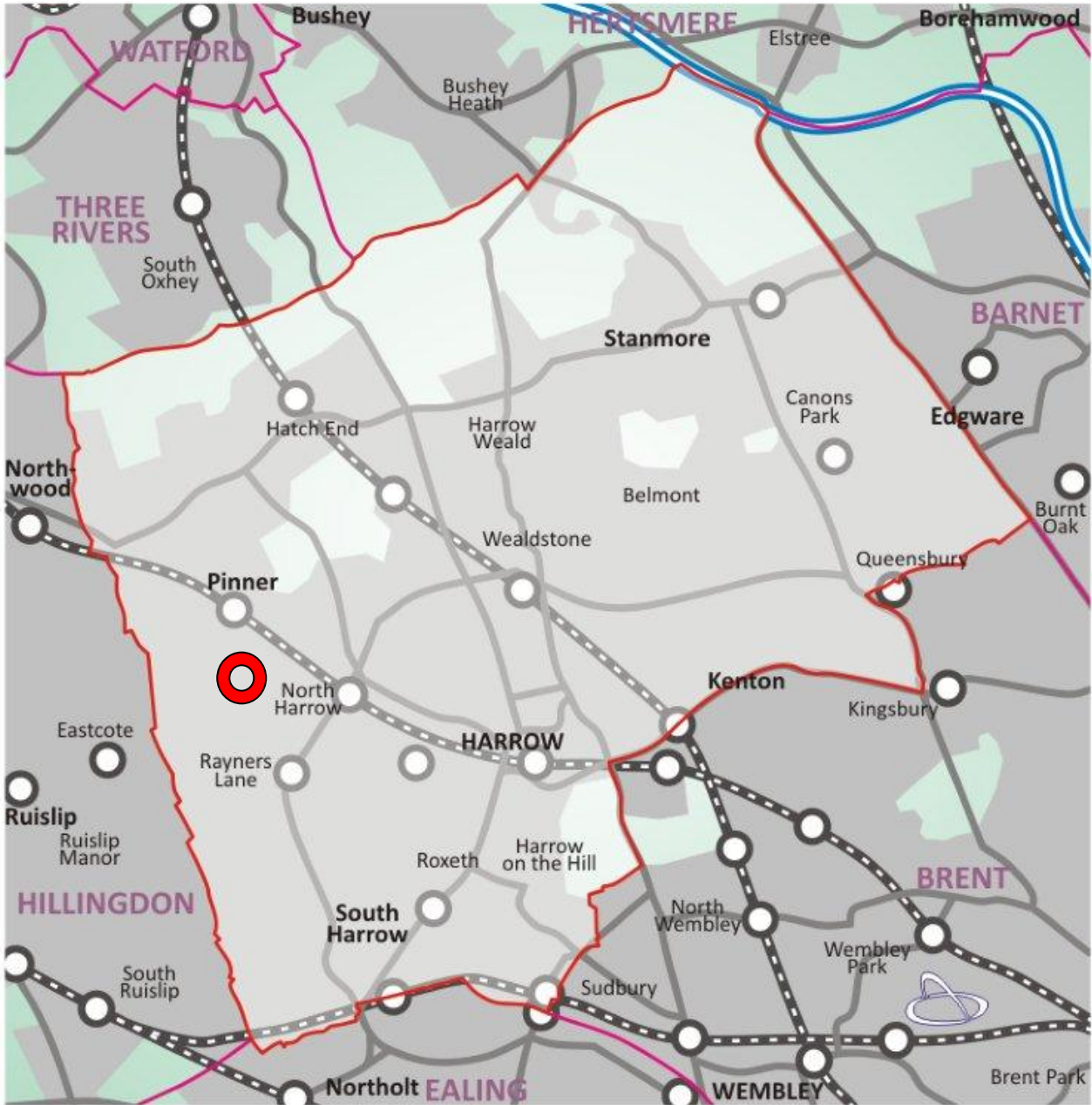
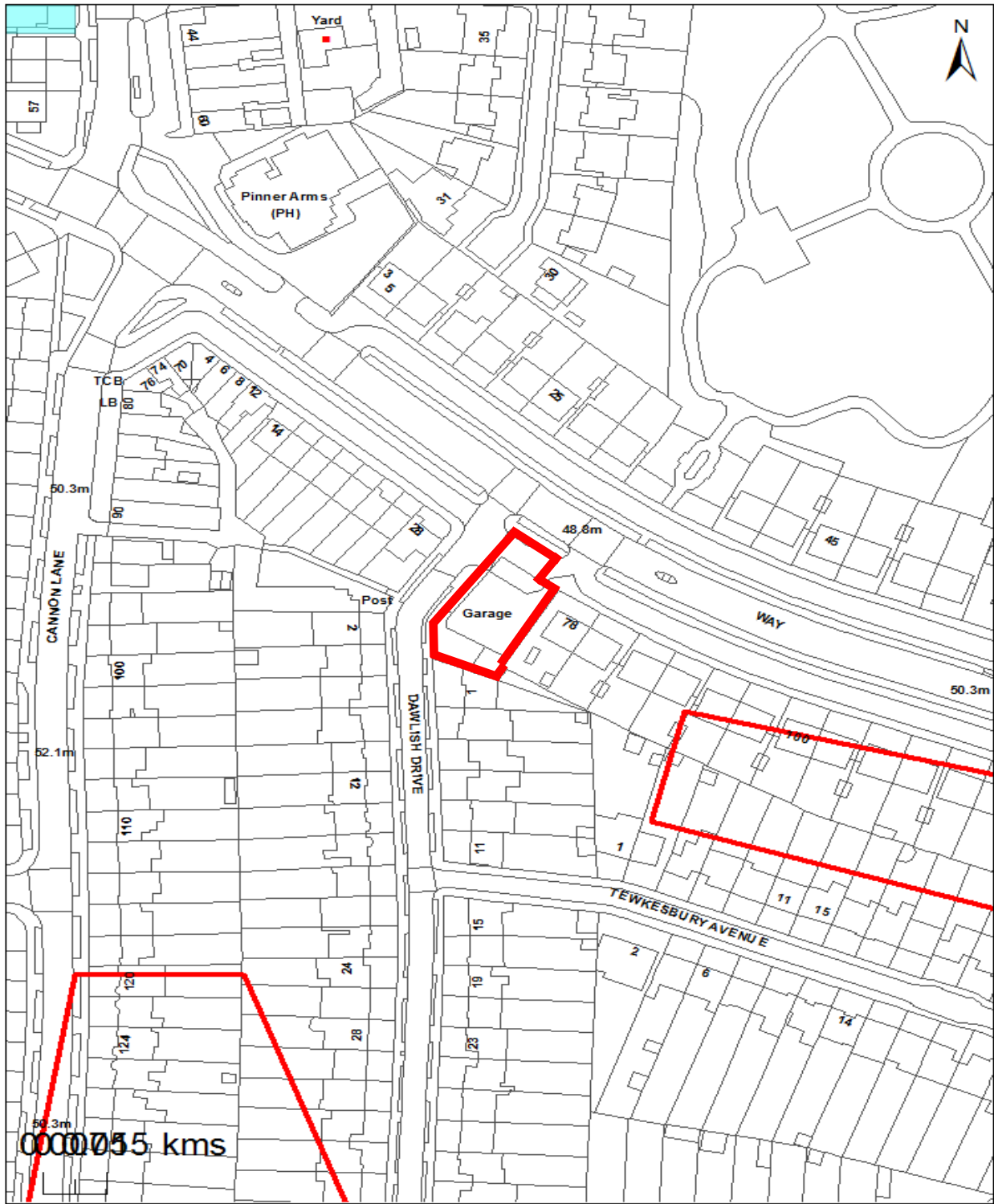


