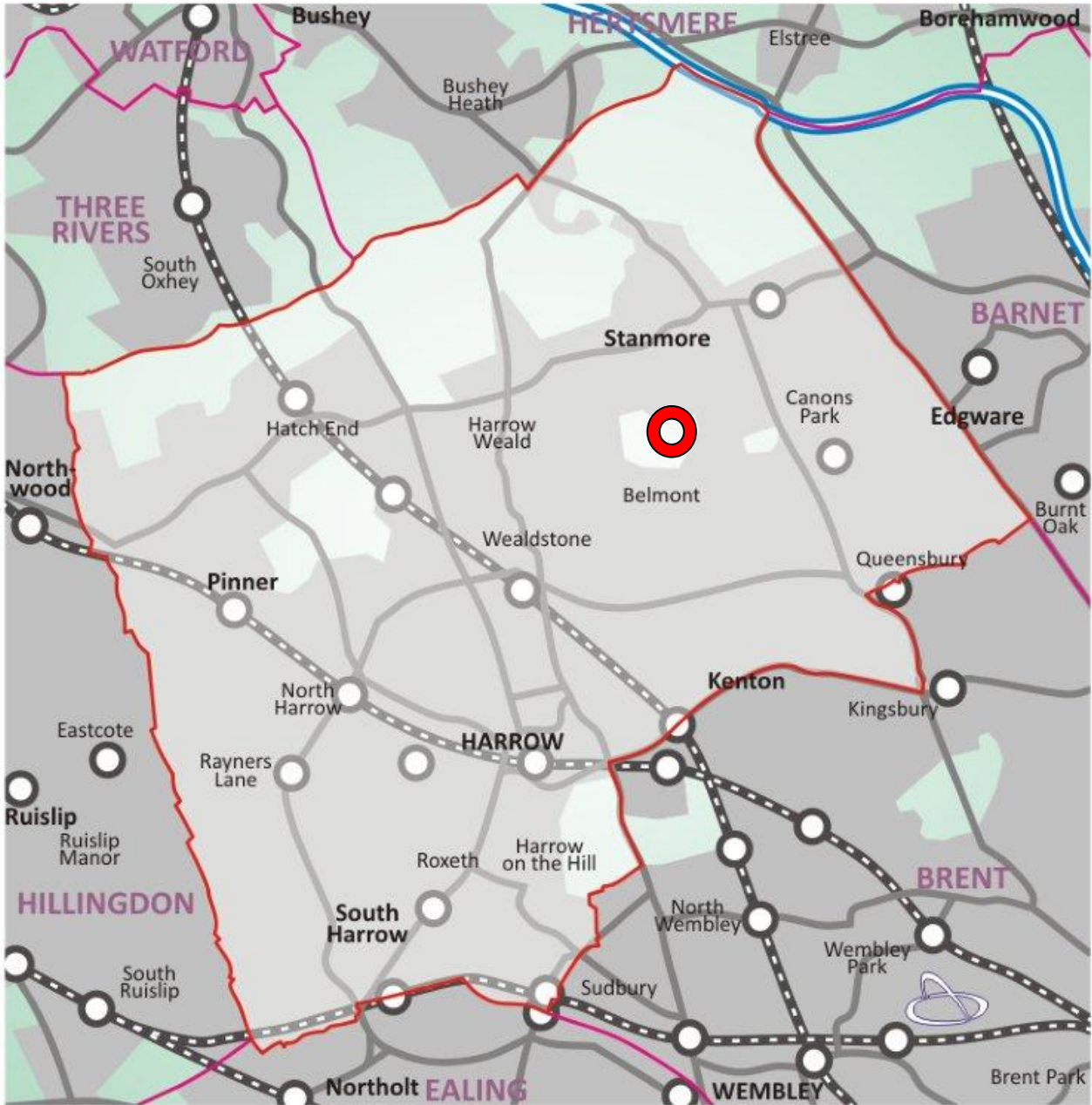


 = application site



14 Gordon Avenue, Stanmore

P/2595/17



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecutions or civil proceedings. London Borough of Harrow LA.100019206. 2011. DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2010)



<b>14 Gordon Avenue, Stanmore</b>	<b>P/2595/17</b>
-----------------------------------	------------------

## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

27<sup>th</sup> September 2017

**APPLICATION NUMBER:** P/2595/17  
**VALIDATE DATE:** 27/06/2017  
**LOCATION:** 14 GORDON AVENUE  
**WARD:** STANMORE PARK  
**POSTCODE:** HA7 3QD  
**APPLICANT:** MRS RUTU BUDDHDEV  
**AGENT:** VIVENDI ARCHITECTS LTD  
**CASE OFFICER:** OLIVIER NELSON  
**EXPIRY DATE:** 22/08/2017 (EXTENDED 02//10/2017)

#### **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.

Demolish existing two dwelling houses and redevelopment to provide three, two storey dwellings with habitable roof space and integral garages, new access, parking, boundary treatment, landscaping and bin store and cycle store

The Planning Committee is asked to:

#### **RECOMMENDATION A**

- 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.

#### **INFORMATION**

This application is reported to Planning Committee as it falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	13 (Minor Dwellings)
Council Interest:	N/A
Additional Floorspace:	627 sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£21,945
Local CIL requirement:	£68,970

## **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	14 and 16 Gordon Avenue
Applicant	Mrs Rutu Buddhdev
Ward	Stanmore Park
Local Plan allocation	N/A
Conservation Area	Outside of the Old Church Lane CA
Listed Building	N/A
Setting of Listed Building	Setting of two Grade II listed gate piers
Building of Local Interest	N/A
Tree Preservation Order	Group TPO G5
Other	N/A

Housing		
Density	Proposed Density hr/ha	133hr/ha
	Proposed Density u/ph	17u/ph
	PTAL	1a
	London Plan Density Range	Suburban
Dwelling Mix	Studio (no. / %)	0
	1 bed ( no. / %)	0
	2 bed ( no. / %)	0
	3 bed ( no. / %)	0
	4 bed ( no. / %)	1
	5 bed ( no. / %)	2
	Overall % of Affordable Housing	N/A
	Social Rent (no. / %)	N/A
	Intermediate (no. / %)	N/A
	Private (no. / %)	N/A
	Commuted Sum	N/A
	Comply with London Housing SPG?	Yes
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Yes	

<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	2
	No. Proposed Car Parking spaces	3 (1 for each dwelling)
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	6 (2 each)
	Cycle Parking Ratio	2:1
Public Transport	PTAL Rating	1a
	Closest Rail Station / Distance (m)	Stanmore Station – 1.1 miles
	Bus Routes	Uxbridge Road
Parking Controls	Controlled Parking Zone?	Yes – CPZ - B
	CPZ Hours	3pm – 4pm Mon - Fri
	Previous CPZ Consultation (if not in a CPZ)	-
	Other on-street controls	-
Parking Stress	Area/streets of parking stress survey	-
	Dates/times of parking stress survey	-
	Summary of results of survey	-
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	-

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

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site relates to an irregular shaped plot on the Western side of Gordon Avenue.
- 1.2 The site is currently occupied by two detached dwelling houses.
- 1.3 Both no. 14 and 16 Gordon Avenue have vehicle crossovers with off street parking for two cars respectively.
- 1.4 There are several protected trees which lie along the south-western boundary, adjacent to no. 16 Gordon Avenue. There is also a large protected tree in the front garden of Gordon Avenue.
- 1.5 The southern part of application site lies within Flood Zone 2 and 3 as defined in the Environment Agency's Flood Zones.
- 1.6 To the rear of the north-western boundary of the site is a large ornamental lake known as Temple pond. The Edgware Brook runs adjacent to the south-western boundary of the site and continues in a south easterly direction on the opposite side of Gordon Avenue. Both the Edgware Brook and Temple pond are classified as an open main river.
- 1.7 Directly opposite the application site there is an area of wooded open space which forms a green chain link to Stanmore Golf Course which lies to the south west of Gordon Avenue.
- 1.8 The surrounding area is characterised by large two storey detached dwellings in a green leafy suburban street scene with good separation and breaks between the buildings.

