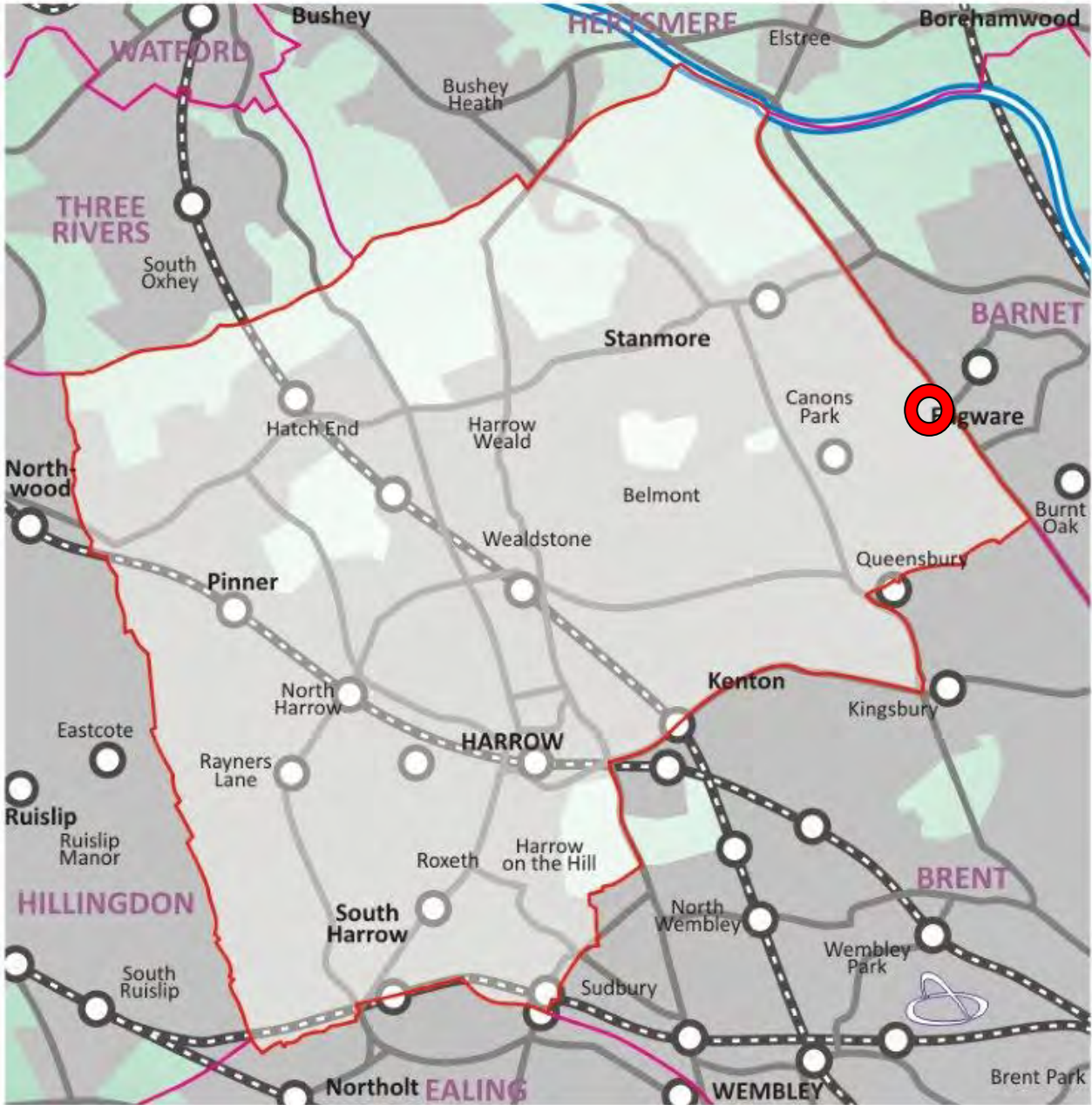
