems and addictions. It also offers specialist diagnostic, assessment and inpatient services for individuals with an autistic spectrum disorder combined with mental health needs. The hospital has two wards (14 and 25 bedspaces respectively) along with associated Educational, Therapy, facilities and other administration support facilities.
- The Bowden House Clinic is the most historic part of the complex and is Locally Listed.
- There are a number of Locally Listed dwellings and properties to the west of the application site.
- The site slopes downwards from east to west
- The site is subject to a number of Tree Preservation Orders [TPO] along the north-eastern boundary, the western boundary and to the south-east of the Bowden House Clinic.

### **Proposal Details**

- The development proposed four main alterations to the building complex:
- Two storey side extension to the Byron Ward on the eastern side of the site to provide 14 new bedspaces
- Two storey side extension to western elevation to provide extended therapies accommodation and re-housing of offices accommodation
- Single storey link extension from the between the west and eastern wing forming an enclosed courtyard and new dining space
- Re-location of the locked rehabilitation unit to the western wing with new front entrance and two-storey extension to the rear of this wing to provide new stair core.

### **Revisions to Previous Application**

- N/A

### **Relevant History**

WEST/45539/92/FUL - Single storey rear conservatory extension  
Granted 16/12/1992

WEST/5/96/FUL - Two storey extension to clinic to provide 10 bedrooms with ancillary day care facilities  
Granted - 12/03/1996

### **Applicant Submission Documents**

- Design and Access Statement
- Proposed 3D Views
- Construction Management Plan
- Landscape Details

### **CONSULTATIONS**

Pebwatch – No comments received  
Highways Authority – No objection  
Environment Agency – No comments received  
Thames Water Utilities – No objection

Harrow Hill Trust – Application documents conceal rather than reveal; the site is located on the top of a steep hill therefore cycling to work is unlikely; parking during the construction period on residential roads is not possible as these are private estates with gates; Traffic congestion on London Road; insufficient access.

### **Advertisement**

Character of a Conservation Area and Major Development  
Expiry: 31/12/2015 and 28/04/2016

### **Notification**

Sent: 68  
Replies: 2  
Expiry: 30/12/2015

### **Site Notice**

Erected: 07/01/2016  
Expiry : 28/01/2016

### **Summary of Responses**

- Concern regarding damage to two listed buildings located on either side of the access road. The access road is in a poor state of repair and would not carry construction traffic.

### **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 Development Management Policies Local Plan 2013 [DMP].

### **MAIN CONSIDERATIONS**

Principle of Development  
Character of the Conservation Area, Locally Listed Buildings and Area of Special Character  
Residential Amenity  
Development and Flood Risk  
Trees  
Transport and Highways  
Equalities Statement  
S17 Crime & Disorder Act  
Consultation Responses



### **Principle of Development**

The proposed development would provide for enhanced community facilities on the site and is therefore supported by policy DM46.A of the DMP.

### **Character of the Sudbury Hill Conservation Area, Locally Listed Building and the Area of Special Character**

Policy 7.4 of the London Plan (2011) requires development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 of the London Plan (2011) requires buildings to make a positive contribution to a coherent public realm, streetscape and wider cityscape.

Policy DM1 of the Development Management Policies Local Plan seeks to ensure a high standard of development whilst Policy DM7 of the DMP seeks to protect heritage assets. Policy DM6 of the DMP states that proposals that would realise sustainable opportunities for increased appreciation of, or public access to, areas of special character will be supported. Proposals that would substantially harm an area of special character will be resisted.

The Sudbury Hill Conservation Area is a 'designated heritage asset' as defined by the NPPF whilst the Locally Listed buildings on the site and adjacent are 'non-designated heritage assets'

The application site is located to the rear of London Road and to the east of Sudbury Hill and is not readily visible from the public domain. The property has evolved organically as the needs of the site have evolved over the years with a number of previous extensions. The current proposals represent a future evolution of the hospital to fulfil its current needs and utilise the site in a more effective and efficient manner.

The proposed re-location of bedspaces to the western wing would make use of a reduced office space requirement and the link element and new stair cores would provide a more effective functioning of the site. Each of the extensions are modest in scale and subservient to the adjacent buildings. The architecture is reflective of this modest scale, using simple but contemporary detailing to ensure the evolution of the complex continues to be read but is not overwhelmed by unduly dominant extensions. Officers consider that the extensions are sympathetic additions to the building and would preserve the character of the Sudbury Hill Conservation Area, the Bowden Clinic Locally Listed building and the adjacent Locally Listed building to the west of the site. The Council's Conservation Officer has raised no objections to the proposal.

The development would not adversely affect the strategic objectives of the ASC to preserve the setting of Harrow on the Hill as the extension proposed are modest and the site would be highly screened by tree cover which would be largely unaffected by the development proposals.

The proposed development would therefore comply with policies 7.4, 7.6 and 7.8 of The London Plan 2015, policy CS1 of the Harrow Core Strategy and policies DM1, DM6 and DM7 of the Harrow Development Management Policies Local Plan 2013.

## **Residential Amenity**

The proposed location of the extension nearest the western boundary (on the northern side of the western wing) would be modest in size would be located approximately 7m from the common boundary.

It is considered that this extension would not have an unacceptable impact on the neighbouring residential amenity of the properties fronting onto London Road. The extension on the western elevation would be located approximately 16m from boundary and therefore it is considered that there would be no undue impact on the residential amenities of neighbouring properties in Julian Court.

The link element would be located internally within the site and as such would not impact neighbouring amenity. The extensions to the Byron Ward would be screened from adjacent properties by the existing building and would not therefore have any undue impact.

Though it is acknowledged that the hospital would be extended, in the context of the scale of the existing complex and the enclosed and relatively remote nature of the complex, any additional movements to or from the site or disturbance would not be keenly felt or readily perceived. As such, it considered that the extensions would not unduly harm the amenities of adjacent occupiers.

It is considered the proposal would not have an adverse impact on the residential amenities of adjoining occupiers in accordance with Harrow Development Management Policies Local Plan (2013) Policy DM1 and would therefore have an acceptable impact on neighbouring amenity.

## **Transport and Highways**

The Highways Authority has commented on the application and raised no objection but noted that a Parking Management Plan will be required given that there is currently pressure on parking within the site. Furthermore, given that the access road leading to the hospital is narrow it is essential that adequate lighting is provided to aid safe passage. A condition is recommended to this effect.

It is noted that objections have been received regarding the structural integrity of the access road. The Highway Authority have visited the site and agreed that the vehicles crossover is in a poor state of repair and has recommended that this be reconstructed prior to commencement of works. Though the vehicle crossover is outside of the application site, the Highways Authority consider work to this element necessary to facilitate access for construction vehicles. A Grampian style condition is recommended to ensure that the works to the vehicle crossing are carried out prior to commencement of development. It is noted that the applicants have not submitted an application to the Highways Authority to carry out the construction works to the crossover.

## **Trees**

The Conservation Area status of the site affords much of the soft landscaping on site protection. Furthermore, a number of trees located within the site are specifically protected by way of Tree Protection Orders (TPO).

Three protected trees (T801; T802 and T733) are proposed to be removed and replaced. T13 (a-f) are Bay laurels which are proposed to be replanted. There are also a number of trees which are not subject to TPOs which are proposed to be removed within larger groups of trees. The health of these trees is poor and the clustered nature of the trees means that they are now affected the vitality of good quality trees within the same group. Their removal will not affect the overall quality of the groups of which they are part and will ensure that the amenity of those trees that remain will be enhanced. The Tree Officer has raised no objection to the proposed strategy for removal and re-planting of trees.

### **Equalities Implications**

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

Section 149 states:-

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

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

It is considered that the proposal would have no impact with regard to section 149 of the Equalities Act 2010.

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

The proposal is not anticipated to have any impact on Crime or Disorder.

### **Consultation Responses**

- A number of objections have been received relating to issues of parking, highway safety, access issues and structural integrity of neighbouring buildings during the construction phase. Conditions of development are recommended requiring details of a parking strategy and travel plan to reduce reliance on the private motor car, encourage the use of more sustainable modes of transport and provide a coherent strategy for management of parking on the site. This condition would ameliorate impacts in relation to parking or the potential overspill of parking into the surrounding areas. A Construction Management Plan has been submitted. However, it is considered inadequate to deal with the complexities of construction and a revised plan is required. Such a plan, will ensure development during the construction phase will not unduly impinge on neighbouring amenities. Finally, a condition of development requires works to be undertaken to the vehicle crossover and access road to reinforce this part of the site and provide appropriate lighting. It should be noted that the structural integrity of adjacent properties (which are locally, rather than statutorily, listed) is not a material planning consideration.
- Though the comments of the Harrow Hill trust regarding cycling access are noted, the steepness of the hill may discourage some cyclists but is unlikely to deter all persons from using this mode of travel. In addition, the site is served by bus routes which will offer other sustainable means of accessing the site. It will be for the applicant, through

the submission of the Travel Plan to determine the most appropriate and achievable means of encouraging more sustainable modes of travel to the site.

