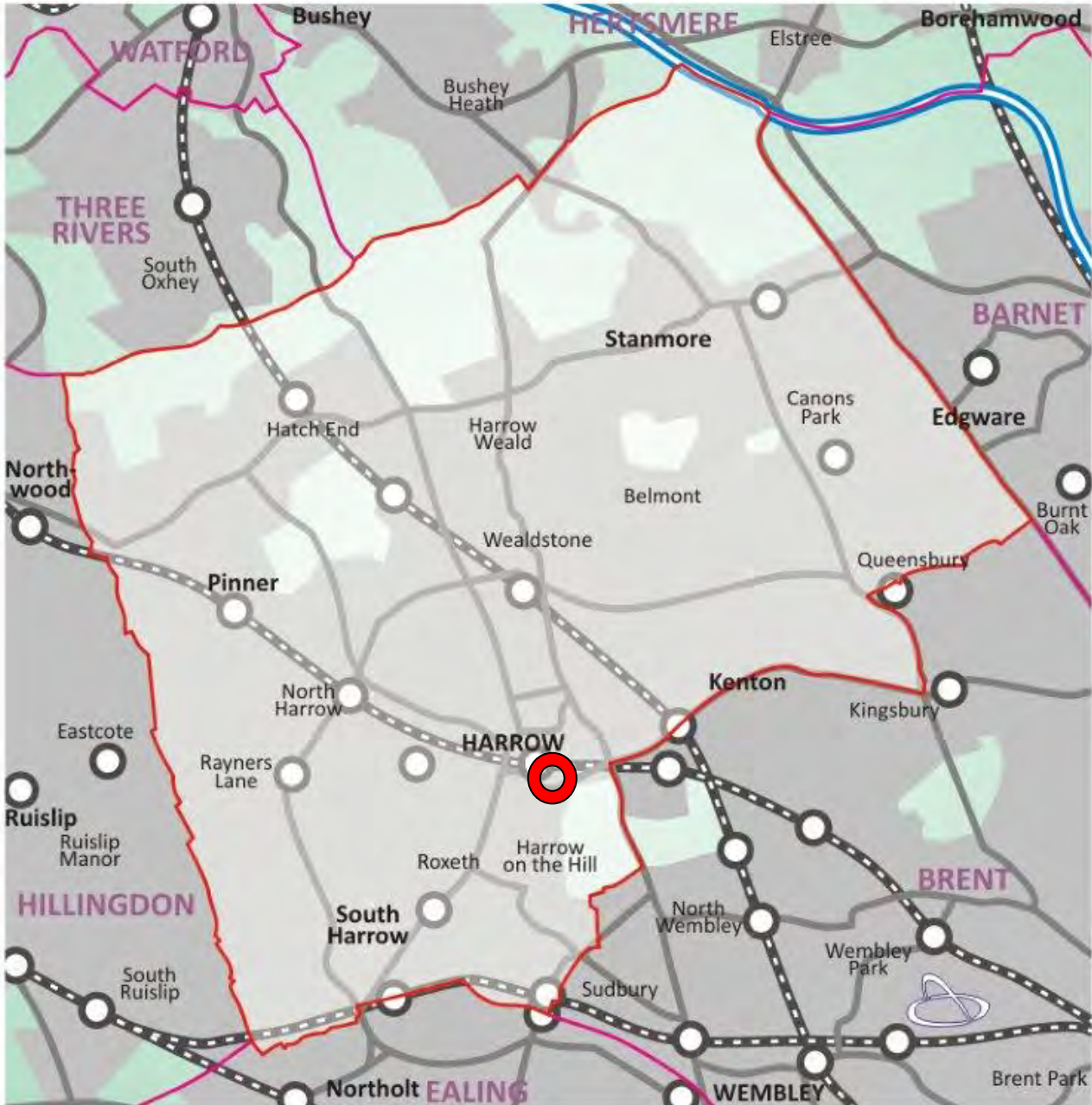
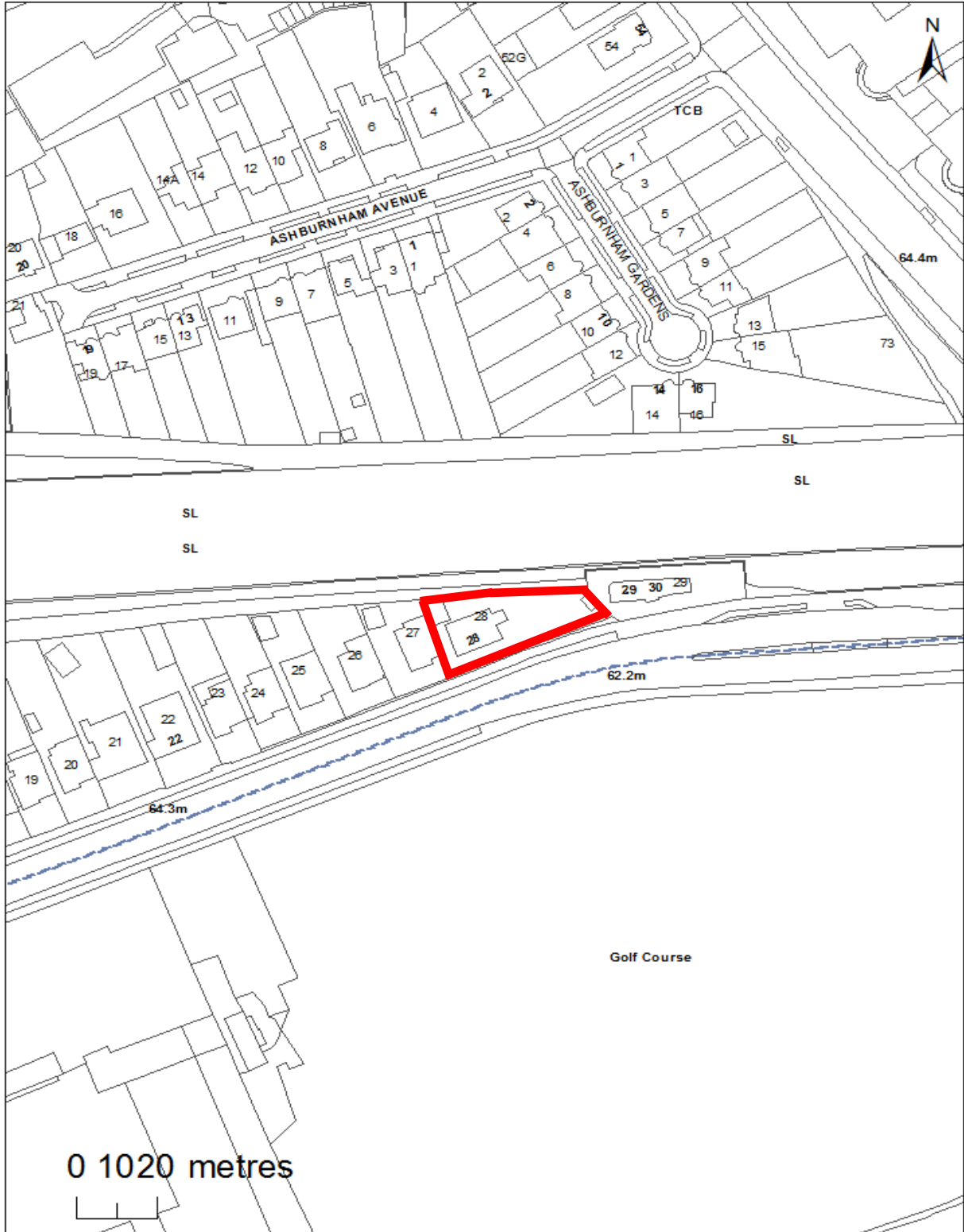