### **2.0 PROPOSAL**

- 2.1 It is proposed to demolish the two existing dwellinghouses on the application site and to construct three dwellinghouses.
- 2.2 The replacement dwellinghouses would be two storeys with habitable space within the roof. The mix would be two five bed dwellinghouses and one four bed dwellinghouse.
- 2.3 One new vehicle access with associated parking, landscaping, boundary treatment and cycle and refuse storage are also proposed.
- 2.4 Unit 1 would be sited towards the south-western site boundary. It would be set back between 9.45m and 9.95m from the edge of the pavement. It would have a hipped crown roof with a ridge height of 9.2m. It would have a maximum depth of 12.7m and a maximum width of 11m at two-storey level. The front

elevation of the building would incorporate one two-storey front projection with a gabled frontage. A rear dormer 2.7m high x 2.85m wide is proposed on the rear roofslope.

2.5 Unit 2 would be sited within the middle of the application. This would have one front projection closer to the boundary with Unit 1. Rooflights are proposed within the side roof slopes

2.6 Unit 3 would be sited towards the north-eastern site boundary. This would also have one front projections and a single storey side projection on the boundary with no. 12 Gordon Avenue. One side rooflight is proposed on the main roof and one on the single storey side projection. One rooflight is proposed on the front roof slope.

### 3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status and date of decision
P/2094/16	Redevelopment to provide three, two storey dwellings with habitable roofspace and integral garages, solar panels, new access, parking, boundary treatment, landscaping and bin / cycle storage	Refused 22/06/2016
P/5245/15	Re-development to provide one two-storey dwelling and two two-storey dwellings with habitable roofspace, parking, landscaping and bin storage; boundary treatment	Refused 08/01/2016
P/0304/14	Demolition of existing dwellinghouses and construction of a two storey building with accommodation in roof to provide 4 x two bedroom flats and 1 x three bedroom flat with basement; associated parking; landscaping; boundary treatment; refuse storage	Refused 16/04/2014 <b>Appeal Dismissed 14<sup>th</sup> August 2014 Appeal Ref: APP/M5450/A/14/221 9376</b>
P/4656/14	Redevelopment: two x two storey buildings with accommodation in roofspace for	Refused 27/01/2015 <b>Appeal Dismissed</b>



	five flats; new vehicular access; basement parking; amenity area; landscaping boundary treatment and bin / cycle storage (demolition of existing dwellinghouses)	<b>14<sup>th</sup> September 2015</b> <b>Appeal Ref:</b> <b>App/M5450/W/15/30</b> <b>05188</b>
P/2256/08FU	Demolition of two houses and construction of nine flats in two blocks	<b>Refused</b> <b>25/09/2008</b>
P/2917/07	Redevelopment to provide a two storey block of 10 flats with rooms in roof space, underground parking and vehicular access	Refused 28/11/2007 <b>Appeal dismissed</b> <b>07/10/2008</b> <b>Appeal</b> <b>ref:</b> <b>APP/M5450/A/08/207</b> <b>5864</b>

#### **4.0**      **CONSULTATION**

- 4.1      A Site Notice was erected on 13/07/2017, expiring on 03/08/2017.
- 4.2      Press Notice was advertised in the Harrow Times on the 13<sup>th</sup> July 2017 expiring on 03/08/2017.
- 4.3      The application was advertised as being within the setting of a Listed Building.
- 4.4      A total of 37 consultation letters were sent to neighbouring properties regarding this application.
- 4.5      The overall public consultation period expired on 03/08/2017. A re-consultation was done due to the crown roof of House 1 being enlarged to accommodate the finished floor level. This was from the 16/08/2017 to 06/09/2017.

#### **4.6**      **Adjoining Properties**

Number of letters Sent	37
Number of Responses Received	4
Number in Support	3
Number of Objections	1
Number of other Representations (neither objecting or supporting)	1

4.7 1 objection was received from an adjoining resident. 4 letters were received in support.

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

Details of Representation	Summary of Comments	Officer Comments
Mr Shah 24a Gordon Avenue	<p>Objects to the application due to:</p> <ul style="list-style-type: none"> <li>• Proposed plans being overdevelopment</li> <li>• More cars on the road leading to further traffic issues during peak times on Gordon Avenue.</li> <li>• Property is being marketed as Waterside Mansions</li> </ul>	<p>The principle of development has been established within previous appeal decisions on site.</p> <p>Issues relating to parking congestion are assessed in section 6.5 of this report.</p> <p>The applicant is advised of street name and numbering and they would need to register the new names and numbers of the properties</p>
Mr Amish Badiani (46 Chartley Avenue)	I support the redevelopment of these two houses to create three new dwellings. The site has been empty for a while and needs regeneration.	Noted.
S Shapiro 15 Gordon Avenue	The proposal would be acceptable subject to the properties being an appropriate size for the plot and of good quality design	Noted.
Mr and Mrs Sheila and Philip Levy 18 Gordon Avenue	We support the latest application which we think is completely consistent with the neighbourhood	Noted.

Mr Shah Apartment 8 15 Gordon Avenue	The recommendation within the Arboricultural Report should be adhered to. Taller hedging to screen the houses would be needed	Issues addressed in Section 6.7
--	---	---------------------------------

4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

4.11 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>
Environment Agency	No objection to the proposed development with two conditions	Noted. The proposed conditions will be added to the final decision.
Metropolitan Police Service – Design out Crime Officer	No objection. Not seeking to add any conditions	The application can achieve the physical security requirements of Secured by Design

4.13 Internal Consultation

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
LBH Highways	<p>The layouts for the crossovers need to take account of existing street furniture.</p> <p>Wall mounted cycle parking is not supported as it can be difficult to use and cannot accommodate non-standard bikes</p> <p>A Construction Logistics Plan should be secured by condition</p>	A condition for Construction Logistics Plan and Cycle parking has been attached

LBH Drainage Team	<p>FRA is satisfactory</p> <p>Please add three drainage conditions. Full details of flood mitigation measures are needed due to this being a new construction</p> <p>FFL at minimum AOD is required for Block 1</p>	Conditions attached
LBH Tree officer	<p>No objection – Subject to a site-specific tree protection plans and method statement incl. details of Arboriculture supervision, based on the draft details already submitted.</p> <p>A pre-commencement site meeting ('toolbox talk') as recommended in the submitted Landscape Trees report should be added as a condition</p>	Conditions attached
LBH Landscape architect	No objections subject to conditions	Conditions attached
LBH Conservation Officer	<p>This proposal is in the setting of two grade II listed gate piers.</p> <p>The proposal would not physically impact on these gate piers and would preserve their setting given the bungalow would be replaced with a house another set away from the piers.</p>	Noted within the report
LBH Waste Officer	No objection to the proposal	Condition for refuse storage added

## 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 of Area  
Residential Amenity and Accessibility  
Drainage  
Traffic and Parking  
Impacts on Trees and Biodiversity  
Sustainability

### **6.2 Principle of Development**

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

6.2.2 Unlike the Harrow Unitary Development Plan, there is no policy within the Development Management Policies Local Plan 2013 which favours proposals for the retention, extension, alteration and/or adaptation of residential dwellings, in preference to redevelopment. However, policy DM12 states that 'proposals that fail to take reasonable steps to secure a sustainable design and layout of development will be resisted'.