## **CONCLUSION**

The proposed development would secure enhanced community facilities for the site and the Borough. The modest, composed scale and form of the extensions coupled with their sympathetic siting and the high degree of screening of the site would ensure that the Sudbury Hill Conservation, the locally listed buildings on the site and adjacent to the site and the Area of Special Character would be preserved. Subject to conditions relating to the submission of Parking Plan, Travel Plan, a Construction Management Plan and the re-enforcing of the vehicle crossover and access, the development would not give rise to any undue impact on highway safety and neighbouring amenity. Accordingly, the development would accord with the policies of the Development Plan and 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: L200 Rev B; L205 Rev B; EX099; EX105 Rev B; 4007-01; 4007-02; L201 Rev C; L202 Rev B; L203 Rev B; EX102 Rev A; EX100 Rev A; EX101 Rev C; EX103 Rev A; Design and Access Statement; Proposed 3D Views; Construction Management Plan; Landscape Details.

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

3 Prior to commencement of development, a Travel Plan and Parking Management plan shall be submitted to and approved in writing by the Local Planning Authority.

The mitigation measures approved in the Travel Plan shall be implemented for the duration of the development.

REASON: To ameliorate impacts on the availability of parking spaces in the locality and promote sustainable transport in accordance with The London Plan 2015 policies 6.1 and 6.3 and policy DM 42 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure development is carried out in a satisfactory form and the details are enforceable.

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

REASON: To ensure that adequate drainage facilities are provided, as required by policy DM10 of the Harrow Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure development is carried out in a satisfactory form.

5 Notwithstanding the information submitted, 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 Method Statement shall provide for:

- a) detailed timeline for the phases and implementation of the development
- b) demolition method statement
- c) the parking of vehicles of site operatives and visitors;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) measures to control the emission of dust and dirt during construction; and
- g) scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall be carried out in accordance with the approved Method Statement & Logistics Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers, in accordance with Policy DM1 of The Development Management Policies Local Plan 2013, and to ensure that development does not adversely affect safety on the transport network in accordance with Policy 6.3 of the London Plan and Policy DM43 of The Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development.

6 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not proceed above 150mm above ground level until details and samples of the materials to be used in the construction of the external surfaces noted (but not limited) below have been submitted, provided on-site and approved in writing by, the local planning authority:

- a) external material and details of the extensions
- b) hard surfacing materials
- c) secure cycle store

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. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT BEYOND 150MM ABOVE GROUND LEVEL to ensure a satisfactory development and as enforcement action after time may be unfeasible.

7 The development hereby permitted shall not commenced until details for the re-enforcement of the vehicle crossover at the entrance to the site on London Road, and details of a lighting strategy for the accessway to the site, have been submitted in writing for approval to the Local Planning Authority. The development shall be constructed and operated in accordance with the approved details.

REASON: To ensure the structural integrity and safety of the highway network is not compromised by the proposed development and ensure safe access and egress to the site, in accordance with policies DM43 and DM44 of the Development Management Policies Local Plan 2013. Details are required PRIOR TO COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory development and as enforcement action after time may be unfeasible.

## **INFORMATIVES**

1 The following policies are relevant to this decision:-

### National Planning Policy Framework (2012)

The London Plan (2011) policies, including;

- 5.12 – Flood & risk management
- 5.13 – Sustainable drainage
- 5.15 – Water use and supplies
- 6.3 – Assessing effects of development on transport capacity
- 6.7 – Better streets and surface transport
- 6.9 – Cycling
- 6.10 – Walking
- 6.13 – Parking
- 7.2 – An inclusive environment
- 7.3 – Designing out crime
- 7.4 – Local Character
- 7.6 – Architecture
- 7.8 – Heritage assets and archaeology
- 7.17 – Metropolitan Open Land
- 7.21 – Trees and Woodlands

### The Harrow Core Strategy 2012

CS1.B/D/E/K – Overarching Policy

CS3 – Harrow on the Hill & Sudbury Hill

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

- DM1 – Achieving a High Standard of Design
- DM2 – Achieving Lifetime Neighbourhoods
- DM7 – Heritage Assets
- DM9 – Managing Floodrisk
- DM10 – On site water management and surface water attenuation
- DM12 – Sustainable Design & Layout
- DM22 – Trees and Landscaping
- DM23 – Streetside greenness and forecourt greenery
- DM29 – Sheltered Housing, Care Homes and Extra Care Homes
- DM42 – Parking Standards
- DM43 – Transport Assessment and Travel Plans
- DM44 – Servicing
- DM46 – New Community, sport and Education Facilities

### Supplementary Planning Documents

Supplementary Planning Document: Accessible Homes 2010

Supplementary Planning Document: Sustainable Building Design 2009

Supplementary Planning Document: Harrow on the Hill Conservation Area Management Strategy

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

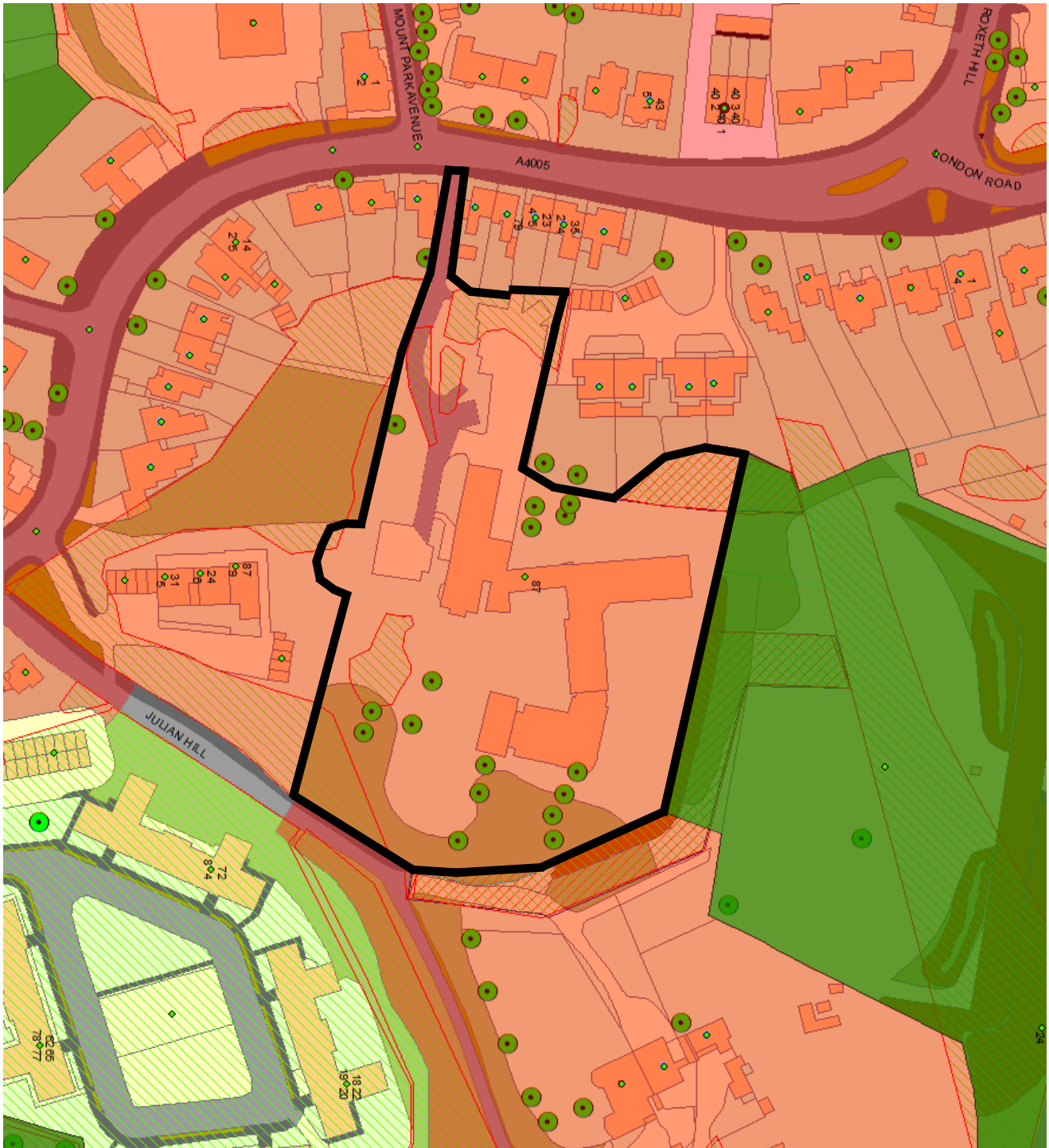
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

## 4 INFORMATIVE: 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: L200 Rev B; L205 Rev B; EX099; EX105 Rev B; 4007-01; 4007-02; L201 Rev C; L202 Rev B; L203 Rev B; EX102 Rev A; EX100 Rev A; EX101 Rev C; EX103 Rev A; Design and Access Statement; Proposed 3D Views; Construction Management Plan; Landscape Details.