 = application site



28 Kenton Road, Harrow	P/2577/16
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28 Kenton Road, Harrow	P/2577/16
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

28th September 2016

Application Number: P/2577/16
Validate Date: 08/06/16
Location: 28 Kenton Road, Harrow
Ward: Greenhill
Postcode: HA1 2BW
Applicant: Mr M Tolia
Agent: Framberg
Case Officer: Justine Mahanga
Expiry Date: 21/07/16

PURPOSE OF REPORT/PROPOSAL

The purpose of this report is to set out the Officer recommendations to The Planning Committee regarding an application for planning permission relating to the following proposal.

Demolition of detached dwelling and construction of a two-storey flatted development comprising four 2 bedroom flats with new vehicle access, associated amenity space, refuse / cycle storage and parking

RECOMMENDATION

The Planning Committee is asked to:

- 1) REFUSE planning permission for the reasons set out below:

REASON FOR THE RECOMMENDATIONS

The proposed development, by reason of its incongruous height, scale and massing in comparison to the existing building and the neighbouring properties, would fail to respect the prevailing pattern of development in this part of Kenton Road, to the detriment of the character and appearance of the surrounding area. The proposed development would therefore fail to accord with Policies 7.4 and 7.6 of the London Plan (2016), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide Supplementary Planning Document (2010).

INFORMATION

This application has been called into Planning Committee by Cllr Stephen Greek to allow the Committee to decide whether the inspector's concerns within ref: APP/M5450/W/16/3148078 has been met.

Statutory Return Type:	Minor Dwellings
Council Interest:	N/A
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£5,040.00
Local CIL requirement:	£15,840.00

Plan List: Location plan; 1844/4; 1822/20; 1822/21; Transport Statement (5-TS-004-TS1); Sound Insulation Assessment (102892.PH.ISSUE1).

HUMAN RIGHTS ACT

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.

EQUALITIES

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application there are no adverse equalities issues.

S17 CRIME & DISORDER ACT

Policies 7.3.B and 7.13.B of The London Plan and policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- Nation Planning Policy Framework
- London Plan
- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

Appendix 5 – Appeal Decision APP/M5450/W/3148078

OFFICER REPORT

PART 1 : Planning Application Fact Sheet

The Site	
Address	28 Kenton Road, Harrow, HA1 2BW
Applicant	Mr M Tolia
Ward	Greenhill
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	No

Housing		
Density	Proposed Density hr/ha	42
	Proposed Density u/ph	61.5
	PTAL	6a
	London Plan Density Range	70-130 u/ha
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	0
	2 bed (no. / %)	4 100%
	3 bed (no. / %)	0
	4 bed (no. / %)	0
	Comply with London Housing SPG?	Yes
	Comply with M4 ⁽²⁾ of Building Regulations?	To be secured by condition.

Transportation		
Car parking	No. Existing Car Parking spaces	1
	No. Proposed Car Parking spaces	2
	Proposed Parking Ratio	0.5
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	6
	Cycle Parking Ratio	1.5
Public Transport	PTAL Rating	6a
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	No details have been provided.

PART 2: Assessment

1.0 Site Description

- 1.1 The application site is a 630sqm plot located at the Eastern end of Kenton Road, close to the round-about. The Metropolitan Railway Line adjoins the rear boundary.
- 1.2 The site contains a detached dwellinghouse with gable roof extensions. The property includes a building footprint of 115sqm (site cover of 18%).
- 1.3 Vehicular access to the site is currently located at the western end of the site. A detached garage is located at the rear of the dwelling, adjacent to the western boundary. Informal parking is also provided on the hardstanding area to the front of the garage.
- 1.4 A generous garden is provided at the eastern end of the site, with mature vegetation running adjacent to the eastern boundary.
- 1.5 The surrounding properties of Kenton Road are predominantly single-storey detached bungalows with rear gardens. While some of these bungalows have undergone roof extensions, the properties are generally characterised by pitched roofs. Further west along Kenton Road, development includes large two-storey semi-detached dwellings.
- 1.6 East of the site, at no. 29-30 Kenton Road is a two-storey flatted development.
- 1.7 Metropolitan Open Land is located on the opposite side of Kenton Road.
- 1.8 The application site is not listed or located within a conservation area.