- 6.2.3 Policy 3.8 of The London Plan 2015 encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. This policy requires consideration to be given to the accessibility of the site to services and amenities.
- 6.2.4 This is further emphasised within the Harrow Core Strategy (2012). Core Policy CS(I) states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities'.
- 6.2.5 Policy DM 24 of the Harrow Development Management Policies Local Plan (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of its surroundings and the need to optimise housing output on previously developed land.
- 6.2.6 The proposed residential use would be consistent with the existing residential designation and the surrounding residential land use. As both the London Plan (2015) and the Harrow development plan promote the optimisation of housing output within different types of location, it is considered that the proposal would accord with the above policy aims.
- 6.2.7 Policy CS1 A 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.
- 6.2.8 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*'.
- 6.2.9 The Council has developed Supplementary Planning Document: Garden Land development. Accordingly, it is considered that this document should be afforded significant weight in the consideration of this application.

- 6.2.10 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 CS 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 CS are wide-ranging and set a significant challenge for the borough to provide appropriate levels of growth in housing, employment, infrastructure requirements, social cohesion and economic prosperity whilst ensuring that the environmental impacts of development are enhanced.
- 6.2.11 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:*
- I. the footprint of any permitted extensions (excluding outbuildings) that could be exercised for the dwelling (s); or*
  - II. the footprint of an extension (excluding outbuildings) that would be consistent with Harrow's Residential Design Guide SPD.*
- 6.2.12 Paragraph 3.8 goes on to 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.*"
- 6.2.13 The proposal is for three dwellings and would result in a net gain in the number of residential units. The demolition of the detached properties at no. 14 and 16 Gordon Avenue is considered acceptable in principle.
- 6.2.14 The previous applications on site raised concerns about the new dwellings being Garden Land Development. This was largely due to the proposed dwellings in the previous application being significantly greater than the possible enlargement of both proposals under permitted development. The combined footprint of the two dwellings would be approximately 368sqm which includes the possible enlargement of no. 16. The submitted plans are in line with this and the external footprint of the three dwellings would be 330.5 sqm. The proposal is considered to be acceptable in terms of the Council's Garden Land Policy.
- 6.3 **Regeneration**
- 6.3.1 Given the location of the site within a Neighbourhood Parade, with its 2 PTAL level and the scale and intensity of surrounding development, the site is

currently considered to be underutilised. The London Borough of Harrow published a Regeneration Strategy for 2015 – 2026. The objective of this document is to deliver three core objectives over the plans life, which include;

- Place; Providing the homes, schools and infrastructure needed to meet the demands of our growing population and business base, with high quality town and district centres that attract business investment and foster community engagement;
- Communities; Creating new jobs, breaking down barriers to employment, tackling overcrowding and fuel poverty in our homes and working alongside other services to address health and welfare issues;
- Business; Reinforcing our commercial centres, promoting Harrow as an investment location, addressing skills shortages, and supporting new business start-ups, developing local supply chains through procurement.

6.3.2 Whilst it is acknowledged that the proposed development would not address all of the aspects noted in the above bullet points, it would achieve the overall aspiration of regeneration of the Borough by helping to meet the demands of a growing population. Furthermore, the proposed development aid in the regeneration of the Borough as it would result in new detached dwellings within the neighbourhood, and would help to promote housing choice, meet local needs, and to maintain mixed and sustainable communities.

#### 6.4 **Character and appearance of 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 CS(B) states that ‘All development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design; extensions should respect their host building.’

6.4.4 Policy DM 1 A of the Local Development Management Policies Local Plan (2013) states that: “All development and change of use proposals must



achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance will be resisted". It goes on to say that:

"The assessment of the design and layout of proposals will have regard to:

a: the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers;

b: the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services;

c: the context provided by neighbouring buildings and the local character and pattern of development;

d: the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity;

e: the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit;"

- 6.4.5 Paragraph 4.6 of the Council's adopted SPD (2010) states that 'The design and layout of new development should be informed by the pattern of development of the area in which it is situated. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are likely to be important components when redeveloping sites within existing residential areas'. In addition, paragraph 4.16 makes clear that development proposals should recognise the scale, massing and roof form of the surrounding buildings.
- 6.4.6 The northern side of Gordon Avenue (where the application site is located) features predominantly large detached dwellings set within spacious grounds and set well back from the road resulting in an open green character. In comparison, the southern side of Gordon Avenue, north east from the application site has some large three-storey flatted developments, the closest to the application site being No. 15 Gordon Avenue which is the only one with a contemporary design. The application has taken stock of previous decisions and proposes three detached dwellings which are spaced out within the plots of 14 and 16 Gordon Avenue.
- 6.4.7 Similar to the most recent planning application on this site (P/2094/16), the current application proposes the construction of three separate dwellinghouses. The proposed dwellinghouses would not be identical but they would be very similar in appearance. Each of the proposed dwellinghouses would have a similar eaves height, a large crown roof with the same height (9m), two-storey front projections, similar banding and fenestration. Furthermore, the size and bulk of units 1 and 2 would be very similar. The proposed dwellinghouses have overcome the previous concerns raised by the Planning Inspectorate under appeal reference APP/M5450/W/15/3005188 relating to the need to provide visual interest on the site to assist with the integration of the scheme into the streetscene. The three dwellinghouses would have their own unique character but would fit in with the existing detached properties on this side of Gordon Avenue namely no. 12 and 18 Gordon Avenue.

- 6.4.8 The proposed three plots would be narrower than the existing two plots on the site and it is acknowledged that the widths of the proposed plots would be comparable to the widths of the existing plots at no. 18, 20 and 22. The proposed dwellinghouses have been reduced in both mass and bulk since the previous application. It is considered that the widths, depths and heights of the proposed units would provide adequate setting space for the proposed dwellinghouses.
- 6.4.9 It is considered that the proposed massing of these units would be in keeping with the pre-dominant form of development on the northern side of Gordon Avenue, and would contribute to the local distinctiveness on the northern side of Gordon Avenue. Having particular regard to the siting of the application site adjacent to Temple Pond, an area of designated public open space, the reduction in the mass and bulk of the dwellings is welcome as the site is highly visible from public vantage points towards the north east and north west.
- 6.4.10 The proposed boundary treatment would have a height of 1.3 metres. Gordon Avenue is characterised by a variety of front boundary treatments including hedging, walls, gates and railings of varying heights and designs. It is considered that the proposed height of 1.3m would be more in keeping with front boundary treatments along this part of Gordon Avenue and would therefore be acceptable.
- 6.4.11 In relation to the design and layout of new residential development, paragraph 4.13 of the Council's adopted SPD (2010) states that 'Building forecourts make a particularly important contribution to streetside greenness and leafy, suburban character in Harrow's residential areas. The proposed dwellings would occupy the majority of the site. House 1 is in close proximity to existing trees and proposes a large section of soft landscaping on the boundary with no. 18. Houses 2 and 3 off less soft landscaping on the boundaries but use permeable parking made of grasscrete to add to the soft landscaping appearance.
- 6.4.12 Policy 7.21B of The London Plan (2015) states that '*Existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species'*. Policy DM22 of the Local Development Management Policies Local Plan (2013) requires development proposals to provide sufficient space for new and existing trees and planting to grow. It further states that: "Proposals for works to trees in conservation areas and those the subject of tree preservation orders will be permitted where the works do not risk compromising the amenity value or survival of the tree."
- 6.4.13 The application site is subject to a Tree Preservation Order. There is a protected tree located at the eastern corner of the site. Other mature trees are present on the site and are of significant amenity value. The works to the site has been accompanied by a Arboricultural Report which has been reviewed by the Tree officer. In order to protect these mature trees it is recommended that site-specific tree protection plans area used and in order to ensure these trees

are protected a pre-commencement site meeting is recommended and this will be added as a condition.