# CYGNET HOSPITAL HARROW, 87 LONDON ROAD, HARROW





## SECTION 2 - OTHER APPLICATIONS RECOMMENDED FOR GRANT

ITEM NO: 2/01

ADDRESS: 46 PINNER PARK GARDENS, HARROW

REFERENCE: P/0578/16

DESCRIPTION: SINGLE STOREY FRONT EXTENSION; CONVERSION OF GARAGE TO HABITABLE ROOM; SINGLE STOREY REAR EXTENSION; REAR DORMER; EXTERNAL ALTERATIONS

WARD: HEADSTONE NORTH

APPLICANT: MR & MRS K JOSHI

AGENT: S.S. & PARTNERS

CASE OFFICER: KIMRY SCHLACTER

EXPIRY DATE: 04/04/2016

### RECOMMENDATION

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

### INFORMATION:

This application is reported to the Planning Committee as the applicant is an employee of Harrow Council and the application is therefore excluded from the Scheme of Delegation dated 29<sup>th</sup> May 2013 by Proviso C.

Statutory Return Type:	Householder
Council Interest:	None
Net additional Floorspace:	70.4sqm
GLA CIL (provisional):	N/A
Harrow CIL (provisional):	N/A

### Site Description

- The application site is located on the south-west side of Pinner Park Gardens.
- No. 45 is the attached property to the south-east, while no. 47/47a adjoins the property to the north-west. The rear boundary adjoins nos. 363 Harrow View and 3-5 The Rise, Harrow View.
- The property on the application site is a two-storey semi-detached with a two-storey side extension incorporating a garage.
- The site is located within a Critical Drainage Area, while part of the street at front is a surface water flood risk zone. There are no other relevant site specific constraints on the site.

## Proposal Details

- It is proposed to convert the garage to habitable space, and construct a single storey front extension with porch, and single storey rear extension.
- It is also proposed to construct a rear dormer so as to convert the loft to habitable space.
- Two skylights are proposed in the front roofslope

## Revisions to Previous Application

- The proposal is the same as submitted for P/34346/15 (for permitted development).

## Relevant History

LBH/35904 – Two Storey Side Extension  
Granted – 06/07/1988

P/3436/15 – Certificate of Lawful Development (Proposed): Single Storey Front Extension; Conversion of Garage to Habitable; Single Storey Rear Extension; Rear Dormer; Installation of Two Rooflights in Front Roofslope; Front Porch  
Refused – 18/09/2015

## Applicant Submission Documents

- None

## Consultations

Highways Authority: No objections

## Advertisement

- None

## Neighbour Notifications

Sent: 9    Replies: 0    Expiry: 17/03/2016

Site Notice posted: 02/03/2016    Expiry: 23/03/2016

## Summary of Responses

- None to 02/03

## 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.'*

In this instance, the Development Plan comprises The London Plan 2015, The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan SALP 2013 [SALP].

The policies relevant to this application and themes are set below and at the end of this report at Informative 1.

## **MAIN CONSIDERATIONS**

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

*LP: 7.4, 7.6*

*DMP: DM1*

*SPD: Residential Design Guide*

### **Residential Amenity**

*LP: 7.6*

*DMP: DM1*

*SPD: Residential Design Guide*

### **Traffic & Parking**

*DMP: DM42*

### **Development and Flood Risk**

*HCS: CS1.U*

*DMP: DM10*

### **Equalities Implications**

### **Crime and Disorder Act**

*LP: 7.3*

*DMP: DM1*

### **Consultations Responses**

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

The proposed extensions to the front project 1.0m beyond the main building line, and past the relatively shallow bay window which is a feature of the front elevation, contrary to paragraph 6.35 of the Residential Design Guide SPD. However, in other respects the proposed front extension and porch does comply with the guidance; while the existing extended porch of the attached semi no. 45 is of a similar depth. On balance, then, it is considered that the front extension and porch would not give rise to harm sufficient to result in refusal.

The proposed single storey rear extension complies with the relevant guidance in terms of depth and height, and is therefore considered of appropriate scale. The architectural approach would be sympathetic to the main dwellinghouse.

The proposed dormer has been sufficiently set away from the edges of roofslope (taking into account the hipped roof form), and is clearly proportionate and well-contained visually within the existing roof.

Matching materials have also been specified for the proposal. The development would thus accord with the relevant policies of the development plan and the Council's adopted SPD: Residential Design Guide 2010.

#### **Residential Amenity**

The proposed extensions to the front and alterations to the garage would, given their location, have little to no impact on neighbouring properties' amenity areas.

The rear extension would be single storey and limited to 3.0m depth. Given this and the heights proposed, it is considered that this would not unduly impact the amenities of nos. 45 and 47/47A.

The rear dormer would have rear-facing windows. However, any overlooking of neighbouring properties would be comparable to that of existing first floor windows, and common to suburban settings.

Due to the distance of the proposal from the rear boundary, it is not considered that it would unduly impinge on the residential property adjoining at the rear, 363 Harrow View, while the remaining properties immediately adjacent the rear boundary are not residential.

Subject to conditions ensuring that windows are not placed in the flank elevations (condition 4) to ensure the privacy of neighbouring occupiers is maintained, the development would accord with development plan policies in respect of amenity.

### **Traffic & Parking**

The proposal would result in the loss of a parking space in the garage. Condition 3 of planning permission LBH/35904 restricts the use of the garage so that it *“shall be used only for the purposes of car storage for the occupants of the building within the curtilage of the site and for no other persons, unless otherwise agreed in writing with the local planning authority.”*

The Highways Authority has not raised any objections. The retained portion of the driveway would be 5.1m, and the retained parking area is sufficiently wide for two vehicles. It is considered that the proposal would not likely result in inappropriate parking or displaced parking off-site.

### **Development and Flood Risk**

The development would result in an addition to the development footprint on site and would therefore have a negative impact in terms of surface water flood risk. As the site is located within a Critical Drainage Area, sustainable urban drainage [SuDs] is encouraged. An informative is attached to this effect.

### **Equalities Implications**

Section 149 of the Equalities Act 2010 places obligations on local authorities with regard to equalities in decision making. It is considered that this application does not raise any equality implications or conflict with development plan policies in this regard.

### **Crime and Disorder Act**

It is considered that the proposed development would not adversely impact upon community safety issues or conflict with development plan policies in this regard.

### **Consultation Responses**

N/A

### **CONCLUSION**

The development would provide an improvement in quality of accommodation for the occupiers of the property, whilst ensuring extensions would be sympathetic to the existing property and would not unduly impinge on neighbouring amenities. Accordingly, the development would accord with development plan policies and 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 & Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 727/15/1 Rev A

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 extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

## **INFORMATIVES:**

1 The following policies are relevant to this decision:

The National Planning Policy Framework (2012)

The London Plan 2015:

7.3, 7.4B, 7.6B

The Harrow Core Strategy 2012:

CS1.B, CS1.U

Harrow Development Management Policies Local Plan 2013:

DM1, DM10

Supplementary Planning Document: Residential Design Guide (2010)

2 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 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 Statement under Article 35(2) 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. 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.

5 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.

6 A yellow Site Notice relating to this planning application describing the development and alerting interested parties of the development has been placed in the vicinity of the application site. You should now REMOVE this Site Notice.

Plan Nos: 727/15/1 Rev A

# 46 PINNER PARK GARDENS, HARROW



ITEM NO: 2/02  
ADDRESS: 342 STATION ROAD, HARROW  
REFERENCE: P/5067/15  
DESCRIPTION: CHANGE OF USE FROM A1 (RETAIL) TO A3 (RESTAURANT)  
WARD: GREENHILL  
APPLICANT: MISS FIONA BROWNFOOT  
AGENT: HICKS BAKER PROPERTY CONSULTANTS  
CASE OFFICER: DAVID BUCKLEY  
EXPIRY DATE: 25/03/2016

### **RECOMMENDATION**

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

### **INFORMATION:**

This application is reported to the Planning Committee as the scale of development (427sq m) exceeds the provisions of Part 1 (f) of the Scheme of Delegation dated 29<sup>th</sup> May 2013.

Statutory Return Type: Change of Use  
Council Interest: None  
Net Additional Floorspace: N/A

### **Site Description**

- The application site is located on Station Road, close to the junction with College Road.
- The building on site is a two-storey terraced building with Maplin's, an electronics shop on the ground floor and a further education college and a pool hall on the first floor.
- The neighbour immediately to the north is Ladbrokes, with Skipton Building Society immediately to the south.
- The site is designated as a Secondary Shopping Frontage within Harrow Town Centre.

### **Proposal Details**

- The proposal is for a change of use from the current retail use (Class A1) to restaurant (class A3).
- The proposal does not include any extraction flue, etc., which may be required for this proposed use (a separate planning permission would be required for this type of mechanical plant).



## **Relevant Planning History**

P/1909/05/DFU – Change of use first floor and ground floor entrance from betting office (Class A2) to members snooker club (Class A2)

Granted: 20/09/2005

## **Applicants Submission Documents**

- Design and Access Statement

## **Consultations**

Planning Policy Officer:

The application is for a change of use from A1 to A3 within Harrow Metropolitan Centre's designated Secondary Frontage.