2.0 Proposed Details

- 2.1 The applicant proposes to demolish the existing detached dwelling and construct a two-storey flatted development.
- 2.2 The replacement build would be located in a similar position to the existing dwelling, albeit covering a larger footprint (180sqm) and increased width. The proposed building would be two-storeys in height (8.4m maximum), 19.5m at its widest point and 12.3m in depth.
- 2.3 The building would adopt a traditional design rationale.
- 2.4 The proposed development would provide 4 x 2bedroom, 4 person flats.
- 2.5 A car parking area accommodating 2 wheelchair accessible bays would be located at the eastern end of the site. The existing vehicle crossover would be relocated to this location.
- 2.6 A communal amenity space would be located to the east of proposed flat 2 (approximately 43sqm).

2.7 Refuse storage and secure cycle parking would be provided within two storage enclosures located adjacent to the front boundary. Additional refuse storage for 2 bins would be located at the rear of the building.

3.0 **History**

3.1 LBH/605/2: Demolition of existing single garage at rear and erection of double garage.

Granted: 04-01-73

3.2 LBH/35000: Alterations to roof incorporating side dormer

Granted: 18-04-88

3.3 LBH/35778: Alterations to roof incorporating side and rear dormers (revised).

Granted: 13-06-88

3.4 P/3435/15: Redevelopment to provide a two-storey building for six flats with parking, landscaping, new vehicular access, boundary fence and bin / cycle storage.

Refused: 09-09-15

1. *The proposed development by reason of its unsympathetic design, built form, architectural quality, loss of trees of visual amenity and excessive levels of hardstanding, would result in an incongruous, discordant, stark and obtrusive development, at odds with the established character of the area and pattern of development, contrary to policies 7.4 and 7.6 of The London Plan 2015, Core Strategy Policy CS1 A/B/K and Policy DM1 of the Harrow Development Management Policies Local Plan (2013).*
2. *The proposed development, by reason of the siting of the crossover onto the highway and excessive levels of car parking, would be likely to result in hazardous and obstructive vehicle manoeuvres, to the detriment of the safety of users of the highway network, the free flow of traffic and the objectives of achieving sustainable modes of travel. The proposal therefore fails to accord with policies 6.3, 6.13, and 7.2 of The London Plan (2015), and policies DM1 and DM42 of the Harrow Development Management policies Local Plan (2013).*

3.5 P/5961/15: Redevelopment to provide a two-storey building for four flats with new access, amenity space, parking and bin / cycle storage.

Refused: 10-03-16

1. *The proposed development, by reason of its over-scaled proportions and ill-conceived architectural design rationale, would constitute a pastiche and incongruous development that would have a prominent presence within the site and streetscene. The proposed scheme would therefore fail to provide a high quality design that would appear appropriate within the character and scale of development of the surrounding area, thereby failing to accord with London Plan (2015) policies 7.4, 7.6, policies DM1 of the Harrow Development Management Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).*

3.6 Appeal Ref: APP/M5450/W/16/3148078, relating to P/5961/15, dismissed 29-07-16 (appendix 5).

4.0 Consultation

4.1 A total of 3 consultation letters were sent to neighbouring properties regarding this application. The public consultation period expired on 29-06-16.

4.2 Adjoining Properties

Number of Letters Sent	3
Number of Responses Received	0
Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	0

4.3 Statutory and Non Statutory Consultation

4.4 The following consultations have been undertaken:

LBH Environmental Health
LBH Highways
LBH Education
LBH Drainage
LBH Environmental Health
TFL
Thames Water Authority

4.5 External Consultation

4.6 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
Transport for London	No comments received.	Officers will update the Committee of any representations that are received before Committee consideration.
Thames Water	Standard comments regarding surface water drainage.	Should this application have been recommended for approval, these comments would have been captured within the standard condition recommended by LBH drainage officer.

4.7 Internal Consultation

4.8 A summary of the consultation responses received along with the Officer comments are set out in the Table below.

Consultee	Summary of Comments	Officer Comments
LBH Highways	No objections	These comments have been acknowledged.
LBH Environmental Health	<p>No objection in principle. The Sound Insulation Assessment recommends enhanced acoustic double glazing with acoustic trickle ventilators. For rapid ventilation, the occupiers would be required to open the windows, therefore losing their acoustic insulation effect. As such, mechanical ventilation should also be specified so that windows can be kept closed if desired. Accordingly, a condition of approval is required requesting a scheme of acoustic double glazing plus mechanical ventilation to meet the recommendations of the acoustic report be provided and agreed with the council before the development is first occupied.</p> <p>It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2016).</p>	Should this application have been recommended for approval, a condition would have been attached as requested.
LBH Drainage	No objections subject to standard conditions relating to foul water and surface water.	Should this application have been recommended for approval, a condition would have been attached as requested.
LBH Landscape Architect	No objections subject to conditions relating to soft / hard landscaping, levels and boundary treatment.	Should this application have been recommended for approval, a condition would have been attached as requested.