- 6.4.14 Policy DM23 of the Development Management Policies Local Plan states that 'all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting'. In terms of character and appearance, this policy requires refuse storage bins to 'be located and screened to avoid nuisance to occupiers and adverse visual impact'. The storage of refuse bins is identified at the front of each of the proposed dwellinghouses. This has not been amended since the previous applications. A condition has been added for the siting of refuse storage areas at the rear of the dwellings.
- 6.4.15 It is considered that the proposed siting of the building approximately 100m from the boundary of the Old Church Lane Conservation Area would preserve this heritage asset and its setting.

## 6.5 **Residential Amenity**

- 6.5.1 Policy 7.6B, subsection D, of The London Plan states that new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 6.5.2 Following on from this, Policy DM1 of the DMP states that "*All development and change of use proposals must achieve a high standard of privacy and amenity. Proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of development, will be resisted (c)*". "The assessment of privacy and amenity considerations will have regard to:
- a. the prevailing character of privacy and amenity in the area and the need to make effective use of land;*
  - b. the overlooking relationship between windows and outdoor spaces;*
  - c. the distances between facing windows to habitable rooms and kitchens;*
  - d. the relationship between buildings and site boundaries (applying the Council's 45 degree code where relevant);*
  - e. the visual impact of development when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant);*
  - f. the adequacy of light and outlook within buildings (habitable rooms and kitchens) and outdoor spaces (applying the Council's 45 degree code where relevant);*
  - g. the adequacy of the internal layout of buildings in relation to the needs of future occupiers and any impact on neighbouring occupiers;*
  - h. the impact of proposed use and activity upon noise, including hours of operation, vibration, dust, air quality and light pollution; and*
  - i. the need to provide a satisfactory quantum and form of amenity space for future occupiers of residential development.*

### **Impact on neighbouring dwellings**

- 6.5.3 The rear walls of the proposed dwellings would not interrupt the 45 degree code in the horizontal or the vertical planes in relation to the nearest properties No. 12 or No. 18 Gordon Avenue. A sufficient distance (approximately 19m) would be maintained between the proposed unit 3 and no. 12 Gordon Avenue. Given their proposed siting and distances from shared boundaries, it is considered that the proposed dwellinghouses would not result in overshadowing or loss of light to neighbouring properties.
- 6.5.4 The obscure glazed windows on the flank wall of unit 1 that would face towards No. 18 Gordon Avenue would serve a non-habitable room (staircase) and would be over 3m from the shared boundary. The obscure glazed windows on the flank wall of Houses 2 and 3 would face onto neighbouring dwellings. These would be set more than 3m from the boundary with neighbours and would be in line with paragraphs 6.22 of the Harrow Residential Design Guide SPD. A condition has been attached stating no additional windows to the new dwellings would be acceptable subject to agreement with the Local Planning Authority. This is considered necessary in order to protect neighbouring amenity.
- 6.5.5 There would be a separation distance of over 20 metres between the front elevation of the proposed buildings and the closest building opposite the application site, No. 15 Gordon Avenue. This relationship and distance is deemed not to be unreasonable, and is not considered to give rise to loss of privacy or unreasonable overlooking.
- 6.5.6 It is considered that the levels of traffic generated from three single family dwellinghouses would not give rise to a noticeable increase in traffic levels over and above the existing situation.

### **Impact on the Amenity of the Intended Occupiers of the Houses**

- 6.5.7 Each of the proposed dwellinghouses would have their own private garden. Whilst they may not be as deep or as large as other properties in the area, it is nonetheless considered on balance that they would adequately to serve the future occupiers of the proposed units.
- 6.5.8 It is considered that the adequate Gross Internal Area and the adequate room size and layout of the proposed dwellinghouses would result in an acceptable form of accommodation, compliant with The London Plan (2015), the adopted Technical Housing Standards (2015) and the Council's adopted SPD (2010). As such, this planning application is considered acceptable in this regard.
- 6.5.9 A first floor terrace with an area of 4 sqm is proposed on the rear elevation of House 2. This raises concerns in relation to the potential for loss of privacy and unreasonable overlooking of the neighbouring property House 3 as a distance of only 1.5m is proposed between the proposed first floor terrace and the shared boundary with House 3. A glass privacy screen is proposed on the

rear elevation with soft landscape treatment. This would help to reduce overlooking to the neighbour at House 3 however further details would be required by condition as to the opaque nature of screening.

- 6.5.10 The two-storey rear corner of the proposed House 3 has overcome the previous reason for refusal. This element has been set further in from the shared boundary with no. 12 Gordon Avenue since the previous application. The set in from the boundary and redesign of the building has overcome the previous reasons for refusal. The proposal would comply with paragraph 6.31 of the Council's adopted SPD and Policy DM 1 of the Development Management Policies Local Plan (2013).
- 6.5.11 The proposal is for three detached dwellings, both of which have been designed to meet wheelchair home standards. The proposed development would therefore comply with the aims and objectives of policies 3.8, 7.1 and 7.2 of The London Plan (2016), policies DM1 and DM2 of the Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document - Accessible Homes (2010).

## 6.6 **Traffic and Parking**

- 6.6.1 The London Plan (2016) policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimise additional car travel and encourage use of more sustainable means of travel. Core Strategy Policy CS 1 R and policy DM 42 of the Development Management DPD, also seeks to provide a managed response to car use and traffic growth associated with new development.
- 6.6.2 Unit 1 and 2 would be accessed from the existing vehicle crossovers to the front of No. 14 and 16 Gordon Avenue on the south eastern side of the site. It is proposed to create a new vehicle crossover to serve unit 3.
- 6.6.3 The Council's Highway officers were consulted on the proposal and raise no objection to the proposal, subject to a Construction Logistics Plan to ensure construction activities such as deliveries do not cause a detrimental impact upon the highway network. A condition has been placed requesting that development shall not take place until full details are received. This condition is considered necessary in order to mitigate the impacts of the construction phase on neighbouring amenity.
- 6.6.4 The proposal is for only one additional dwelling and the existing parking and access arrangements would not be substantially altered. It is considered that the front garden layouts are acceptable, in terms of highway safety, as adequate off-street parking provision would be provided on the application site. The applicant is advised that the layouts of crossovers should take into account the existing street furniture as revisions to the on-street parking bay are likely to be needed.
- 6.6.5 Policy 6.9 and table 6.3 of The London Plan require the provision of two secure cycle spaces per dwelling as they are more than two bedrooms. Two cycle parking spaces have been proposed within the bike store shed of each

respective dwelling. The bicycles are shown as wall mounted. This is considered to be unacceptable, as this arrangement is considered to be difficult for some people to use and they cannot accommodate non-standard bikes. A condition is therefore included for the three dwellings to have two cycle parking spaces each which are not wall-mounted and to ensure the proposal accords with Policy 6.9 of the London Plan and that the bicycles are safe/secure and retained in this position.