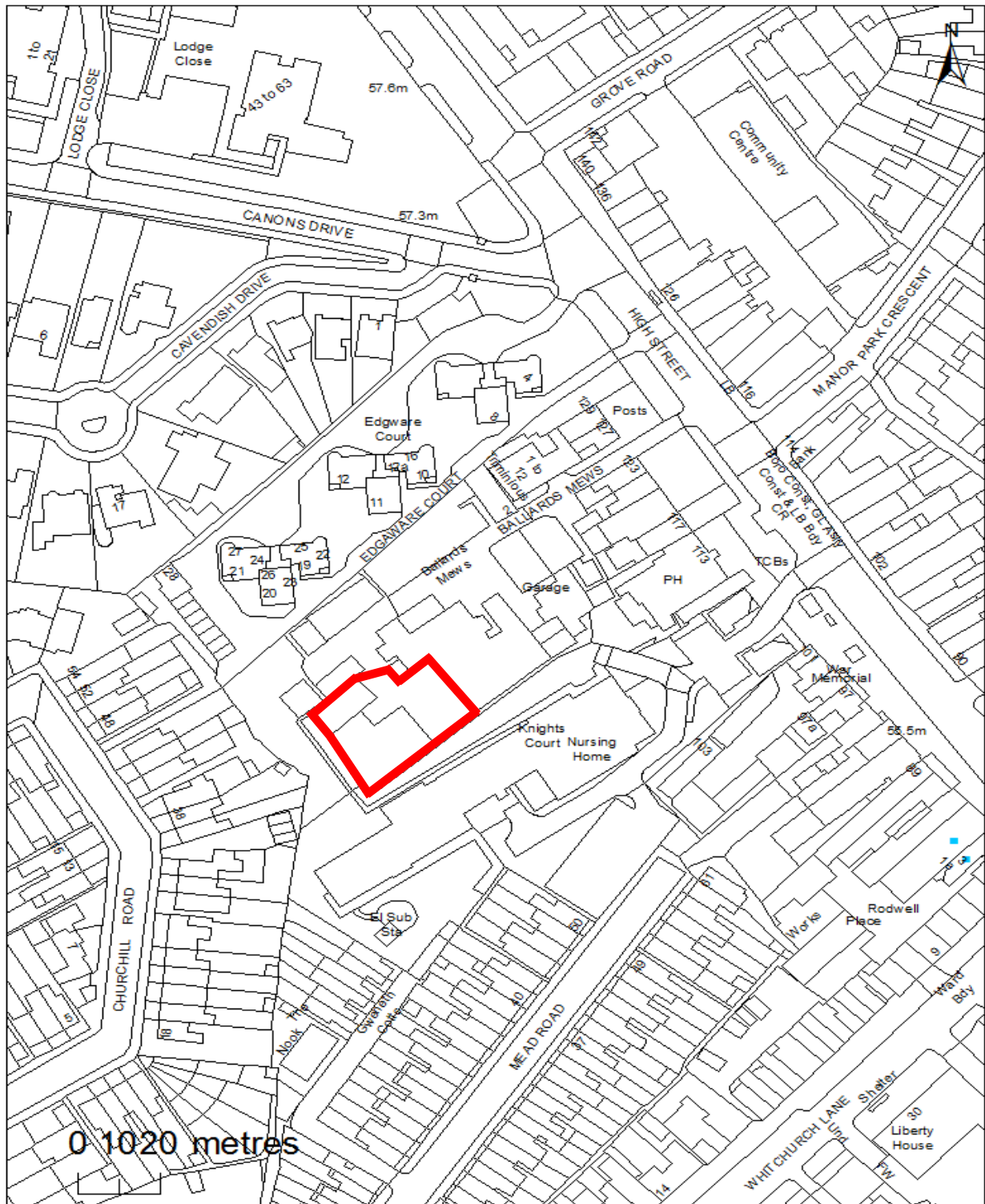