Policy AAP 18 seeks to ensure that at least 50% of the frontage remains in Retail (A1 use). Up to this limit any other use that is appropriate in a town centre can be permitted (with certain caveats).

The A3 use proposed is a suitable alternate use within the town centre. It is also noted that there has been 12 months relevant marketing with no interest expressed for an A1 use.

As of October 2015 47.02% of the frontage is in non-retail use; If this application was granted it would increase the length of frontage in non-retail use to 49%. Given the lack of interest from A1 retailers in this unit, and the acceptability of the proposed use for a town centre location such as this one and the Policy threshold not being breached there are therefore no in-principle policy objections to this application.

## **Advertisement**

- N/A

## **General Site Notice**

Expiry Date: 01/03/2016

## **Notifications**

Sent: 30

Replies: 0

Expiry: 25/02/2016

## **Summary of Response(s):**

- None

## **APPRAISAL**

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

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

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

In this instance, the Development Plan comprises 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 the Development; Impact on Character and Appearance of the Area

Residential Amenity

Accessibility

Equalities Implications

S17 Crime & Disorder Act

Consultation Responses

### **Principle of the Development; Impact on Character and Appearance of the Area** Policy

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

The National Planning Policy Framework [NPPF] sets out a strategy to provide for sustainable development and considers that ensuring the vitality of town centres is a key tenet in securing sustainable development. Town centres should be recognised as the heart of communities and policies should be pursued which ensure their viability and vitality, thereby ensuring competitiveness and customer choice.

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

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

Policy DM1 of the Development Management Policies Local Plan 2013 gives advice that "all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted."

### Assessment

#### *Change of Use From Retail (Use Class A1) To Restaurant (Use Class A3)*

Policy AAP 18 seeks to ensure that at least 50% of secondary frontages remain in A1 use to keep an appropriate balance between retail and non-retail uses within these frontages to ensure the vitality of the centre.

As stated in the comment from Harrow's Planning Policy Officer, 47.02% of the frontage is in non-retail use; if this application was granted it would increase the length of frontage in non-retail use to 49%. Therefore this would be acceptable in accordance with the AAP policy. Further justification for the proposed change of use has been provided in the

Design and Access Statement, but as the proposal complies with the AAP in relation to the percentage of retail use in town centre, this is not required in this instance.

There are a number of units nearby that are in restaurant use, so this proposed use would be in keeping with the character of the area. Advertisement consent would be required for new signage at the site and so the proposed appearance of any potential restaurant on site, in terms of its signage, is not being assessed at this stage.

Overall, the restaurant use is a commercial use and would be appropriate for the town centre and therefore the impact in terms of character and appearance would be considered acceptable.

### **Neighbouring Amenity**

Policy DM1 of the Development Management Policies Local Plan 2013 seeks to “ensure that the amenity and privacy of occupiers of existing and proposed dwellings is safeguarded”.

The restaurant use would be a commercial use and so would be in keeping with the area. Elements of a new restaurant that could harm neighbouring amenity would include: the opening hours, the appearance in terms of signage and any noise or odour.

The opening hours will be restricted by a condition included in this planning permission, and the occupants/owner would require further planning permission to change this. The signage is not included in this application and advertisement consent would be required for new signage at the site. Further planning permission as well as Environmental Health consent would be required in relation to extract flue or other equipment necessary to control any potential odour and fumes related to a restaurant use.

Therefore, in terms of the A3 use, it is considered that this is an acceptable use in this location in regard to neighbouring amenity in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

### **Accessibility**

Policy DM4 of the Development Management Policies addresses ‘Shopfronts and Forecourts’. Paragraph A part d. states that the shop front should secure ‘inclusive access’.

The restaurant unit would be accessed at ground floor level. Harrow Councils ‘Access for all SPD’ 2006, states on page that all buildings should have level access which includes being suitably ramped. At present there is a level access and the proposed scheme would not adjust this. The door width is over 830mm which is another of the requirements of the SPD for entry in to a building.

### **Equalities Implications**

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

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

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

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

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application 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 threat of crime.

### **Consultation Responses**

N/A

### **CONCLUSION**

For all the reasons considered above, and weighing up the development plan policies and proposals, and other material considerations 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 & Country Planning Act 1990.

2 Within the development hereby permitted, provision shall be made for people with mobility impairments, to gain access to, and egress from the retail unit (without the need to negotiate steps). The development shall not be occupied or used until appropriate provision has been made and will thereafter be retained.

REASON: To ensure that the development will be accessible for people with disabilities in accordance with the policies of the Harrow Development Management Policies Local Plan (2013).

3 The use at ground floor level hereby permitted shall not be open to customers outside the following times:-

11:00 hours to 23:00 hours on Mondays – Thursdays inclusive and on Sundays and Bank Holidays;

11:00 hours to 00:00 hours on Fridays and Saturdays; without the prior written permission of the local planning authority.

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

4 The premises shall only be used for the purpose specified in the application [Restaurant (Class A3)] and for no other purpose, including any other purpose in Class A 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 amenities of neighbouring residents in particular the residents of the flats above the parade in accordance with policies DM1 of the Harrow

Development Management Policies Local Plan (2013).

5 The development hereby permitted shall be carried out in accordance with the following approved plans: AD/01; Design and Access Statement.

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

**INFORMATIVES:**

1 The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (consolidated with alterations since 2011) (2015))

2.15C Town Centres

7.4B Local Character

7.6B Architecture

Harrow Core Strategy (2012):

Policy CS 1B Local Character

Policy CS 1M Town Centres

Development Management Policies Local Plan 2013

Policy DM 1 Achieving a High Standard of Development

Policy DM 4 Shopfronts and Forecourts

Policy DM38 Other Town Centre Frontages and Neighbourhood Parades

Policy DM45 Waste Management

Harrow and Wealdstone Area Action Plan 2013

Policy AAP18 Secondary Frontages, Neighbourhood Parades, and Non-Designated Retail Parades

Supplementary Guidance/ Documents

Supplementary Planning Document: Access for All (2006)

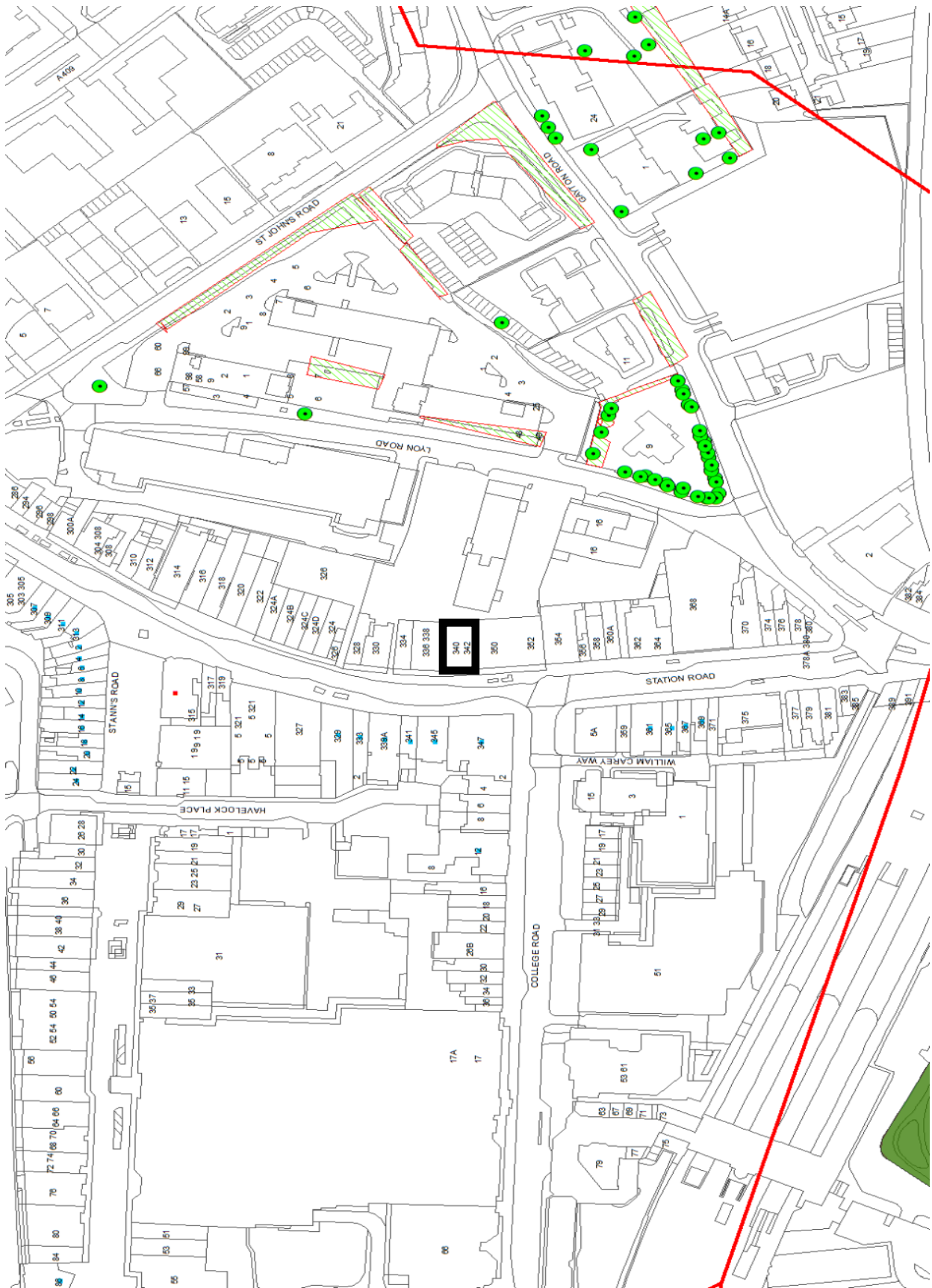
2 Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

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

3 It should be noted that this grant of planning permission is for the change of use only and solely comparing the impact of a change of use from A1 to A3 uses as this is the proposal that has been applied for. An extract /ventilation system is a requirement of this type of use and so the applicant should apply for a ventilation system separately that can be considered by the Council for noise and odour impacts.