## 6.7 **Development and Flood Risk**

- 6.7.1 The site is located within 2 & 3 (EA fluvial) and 3a & 3b (Harrow SFRA) and is classified as having a medium risk of flooding. This designation has not changed since the refusal of the most recent planning application P/2094/16 which proposed three new dwellinghouses.
- 6.7.2 Under planning application reference P/4656/14 (two two-storey buildings to accommodate five flats), the Environment Agency did not object to the proposal but the Councils Drainage Department did object. Planning permission was subsequently refused by the Council for two reasons. One of the reasons for the refusal of planning permission was the siting of the buildings within flood zone 3a and the failure to pass the Sequential and Exception Tests. However, in the subsequent appeal (ref. APP/M5450/W/15/3005188), the Planning Inspector concluded that the effect of the development on flooding could be mitigated by the imposition of planning conditions. As such, the Inspector did not agree with the Council's concerns with respect to flood risk.
- 6.7.3 Similar to previous applications, the current application was referred to the Environment Agency and the Councils Drainage Department.
- 6.7.4 In this instance, the Environment Agency has raised no objection to the proposed development. The Environment Agency has advised that the proposed development would be acceptable subject to being in accordance with two conditions. The development should be in accordance with the submitted FRA titled '1371-FRA Rev J June 17 and the compensatory flood storage measures detailed within the FRA. This condition is attached in order to prevent flooding on site. The FRA submitted with this application would comply with the requirements set out in paragraph 102 of the National Planning Policy Framework which states that for areas at risk of flooding a site-specific flood risk assessment must be undertaken which demonstrates that the development will be safe for its lifetime. The FRA, provides a suitable basis for assessment to be made of the flood risks arising from the proposed development.
- 6.7.5 The Environment Agency have further advised that the application should be amended to demonstrate that a naturalised buffer zone of at least 6 metres from the Edgware Brook, designated as a 'Main River', can be maintained. This buffer will ensure access for maintenance, inspections and any future river enhancements. These buffers should be planted with native species to enhance the ecological value of the river corridor. This approach is in line with

the requirements of the River Basin Management Plan and Water Framework Directive. A condition will be added seeking to ensure that the buffer zone is management between the development and Edgware Brook.

6.7.6 The proposal has been amended since the previous reason for refusal and has been referred to the Councils Drainage Department for review. The FRA submitted is considered to be satisfactory. The finished floor levels of the new dwellings would be raised 900mm above ground level (300mm above flood levels). The crown roof of house 1 was enlarged to accommodate the change to finished floor level. A finished floor level would be set no lower than 74.00m above the order datum for House 1.

## 6.8 Impacts on Trees and Biodiversity

6.8.1 Policy DM 20 seeks to protect biodiversity and access to nature outlining that “The design and layout of new development should retain and enhance any significant existing features of biodiversity value within the site. Potential impacts on Biodiversity should be avoided or appropriate mitigation sought. Where loss of a significant existing feature of biodiversity is unavoidable, replacement features of equivalent biodiversity value should be provided on site or through contributions towards the implementation of relevant projects in Harrow's Biodiversity Action Plan.”

6.8.2 Policy DM 21 of the Harrow Development Management Policies Local plan (2013) seeks to enhance biodiversity and access to nature stating “A. *Opportunities to enhance locally important habitats and to support locally important species will be sought in accordance with the Harrow Biodiversity Action Plan. Where possible, proposals should secure the restoration and re-creation of significant components of the natural environment as part of the design and layout of development. Particular attention will be paid to:*

- a. green corridors and green chains, including the potential to extend or add to the network;*
- b. gardens, including planting for wildlife, green roofs and green walls;*
- c. landscaping, including trees, hedgerows of historical or ecological importance and ponds;*
- d. allotments; and*
- e. habitat creation, such as nesting and roosting boxes, especially when replacing an old building that provided certain habitats.”*

6.8.3 The application site lies opposite a Site of Nature Conservation Importance. The Councils Biodiversity Officer has advised that the site is in a relatively sensitive ecological area, as it abuts Temple Pond (a known hotspot for bats) and is opposite Montrose Walk which is part of the Stanmore Golf Course and Montrose Walk Site of Metropolitan Importance for Nature Conservation. These sites are important in a Greater London (regional) context.

6.8.4 The applicant has provided updated bat and Great Crested Newt surveys and the presence of these are unlikely. A water vole survey study was not done. A number of visits were undertaken by the applicants Ecology consultant and no

water voles were found in or near to Temple Pond. The Councils Biodiversity officer agreed with these findings and it was agreed the urban pond is too disturbed by human activity plus dogs and this makes it unlikely for water voles to consider the pond to be a suitable habitat. However, the Councils Biodiversity Officer would like a construction management plan to be submitted as a pre commencement condition showing all materials storage areas including where the material arising from the demolition of the existing buildings, we require this so that materials are not washed into/leached the nearby water body. This condition will be attached.

## 6.9 Sustainability

6.9.1 Policy 5.2 of The London Plan (2016) seeks to minimise the emission of carbon dioxide by being lean, clean and green, and requires all new residential development to achieve zero carbon.

6.9.2 Policy DM 12 outlines that *“The design and layout of development proposals should:*  
*a. utilise natural systems such as passive solar design and, wherever possible, incorporate high performing energy retention materials, to supplement the benefits of traditional measures such as insulation and double glazing;*  
*b. make provision for natural ventilation and shading to prevent internal overheating;*  
*c. incorporate techniques that enhance biodiversity, such as green roofs and green walls (such techniques will benefit other sustainability objectives including surface water attenuation and the avoidance of internal and urban over-heating); and*  
*d. where relevant, the design and layout of buildings should incorporate measures to mitigate any significant noise or air pollution arising from the future use of the development.”*

6.9.3 Following on from this, Harrow Council has an adopted Supplementary Planning Document in relation to Sustainable Building Design (2009).

6.9.4 A sustainability statement has been submitted and this report demonstrates significant environmental benefits over and above retention and refurbishment of the existing properties on the site. A condition has been attached to ensure that the measures identified within the reports are implemented as part of the proposed development.

## 7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed redevelopment of the site would provide a high quality development comprising of three detached single family dwellinghouses. The



proposed internal layouts and specifications offered by the proposed development would provide an acceptable standard of accommodation.

- 7.2 The site is currently vacant and the proposal would enhance the urban environment in terms of material presence, attractive streetscape and makes a positive contribution to the local area, in terms of quality and character.
- 7.3 The layout and orientation of the buildings and separation distance to neighbouring properties is considered to be satisfactory to protect the amenities of the neighbouring occupiers.
- 7.4 The recommendation to approve planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 2016, the Harrow Core Strategy 2012 and the Development Management Policies Local Plan 2013, and to all relevant material considerations, and any comments received in response to publicity and consultation.