 = application site



<b>74 Whittington Way, Harrow</b>	<b>P/5189/16</b>
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<b>74 Whittington Way, Harrow</b>	<b>P/5189/16</b>
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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

15<sup>th</sup> FEBRUARY 2017

APPLICATION NUMBER: P/5189/16  
VALIDATE DATE: 11/11/2016  
LOCATION: 74 WHITTINGTON WAY, PINNER  
WARD: PINNER SOUTH  
POSTCODE: HA5 5JX  
APPLICANT: MR LEIGH GAINSLEY  
AGENT: PRESTON BENNETT  
CASE OFFICER: GRAHAM MANSFIELD  
EXPIRY DATE: 30/12/2016

### **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.

Redevelopment to provide a three storey building accommodating Nine Flats; Amenity Space; Parking; Cycle and Bin Stores.

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and;
- 2) grant planning permission subject to the Conditions listed in Appendix 1 of this report.

### **REASON FOR THE RECOMMENDATIONS**

The proposed scheme seeks to provide 9 residential units. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

### **INFORMATION**

This application is reported to Planning Committee as the proposed development creates more than two residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Minor
Council Interest:	None
GLA Community Infrastructure Levy (CIL)	£8,109.50
Contribution (provisional):	
Local CIL requirement: £25,487.00	

## **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

## OFFICER REPORT

### PART 1: PLANNING APPLICATION FACT SHEET

The Site	
Address	74 Whittington Way, Pinner
Applicant	Mr Leigh Gainsley
Ward	Pinner South
Local Plan allocation	N/A
Conservation Area	N/A
Listed Building	N/A
Setting of Listed Building	N/A
Building of Local Interest	N/A
Tree Preservation Order	None
Other	N/A

Housing		
Density	Proposed Density hr/ha	107
	Proposed Density u/ph	30
	PTAL	2
	London Plan Density Range	35-95
Dwelling Mix	Studio (no. / %)	0
	1 bed (no. / %)	6 – 66%
	2 bed (no. / %)	3 – 34%
	3 bed (no. / %)	0
	4 bed (no. / %)	0
	Overall % of Affordable Housing	N/A
	Comply with London Housing SPG?	Yes
	Comply with M4(2) of Building Regulations?	Condition attached

<b>Non-residential Uses</b>		
Existing Use(s)	Existing Use / Operator	Car Sales/MOT (Vacant)
	Existing Use Class(es) sqm	Use Class Sui Generis/B2
Proposed Use(s)	Proposed Use / Operator	Residential
	Proposed Use Class(es) sqm	Use Class C3
Employment	Existing number of jobs	None – Vacant Site
	Proposed number of jobs	Zero permanent (some during the construction phase)

<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	N/A
	No. Proposed Car Parking spaces	9
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	N/A
	No. Proposed Cycle Parking spaces	18
	Cycle Parking Ratio	1:2
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Pinner Station (1300m)
	Bus Routes	H11 & H12 (60M)
Parking Controls	Controlled Parking Zone?	Yes
	CPZ Hours	11-12pm
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	N/A
Parking Stress	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
	Summary of results of survey	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Purpose built bin storage to rear