Plan Nos: AD/01; Design and Access Statement.

342 STATION ROAD, HARROW



ITEM NO: 2/03  
ADDRESS: GARAGES ADJACENT TO 1 ALLERFORD COURT, HARROW  
REFERENCE: P/5839/15  
DESCRIPTION: REDEVELOPMENT TO PROVIDE TWO X TWO STORY DWELLINGHOUSES (DEMOLITION OF SINGLE STORY GARAGE BLOCK)  
WARD: HEADSTONE SOUTH  
APPLICANT: HARROW COUNCIL  
AGENT: LEVITT BERNSTEIN  
CASE OFFICER: CATRIONA COOKE  
EXPIRY DATE: 16/02/2016

## **RECOMMENDATION**

**GRANT** planning permission for the proposal submitted in the application and associated plans subject to conditions:

## **INFORMATION**

The application is reported to the Planning Committee as the subject site is owned by the Council and is over 100sqm in area. As such, it falls outside the scope of the exception criteria set out at Part 1(h) of the Scheme of Delegation dated 29th May 2013.

Statutory Return Type: E13 Minor Dwellings

Council Interest: The land is owned by the Council.

Net additional Floor space: 186 sqm

GLA Community Infrastructure Levy Contribution (provisional): £6,510

Harrow Community Infrastructure Levy Contribution (provisional): £20,460

## **Site Description**

- The application site contains 6 garages with courtyard.
- The overall site area spans an area of approximately 226m<sup>2</sup>.
- To the north and east of the site are 1-11 Allerford Court and parking, to the south of the site are the rear gardens of 83-87 Canterbury Road, to the rear of the site is a gated community of 12-20 Allerford Court.
- The site has a PTAL rating of 3.

## **Proposal Details**

- A redevelopment of the site is proposed to create two, two storey terraced houses together with associated refuse and cycle storage; landscaping and parking.

- The proposed dwellings would be located to the front of the site.
- Each dwellinghouse would have a width of approximately 5.6 metres and a depth of approximately 10 metres.
- The dwellings would have a pitched roof design with a maximum height of 7.9 metres.
- Each dwellinghouse would contain three bedrooms and would be provided with a private amenity space at the rear.
- A minimum of 37m<sup>2</sup> of private amenity space would be provided for each dwellinghouse.

### **Revisions to Previous Application**

- N/A

### **Relevant History**

- N/A

### **Applicant Submission Documents**

- Design and Access Statement

### **Consultations**

Highways Authority: We have no objection to the principle of the development. There are no highway safety concerns

Drainage Engineer: No objection subject to conditions.

Landscape Architect: No comments received

Tree Officer: No comments received

### **Advertisement**

- N/A

### **Notifications**

Sent: 47

Replies: 2 plus petition of 90 signatures

Expiry: 02/02/2016

### **Site Notice**

Erected: 12/01/2016

Expiry: 03/02/2016

### **Addresses Consulted**

1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 14, 15, 16, 18, 19, 20 Allerford Court

13, 15, 17, 26 Allington Road

75 – 101 (odd) Canterbury Road

19- 29 (all) Holsworth Close

### **Summary of Responses**

- Three garages are rented by residents of the close, these will no longer be available plus we will be gaining two three bedroom properties with an average of one car per dwelling. Therefore we will be losing the equivalent of 5 parking spaces, we feel that this would be prejudicial to the highway; parking will be displaced onto areas not designated for parking causing unnecessary danger to pedestrians and would restrict



access for emergency services and refuse vehicles.

- The space on the front of the proposed development (closest to access to No. 2-20 Allerford Court gated section) has extremely poor visibility, as exiting this space would bring the vehicle into direct line of traffic coming from Nos 12-20 Allerford Court.
- Refuse collection vehicles use the total width of the entrance to the garage to manoeuvre their vehicles. The two spaces under the tree will encroach on the width needed for this.
- The close has a major drainage issue, we feel that extra houses joining the current drainage system will only intensify this.

### Petition

- Current drawing states we are going from 12 spaces to 15 this is incorrect. We currently have 16 spaces and on the new plan we still have 16 spaces. However the six spaces that have been changed are unworkable as the 2 by the side of the new houses are in a very secluded place and are against a high fence on one side and the side of a house on the other. Thereby making it difficult for these spaces to be utilised by people with young children, babies in car seats or the less mobile residents. Also the access out of these spaces would mean reversing around a blind corner directly onto the main through way of traffic. Three of the six spaces are in complete blind spots. Two of the spaces under the tree, do not have hard standing on the left, thereby posing a hazard. The area designated for the two parking spaces at the side of the new properties would be in a very isolated area which would be a prime location for anti-social behaviour. By gaining two extra houses, the close would in effect be inheriting approximately 3-4 more vehicles. Therefore an additional three spaces should be provided in addition to the current sixteen. There is no provision for disabled bays
- The issue of flooding has not been addressed
- Extra street lighting would affect the properties backing onto the development on Canterbury Road
- Narrowing of the entrance to the side of the properties would restrict the area where the emergency services is required could manoeuvre, to be able to access the whole of the close. The same applies for the refuse collection Lorries.
- The proposed new properties will not make effective use of the urban land and will change the character, appearance and highway safety of the area as set out in the supplementary planning guidance which is adopted by the Council
- There is a drainage issue within the close that has been exacerbated by an incorrect sharp bend in the main drainage pipes
- Nos 12-20 Allerford Court are not shown on any plans. This is deceiving as on current plans it looks as if the close ends to the right of the proposed development.

### **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] (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 dysfunctional 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 the Council 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 Parking and Servicing

Flood Risk and Drainage

Accessibility

Sustainability

S17 Crime & Disorder Act

Equalities and Human Rights

Consultation Responses

### **Principle of the Development**

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 should be taken as a whole. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality 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.

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

Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of residential dwellings here. The proposed development would not result in development on garden land and would therefore not conflict with Core Strategy policies CS1A and CS1B.

Policy 3.8 of The London Plan (2015) also encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy CS(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’.

The site is not allocated for development but represents ‘a previously developed’ site. The redevelopment of the site and the provision of new dwellings on the site are

considered to represent a 'windfall development' as outlined in the Core Strategy. The use of the land for residential uses could therefore be supported in principle and would make an important contribution to the housing stock in the borough, including affordable housing, particularly having regard to the increased housing target identified within the London Plan (2015).

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

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

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

The London Plan (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 (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 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.'

Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) reinforces the principles set out under The London Plan (2015) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces.

### **Siting, Scale and Massing**

The proposed dwelling houses would be situated to the front of the site facing Nos 10 and 11 Allerford Court. The private gardens of the houses would adjoin the rear gardens of the houses in Canterbury Road and parking area for 12-20 Allerford Court, thereby providing separation with this group of properties. In terms of the northern end dwelling, the flank wall of this property would be sited approximately 12 metres away from the front façade of Nos. 1 and 2 Allerford Court. The proposed dwellings would be two storeys in height and the proposed ridge heights, eaves height and plot widths of the dwellings would reflect the scale of the surrounding residential properties. The dwellings would not be visually prominent given that they would be of a similar scale to the surrounding properties.

### Design and Appearance

The proposed dwellings would have pitched roofs to a similar height of adjoining dwellings in Allerford Court. Each dwelling house would incorporate a recessed front entrance with an enclosed bin store adjacent to conceal refuse bins. The design and appearance of the proposed development is considered to be acceptable, subject to a condition to secure final details of proposed materials, which would be attached to the permission, should approval be granted.

### Landscaping

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. The amount and form of amenity space is considered to be acceptable in relation to the wider character of the area.

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". 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. Officers consider the re-development of the site would provide an increased sense of place, vibrancy and identity within the community and would successfully integrate into the surrounding suburban context. The proposed buildings, whilst of a more contemporary appearance, due to their scale, design and siting would 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, 7.6B and 7.8 C and D 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 7.6 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 Polices Local Plan (2013) requires that: "*All development and change of use proposals must achieve a high standard of privacy and amenity of neighbouring occupiers*". "The assessment of the

design and layout of proposals will have regard to: “the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers”.