## **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: 1563-E01-00-P4 , 1563-E02-00-P4 , 1563-P01-00-P6 , 1563-P02-00-P6 , 1563-P02-01-P5 , 1563-P02-02-P5 , 1563-P03-01-P5 , 1563-P03-02-P5 , 1563-P03-03-P5, 1563-P03-04-P5 , 1563-DT1-00-P5, 1563-DT1-01-P1 , 1563-Design and Access Statement R1, 1563-Character Appraisal and Heritage Statement REV 01, 1563-Covering Letter JUNE 2017, 1371 – FRA Rev K (Flood Risk Assessment by MTC Engineering ), 17-05-25 – Planning Statement (Planning Report by Apcar Smith Planning), API\_14GA\_AIA\_07 (Arboriculture Impact Assessment by Landmark Trees), MES Energy & Sustainability Statement L4 Rev H (Energy & Sustainability Assessment by MES Building Solutions), 170519 Daylight Report (Daylight / Sunlight Report by MES Building Solutions), ASW\_GordonAvenue\_BatAssessment20151.3 (Bat Assessment Report by ASW Ecology), BAT SURVEY (Bat Emergence Survey Report by ASW Ecology), ASW\_GordonAvenue\_DesktopStudyLetter20151.2 (Great Crested Newt Desktop Study by ASW Ecology), ASW\_Letter\_GCN\_GordonAvenue20161.1 (Great Crested Newt Torch Count Results by ASW Ecology), NEWT SURVEY (Great Crested Newt Analysis by ASW Ecology), 1371-05A (Transport Sweep Path Analysis MTC Engineering)

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, 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:

- Facing materials;
- Windows and doors;
- Rainwater goods

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 Materials – external surfaces

The development hereby permitted shall not commence 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:

- The boundary treatment
- Hardstanding

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.

5 Glazing

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no window(s) / door(s) shall be installed in the flank elevations of the development hereby permitted other than those shown in the approved plans, without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents.

6 Refuse Storage

Notwithstanding the details shown on approved drawings, the dwellinghouses hereby approved shall not be occupied until details of a revised bin store, to accommodate sufficient waste and recycling containers for the three dwellinghouses within the rear amenity spaces for each dwellinghouse, have been submitted to and agreed in writing by the local planning authority. The dwellinghouses shall not be occupied until the bin store has been provided in accordance with the details so agreed. Other than on collection days, all waste and recycling containers associated with the occupation of the approved development shall be housed within the agreed bin store.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 7.4.B of The London Plan (2016) and Policies DM1 and DM26 of The Development Management Policies Local Plan (2013).

7 Cycle Storage

Notwithstanding the details shown on approved drawings, the dwellings hereby approved shall not be occupied until details of safe and secure cycle storage, to accommodate two secure, integrated, convenient and accessible cycle parking facilities for each dwellinghouse, have been submitted to and

agreed in writing by the local planning authority. The flats shall not be occupied until the cycle storage has been provided in accordance with the details so agreed.

REASON: To enhance the appearance of the development and safeguard the character and appearance of the area, in accordance with policies 6.9.B of The London Plan (2016) and Policies DM1, DM24 and DM42 of The Development Management Policies Local Plan (2013).

8 Hard and Soft Landscaping

The development hereby permitted shall not commence until there has been submitted to, and approved by, the local planning authority, a scheme of soft and hard landscaping works for the front garden and rear garden. Soft landscape works shall include: planting plans, including details for soft landscaping of the property frontage with provision for refuse storage, and schedules of plants, noting species, plant sizes and proposed numbers. The approved works shall be carried out and completed out prior to occupation of the two flats and shall thereafter be permanently retained.

REASON: To safeguard the character and appearance of the area in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policies DM1 and DM24 of the Harrow Development Management Policies Local Plan (2013).

9 Planting

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(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 in accordance with Core Policy CS1.B of the Harrow Core Strategy (2012) and Policies DM1, DM23 and DM24 of the Harrow Development Management Policies Local Plan (2013).

10 Hard surfacing

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

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

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

11 Trees

The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected in accordance with Policy DM22 of the Harrow Development Management Policies Local Plan (2013).

12 Site supervision of Trees

No works or development shall take place until a scheme of supervision for the Arboricultural protection measures has been approved in writing by the local planning authority.

REASON: The existing trees represent an important amenity feature which the local planning authority considers should be protected in accordance with Policy DM22 of the Harrow Development Management Policies Local Plan (2013).

13 Flood water disposal

The development hereby permitted shall not be commenced until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions. The applicant should contact Thames Water Utilities Limited and Harrow Drainage Section at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption.

14 Surface Water disposal

The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been submitted to, and

approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. The applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

15 Surface Water Attenuation

The development of any buildings hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF. For allowable discharge rates the applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

16 Flood Risk Assessment

The development permitted by this planning permission shall be carried out in accordance with the approved flood risk assessment (FRA) 1371 – FRA Rev J June 2017 and the compensatory flood storage measures detailed within the FRA. The mitigation measures shall be fully implement prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding on site and elsewhere by ensuring that compensatory storage of flood water is provided.

17 Buffer Zone

No development shall take place until a scheme for the provision and management of a minimum of 6 metre buffer zone alongside the Edgware Brook is submitted to and agreed in writing by the local planning authority. The buffer zone scheme should be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:

- Plans showing the extent and layout of the buffer zone
- Details of any proposed planting scheme (for example, native species)
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan

- Details of any proposed fencing, lighting etc.

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

18 Bird Nesting

If the development hereby permitted commences during the bird breeding season (March to August) inclusive, trees and buildings within the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be located, work in the vicinity should be paused and the advice of a suitably qualified ecologist shall be sought without delay.

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

19 Bat Roosting

No trees shall be felled on site until a dawn dusk survey and tree inspection survey for bat roosts has been undertaken by a suitably qualified ecologist. Should bats be located, all work shall stop and a license from Natural England shall be sought without delay.

REASON: This condition is required to ensure that if bats are present then suitable measures are put into place for their protection in accordance with and to conform with policy DM 20 of the Harrow Development Management Policies Local Plan (2013) and all relevant current legislation.

20 Water Vole

Prior to any vegetation clearance on site, all vegetation will be checked by a suitably qualified ecologist for the presence of water vole. Should an active nest be located, all work shall stop and a license from Natural England shall be sought without delay.

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

21 Construction Logistics Plan

Notwithstanding the submitted Construction Management Plan, no development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall provide details of:

- 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. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction; and
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

The report shall assess the impacts during the construction phases of the development on nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

Further guidance on the production of a CLP is available via the TfL website - <http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf>

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

## 22 Permitted development restrictions

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

REASON: To safeguard the character of the area by restricting the amount of site coverage and size of dwelling and to safeguard the amenity of neighbouring residents.

## 23 Secure by Design

Evidence of certification of Secure by Design Accreditation for the development shall be submitted to an approved in writing by the Local Planning Authority before any part of the development is occupied or used.

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.