5.0 Policies

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:
- 5.2 '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.'
- 5.3 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.
- 5.4 In this instance, the Development Plan comprises The London Plan 2015 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

6.0 Appraisal

- 6.1 The main issues are;
- Principle of the Development
 - Regeneration
 - Character and Appearance
 - Residential Amenity
 - Standard of Proposed Accommodation
 - Accessibility
 - Traffic, Parking, Servicing and Drainage

6.2 Principle of Development

- 6.2.1 The Core Strategy (2012) sets out Harrow's spatial strategy for managing development and growth in the Borough over the plan period from 2009 to 2026. The strategy provides a positive plan for ensuring that the Borough's housing, employment, infrastructure and other needs are met over the plan period in a way that contributes to achieving sustainable development.
- 6.2.2 Policy CS1A of Harrow's Core Strategy 2012 [CS] undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites. Policy CS1.B resists development on garden sites, recognising the propensity for such proposals to lead to unmanaged, incremental growth that undermines the spatial strategy.

- 6.2.3 In relation to garden development, CS policy CS1 B states that proposals that would harm the character of suburban areas and garden development will be resisted. The reasoned justification in paragraph 4.5 states that 'Residential gardens are an integral part of suburban character and are an important component of the quality of life enjoyed by many outer London residents. Collectively, the Borough's gardens provide natural drainage, in some areas are part of the functional flood plain, and are recognised as an important local habitat in Harrow's Biodiversity Action Plan (2008). Private residential gardens are excluded from the Government's definition of previously developed land. In view of their local importance and the propensity for such sites to lead to unmanaged incremental growth, the spatial strategy directs the Borough's development needs to be met on previously developed sites and therefore the Council will resist development on garden land'.
- 6.2.4 The Council has developed *Supplementary Planning Document: Garden Land development*. This document should be afforded significant weight in the consideration of this application. The Garden Land Development SPD provides clarity on the purposes of policy CS1.A/B whereby the Council seeks to resist development on 'garden land'. The harm arising from garden land development does not just relate to issues of character, though this issue is considered further below, but to ensuring the strategic objectives of the development are delivered. The deliverability of the Core Strategy is, in part, dependent on the appropriate development of the borough and to resist garden land development and the Garden Land SPD gives effect to these policies and objectives. The objectives of the Core Strategy are wide-ranging and set a significant challenge for the borough to provide appropriate levels of growth in housing, employment, infrastructural requirements, social cohesion and economic prosperity whilst ensuring that the environmental impacts of development are enhanced.
- 6.2.5 The Garden Land SPD also provides clarity at paragraph 3.1 on 'what is garden land' and in the context of this application, confirms that 'garden land' includes gardens of houses. However, paragraph 3.7 of the SPD (2013) recognises that proposals for the redevelopment of an existing dwelling or group of dwellings should take into account their original footprint as well as their appropriate enlargement potential.
Paragraph 3.7 clarifies this further by stating "the Council will allow any enlargement in footprint that is equivalent to whichever is the larger of either: the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling (s); or the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD.
Paragraph 3.8 goes onto say that "In the consideration of (i) and (ii) regard will be had to any footprint already exercised as permitted development, or implemented from planning permission(s), in respect of the existing dwelling (s) to be demolished."

6.2.6 The existing property located at 28 Kenton Road is a detached dwelling which does not appear to have been extended at ground level. It is noted that there is a detached garage located on site, which are specifically excluded from being included as a form of permitted extension to a dwellinghouse. However, in line with the guidance within the Garden Land SPD, the property would be capable of being extended at the rear and to the side in line with current permitted development (for clarity, this does not include what may be achieved under the prior approval process). The existing detached property would include a footprint of approximately 200sqm, after being extended under permitted development. The proposed development would have a footprint of approximately 180sqm. Accordingly, in this context, the increased footprint of the proposed development falls within the tolerances of paragraph 3.7 of the Garden Land Development SPD and as such, represent an appropriate form of redevelopment on a garden land site.

6.2.7 Policy 3.8 of The London Plan (2016) 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 CS1 (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'. Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed development would constitute an increase in housing stock within the borough in terms of unit numbers.

6.2.8 The proposed development is therefore considered acceptable in principle, subject to compliance with the relevant development plan policies and supplementary planning guidance which requires all development to respond positively to the local and historic context, seeks to provide a high quality residential development and protect the amenity of surrounding occupiers.

6.3 Regeneration

6.3.1 The proposal would constitute an increase in housing stock within the Borough in terms of unit numbers. There would also be a number of temporary jobs arising from the construction process.

6.4 Character and Appearance of the Area

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

- 6.4.2 The London Plan (2016) 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 (2016) 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 (2016) 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.
- 6.4.3 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.’
- 6.4.4 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.”
- 6.4.5 The application site is a narrow, triangular spur of land, located at the eastern end of Kenton Road, close to the round-about. The site includes a 43m frontage to Kenton Road and adjoins the metropolitan railway line at the rear. The area surrounding the application site, on the northern side of Kenton Road, is characterised by large detached bungalows, with front bay windows and rear gardens. While some of the properties have been extended to provide floorspace at roof level, the dwellings are of similar proportions. Notwithstanding the roof extensions to some of these properties, all dwellings from the application site to the junction with Kenton Avenue are characterised by pitched roofs, some with front gables. Further west towards this junction with Kenton Avenue, Kenton Road includes two-storey semi-detached properties.
- 6.4.6 Whilst it is noted that the plot and layout of the application site does not strictly follow the aforementioned pattern of development due to its location on a narrow parcel of land close to the Kenton Road round-about, the general appearance and architectural design of the detached property is reflective of the neighbouring bungalows. Furthermore, given the constrained depth of the site and the existing vegetation at the eastern end, the existing detached dwelling has been sited towards the western boundary and as such, forms part of the parade of more traditional style detached dwellings located along Kenton Road.