 = application site



Unit 8 Ballard's Mews, Edgware	P/2146/17
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Unit 8 Ballard's Mews, Edgware	P/2146/17
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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

6th September 2017

APPLICATION NUMBER: P/2146/17
VALIDATE DATE: 13/10/2017
LOCATION: UNIT 8 BALLARD'S MEWS, EDGWARE
WARD: CANONS
POSTCODE: HA8 7BZ
APPLICANT: MR SHIRAZ DHANJI
AGENT: SA ASSOCIATES
CASE OFFICER: DAVID BUCKLEY
EXPIRY DATE: 08/09/2017

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.

The proposal is for a redevelopment to provide single and two storey building to create car sales showroom with ancillary office and workshop (sui generis) and associated parking.

RECOMMENDATION A

The Planning Committee is asked to:

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

REASON FOR THE RECOMMENDATION

- 1) The proposal would accord with relevant policy and the proposed development would have a satisfactory impact on the character of the area and the amenities of existing neighbouring occupiers.

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

INFORMATION

This application is reported to Planning Committee as the development would be over 400 sq m in area and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(15). Minor General Industry
Council Interest:	None
GLA Community Infrastructure Levy (CIL):	N/A
Local CIL requirement	N/A

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	Unit 8 Ballard's Mews Edgware HA8 7BZ
Applicant	SA Associates
Ward	Canons
Local Plan Allocation	Business Use Area
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	No

Non-residential Uses		
Existing Use(s)	Existing Use / Operator	Car Sales/Serviceing
	Existing Use Class(es) sq m	420 sq m
Proposed Use(s)	Proposed Use / Operator	Car Sales and Workshop/Ancillary Offices (Sui Generis)
	Proposed Use Class(es) sq m	470 sq m
Employment	Existing number of jobs	4 x full time 2 x part time
	Proposed number of jobs	10 x full time, 10 x part-time

Transportation		
Car parking	No. Existing Car Parking spaces	7
	No. Proposed Car Parking spaces	7
	Proposed Parking Ratio	N/A
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	0
	Cycle Parking Ratio	N/A
Public Transport	PTAL Rating	6a
	Closest Rail Station / Distance (m)	Edgware Tube 650m
	Bus Routes	292, 32, 142, 204, 251, 303
Parking Controls	Controlled Parking Zone?	Application site is within a private site. Surrounding streets to are within Harrow CPZ 'TB' and 'TA'
	CPZ Hours	11am- 12pm Mon-Fri
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	
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	As existing

Sustainability / Energy	
BREEAM Rating	Not disclosed
Development complies with Part L 2013?	Not disclosed
Renewable Energy Source / %	Not disclosed

PART 2 : ASSESSMENT

1.0 SITE DESCRIPTION

- 1.1 Ballard's Mews, including the application site is designated as a Business Use Area. There is no recent planning history on the application site. The proposal site is currently in use as a car sales, workshop, etc. The character of the Ballard's Mews Business Area is entirely motor related, offering repairs and similar services. Existing buildings within this area are not of a high quality in terms of design or maintenance.
- 1.2 The current building has two main sections, one of which has a dual-pitched roof with a full height of 11.50m and an eaves height of 7m and is located to the northern part of the site, while the other, located in the southern part of the site adjacent to the Knights Court Nursing Home has a gently sloping flat roof with a maximum height of 3.60m.
- 1.3 The existing use has been described by the applicant is as a 2-storey car sales and serving building falling within Use Class B2. However, it should be noted that although historic photos indicated that this area of the site has been used for car storage for a number of years, there is not specific planning permission for this use.
- 1.4 Historic aerial photos indicate that part of the development on site presently at the southern part of the site has been built within the past 5 years. Immediately to the south of the site is Knights Court Nursing Home, located on High Street Edgware.
- 1.5 The site is not located within a Critical Drainage Area or any type of higher risk flood zone and the site has been fully hard surfaced.

2.0 PROPOSAL

- 2.1 The proposal is to construct a new building on site, to contain car parking, office, and other uses related to car sales. An ancillary office will be located in the first floor. The proposed building would have a taller section with a flat roof 8m in height, while the lower section would have a flat roof to a height of 5.60m.
- 2.2 The footprint would be 365 sq m, with the ground floor containing vehicles for display, a workshop and offices with staff facilities including staff room and toilets. The upper floor which would be set 10m from the southern boundary would contain offices.
- 2.3 The business would employ 10 x full time employees and 10 x part time staff.
- 2.4 There would also be a car parking area with 7 x parking spaces.

2.5 Proposed materials would be a fibre-glass structure with render and cladding. Details of colours etc. have not been disclosed and a condition will be attached requiring materials to be submitted for approval.

2.6 The current proposal does not include any details of machinery. The applicant is aware that an additional planning application would need to be made for machinery and this would be subject to restrictions in terms of hours of use and noise levels.

3.0 RELEVANT PLANNING HISTORY

3.1 N/A

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 28th June 2017.