## **Informatives**

### 1 **Policies**

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

##### **The London Plan (2016)**

3.3 Increasing Housing Supply  
3.5 Quality and Design of Housing Developments  
3.8 Housing Choice  
5.2 Minimising Carbon Dioxide Emissions  
5.3 Sustainable Design and Construction  
5.12 Flood Risk Management  
5.13 Sustainable Drainage  
6.3 Assessing Effects of Development on Transport Capacity  
6.9 Cycling  
6.13 Parking  
7.1 Building London's Neighborhoods and Communities  
7.2 An Inclusive Environment  
7.3 Designing out Crime  
7.4 Local Character  
7.6 Architecture  
7.21 Trees and Woodlands

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

Core Policy CS 1 Overarching Policy Objectives  
Core Policy CS 7 Stanmore and Harrow Weald

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

Policy DM 1 Achieving a High Standard of Development  
Policy DM 2 Achieving Lifetime Neighbourhoods  
Policy DM7 Managing Heritage Assets  
Policy DM 9 Managing Flood Risk  
Policy DM 10 On Site Water Management and Surface Water Attenuation  
Policy DM 11 Protection and Enhancement of River Corridors and Watercourses  
Policy DM 12 Sustainable Design and Layout  
Policy DM 20 Protection of Biodiversity and Access to Nature  
Policy DM 21 Enhancement of Biodiversity and Access to Nature  
Policy DM 22 Trees and Landscaping  
Policy DM 23 Streetside Greenness and Forecourt Greenery  
Policy DM 24 Housing Mix  
Policy DM 27 Amenity Space  
Policy DM 42 Parking Standards  
Policy DM 44 Servicing  
Policy DM 45 Waste Management

##### **Relevant Supplementary Documents**

Supplementary Planning Document Garden Land Development (2013)  
Supplementary Planning Document Residential Design Guide (2010)

Supplementary Planning Document Accessible Homes (2010)  
Mayor of London, Housing Supplementary Planning Guidance (November 2012)  
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2008)

## 2 Compliance with planning conditions

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 Pre-application engagement

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. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

## 4 INFORM 61

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £21,945 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 £21,945 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 627 sqm

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>

## 5 INFORM 62

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: £68,970

## 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 Portal website:

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

## 7 Protection of 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, and 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 applicants' expense. Failure to report any damage could result in a charge being levied against the property.

8 Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the Considerate Contractor Code of Practice. In the interests of minimising any adverse effects arising from building operations, the limitations on hours of working are as follows:

0800-1800 hours Monday - Friday (not including Bank Holidays)

0800-1300 hours Saturday.

9 Thames Water

The applicant is advised that under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Edgware Brook, designated a main river.

10 Sustainable Urban Drainage System (SUDS)

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

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity.

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (2016) 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.

## Street Naming and Numbering

Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939.

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.

[http://www.harrow.gov.uk/info/100011/transport\\_and\\_streets/1579/street\\_naming\\_and\\_numbering](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering)

Drawing numbers : 1563-E01-00-P4 , 1563-E02-00-P4 , 1563-P01-00-P6 , 1563-P02-00-P6 , 1563-P02-01-P5 , 1563-P02-02-P5 , 1563-P03-01-P5 , 1563-P03-02-P5 , 1563-P03-03-P5, 1563-P03-04-P5 , 1563-DT1-00-P5, 1563-DT1-01-P1 , 1563-Design and Access Statement R1, 1563-Character Appraisal and Heritage Statement REV 01, 1563-Covering Letter JUNE 2017, 1371 – FRA Rev K (Flood Risk Assessment by MTC Engineering ), 17-05-25 – Planning Statement (Planning Report by Apcar Smith Planning), API\_14GA\_AIA\_07 (Arboricultural Impact Assessment by Landmark Trees), MES Energy & Sustainability Statement L4 Rev H (Energy & Sustainability Assessment by MES Building Solutions), 170519 Daylight Report (Daylight / Sunlight Report by MES Building Solutions), ASW\_GordonAvenue\_BatAssessment20151.3 (Bat Assessment Report by ASW Ecology), BAT SURVEY (Bat Emergence Survey Report by ASW Ecology), ASW\_GordonAvenue\_DesktopStudyLetter20151.2 (Great Crested Newt Desktop Study by ASW Ecology), ASW\_Letter\_GCN\_GordonAvenue20161.1 (Great Crested Newt Torch Count Results by ASW Ecology), NEWT SURVEY (Great Crested Newt Analysis by ASW Ecology), 1371-05A (Transport Sweep Path Analysis MTC Engineering)



**APPENDIX 3: SITE PHOTOGRAPHS**



No. 14 – vacant property



No. 16 – taller property also vacant



View of 16 and 14 and their position close to the front of Gordon Avenue



View looking at the properties (standing in front of no. 18)