<b>Sustainability / Energy</b>	
BREEAM Rating	N/A
Development complies with Part L 2013?	Yes
Renewable Energy Source / %	N/A

## **PART 2: ASSESSMENT**

### **1.0 SITE DESCRIPTION**

- 1.1 The application sites occupies a corner plot with Whittington Way and Dawlish Drive.
- 1.2 The building occupying the site is a two storey 1930's style garage building with a flat roof and gabled roof rear projection. The rear projection forms the common boundary between the garage site and neighbouring maisonettes at no. 76 and 78 Whittington Way.
- 1.3 The premises was originally used as a petrol filling station. In recent years it was used as car sales with MoT servicing at the rear. The site is now vacant.
- 1.4 The existing premises consists of hardstanding to the front with an existing vehicular access from Dawlish Drive. There is a further existing vehicular access on the bend of Dawlish Drive which served the rear of the premises.
- 1.5 The surrounding area predominately consists of residential dwellinghouses with 1930's metroland properties on Dawlish Drive to the west and local authority maisonettes on Whittington Way.
- 1.6 The site is close to a local shopping parade located on the corner of Whittington Way and Cannon Lane.

### **2.0 PROPOSAL**

- 2.1 It is proposed to demolish the existing premises and erect a three storey building which would accommodate nine flats.
- 2.2 The proposed building would be set back 1.0m behind the current building line at the adjacent property at 76/78 Whittington Way and would be approximately 15.8m wide on the front elevation.
- 2.3 The proposed development would largely occupy a similar footprint as the existing building on site, but would not project as far within the plot. The proposed three storey building would be 11.5m deep adjacent to 76/78 Whittington Way and the highway of Dawlish Drive.
- 2.4 A further 4.0m deep projection would be attached to the rear elevation of the main building, this element would be approximately 10.0m in width.
- 2.5 The proposed building would feature two projecting gabled features which would provide winter garden amenity space for the flats a central projection with gable roof would feature the main entrance doors.

- 2.6 The main section of the building fronting Whittington Way would be a maximum height of approximately 9.3m and the rear projecting element of the proposed building would be a maximum height of approximately 8.9m.
- 2.7 The proposed building would finished in brick, reflecting the local architectural vernacular of the area.
- 2.8 Cycle and bin storage would be provided at the rear together with a soft landscaped area which would provide amenity space.
- 2.9 Car parking for 9 spaces would be provided to the front of the proposed development.

### **3.0 RELEVANT PLANNING HISTORY**

- 3.1 A summary of the relevant planning application history is set out in the table below:

<b>Ref no.</b>	<b>Description</b>	<b>Status and date of decision</b>
LBH/16179	Roofing Over Rear Yard and Workshop	Granted; 05/02/1981
WEST/254/CLE	Certificate of Lawful Existing: Use for Petrol Sales and Vehicle Repairs	Granted; 11/12/1996
WEST/571/00	Certificate of Lawful Existing: Use for MoT Testing	Granted; 05/07/2000

### **4.0 CONSULTATION**

- 4.1 A Site Notice was erected on 12<sup>th</sup> December 2016 expiring on 2<sup>nd</sup> January 2017.
- 4.2 A total of 9 consultation letters were sent to neighbouring properties regarding this application.
- 4.3 The overall public consultation period expired on 9<sup>th</sup> January, any further responses would be updated by means of an addendum.



#### 4.4 Adjoining Properties

Number of letters Sent	9
Number of Responses Received	5
Number in Support	0
Number of Objections	5
Number of other Representations (neither objecting or supporting)	0

4.5 5 objections were received from adjoining residents.

4.6 A summary of the responses received along with the Officer comments are set out below:

<b>Comments Objecting to the Proposal</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
<b>Loss Of Business Use</b>	The loss of the garage would result in loss of business use which served the local residents	The principle of the development is addressed in section 6.2 of the report
<b>Character of the Area</b>	Proposal is out of keeping due to height and prominent corner position	Noted, character assessment is covered in section 6.4 of the report
<b>Future Occupiers</b>	The proposed flats consist of all one bedroom units  Amount of available amenity space	This is addressed in section 6.5 of the report
<b>Highways and Parking</b>	Concerns regarding the location of waste collection point  No Cycle storage  Concerns in relation to parking spaces and impact on surrounding streets	These issues are covered in section 6.7 of the report
<b>Other issues</b>	Concerns regarding the future management of the proposed development	Noted, many of the management issues raised are outside the

		remit of the planning process. Notwithstanding this conditions have been attached dealing with the location of rubbish bins, TV reception equipment
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4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

LBH Highways
LBH Planning Policy
LBH Design
LBH Waste Officer
LBH Drainage
Pinner Association

4.11 Internal & External Consultation

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

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
Pinner Association	No comments received	Noted
LBH Waste	No comments received	Noted
LBH Planning Policy	No Objections	Noted
LBH Drainage	No Objections, subject to conditions	Noted
LBH Highways	No Objections subject to conditions relating to construction method statement.	Noted

**5.0 POLICIES**

5.1 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.’