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 No objections were received from adjoining residents

4.4 Statutory and Non Statutory Consultation

The following consultations have been undertaken:

- LBH Highways
- Planning Policy
- Environmental Health Officers
- Met Police Designing Out Crime Officers

4.5 Internal and External Consultation

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 objection to the proposal. Ballard's Mews is a private estate and the Council Highways Authority does not maintain or manage this area.	Comments noted- See Section 6.6 below for further details
Planning Policy Officer	No objection to the proposal. Notwithstanding the planning history (or lack thereof), the 'proposed' use of the site is appropriate for a business use area. It is essentially an intensification, renewal and modernisation of an existing business use, which is supported by Policy DM31(A): Supporting Economic Activity and Development, subject to other relevant considerations i.e. amenity impacts on neighbouring properties etc.	Comments noted- See Section 6.2 below for further details
LBH- Environmental Health Officers	<p>No objection to the proposal. If any air conditioning plant is proposed there should be some form of noise assessment as part of BS4142.</p> <p>Suggested conditions:</p> <p><u>Opening Hours:</u> Unless otherwise agreed in writing by the Local Planning Authority, any premises in use for Class A1, A2, A3, A4 or A5 purposes shall not be open for customers outside the following hours: 0700 to 2000 Mondays – Saturdays</p> <p>[0900 to 1600 Sundays, Public or Bank Holidays] (not sure if you want to use this or have no working on Sundays – I don't know what the rest of the site does.</p> <p><u>Noise:</u> The rating level of the noise emitted from the site shall be at least 10dB below the existing background noise level. The noise levels shall be determined at [the boundary of the nearest noise sensitive premises] The measurements and assessment shall be made in accordance to the latest British Standard 4142.</p>	Comments noted- See Section 6.5.9 below for further details

	<p><u>Floodlighting:</u> No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.</p>	
Met Police Designing Out Crime Officers	<p>No objection to the proposal. However, Officers stated they would happy to provide recommendations as to how the future development can be made more secure from crime.</p>	<p>Comments noted. An informative has been attached to address this.</p>

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 2016 [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 and Appearance
- Amenity of Neighbouring Occupiers
- Traffic and Parking, Construction
- Sustainability

6.2 Principle of Development

6.2.1 The relevant policy in this regard is Development Management Policy DM31 which relates to industrial and business use land. This policy states that renewal or intensification of existing industrial business floorspace will be supported where it complies with other relevant policy considerations.

6.2.2 Comment from Planning Policy Team states that notwithstanding the planning history (or lack thereof), the 'proposed' use of the site is appropriate for a business use area. It is essentially an intensification, renewal and modernisation of an existing business use, which is supported by Policy DM31 (A): Supporting Economic Activity and Development, subject to other relevant considerations i.e. amenity impacts on neighbouring properties etc.

6.2.3 Overall, in principle the proposal is considered acceptable, subject to the other main relevant policy considerations in this location are character and appearance of the area, neighbouring amenity and highways considerations.

6.3 Regeneration

6.3.1 The proposal is to provide a new business on the site, which, this would comply with policy DM31 as stated above, resulting in business floor space and employment opportunities and so would be considered acceptable in the context of regeneration.

6.4 Character and Appearance

6.4.1 The character and appearance of the proposed development must be in accordance with policies 7.4 and 7.6 of the London Plan and policy DM1 of the Development Management Policies Local Plan 2013. This requires a high standard of design and layout and expects development to respect its context.

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

6.4.3 The proposed design of the new building would be in keeping with the industrial nature of the site and would be acceptable in terms of character and appearance. This is subject to details of materials which would be conditioned. This is required to ensure the appearance is acceptable from the perspective of neighbouring occupiers, although the industrial nature of the site is acknowledged.

6.5 Amenity of Neighbouring Occupiers

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

6.5.2 In terms of the impact on neighbours within Ballard’s Mews, the building is in keeping with the existing character on site. The height would increase relative to the existing building, but this would largely be at first floor level, which is set to the rear/south-west of the site. To the south west of the site is an open space and beyond this are the rear gardens of houses on Churchill Road. The distance from the rear of the new building to the boundary of the neighbours here would be a minimum of 10m, with relatively deep rear gardens so the distance to the houses would be a minimum of 30 m.

6.5.3 There would be intensification in the use of the site with the number of employees to be increased from 4 full time workers to 10 full time workers and the number of part-time employees increased from 2 to 10, which would represent an increase of equivalent full time employees from 5 to 15. The proposed and existing opening hours are 8 am to 6pm Monday to Friday, 8am to 4pm Saturday and 8am to midday on Sunday and Bank Holidays.