- 6.4.7 The eastern boundary of the application site adjoins a narrow parcel of land, measuring 40m in width x 9m in depth which includes a two-storey flatted development with car parking to the front of the building. It is considered that this property has been designed to respond to the limited depth of the site. Given the break in the development provided by the existing vegetation at the eastern end of the application site, the property at no. 29/30 Kenton Road appears as a stand-alone building. In term of architecture, the relatively simplistic brick façade and use of uPVC windows and door frames utilised within this building are considered to lack visual articulation and relief.
- 6.4.8 As detailed within the history section of this report, two refusals (P/3435/15 & P/5961/15) precede this application. The applicant appealed against the second refusal (P/5961/15) and this was dismissed by the planning inspectorate on 29-07-16.
- 6.4.9 Application P/5961/15 proposed a two-storey flatted development, with a footprint of 180sqm, maximum width of 19.5m and a maximum depth of 11.8m. The building was finished with a large crown roof, with a smaller pitched roof located at the western end. The maximum height was 8.1m.
- 6.4.10 The LPA cited over-scaled proportions and ill-conceived design rational within the reason for refusal of this application. Specifically, in terms of the proposed scale of the building, the officer's report makes reference to the bulk and prominence of the roof and the excessive width of the building, which would appear overly dominant, disproportionate and incongruous within the streetscene.
- 6.4.11 The inspectors report states the following: *'The prevailing pattern of development within the surrounding area consists of single storey dwellings, set at fairly uniform distances from the road. Despite large roof extensions, the existing property on the appeal site broadly reflects the dimensions of neighbouring dwellings. The new development, by contrast, would stand at a full two storeys in height, with a substantial roof and a frontage of approximately 19.5m in width. This frontage would almost double the width of the existing house and would be significantly wider than the front elevation of the neighbouring buildings. The development would thus not keep in with the scale and massing of the houses in the vicinity and as such, would conflict with the guidance within the SPD'* (appendix 5).
- 6.4.12 For these reasons, the Planning Inspector upheld the Local Planning Authority's recommendation of refusal.
- 6.4.13 No alterations have been made to the overall footprint / site coverage, width or maximum height of the building within the subject application. Specifically, the proposal includes a maximum width of 19.5m, height of 8.4m and a footprint of 180sqm. The amendments to the development relate to the roof form and the architectural detailing of the front elevation.
- 6.4.14 As the appeal decision was issued prior to the decision of this application, the appeal decision and supporting report now forms a material consideration within the assessment of this application.

- 6.4.15 While the officer's report for P/5961/15 raised concerns in regards to the architectural design rationale and detailing adopted within the proposed building, the inspectors report considered the design approach to be an acceptable response to the surrounding architectural styles in the area.
- 6.4.16 In the context of the appeal decision and also when considering the design amendments proposed within the subject application, overall the design of the building is considered to add a sufficient level of detailing and visual articulation to the facades.
- 6.4.17 Notwithstanding this, as no changes have been made to the width, height and overall building footprint within the subject application, the issues raised within the inspectors appeal decision have not been overcome. Accordingly, by virtue of the incongruous height, scale and massing in comparison to the existing building and the neighbouring properties, the proposed building would fail to respect the prevailing pattern of development, to the detriment of the character and appearance of the surrounding area.
- 6.4.18 In terms of the layout of the site, it is considered that the reduction in car parking is a positive amendment that would allow for enhanced soft landscaping around the building. While the areas of hard and soft landscaping are appropriate, should this application have been considered acceptable in other respects, further detailed design in terms of planting, materials and boundary treatment would be required by way of a condition. Furthermore, while the proposed development would require the loss of some mature trees, the Council's Tree Protection Officer has confirmed that these trees are not afforded protection.
- 6.4.18 Nonetheless, the proposed development, by reason of its incongruous height, scale and massing in comparison to the existing building and the neighbouring properties, would fail to respect the prevailing pattern of development in this part of Kenton Road, to the detriment of the character and appearance of the surrounding area. The proposed development would therefore fail to accord with Policies 7.4 and 7.6 of the London Plan (2016), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide Supplementary Planning Document (2010).

6.5 Residential Amenity

- 6.5.1 It is likely that up to a maximum of 16 people would occupy the proposed development. The proposed development would therefore materially increase the use profile of the existing property by a maximum of 6 persons. However, it is noted that the local area is of a mixed character, with some single family homes and also some flat conversions. As such, it is considered that the proposed development would not unacceptably exacerbate any existing levels of noise and disturbance experienced within the area. In this respect, any potential amenity impacts of the proposed development would be limited to the scale and siting of the proposed new build.

- 6.5.2 The proposed development involves the demolition of the existing dwelling and detached garage and the construction of a two-storey flatted development. The proposed new build would be located at the western end of the site, approximately 3.0m from the common boundary with No. 27 Kenton Road to the west.
- 6.5.3 The subject application proposes to remove the existing single storey garage located on the common boundary with no. 27 Kenton Road. In this context and also considering that the new build would not extend beyond the established rear building line of this neighbouring property, the proposed development would represent an improvement of the outlook from the rear amenity area of no. 27. Given this relationship, the proposal would not result in an undue loss of light to the rear of this property. While it is noted that the proposed development would project an additional 0.4m forward of the front bay window of no. 27, given the location of the new build 3.0m from the common boundary and also when considering the placement of windows on the front elevation of no. 27, no undue loss of outlook or light would occur.
- 6.5.4 The neighbouring property at no. 27 Kenton Road includes a flank wall window, which is believed to be a secondary window to an open plan living / dining room. Given this window currently faces the flank wall of the existing dwelling, it is not considered that the proposed development would significantly alter the outlook from this window. While the proposal includes two flank windows at ground and first floor facing this neighbour, a condition of approval requiring the use of obscured glazing would be sufficient in protecting the privacy of no. 27.
- 6.5.5 To the east, the proposed development would adjoin a multi-level flatted development. Specifically, the proposed car parking area would be located approximately 4.3m from the flank wall of this property. While the use of this car parking area by 2 cars has the potential to increase noise disturbance and impact on the outlook from this adjoining neighbour, it is considered that the use of an appropriate landscape buffer or boundary treatment would be sufficient in protecting the amenity of this neighbour. A condition of approval will require the submission and approval of details relating to the boundary treatment.
- 6.5.6 Accordingly, it is considered that the proposed development would not unacceptably harm the amenities of surrounding occupiers through a loss of light, privacy, overlooking or perception of overlooking to and would therefore would accord with the aims and objectives of policies 7.4B and 7.6B of The London Plan (2016), 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).