- 5.2 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.
- 5.3 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].
- 5.4 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

## **6.0 ASSESSMENT**

- 6.1 The main issues are;

Principle of the Development  
Regeneration  
Character of the Area  
Residential Amenity for Future Occupiers  
Residential Amenity (Neighbouring Residents)  
Traffic and Parking  
Drainage  
Contaminated Land

### 6.2 Principle of Development

- 6.2.1 The site is a former commercial/employment use within an established residential area in Pinner. The site is not located in a town centre, nor does it form part of a neighbourhood parade, although one is located approximately 50m away.
- 6.2.2 An objection has been received in relation to the loss of the business use at the application site. Policy DM 31: Supporting Economic Activity and Development applies in relation to the proposed development. Parts C and D of DM31 should be read in conjunction with core policy CS1 O, which establishes a hierarchy for the potential loss of employment land.
- 6.2.3 In this regard, the site is an unallocated employment site, away from any major public transport nodes and strategic road network and is surrounded by residential development. The applicant has provided marketing evidence in relation to the site and as such the marketing of the site over the past 12-18 months indicate that the site is redundant for employment uses.

- 6.2.4 In addition to the above Part D of policy DM 31 applies a sequential test to sites where the loss of employment use had been accepted, firstly alternative employment uses (excluding town centre uses), secondly strategic community infrastructure (not suitable for Town Centre locations) and finally, mixed use proposals that include and facilitate a significant element of employment generating uses.
- 6.2.5 It is considered that given the location of the site and the neighbouring residential development, that there is limited opportunity for alternative employment uses on the site once the main town centre uses are excluded.
- 6.2.6 Given the above, the principle of the loss of employment use of the site is accepted and a fully residential scheme is acceptable in this instance.
- 6.2.7 Affordable Housing
- The proposal to introduce 9 residential units to the site would be below the 10 unit threshold and as such would not trigger the requirement to provide any element of affordable housing.
- 6.2.8 Housing Mix
- Policy DM24 (Housing Mix) of the Development Management Policies Local Plan document supports proposals that secure an appropriate mix of housing on the site. The development proposed here would contribute towards the housing stock and increase the choice of housing in the Borough and the opportunity area and would therefore find some support in policies 3.5 and 3.8 of The London Plan (2016).
- 6.2.9 London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. The proposal's 9 home contribution to housing supply ensures that this site makes an appropriate contribution to the Borough's housing need over the plan period to 2026.
- 6.2.10 The application site area is 0.08 hectares and it has a public transport accessibility level (PTAL) score of 2 indicating a poor level of public transport accessibility. Within the definitions of the London Plan density matrix, the site is considered to have a suburban setting. The proposal, taken as a whole, equates to a density of 30 units per hectare and of 107 habitable rooms per hectare. The densities fall well above the overall matrix ranges for a suburban setting sites with a PTAL 2. However, as noted above, the matrix is only the starting point for considering the density of development proposals.
- 6.2.11 However, notwithstanding the above, it is considered that the number of units for the site would be appropriate for this location and further the proposal would comply with the other material considerations and these are discussed further in the report below.

### 6.3 Regeneration

6.3.1 The proposed development would allow the development of a vacant brownfield site which would generate additional housing stock within the Borough. Furthermore, the regeneration of the redundant site would improve the visual amenity and character of the surrounding area. A number of jobs will also be created during the construction phase of the development.

### 6.4 Character of the Area

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

6.4.2 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.

6.4.3 The application site is located on the corner of Whittington Way and Dawlish Drive. Both streets are residential in nature and comprise largely of two storey semi-detached and terraced dwellinghouses. The character of the surrounding properties consist of typical metroland dwellings with projecting bays and hipped roofs and local authority housing consisting of terraces and purpose built maisonettes.

6.4.4 The subject application seeks permission to replace the existing two storey building which is largely flat roofed with a gable roof projection at the rear. The proposed building would roughly occupy the same footprint as the existing premises and would sit further back than the existing building and would feature a stepped elevation fronting Dawlish Drive and a three storey projection to the rear.

#### 6.4.5 Massing and Height

An objection has been received in relation to the massing and height of the proposed building. The proposed building would be two storey in height with a further floor accommodated within the hipped roofspaces. It is acknowledged that the total height of the proposed building would be higher than the existing building on site, however, at a height difference of 0.6m to the nearest building at no. 76/78 Whittington Way, it is considered that the impact on the surrounding streetscene would be satisfactory in terms of character.

6.4.6 Furthermore, the proposed height and massing would be acceptable in this instance due to the fact that the elevation of the building fronting Whittington Way would be set back from the adjacent properties.

6.4.7 The proposed development would feature a stepped design along Dawlish Drive elevation with the rear elevation being sited approximately 9.0m from the common boundary with the nearest two storey semi-detached property at no. 1 Dawlish Drive. The proposed stepped nature of the building along this frontage is considered to provide articulation to the building elevation, while breaking up the overall massing of the building.

#### 6.4.8 Architecture

The proposed building would be two stories in height with a further floor within the roofspace. It is considered that the use of gable features and brick would relate well to the 1930's/40's housing which is predominate within the surrounding area.

6.4.9 In terms of the appearance of the development, the proposal seeks to use a high quality brick finish to the building with recessed winter gardens throughout the front elevation. The proposed recessed balconies would provide articulation to the façade of the building, helping the building to achieve its own identity in an area which is characterised by predominately 1930's/40's design properties.