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

The separation distances between the proposed dwellings and the adjoining properties in Allerford Court and Canterbury Road are considered to be acceptable. The proposed dwellinghouses would be set a minimum of 5m from the rear boundary of properties in Canterbury Road. It is acknowledged the new buildings will undoubtedly change the views and outlook from a small number of surrounding properties. However, the planning system is not able to safeguard or protect specific views from private houses. The separation between the existing and proposed buildings has been set out above and it is considered to be sufficient so as not to result in any undue harm on neighbouring amenity in terms of loss of light, outlook and overshadowing and privacy. 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 distances in relation to the properties to the north and south are considered to be acceptable with regard to privacy impact.

The relationship is considered to be typical of many suburban locations. Subject to conditions on final materials, the development should successfully integrate into the character of the surrounding suburban context.

#### Vehicle Access, Noise and Disturbance

The proposed residential use is consistent with the surrounding land use. Although the new dwellings may generate more activity outside of normal working hours and into the evening and weekends, it is not expected that they would generate unacceptable levels of activity or noise and disturbance, given the existence of similar residential properties close.

#### Amenity Impacts on the Future Occupiers of the Dwellings

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

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

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

Table 3.3 of the adopted London Plan (2015) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan (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 Council’s adopted

SPD.

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

The room sizes of the houses are shown in the table below, along with the minimum floor areas for rooms as recommended by the Housing Standards Policy Transition Statement (May 2015):

	<b>Gross Internal Floor Area</b>	<b>Bedroom</b>
Housing Standards Policy Transition Statement (May 2015)	3 bedroom, 5 person (86 sqm)	Double 11.5sqm Single 7.5sqm
Proposed Dwellinghouses	92.9 sqm	Double 1 – 11.7sqm Double 2 – 11.7sqm Single – 7.5 sqm

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

### Refuse

A refuse store will be provided for the dwellings adjacent to the front entrance adjacent which provides a convenient place for collection. The refuse store would be a sufficient size to accommodate three refuse containers which would provide sufficient capacity in accordance with the Council's refuse standards.

In summary, officers consider that the proposal would accord with the National Planning Policy Framework (2012), policies 3.5C and 7.6B of The London plan (2015), policies DM 1 and DM 27 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Guidance: Housing Design Guide (2012) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

### **Traffic Parking and Servicing**

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 site is currently 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. It is

noted that objections and a petition have been received regarding car parking and highway safety. However, the Highways Authority have raised no objection and state that this location has very low traffic flows and low speeds and have no concerns regarding the proposed parking layout which maximises the space available. The area does not exhibit undue levels of parking stress currently and the additional units would have a minor impact on the requirement for car parking spaces. The existing garages are under-utilised and are inadequate to accommodate most modern cars and are not therefore used for parking. The applicant has considered in detail the requirements for refuse and service vehicles using the area, modelling the development to ensure there are no conflicts. The Highway Authority have reviewed the details and consider that the layout would not pose a threat to the effective servicing of the close.

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 (2015), policy CS1 R of the Harrow CS (2012) and policy DM 42 of the Harrow DMP LP (2013).

### **Flood Risk and Drainage**

The application site is located in a critical drainage area of Harrow. Policy DM10 was introduced to address surface water run-off and flood risk from developments. The application would result in a net increase in development footprint and there is the potential for surface water run-off rates to increase. It is noted that objections have been received regarding drainage issues at the site. However, the Drainage authority has raised no objection and has recommended conditions.

Subject to the conditions then, 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). It is noted that objections have been received in relation to drainage issues. However, officers considered that the recommended conditions would ensure that that appropriate mitigation would be secured.

### **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 submitted plans and accompanying Design and Access Statement indicates that the proposed dwelling houses would meet “accessible and adaptable” objectives. 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 these Standards. A condition is recommended to be attached to the permission, should approval be granting which would require the dwellings to be built to these standards. Subject to this, the proposed dwellings would provide an acceptable level of accessibility in accordance with the above policies.



## **Sustainable Development**

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).

The submitted Design and Access Statement states that the proposed terrace would be built to comply with Building Regulations Part L. It is considered by officers that this level of sustainable development would be acceptable.

## **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 secure by way of an appropriate condition for details of security measures to be submitted and agreed. As such, this condition is recommended, should approval be granted. 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.

### **Consultation Responses**

All material planning considerations have been addressed above.

### **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). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

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: AL PL001 Rev A; AL PL002 Rev B; AL PL003 Rev A; AL PL004 Rev B; AL PL005 Rev A; AL PL 006 Rev A; AL PL007 Rev A; Design and Access Statement

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

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

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

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

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

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouses hereby permitted without the prior written permission of the local planning authority.

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

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

REASON: To safeguard the appearance of the locality, as required by policy DM 45 of the Harrow Development Management Policies Local Plan (2013).

8 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.

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.

9 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to "accessible and adaptable" standards as set out at standard M4(2) of the Building Regulations and thereafter retained to those standards.

REASON: To ensure provision of accessible and adaptable' standard housing in accordance with policy DM 2 of the Harrow Development Management Policies Local Plan (2013).

10 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.

## **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

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

Policy DM 1 - Achieving a High Standard of Development

Policy DM 2 – Achieving Lifetime Neighbourhoods

Policy DM 10 – On Site Water Management and Surface Water Attenuation

Policy DM 12 – Sustainable Design and Layout

Policy DM 14 – Renewable Energy Technology

Policy DM 23 – Streetside Greenness and Forecourt Greenery

Policy DM 24 – Housing Mix

Policy DM 27 – Amenity Space

Policy DM 42 – Parking Standards

Policy DM 44 - Servicing

Policy DM 45 – Waste Management

Relevant Supplementary Documents

Supplementary Planning Document – Residential Design Guide (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 £6,475 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 £6,510 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 185sqm

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;

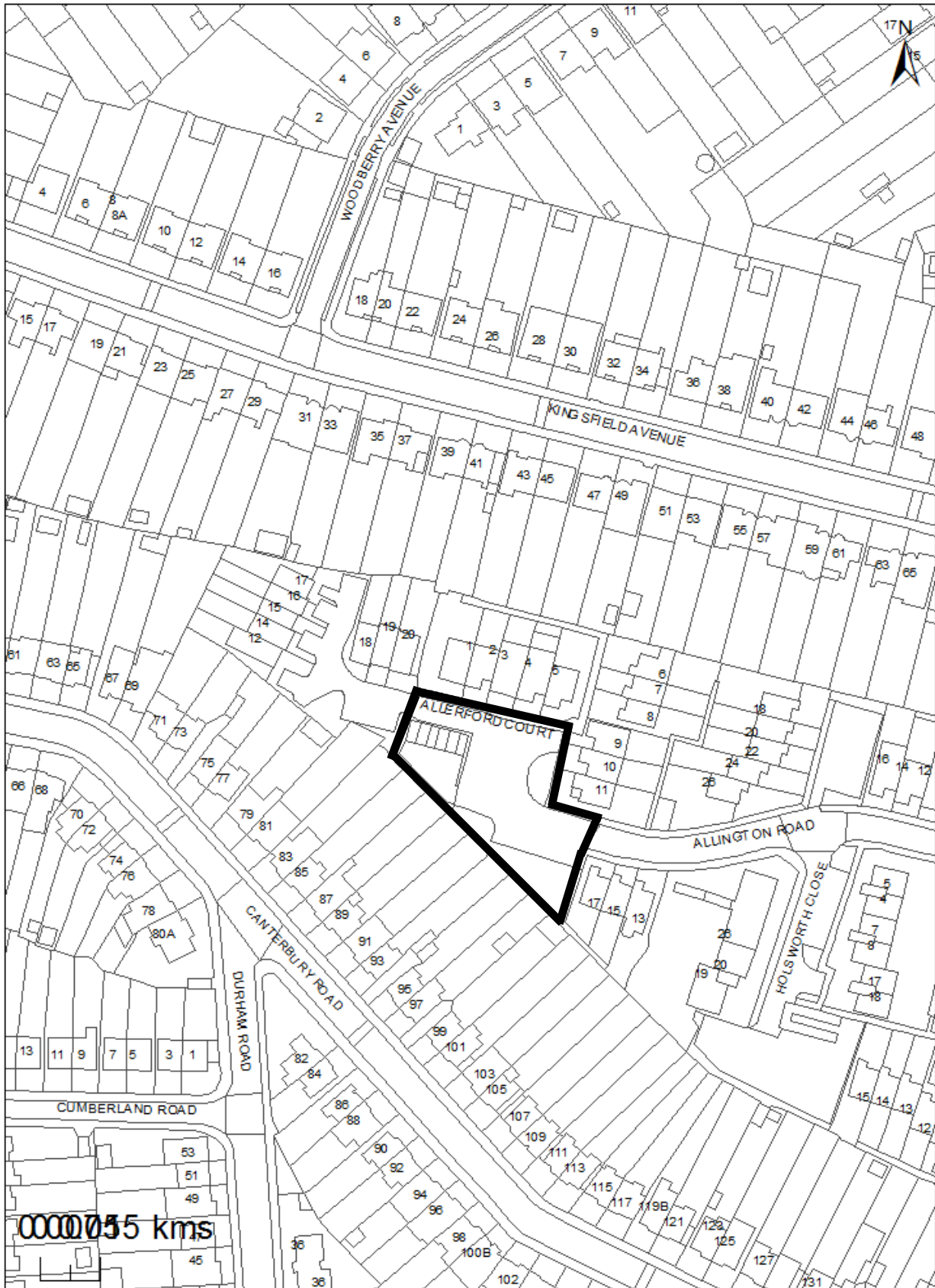
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £20,460.