6.6 Standard of Proposed Accommodation

- 6.6.1 Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people's needs. In this regard, minimum gross internal areas (GIA) are required for different types of accommodation, and new residential accommodation should have a layout that provides a functional space. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. This is supported by policy DM1 of the DMP and policy AAP13 of the AAP. Further detailed room standards are set out in the Mayors Housing Supplementary Planning Guidance 2012.
- 6.6.2 On 25 March 2015 through a written ministerial statement, the Government introduced new technical housing standards in England and detailed how these would be applied through planning policy. The national standards came into effect on 1st October and therefore an application submitted at this site would be considered against the new national standards instead of the current London Plan standards. Furthermore, the imposition of any conditions requiring compliance with specific policy standards relating to new housing would need to be considered against the national standards.
- 6.6.3 These standards came into effect on the 1st of October 2015. From this date relevant London Plan policy and associated guidance in the Housing Supplementary Planning Guidance (SPG) should be interpreted by reference to the nearest equivalent new national technical standard. The Mayor intends to adopt the new standards through a minor alteration to the London Plan. In the interim the Housing Standards Policy Transition Statement (October 2015) should be applied in assessing new housing development proposals. This is also set out in the draft Interim Housing SPG.
- 6.6.4 Therefore from October 2015, policy 3.2 (c) requires that table 3.3 to be substituted with Table 1 of the nationally described space standards, which is set out in the table below. Policy 3.8 (c) of the London Plan relating to Housing Choice, from the 1 October should be interpreted as 90% of homes should meeting building regulations M4 (2) – 'accessible and adopted dwellings'. Policy 3.8 (d) will require 10% of new housing to meeting building regulations M4 93) – 'wheelchair user dwellings'.

Bedrooms	Bed spaces	Minimum GIA (sqm)			Built – in storage (sqm)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Proposed Flats	Gross Internal floor Area
Flat 1 (two bed, 4 person)	73sqm (70sqm)
Flat 2 (two bed, 4 person)	72sqm (70sqm)
Flat 3 (two bed, 4 person)	73sqm (70sqm)
Flat 4 (two bed, 4 person)	72sqm (70sqm)

- 6.6.5 As demonstrated within the above table, the proposed flats exceed the minimum floorspace standards as required by national housing standards. Each flat has also been provided with sufficient internal storage.
- 6.6.6 On balance, the layout and outlook of the units is considered to be appropriate and would provide adequately lit units. No issues arise in regards to the horizontal or vertical stacking of the units.
- 6.6.7 In terms of amenity space, proposed ground floor flat 2 includes a 25sqm private amenity space, located to the front of the unit. While the other flats have not been provided with private amenity space, it is noted that there is sufficient space around the building, in particular to the east of the building, to accommodate communal amenity space. It is noted that the location of the communal amenity space at the eastern end of the site could result in a loss of privacy to the windows of proposed flat 2, which and oriented towards this space. It is considered that a landscaped defensible barrier would be sufficient in restricting overlooking to these units. Given the location of the amenity space next to the parking area, a landscape buffer would also be required to provide a buffer between these areas. Should this application be recommended for approval, a standard condition would require the submission of details in this respect.

6.6.8 The applicant has submitted an acoustic report detailing the proposed measures to protect the future occupiers from potential noise and disturbance from the rear railway line. Specifically, the scheme would incorporate a rear acoustic fence and enhanced acoustic double glazing with acoustic trickle ventilators. While the Council's environmental health officer has not raised an objection to the principle of the development, further details regarding mechanical ventilation are required to ensure that windows can be kept closed if desired. Accordingly, this application be recommended for approval, a condition of development would require further details of mechanical ventilation to ensure future occupiers would not experience undue harm from the rear railway line.

6.6.9 It is therefore considered that on balance, the proposed accommodation would be satisfactory and as such would comply with policy 3.5 of The London Plan 2016, standard 5.4.1 of the Housing SPG (2012), policies DM1 and DM26 of the Harrow DMP (2013).

6.7 Accessibility

6.7.1 Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.

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

6.7.3 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.

6.7.4 The Design & Access Statement has confirmed that level access would be provided to the site at ground floor level. In addition to this, the proposed units are of a good size and functional layout.

6.7.5 Notwithstanding this, should this application have been considered acceptable in other respects, a condition of approval would ensure that the proposed development would meet regulation M4 (2) of the building Regulations which would secure an appropriate standard for future occupiers and make the units accessible to all.

6.8 Traffic, Parking, Servicing and Drainage

6.8.1 Policy DM42 requires that proposals that result in inappropriate on-site parking, on-site parking provisions which lead to significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclist will be resisted.