6.4.10 Overall it is considered that the design and architecture for the proposed building would be acceptable for this corner location. Notwithstanding the above, a condition has been attached to the permission requiring the submission of sample details of all building materials for the proposed development.

#### 6.4.11 Layout and Landscaping

The existing site is a car park to the front and the garage building footprint for the remainder of the site and as such is primarily hardstanding. The proposed development offers the opportunity to provide some meaningful landscaping across the site. This would include both hard and soft landscaping.

6.4.12 As mentioned above, the existing site is predominantly hardstanding, of a very low quality, and detracts from the character of the site and wider area. The proposed development seeks to take the opportunity to improve the site. Outside of the footprint of the proposed building, it is attempted to use as much soft landscaping to improve the appearance of the development and site.

6.4.13 The rear of the existing site currently contains the former MOT testing station and hardsurfaced rear yard. The proposed rear of the new development would contain soft landscaping and planting, which would be a welcomed addition to the site considering the current site circumstances.

6.4.14 The Council's Landscape Architect has not objected to these details. As such, it is considered that the proposed landscaping would be acceptable subject to details of planting and the proposed boundary treatments for the site.

## 6.5 Residential Amenity for Future Occupiers

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

6.5.2 Implementation of the policy is amplified by provisions within the Mayor's Housing SPG (2016). The amplification is extremely comprehensive and overlaps significantly with matters that are dealt with separately elsewhere in this report, particularly Lifetime Neighbourhoods. In response to a request for clarification about the detail internal arrangements of the proposed flats and houses the applicant has advised that the development has been designed to accord with the London Housing Design Guide. Furthermore, the Housing Standards Minor Alterations to the London Plan have now been adopted as at March 2016. Where relevant these are addressed in the appraisal below.

6.5.3 It is noted an objection received states that the flats would all be one bedroom. This is incorrect as can be seen from the following breakdown:

### **Ground floor:**

Flat	Type	Area (sq m)
1	1 bedroom, 2 persons	53.5
2	1 bedroom, 2 persons	59
3	2 bedroom, 3 persons	63.5

### **First floor:**

Flat	Type	Area (sq m)
4	1 bedroom, 2 persons	53.5
5	1 bedroom, 2 persons	59
6	2 bedroom, 3 persons	63.5

### **Second Floor:**

Flat	Type	Area (sq m)
7	1 bedroom, 2 persons	53.5
8	1 bedroom, 2 persons	59
9	2 bedroom, 3 persons	63.5

6.5.4 The proposed flats in all instances exceed the required GIA for the respective occupancy levels. Furthermore, the majority of the units demonstrate that a level of dedicated storage space for future occupiers which would accord with the minimum requirements for their respective occupancy levels. The proposed units are therefore considered to provide an adequate level of accommodation for future occupiers that would not be cramped or contrived.

- 6.5.5 The London Plan Housing Standards (March 2016) calls for a minimum floor to ceiling height of 2.5 metres across 75% of the GIA of a dwelling. The proposed plans (Sections) indicate that the proposal would achieve a floor to ceiling height of 2.5m. The proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers.
- 6.5.6 The SPG seeks to limit the transmission of noise from lifts and communal spaces to sensitive rooms through careful attention to the layout of dwellings and the location of lifts. The SPG also recognises the importance of layout in achieving acoustic privacy. Both of these points are picked up by Policy DM1 *Achieving a High Standard of Development* which undertakes to assess amenity having regard to the adequacy of the internal layout in relation to the needs of future occupiers and, at paragraph 2.15 of the reasoned justification, echoes the SPG position on noise and internal layout.
- 6.5.7 It is noted that the proposed floor plans generally provide vertical stacking that is considered to be satisfactory. Notwithstanding this, any overlap is considered in this instance to be acceptable, as the proposed new build would be able to meet Building Regulation standards. Accordingly, it is considered that the vertical stacking of the proposed development is acceptable.
- 6.5.8 It is considered that the proposed flats would have an acceptable amount of daylight and outlook with windows either facing towards the highway of Whittington Way or to the rear communal garden area. Furthermore, the flats adjacent to the Dawlish Drive elevation would have dual aspect windows which would serve as additional sources of light and outlook
- 6.5.9 Accessibility
- 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.
- 6.5.10 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'. The proposed floorplans demonstrate that there would be level access for wheelchair users from the entrance. Furthermore, the applicants design and access statement highlights that the lifts, communal area and the proposed residential units have been designed to meet the Housing Supplementary Guidance and Building Regulations Part M (3).
- 6.5.11 Noting the above, the proposed development would be satisfactory in terms of accessibility, subject to a condition to ensure compliance with Building Regulations M4 (3)



#### 6.5.12 Amenity Space

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

6.5.13 For private amenity space, the SPG requires a minimum of 5m<sup>2</sup> per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant, and for balconies the SPG specifies minimum dimensions of 1.5m x 1.5m. The proposed balconies would meet and exceed these minimum dimensions in terms of 1.5m x 1.5m. However, it is noted that a number of the private amenity spaces provided would fall short, albeit very marginally, of the 5sqm minimum standard (or greater for higher occupancy levels). However, it is noted that the proposed private amenity space for the balconies are of a functional and useable layout. Furthermore, and specifically along the front elevation facing Whittington Way, the balconies would be inset winter gardens, which provide a much more private, quieter balcony for the future occupiers. Level access onto the balconies would be secured as part of the proposed access conditions.