6.5.4 The main concern in terms of neighbouring amenity is the Knights Court Nursing Home to the south, located on High Street Edgware. The proposed new building would be moved slightly away from the shared boundary. The height of the building would be increased on this southern boundary from a pitched roof with an eaves height of 2.80m and a full height flat roof of 3.70m to a flat roof height of 5.60m. The original planning permission for Knights Court indicates that the ground floor rooms facing the application site are in residential use.

6.5.5 Policy DM1 and the adopted Residential Design Guide SPD requires special attention to be taken in protecting amenity of neighbouring occupiers in terms of light and outlook. The adopted Residential Design Guide SPD highlights the ‘45 Degree Code’ which is intended to maintain a reasonable relations between buildings; avoid and overbearing visual impact and bulk on neighbours and to reduce loss of light and overshadowing to neighbours.

6.5.6 In this case the vertical 45 degree code would be relevant, measuring from the bottom of the window to the top of the proposed new building. The distance from the building at Knights Court is a minimum of 5-6 metres to the proposed new building, and the gap between the two buildings increases to around 10m towards the northern part of the application site. The new building would comply with the 45 degree code when measured from a height of 50cm above ground

level. It should also be noted that the rooms the shortest distance from the boundary do not appear to be habitable rooms, with the habitable rooms further from the boundary.

- 6.5.7 Furthermore, there is a 2.10m high close-boarded fence with trellis and top and wires the full length of this section of boundary. There are a number of trees on the boundary, with the site of Knights Court. Under the original planning permission for the construction of Knights Court, these were protected from being felled without permission and so maintain some cover between the two sites. Overall the impact of the proposal is considered acceptable in terms of light, outlook and visual amenity on Knights Court.
- 6.5.8 It is acknowledged that the proposal would increase the intensity of use of the site. This would not in itself be unacceptable and the working hours would be limited to daytime hours only and would be restricted on Sundays and Bank Holidays to mornings only.
- 6.5.9 In terms of machinery, the agent has stated that the type of machinery required on site has not yet been finalised. Machinery to be used on the site is therefore not included in this permission and any new machinery would require additional planning permission with appropriate noise assessment. Furthermore a condition has been attached requiring sound levels to be limited to 10dB below the existing background noise level, which is considered to be an acceptable level by Environmental Health Officers. Restrictions will also be placed on any floodlighting or any external lighting. The scheme is considered to be acceptable on this basis.

6.6 Traffic, Parking and Construction

- 6.6.1 Policy DM42 states: "Proposals that would result in inappropriate on-site parking provision, having regard to the criteria in this policy, and those which would create significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclists, will be resisted." Policy DM43 states that proposals that fail to satisfactorily mitigate the transport impact of development will be resisted.
- 6.6.2 There are no immediate concerns in relation to this scheme. Information has been submitted showing 7 parking spaces at the northern end of the site.
- 6.6.3 The Highways Authority has responded to state that they have no objection to the proposal. They have also highlighted the fact that Ballard's Mews is a private estate and that the Council does not maintain or manage this area.
- 6.6.4 Policy DM45 states sufficient provision should be made for refuse and recycling and that there must be appropriate access, which must be located and screened to avoid nuisance to occupiers and adverse visual impact. No refuse storage has been shown on the proposed plans. However, there is sufficient space to provide storage within the existing site area and it is assumed that there is an existing refuse collection arrangement which could be continued and therefore this is considered to comply with Policy DM45.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed development would provide a car showroom and associated uses within the application site, which would be an appropriate use that would not unduly impact on the amenities of the residential occupiers of the adjoining, or nearby properties, subject to the attached conditions. The proposed development would therefore accord Policy CS1 of the Harrow Core Strategy 2012, Policies 7.4 and 7.6 of the London Plan (2016) and policies DM1, DM31, DM42 and DM45 of the Harrow Development Management Policies Local Plan (2013).

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:
1696/PL/01; 1696/PL/03; 1696/PL/04 Ground Floor Plan; 1696/PL/04 Proposed First Floor Plan & Roof Plan; 1696/PL/06; Design, Access and Planning Statement.

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

3 Materials

Notwithstanding the submitted details and approved plans, 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 and roof
- b) Windows and doors;
- c) Rainwater goods
- d) Boundary treatment
- e) Hardsurfacing

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.

4 Construction Logistics Statement

No development shall take place, including any works of demolition, until a Construction 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
a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on highway safety and the amenities of the existing occupiers of the properties adjacent to the site.