- 6.8.2 The existing 5-bedroom dwelling provides parking within an existing garage and also a hardstanding area at the western end of the dwelling. It is considered that the site could currently accommodate 2 on-site parking spaces. The proposed scheme includes 4 units, to accommodate a total of 16 persons. In this respect, traffic generation will potentially increase as compared to the existing dwelling.
- 6.8.3 The application site is located within Harrow Metropolitan Centre, which has the highest PTAL rating (6a). The subject site is located within a controlled parking zone operating from Mondays to Saturdays 8.30am to 6.30pm. The applicant has provided a transport assessment (TA) in support of their proposal, which concludes that the proposal would give rise to no highway or transportation reasons to object to the proposal.
- 6.8.4 While a car-free development would be accepted in this location, due to the excellent PTAL rating, it is acknowledged that there is no alternative parking available in the immediate vicinity of the property. Specifically, the nearest parking is location on Kenton Avenue, which is a short cul-de-sac and is likely to be congested overnight and at weekend. Accordingly, the proposal to provide 2 wheelchair accessible spaces is considered appropriate.
- 6.8.5 The Council's highways officer has confirmed that that no concerns arise in regards to the relocation of the vehicle crossover to the eastern end of the site.
- 6.8.6 In accordance with London Plan requirements, the proposed scheme should provide 8 cycle parks. While the proposed storage enclosure could accommodate the required number of cycle parks, the proposal plans appear to demonstrate 6 spaces only. Similarly, the proposed refuse shelter appears to accommodate 2 bins, while an additional area for 2 bins has also been demonstrated at the rear of the building. This provision of refuse storage and cycle parking does not appear to accommodate the required provision. Notwithstanding this, it appears that there would be sufficient area on the site to accommodate additional storage. Should this application have been recommended for approval, further details of refuse storage and cycle parking would be required by way of a planning condition.
- 6.8.7 The application site is located within a critical drainage area as defined by the maps held by the local drainage authority. The proposed development would increase the amount of hardstanding area on the site. The applicant has not provided information regarding the installation and management of measures for the efficient use of mains water and for the control and reduction of surface water run-off. Notwithstanding this, the Council's Drainage Engineer has raised no objection to the proposed development subject to appropriate conditions requiring details of the measures to be put in place to deal with surface water storage and attenuation.
- 6.8.8 The proposed development would not unacceptably harm the safety and free flow of the highway, in accordance with policies DM1, DM42 and DM46 of the Harrow Development Management Policies Local Plan (2013).

6.9 Equalities

- 6.9.1 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.

6.9.2 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.

6.10 S17 Crime & Disorder Act 1998

6.10.1 It is considered that the proposed development would not adversely impact upon community safety issues and so it would comply with policy 7.3 of The London Plan (2016).

7.0 CONCLUSION AND REASONS FOR REFUSAL

7.1 Although the proposed development would contribute three additional residential units to the housing stock of the Borough, the proposed development, by reason of its incongruous height, scale and massing in comparison to the existing building and the neighbouring properties, would fail to respect the prevailing pattern of development in this part of Kenton Road, to the detriment of the character and appearance of the surrounding area. The proposed development would therefore fail to accord with Policies 7.4 and 7.6 of the London Plan (2016), Policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide Supplementary Planning Document (2010).

APPENDIX 1: CONDITIONS AND INFORMATIVES

Informatives

1 Policies

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

National Planning Policy Framework (2012)

The London Plan (2016):

Policies 3.3, 3.4, 3.5, 3.8, 5.2, 6.9, 7.1, 7.3, 7.4 and 7.6

Harrow Core Strategy (2012):

Core Policy CS1.A/B/H/I/J/K/T

Harrow Development Management Policies Local Plan (2013) DM1, DM2, DM12, DM23, DM42

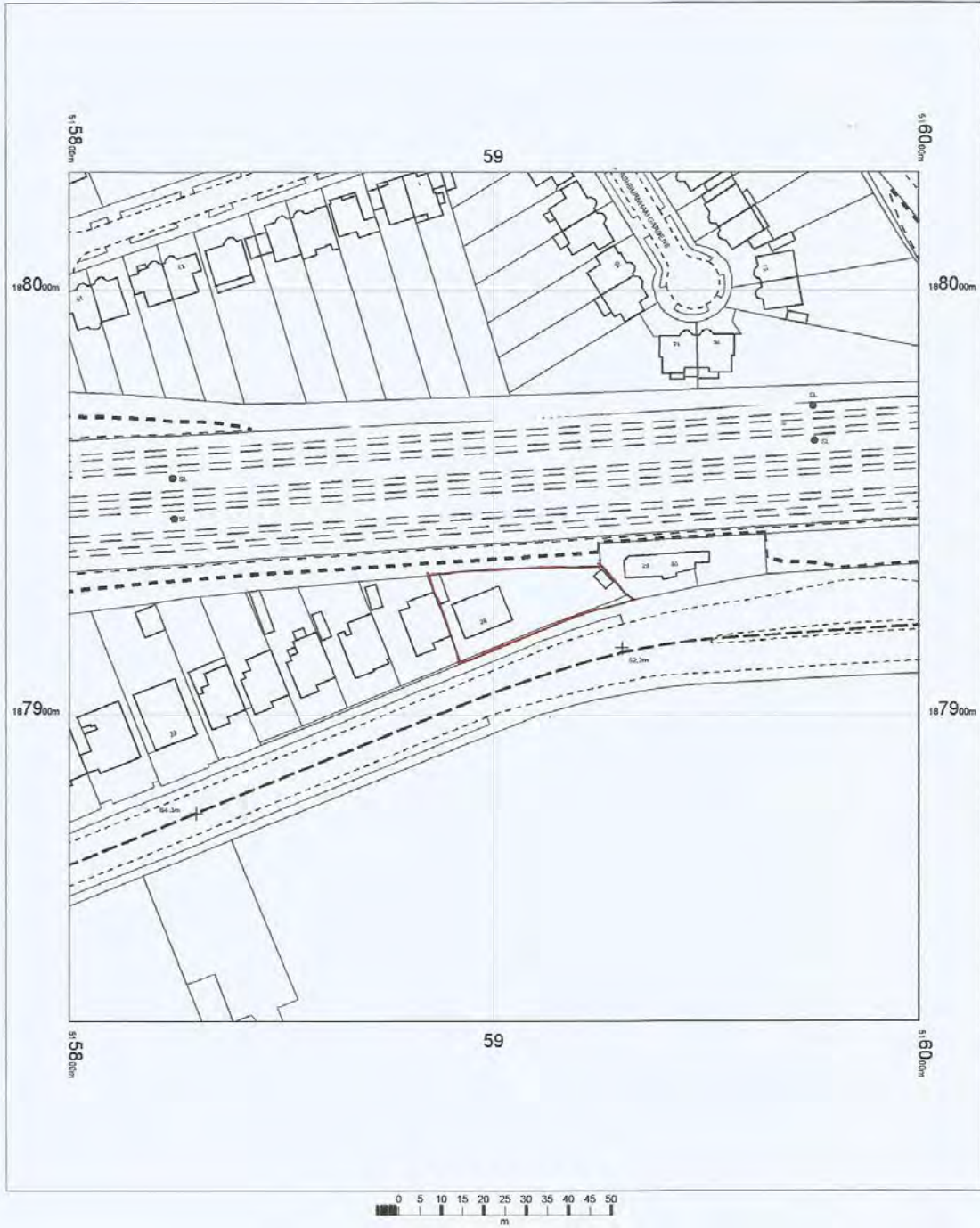
Supplementary Planning Document: Residential Design Guide (2010)