6.5.14 An objection has been raised in regards to the lack of amenity space for the development. However, in addition to the private balconies occupiers of the flats would also have access to communal outdoor space which is located to the rear of the proposed development.

6.5.15 The proposed open space would offer an area of approximately 132 square metres and would provide a welcome additional component to the amenity afforded to future occupiers of the development. The SPG calls for adequate natural surveillance, wheelchair access and management of such areas. The proposed communal amenity space would be overlooked by the blocks that they serve. It is normal for the management of residents' communal areas in new development to be taken on by a private management company or the relevant registered provider; there is no reason to expect that these arrangements will not be on an adequate footing in respect of the proposed development.

#### 6.6 Residential Amenity (Neighbouring Residents)

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.

##### 6.6.1 Impact on 1 Dawlish Drive

The proposed building would occupy less building footprint than the existing buildings on site. Whilst it is acknowledged that the rear projection of the proposed three storey building would be higher than the existing garage building by approximately 1.0, there would be a separation of distance of 9.0m to the northern boundary of no. 1 Dawlish Drive.

6.6.2 Furthermore, there are no habitable windows on the northern elevation of no. 1 Dawlish drive, and therefore, the impact of the proposed development on the occupiers of no. 1 in terms of daylight, overlooking and overshadowing would be acceptable.

6.6.3 Impact on 76/78 Whittington Way

Adjacent to the eastern boundary of the site is 76 and 78 Whittington Way, which is an ex-local authority maisonette. The current garage building forms the western boundary of the 76/78 and runs the full length of the rear garden. At the side of no.76/78 there is a separation distance of approximately 2.7m to the common boundary.

6.6.4 The proposed building would be sited off the current boundary by approximately 1.0m towards the front elevation and 1.7m towards the rear, with a further separation distance of 5.0m between the proposed rear projection and common boundary with 76/78.

6.6.5 It is noted that the proposed building would be higher than the existing building. However, the impact on the occupants of 76/78 would be mitigated by the fact that the proposed building would be shallow than the existing building on site and would be set off the common boundary.

6.6.6 It is noted that there are habitable windows in the adjacent rear elevations of no's 76 and 78. However, the proposed plans demonstrate that there would be no breach of a horizontal 45 degree splay from each of these windows. Therefore the impacts in terms of daylight, outlook and overshadowing would be satisfactory.

6.6.7 A secondary window serving the kitchen at the ground floor at no. 78 faces the common boundary with the application site. However, the impact on this window would be acceptable and would not be demonstrably worse than the existing situation in terms of daylight and outlook

6.6.8 Four secondary windows are proposed for the eastern flank of the development. Subject to a condition requiring these windows to be of obscure glazing, these windows would have an acceptable impact on the occupants of no's 76 and 78 Whittington Way in terms of privacy.

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

6.7 Traffic, Parking and Servicing

Policies DM26 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

- 6.7.1 A number of objections have been received in relation to parking and highways. The application site is located within an area with a PTAL (Public transport Accessibility Level) of 2, which is considered to be a poor level of accessibility to public transport nodes and community facilities.
- 6.7.2 The proposal seeks to provide a parking space for each flat to the front of the proposed building. Four of which would provide electrical charging points and one being a disabled parking space. The resultant parking ratio would be 1:1 for the whole development. The Council's Highways officer has highlighted that the number of car parking spaces for this type of development should be reduced. However, given the low PTAL rating for the area would be satisfactory in this instance.
- 6.7.3 Secure and readily accessible cycle parking is provided, at one space per room, in line with the The London Plan (2016) requirements. This has been provided on site in the rear garden and is therefore considered acceptable.
- 6.7.4 Waste storage has been provided to the rear of the site and would be accessed via the existing vehicular crossover on Dawlish Drive. The proposed location of the bin store is considered to be satisfactory and would comply with Council's Refuse Code of Practice which encourages bin placement to be within 10.0m of the point of pick up. The Council's Highways department have not raised any concerns with the proposed arrangement.
- 6.7.5 Objections have been raised in relation to sight lines adjacent to the western edge of the site, which adjoins the bend on Dawlish Drive. The applicant has supplied information within the Transport Report which demonstrates the limited impact of development on the sight lines on this end of Dawlish Drive. Notwithstanding the above, the Council's highway team has not raised any objections to this.
- 6.7.6 In addition to the above, given the physical site constraints and the location of the site within a predominately residential area, a construction method and management plan would need to be secured via planning condition to help minimise disruption to the local area.
- 6.8 Drainage
- The site is identified as a critical drainage area of Harrow. As the proposed development would not lead to an increase in impermeable surface area, no issues would arise in this respect. The Council's Drainage officers have not objected to the application, but have suggested conditions to deal with on-site drainage and water attenuation.
- 6.8.1 Subject to the drainage conditions, the proposal would accord with the relevant policies in relation to surface water drainage and surface water attenuation.

## 6.9 Contaminated Land

The application site was previously used as a petrol filling station. DM15 of the Harrow DMP states that proposals for the re-development or re-use of land known or suspected to be contaminated will be considered having regard to:

- A) The findings of a preliminary land contamination risk assessment
- B) The compatibility of the intended use with the condition of the land; and
- C) The environmental sensitivity of the site.

6.9.1 A phase I & II Geo-Environmental Assessment has been submitted as part of the proposed development. The Council's Environmental Health Officers who have not raised any objections.