5 Hours of Operation

The use hereby permitted shall not be open to customers, or otherwise in use outside the following times:-

- Monday to Friday:08:00- 18:00
- Saturday: 08:00- 16:00
- Sunday and Bank Holidays: 08:00– 12:00

REASON: To safeguard the amenity of nearby neighbouring residents.

6 Glazing

No flank windows are permitted on the southern elevation of the new building.

REASON: To safeguard the amenity of nearby neighbouring residents.

7 Noise/Disturbance

NOISE: The rating level of the noise emitted from the site shall be at least 10dB below the existing background noise level. The noise levels shall be determined at [the boundary of the nearest noise sensitive premises] The measurements and assessment shall be made in accordance to the latest British Standard 4142.

REASON: To safeguard the amenity of nearby neighbouring residents.

8 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON: To safeguard the amenity of nearby neighbouring residents

Informatives

1 Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2012)

The London Plan (2016)

- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture

Harrow Core Strategy (2012)

CS1.B Local Character

Harrow Development Management Policies Local Plan (2013)

- DM1 Achieving a High Standard of Development
- DM31 Supporting Economic Activity and Development
- DM42 Parking Standards
- DM45 Waste Management

Supplementary Planning Documents

Residential Design Guide Supplementary Planning Document (2010)

2 **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.

3 **INFORMATIVE:**

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

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

Procedures under this Act are quite separate from the need for planning

permission or building regulations approval.

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

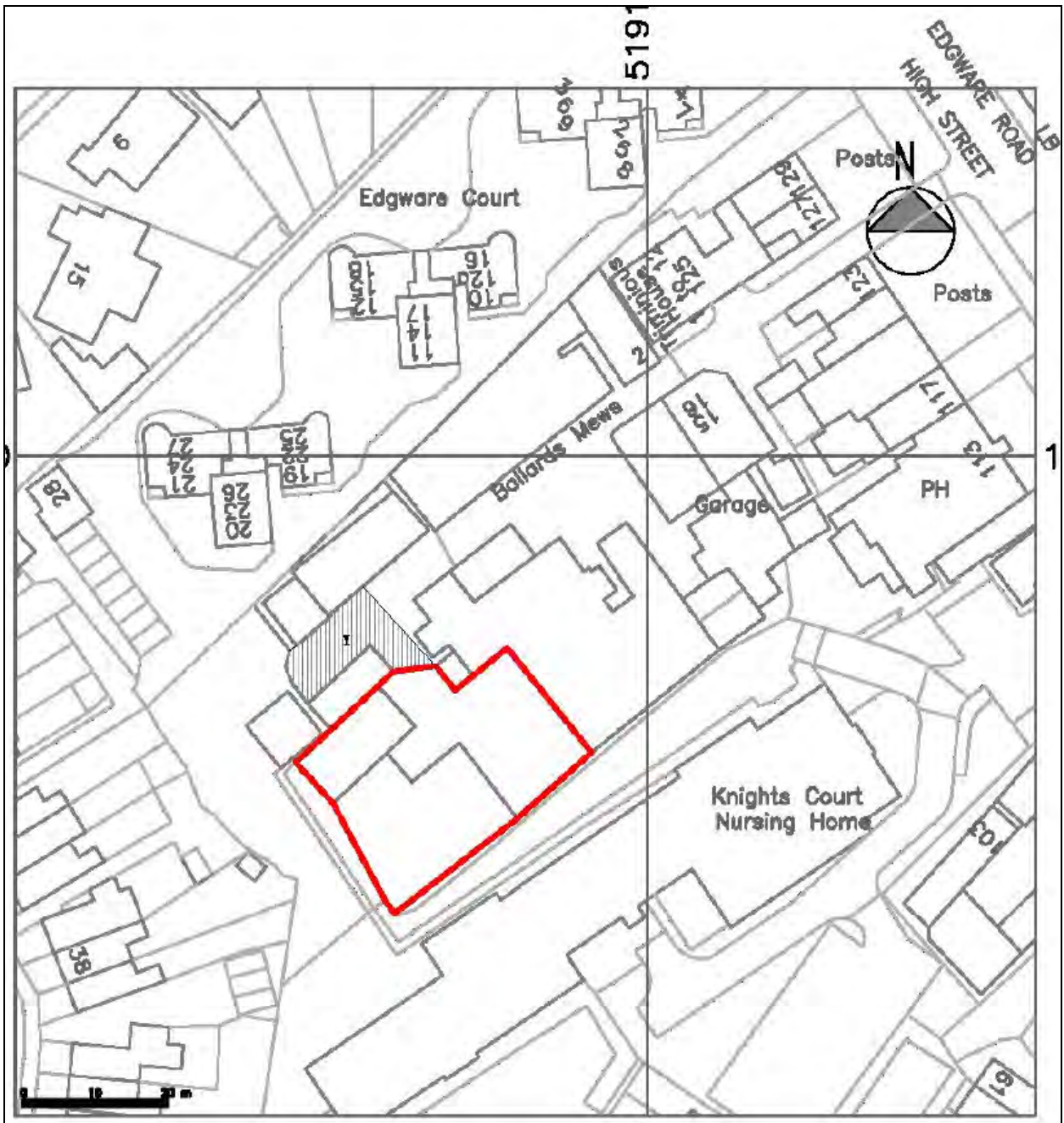
Also available for download from the Portal website:

<https://www.gov.uk/party-wall-etc-act-1996-guidance>

- 4 INFORMATIVE:
Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service.
- 5 INFORMATIVE
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 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.
- 6 INFORMATIVE:
This does not include planning permission for any machinery and the applicant would be required to apply separately for machinery and failure to do so could result in Planning Enforcement investigation.
- 7 INFORMATIVE:
The applicant is encouraged to contact Met Police Designing Out Crime Officers who can provide further information about preventing crime within the future development.
Details as follows:
Telephone: 0208 7333703
Office Email: DOCOMailbox.NW@met.police.uk
Address: North West DOCO Office, Ruislip Police Station, The Oaks, Ruislip, HA4 7LE

Plan Numbers : 1696/PL/01; 1696/PL/03; 1696/PL/04 Ground Floor Plan; 696/PL/04 Proposed First Floor Plan & Roof Plan; 1696/PL/06; Design, Access and Planning Statement

APPENDIX 2 : SITE PLAN



APPENDIX 3 : PHOTOGRAPHS



Facing towards application site



Inside the Business Area facing towards Knights Court in background



Application site circled, Knights Court Nursing Home to left, other car uses below site, High Street Edgware bottom left

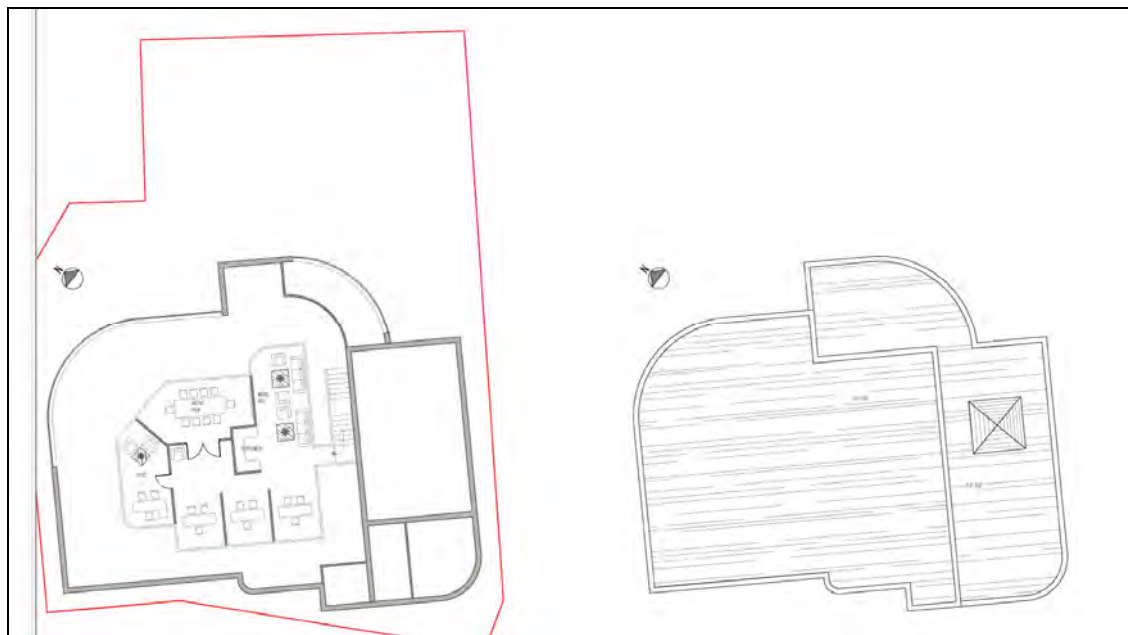


Application site circled in red

APPENDIX 4 : PLANS AND ELEVATIONS



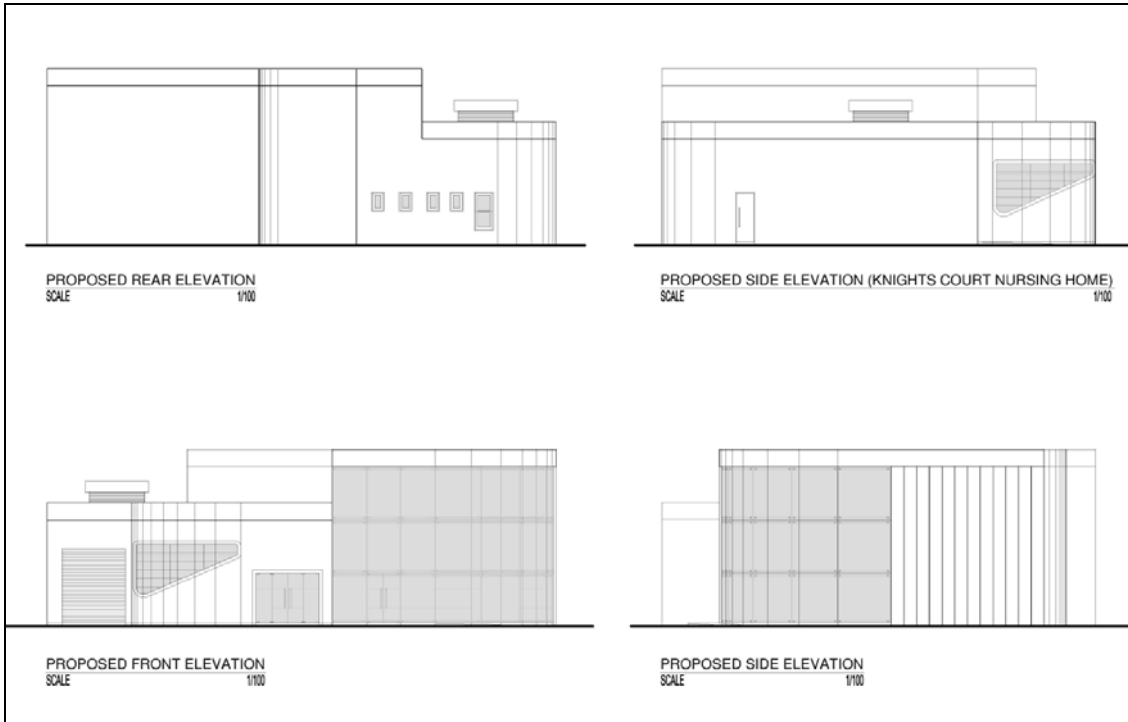
Proposed Ground Floor



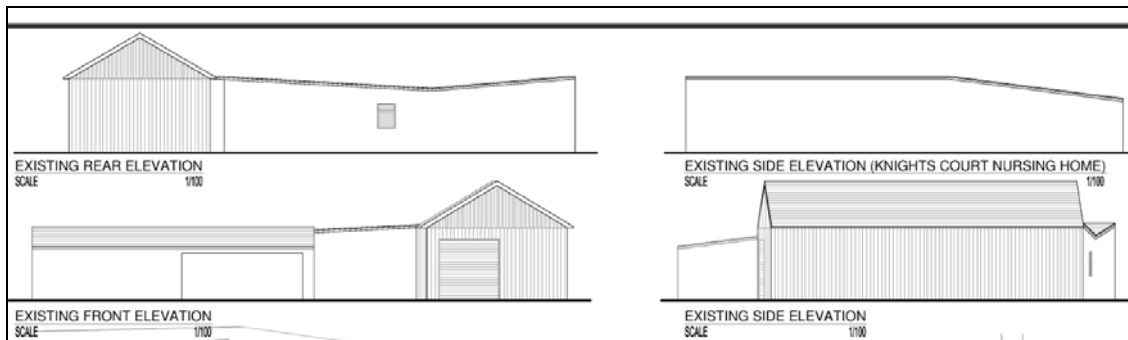
Proposed First Floor and Roof Plan



Existing Floor Plan



Proposed elevations



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