Plan Nos: AL PL001 Rev A; AL PL002 Rev B; AL PL003 Rev A; AL PL004 Rev B; AL PL005 Rev A; AL PL 006 Rev A; AL PL007 Rev A; Design and Access Statement

# GARAGES ADJACENT TO 1 ALLERFORD COURT, HARROW



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ITEM NO: 2/04  
ADDRESS: GARAGES ADJACENT 7 STUART AVENUE, HARROW  
REFERENCE: P/5789/15  
DESCRIPTION: REDEVELOPMENT TO PROVIDE SIX NO. 2-STOREY TERRACED DWELLINGS WITH SOLAR PANELS; AMENITY SPACE PARKING LANDSCAPING AND BIN / CYCLE STORAGE (DEMOLITION OF GARAGES)  
WARD: ROXBOURNE  
APPLICANT: HARROW COUNCIL  
AGENT: LEVITT BERNSTEIN  
CASE OFFICER: CATRIONA COOKE  
EXPIRY DATE: 02/03/2016

## **RECOMMENDATION**

**GRANT** planning permission for the proposal submitted in the application and associated plans subject to conditions:

## **INFORMATION**

The application is reported to the Planning Committee as the subject site is owned by the Council and is over 100sqm in area. As such, it falls outside the scope of the exception criteria set out at Part 1(h) of the Scheme of Delegation dated 29th May 2013.

Statutory Return Type: E13 Minor Dwellings

Council Interest: The land is owned by the Council.

Net additional Floor space: 557.4 sqm

GLA Community Infrastructure Levy Contribution (provisional): £19,530

Harrow Community Infrastructure Levy Contribution (provisional): £61,380

## **Site Description**

- The application site contains 40 garages.
- The overall site area spans an area of approximately 1,417m<sup>2</sup>.
- To the north and west of the site are properties in Stuart Avenue to the south are properties in Veldene Way, the site is bounded to the east by the rear gardens of Kings Road
- The site has a PTAL rating of 2.

## **Proposal Details**

- A redevelopment of the site is proposed to create six, two storey terraced houses together with associated refuse and cycle storage; landscaping and parking.



- Each dwellinghouse would have a width of approximately 5.5 metres and a depth of approximately 10 metres.
- The dwellings would have a pitched roof design with a maximum height of 7.9 metres.
- Each dwellinghouse would contain three bedrooms and would be provided with a private amenity space at the rear.
- A minimum of 72m<sup>2</sup> of private amenity space would be provided for each dwellinghouse.
- One parking space is provided on the frontage of each property.

### **Revisions to Previous Application**

- N/A

### **Relevant History**

- N/A

### **Applicant Submission Documents**

- Design and Access Statement

### **Consultations**

Highways Authority: We have no objection to the principle of the development. There are no highway safety concerns

Drainage Engineer: No objection subject to conditions.

Landscape Architect: No comments received

Tree Officer: No comments received

### **Advertisement**

- N/A

### **Notifications**

Sent: 43

Replies: 3

Expiry: 05/02/2016

### **Site Notice**

Erected: 22/01/2016

Expiry: 13/02/2016

### **Addresses Consulted**

1-15 (odd) Stuart Avenue

12, 13, 14, 15, 16, 17, Veldene Way

17-51(odd) Kings Road

2-12(even) Stiven Crescent

### **Summary of Responses**

- No alternative parking, will exacerbate current parking issues
- Many garages are in use where will these cars park
- Overdevelopment of the Site

## **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] (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 dysfunctional 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 the Council 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 Parking and Servicing  
Flood Risk and Drainage  
Accessibility  
Sustainability  
S17 Crime & Disorder Act  
Equalities and Human Rights  
Consultation Responses

### **Principle of the Development**

The National Planning Policy Framework outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It emphasises that paragraphs 18 to 219 should be taken as a whole. Economic, social and environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in supporting strong, vibrant and healthy communities by creating a high quality 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.

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

Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of residential dwellings here. The proposed development would not result in development on garden land and would therefore not conflict with Core Strategy policies CS1A and CS1B.

Policy 3.8 of The London Plan (2015) also encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy CS(l) states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities'.

The site is not allocated for development but represents 'a previously developed' site. The redevelopment of the site and the provision of new dwellings on the site are considered to represent a 'windfall development' as outlined in the Core Strategy. The use of the land for residential uses could therefore be supported in principle and would make an important contribution to the housing stock in the borough, including affordable housing, particularly having regard to the increased housing target identified within the London Plan (2015).

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

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

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

The London Plan (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 (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. Policy 7.8D of The London Plan (2015) states that 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'.

Core Policy CS(B) states that 'All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design.'

Policy DM 1 of the Harrow Development Management Policies Local Plan (2013) reinforces the principles set out under The London Plan (2015) policies 7.4B and 7.6B and seeks a high standard of design and layout in all development proposals. It goes on to state, amongst other things, that developments should contribute to the creation of a positive identity through the quality of building layout and design, should be designed to complement their surroundings, and should have a satisfactory relationship with adjoining buildings and spaces.

### **Siting, Scale and Massing**

The proposed dwelling houses would be situated in the centre of the site facing the flank

wall of No 7 Stuart Avenue. The private gardens of the houses would adjoin the rear gardens of the houses in Kings Road, thereby providing separation with this group of properties. The proposed dwellings would be two storeys in height and the proposed ridge heights, eaves height and plot widths of the dwellings would reflect the scale of the surrounding residential properties. The dwellings would not be visually prominent given that they would be of a similar scale to the surrounding properties. The layout and building lines of the dwellings would ensure they would knit well in the established pattern of development in the locality.

### Design and Appearance

The proposed dwellings would have pitched roofs to a similar height of the surrounding properties. Each dwelling house would incorporate a recessed front entrance with an enclosed bin store adjacent to conceal refuse bins. The design and appearance of the proposed development is considered to be acceptable, subject to a condition to secure final details of proposed materials, which would be attached to the permission, should approval be granted.

### Landscaping

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. The amount and form of amenity space is considered to be acceptable in relation to the wider character of the area.

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”. 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. Officers consider the re-development of the site would provide an increased sense of place, vibrancy and identity within the community and would successfully integrate into the surrounding suburban context. The proposed buildings, whilst of a more contemporary appearance, due to their scale, design and siting would 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, 7.6B and 7.8 C and D 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 Policies Local Plan (2013).

## **Residential Amenity**

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 assessment of the design and layout of proposals will have regard to: “the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers”.

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

The separation distances between the proposed dwellings and the adjoining properties in Stuart Avenue and Kings road are considered to be acceptable. It is acknowledged the new buildings will undoubtedly change the views and outlook from a small number of surrounding properties. However, the planning system is not able to safeguard or protect specific views from private houses. The separation between the existing and proposed buildings has been set out above and it is considered to be sufficient so as not to result in any undue harm on neighbouring amenity in terms of loss of light, outlook and overshadowing and privacy.

In relation to the buildings to the north and south, the development would result in minor conflicts with the horizontal 45 degree code. However, conflicts would very minor. In the case of those properties to the south of the application site, the separation distance would be over 6m and to the north over 2m. At these distances, the minor conflicts with the 45 degree rule would not be readily perceived and would not unduly affect the neighbouring occupiers. 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 distances in relation to the properties to the north and south are considered to be acceptable with regard to privacy impact.

The relationship is considered to be typical of many suburban locations. Subject to conditions on final materials, the development should successfully integrate into the character of the surrounding suburban context.

### Vehicle Access, Noise and Disturbance

The proposed residential use is consistent with the surrounding land use. Although the new dwellings may generate more activity outside of normal working hours and into the evening and weekends, it is not expected that they would generate unacceptable levels of activity or noise and disturbance, given the existence of similar residential properties close.

### Amenity Impacts on the Future Occupiers of the Dwellings

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

- a. the location and dwelling mix;*
- b. the likely needs of future occupiers of the development;*

- c. the character and pattern of existing development in the area;
- d. the need to safeguard the privacy and amenity of neighbouring occupiers; and
- e. the quality of the space proposed including landscaping (see Policy DM22 Trees and Landscaping).”