6.9.2 Notwithstanding the above, a condition has been attached to the permission requiring further investigations to the status of the ground conditions prior to development on site. This condition also covers remediation and verification strategies should any potential land contamination be discovered.

## 7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed loss of the business use is considered acceptable in principle, together with the proposal for nine residential units. The proposal would contribute to the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016) and would regenerate a brownfield site. Furthermore, the proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

7.2 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.

## **APPENDIX 1: Conditions and Informatives**

### **Conditions**

#### 1 Timing

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 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Design & Access Statement; Site Plan; 16/3430/1; 16/3430/2; 16/3430/3; 16/3430/4; 16/3430/5; Transport Statement dated 26<sup>th</sup> October 2016.

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

#### 3 Materials

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

- a. facing materials for the building
  - b. windows/ doors
  - c. boundary fencing
  - d. ground surfacing
  - e. balcony screens
  - f. projecting canopy over residential entrance
  - g. proposed materials for refuse/cycle storage areas
- The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason: To safeguard the appearance of the locality and to ensure a satisfactory form of development.

#### 4 Hard & Soft Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a details all boundaries treatments on the land. Details of the boundary treatments, shall be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained

thereafter. 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.

5 Planting Schedules

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

Reason: To safeguard the appearance and character of the area, and to enhance the appearance of the development.

6 Construction Management Plan

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

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

Reason: To ensure that the construction of the development does not unduly impact on the amenities of the occupiers of neighbouring properties.

7 Refuse

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

Reason: To safeguard the appearance of the locality.

8 Accessibility

Flats 1-9, as indicated on plan number/s hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved in writing by the Local Planning Authority prior to occupation. The proposal shall be carried out in accordance with the approved drawings and retained thereafter.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time

9 Secure by Design

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

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

Following implementation the works shall thereafter be retained.

Reason: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

10 Surface Water Drainage and Attenuation

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.

11 Land Contamination

Notwithstanding the details provided in the phase I & II Geo-Environmental Assessment by BWB Environment Group (dated August 2015), no demolition shall take place until a scheme ('the first scheme') for identifying, managing and disposing of any potential contamination hazards found during demolition of the existing buildings and structures on the site has first been submitted to, and agreed in writing by, the local planning authority. No development other than demolition shall take place until a scheme ('the second scheme') for the management of contamination risk at the site has first been submitted to, and agreed in writing by, the local planning authority. The second scheme shall include the following:

- a) details of a site investigation to provide information for a detailed assessment of the risks to all receptors that may be affected, including those off site;
- b) the results of the site investigation and an options appraisal and remediation strategy giving full details of remediation measures and how they are to be undertaken; and
- c) 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 leakages, maintenance and arrangements for contingency action.

The demolition shall be carried out in accordance with the first scheme so agreed. The development other than demolition shall be carried out in accordance with the second scheme so agreed. 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.

12 Television Reception Equipment

The development hereby permitted shall not commence beyond damp proof course level until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

Reason: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.



13 External Lighting

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

Reason: To ensure that lighting within the site does not cause unacceptable nuisance to residents of the development.

14 Window Detail

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

Reason: To enhance the appearance of the development and safeguard the character and appearance of the area.

15 Flues & Pipework

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.

## Informatives

1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2012)

The London Plan (2016):

2.13 Opportunity Areas and Intensification Areas

3.1 Ensuring Equal Life Chances for All

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

3.8 Housing Choice

3.9 Mixed and Balanced Communities  
5.12 Flood Risk Management  
5.13 Sustainable Drainage  
6.3 Assessing Effects of Development on Transport Capacity  
6.9 Cycling  
6.10 Walking  
6.12 Road Network Capacity  
6.13 Parking  
7.1 Building London's Neighbourhoods and Communities  
7.2 An Inclusive Environment  
7.3 Designing Out Crime  
7.4 Local Character  
7.5 Public Realm  
7.6 Architecture  
Local Development Framework  
Harrow Core Strategy 2012  
CS1 Overarching Policy  
Development Management Policies Local Plan 2013  
DM1 Achieving a High Standard of Development  
DM2 Achieving Lifetime Neighbourhoods  
DM12 Sustainable Design and Layout  
DM15 Contaminated Land  
DM45 Waste Management

#### Supplementary Planning Documents

Mayors Supplementary Planning Guidance: Housing (2016)

Harrow Supplementary Planning Document: Residential Design Guide 2010

## 2 Pre-application engagement

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 Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £13,300.00 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 £8,109.05 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 231.7m2

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: £25,487.00.