Neighbour property no. 12



Neighbouring property no. 18



Dropped kerb and existing parking bays



Pedestrian access to Stanmore Park

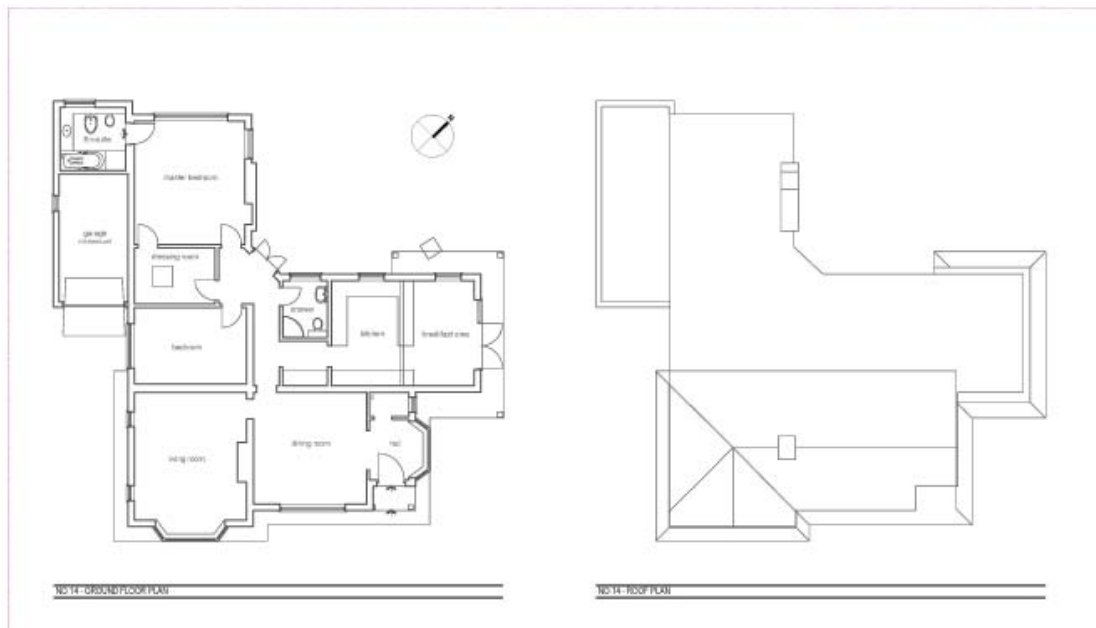


Existing flats across the road

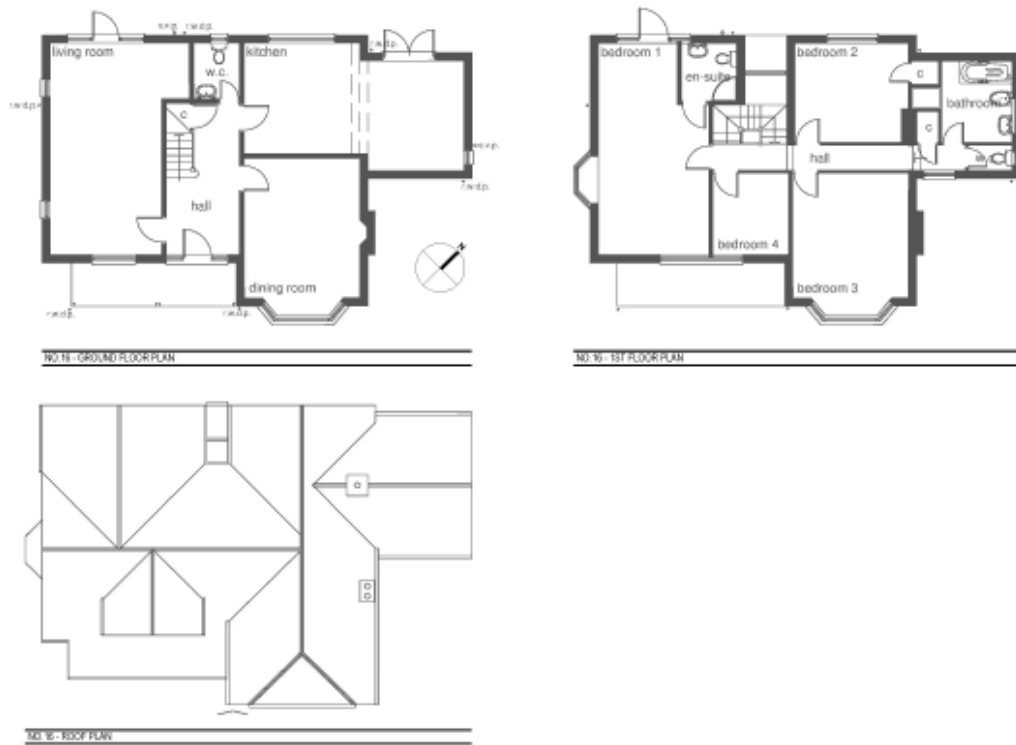


The opposite side of the road has blocks of flats

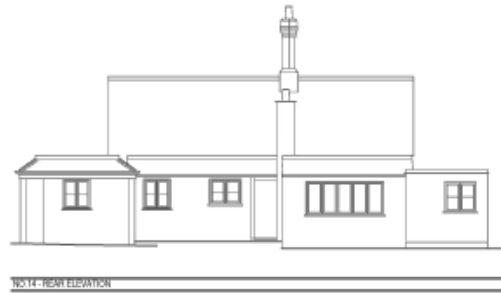
## APPENDIX 4: PLANS AND ELEVATIONS



Existing plans of no. 14



Existing plans of no. 16

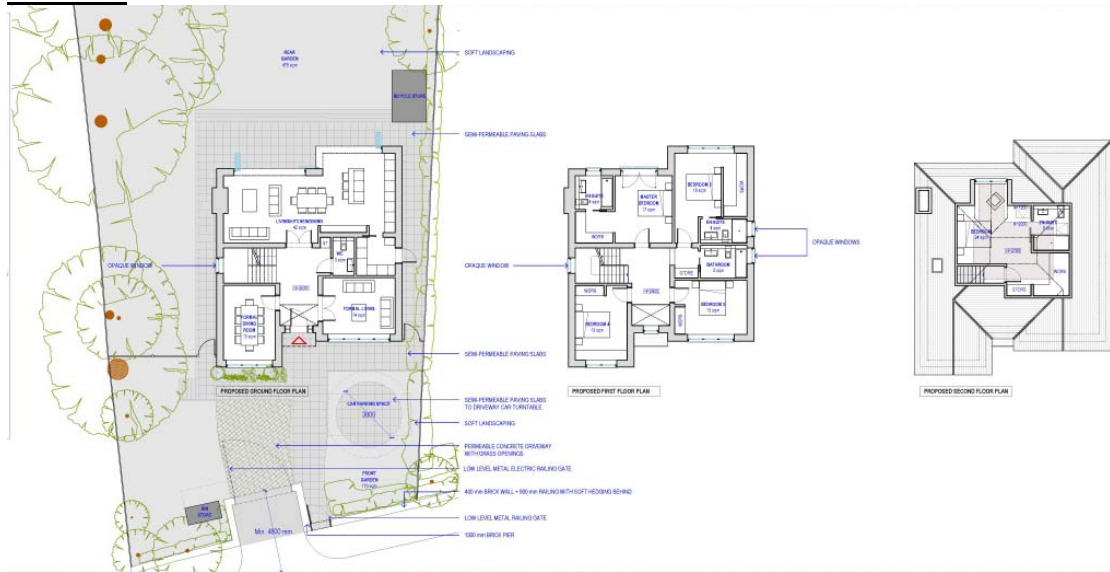


Existing elevations of no. 14



Proposed Elevations of no.16

# House 1



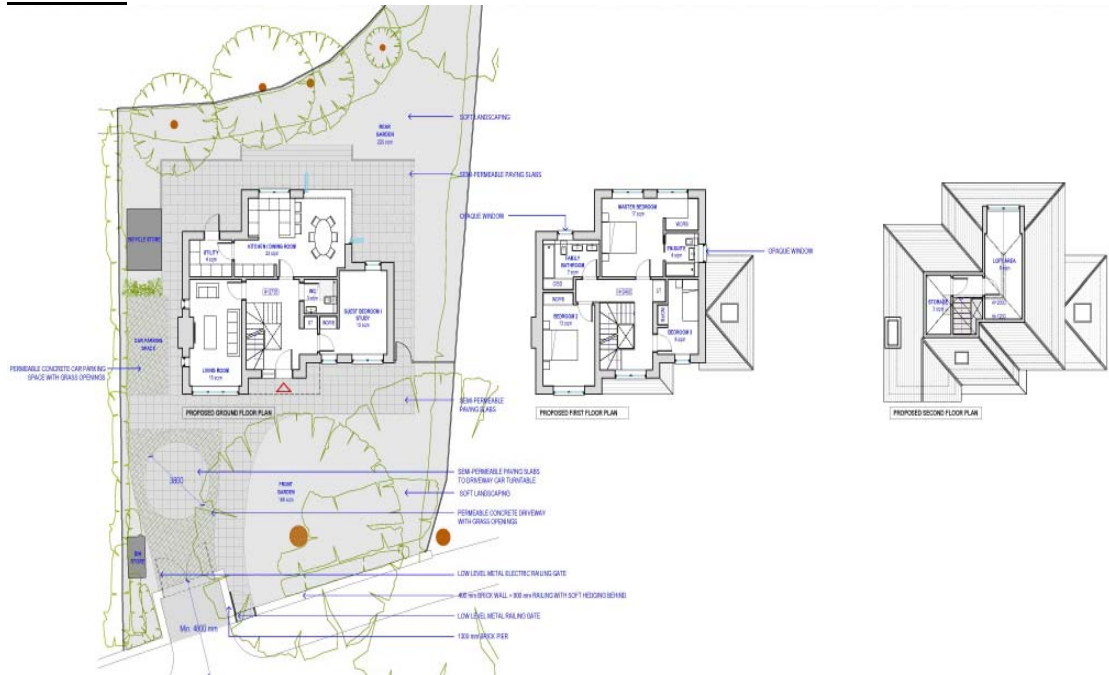
Proposed plans – Ground, First and Second floor



Proposed Elevations



# House 3



Proposed plans – Ground, First and Second floor



Proposed Elevations



Proposed streetscene drawing



Proposed dwellings shown within the context of the neighbouring properties



Proposed site block plan



AERIAL PERSPECTIVE (LOOKING WEST)

Proposed 3D Image of the application site



STREET SCENE ALONG GORDON AVENUE

Proposed 3D Streetscene drawings

**This page has been left intentionally blank**