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

Table 3.3 of the adopted London Plan (2015) specifies minimum Gross Internal Areas (GIA) for residential units. Paragraph 3.36 of the London Plan (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 Council’s adopted SPD.

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

The room sizes of the houses are shown in the table below, along with the minimum floor areas for rooms as recommended by the Housing Standards Policy Transition Statement (May 2015):

	<b>Gross Internal Floor Area</b>	<b>Bedroom</b>
Housing Standards Policy Transition Statement (May 2015)	3 bedroom, 5 person (86 sqm)	Double 11.5sqm Single 7.5sqm
Proposed Dwellinghouses	92.9 sqm	Double 1 – 11.7sqm Double 2 – 11.7sqm Single – 7.5 sqm

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

Refuse

A refuse store will be provided for the dwellings adjacent to the front entrance adjacent which provides a convenient place for collection. The refuse store would be a sufficient size to accommodate three refuse containers which would provide sufficient capacity in accordance with the Council’s refuse standards.

In summary, officers consider that the proposal would accord with the National Planning

Policy Framework (2012), policies 3.5C and 7.6B of The London plan (2015), policies DM 1 and DM 27 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Guidance: Housing Design Guide (2012) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

### **Traffic Parking and Servicing**

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 site is currently occupied by garages and as such levels of traffic generation are not expected to be significantly different from the previous use on the site. It is noted that objections have been received regarding car parking and highway safety. However, the Highways Authority have raised no objection and state that this location has very low traffic flows and low speeds and have no concerns regarding the proposed parking layout which maximises the space available. Further, it is proposed to widen the access road into the site and provide an additional on-street parking area on Stuart Avenue for seven cars. Though this arrangement is not part of the planning application and would not be secured by it, the Housing Authority and Highway Authority have entered into agreement to provide this arrangement.

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 (2015), policy CS1 R of the Harrow CS (2012) and policy DM 42 of the Harrow DMP LP (2013).

### **Flood Risk and Drainage**

The application site is located in a critical drainage area of Harrow. Policy DM10 was introduced to address surface water run-off and flood risk from developments. The application would result in a net increase in development footprint and there is the potential for surface water run-off rates to increase. It is noted that objections have been received regarding drainage issues at the site. However, the Drainage authority has raised no objection and has recommended conditions.

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

### **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 submitted plans and accompanying Design and Access Statement indicates that the proposed dwelling houses would meet “accessible and adaptable” objectives. 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 these Standards. A condition is recommended to be attached to the permission, should approval be granted which would require the dwellings to be built to these standards. Subject to this, the proposed dwellings would provide an acceptable level of accessibility in accordance with the above policies.

### **Sustainable Development**

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).

The submitted Design and Access Statement states that the proposed terrace would be built to comply with Building Regulations Part L. It is considered by officers that this level of sustainable development would be acceptable.

### **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 secure by way of an appropriate condition for details of security measures to be submitted and agreed. As such, this condition is recommended, should approval be granted. 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.

### **Consultation Responses**

All material planning considerations have been addressed above.

### **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). Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

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: ST PL02; ST PL004; ST PL04 Rev A; ST PL005A; ST PL006; ST PL007; Design and Access Statement

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

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

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

thereafter retained.

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

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

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Councils Development Management Policies Local Plan 2013. Details are required PRIOR TO THE COMMENCEMENT OF DEVELOPMENT to ensure a satisfactory form of development and avoid potentially unenforceable conditions.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, D, E and F in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouses hereby permitted without the prior written permission of the local planning authority.

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

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

REASON: To safeguard the appearance of the locality, as required by policy DM 45 of the Harrow Development Management Policies Local Plan (2013).

8 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.

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.

9 The development hereby permitted, as detailed in the submitted and approved drawings, shall be built to "accessible and adaptable" standards as set out at standard M4(2) of the Building Regulations and thereafter retained to those standards.

REASON: To ensure provision of accessible and adaptable' standard housing in accordance with policy DM 2 of the Harrow Development Management Policies Local Plan (2013).

10 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.

## **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
- 7.21 – Trees and Woodlands

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

Policy DM 1 - Achieving a High Standard of Development

Policy DM 2 – Achieving Lifetime Neighbourhoods

Policy DM 10 – On Site Water Management and Surface Water Attenuation

Policy DM 12 – Sustainable Design and Layout

Policy DM 14 – Renewable Energy Technology

Policy DM 22 – Trees and Landscaping

Policy DM 23 – Streetside Greenness and Forecourt Greenery

Policy DM 24 – Housing Mix

Policy DM 27 – Amenity Space  
Policy DM 42 – Parking Standards  
Policy DM 44 - Servicing  
Policy DM 45 – Waste Management

#### Relevant Supplementary Documents

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 £6,475 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 £6,510 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 185sqm

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;

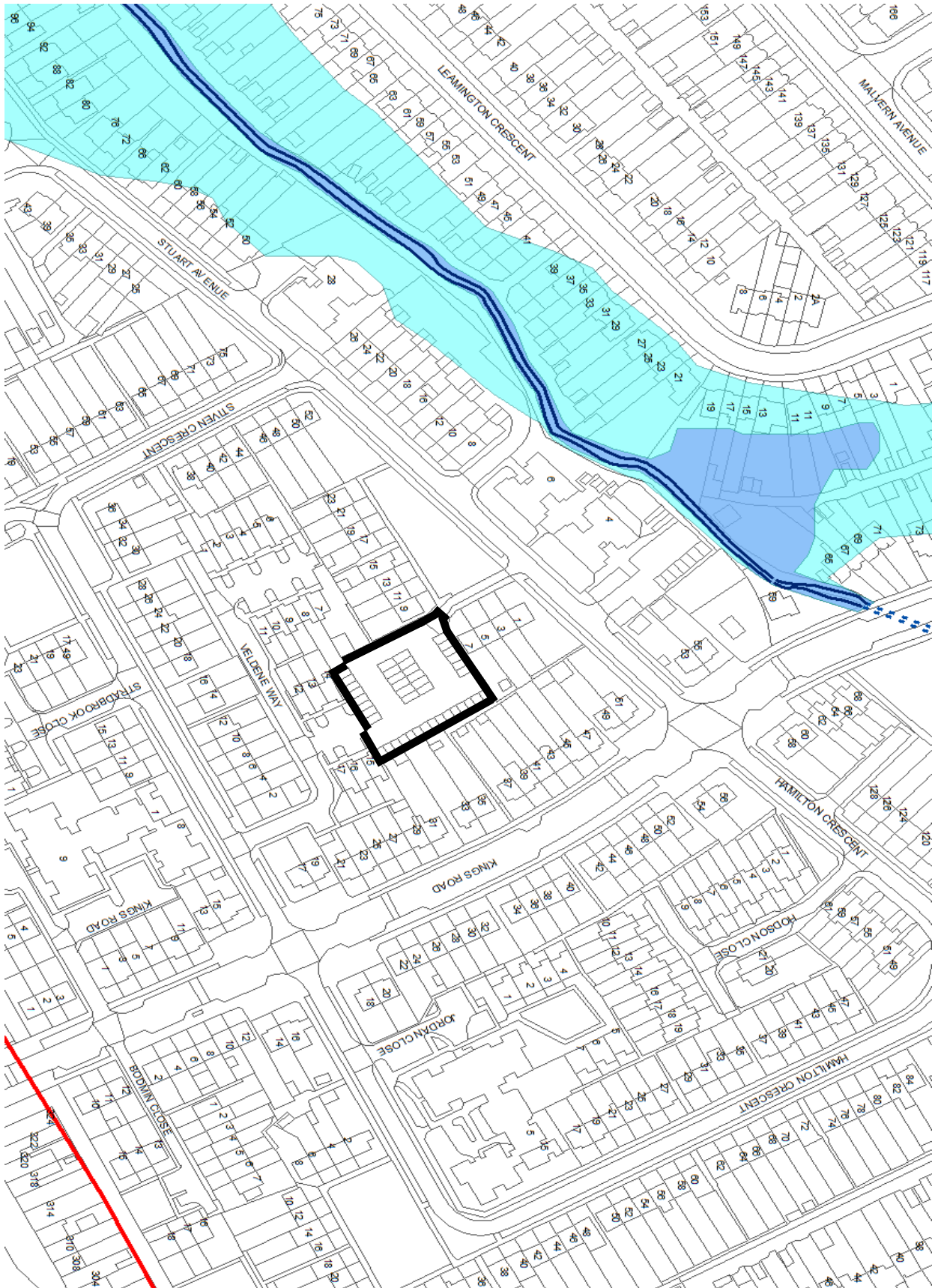
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £20,460.

Plan Nos: ST PL02; ST PL004; ST PL04 Rev A; ST PL005A; ST PL006; ST PL007;  
Design and Access Statement

# GARAGES ADJACENT 7 STUART AVENUE, HARROW



**SECTION 3 - OTHER APPLICATIONS RECOMMENDED FOR REFUSAL**

None.

**SECTION 4 - CONSULTATIONS FROM NEIGHBOURING AUTHORITIES**

None.

**SECTION 5 - PRIOR APPROVAL APPLICATIONS**

None.