#### 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.

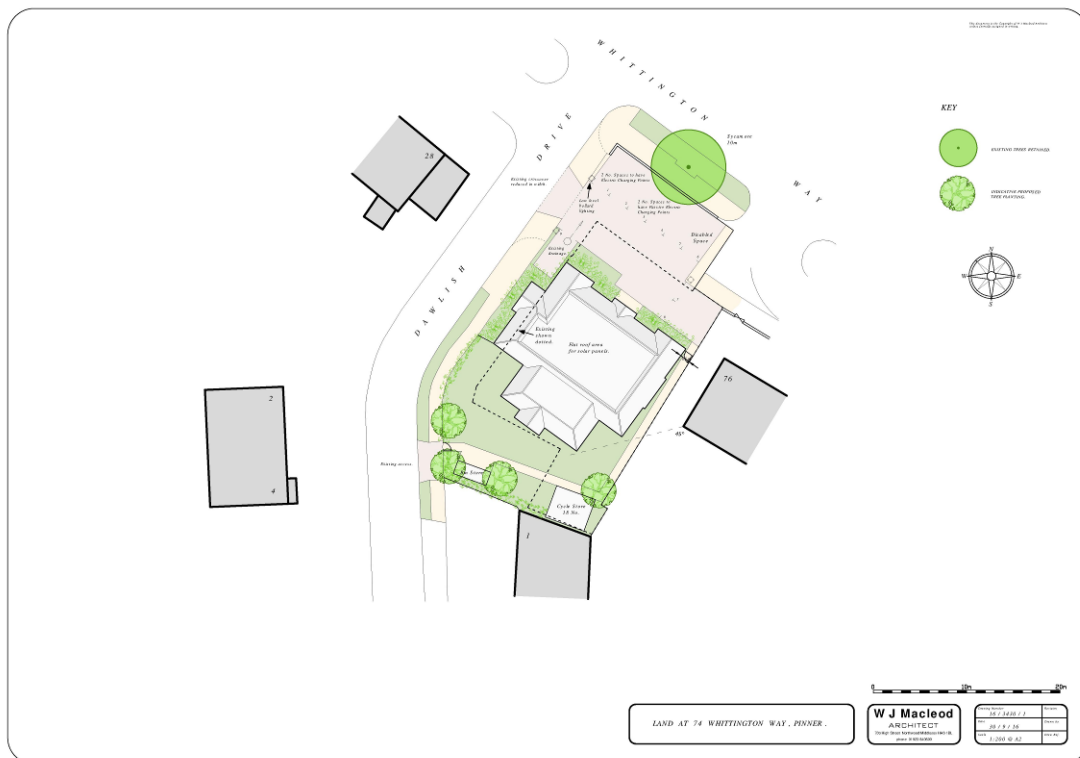
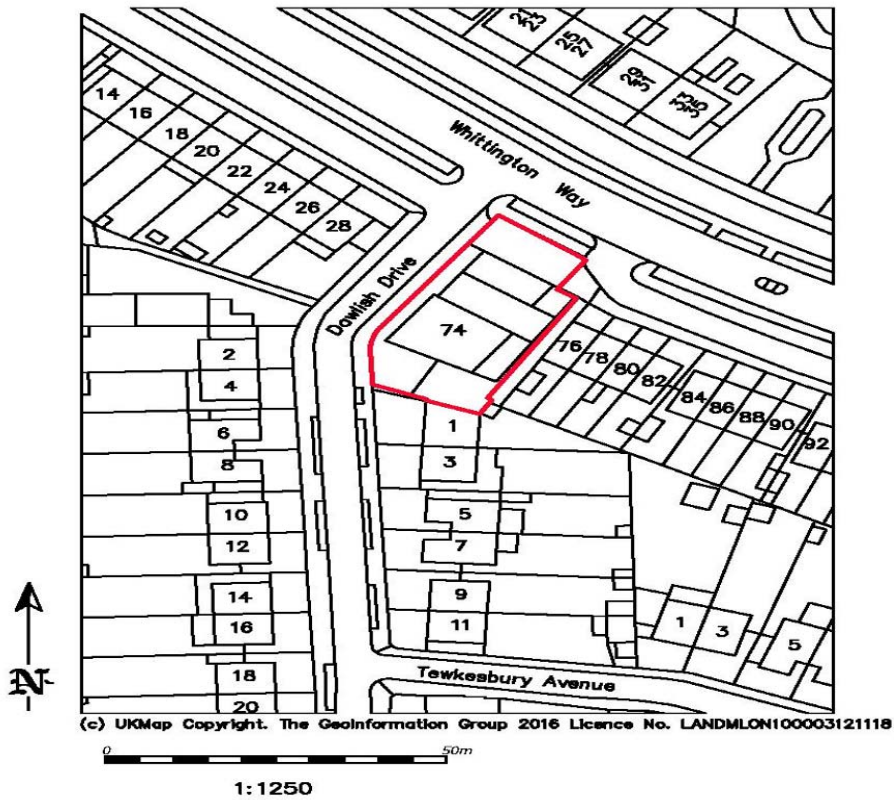
9 Request to Remove Site Notice

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.

10 Liability For Damage to Highway

The applicant is advised to ensure that the highway is not interfered with or obstructed at any time during the execution of any works on land adjacent to a highway. The applicant is liable for any damage caused to any footway, footpath, grass verge, vehicle crossing, carriageway or highway asset. Please report any damage to [nrswa@harrow.gov.uk](mailto:nrswa@harrow.gov.uk) or telephone 020 8424 1884 where assistance with the repair of the damage is available, at the applicant's expense. Failure to report any damage could result in a charge being levied against the property.

## APPENDIX 2: SITE PLAN





**APPENDIX 3: SITE PHOTOGRAPHS**



Dawlish Drive elevation



Whittington Way elevation



Relationship between site and 76/78 Whittington



Current view from rear of 76/78





Looking towards rear of site from 76/78 and across to rear of 1 Dawlish.



No. 1 Dawlish and application site to the left



View of rear from Dawlish Drive



Rear of 76/78 Whittington

# APPENDIX 4: PLANS AND ELEVATIONS



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