Supplementary Planning Document: Garden Land Development (2013)

2 Pre-application engagement

Pre-application was not undertaken.

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS



Adjoining neighbour at no. 27 Kenton Road and the western elevation of the application premises



Adjoining neighbour at no. 27 and the application premises (largely screened by trees)



Eastern end of the application premises and the adjoining neighbour at no. 29 Kenton Road



Examples of properties along Kenton Road





Examples of properties along Kenton Road

APPENDIX 4: PLANS AND ELEVATIONS

NEW BUILDINGS - SCHEDULE OF EXTERNAL MATERIALS & FINISHES

External walls: External walls to be constructed in a British Arched Yellow or similar facing brick with stone cills with window surrounds. Provide double glazed doors, windows and doors to ground floor with Bronze, Red Oak or similar wood facing brick.

Roofs: All pitched roofs to be covered with Redhead Doublebed Brown concrete roof tiles with regular type and ridge. Provide half open gutters and fascia board with white uPVC.

Windows & doors: Anthracite Grey powder coated aluminium framing with constant frames and all frames fitted with sealed acoustic triple glazing.

External doors: Glazed doors with solid door and fully glazed sidelights in Anthracite grey as above.

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W: www.homeplansharfield.com

CLIENT: BRIFRUIT LIMITED
PROJECT: 28 KENTON ROAD HARROW
TITLE: DESIGN PROPOSAL FLOOR PLANS & ELEVATIONS
DATE: MAY 2016 SCALE: 1:100 AT A1 DRAWN: [Signature]

DRG NO: 1812/20



Appeal Decision

Site visit made on 13 July 2016

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 29th July 2016

Appeal Ref: APP/M5450/W/16/3148078
28 Kenton Road, Harrow HA1 2BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mukesh Tolia against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/5961/15, dated 24 December 2014, was refused by notice dated 10 March 2016.
 - The development proposed is demolition of two-storey existing house and redevelopment of site for a new two-storey building for 4x2 bedroom flats with balconies, private amenity space and 3 parking spaces (including 1 space for disabled parking).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The Council's document entitled 'Local Development Framework Supplementary Planning Document Residential Design Guide' (SPD, December 2010) sets out guidelines for the design of new residential development. Proposals should respond to the pattern of development, which defines the character of the street, and should also recognise the scale, massing and roof form of the surrounding buildings and reflect these where they are a positive attribute of the area's character.
 4. The appeal site is located in a predominantly residential area characterised by single storey dwellings, many of which have had extensions to form accommodation within the roof space. The prevailing pattern is of single, detached properties within their own plots, and set at a fairly uniform distance from the road. The existing property on the appeal site keeps in with this pattern. Despite large roof extensions, it still broadly reflects the dimensions of the neighbouring dwellings.
 5. The new development, by contrast, would stand at a full two storeys in height, with a substantial roof, and a frontage of approximately 19.5m in width. This
-

frontage would be almost double the width of the existing house, and would be significantly wider than the front elevations of the neighbouring buildings. The development would thus not keep in with the scale and massing of the houses in the vicinity. It would mark a striking departure from the characteristic single storey form of development in the surrounding area, thus conflicting with the guidance given in the SPD.

6. I note the Council's concern over the design of the new development. It picks up on the typical roof forms in the area, incorporating hipped roofs and smaller gables, but uses a more contemporary style of fenestration. The frontage is effectively broken up by the use of three distinct roof sections and the 'bookend' features of the double height windows. In itself, I consider the design approach to be an acceptable response to the surrounding architectural styles in the area.
7. Nonetheless, by virtue of its incongruous height, scale and massing in comparison to the existing building and the neighbouring properties, the proposed building would fail to respect the prevailing pattern of development in this part of Kenton Road. It would thus unacceptably harm the character and appearance of the surrounding area. As such, it would conflict with Policy DM1 of the Harrow Council Development Management Policies (July 2013), insofar as it requires regard to be had to the massing, bulk, scale and height of proposed buildings in relation to the location and surroundings. It would further be contrary to Policies 7.4 and 7.6 of the London Plan (March 2015), insofar as they respectively seek to protect local character, and require design to be appropriate to its context.
8. For those reasons, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Elaine Gray

Inspector