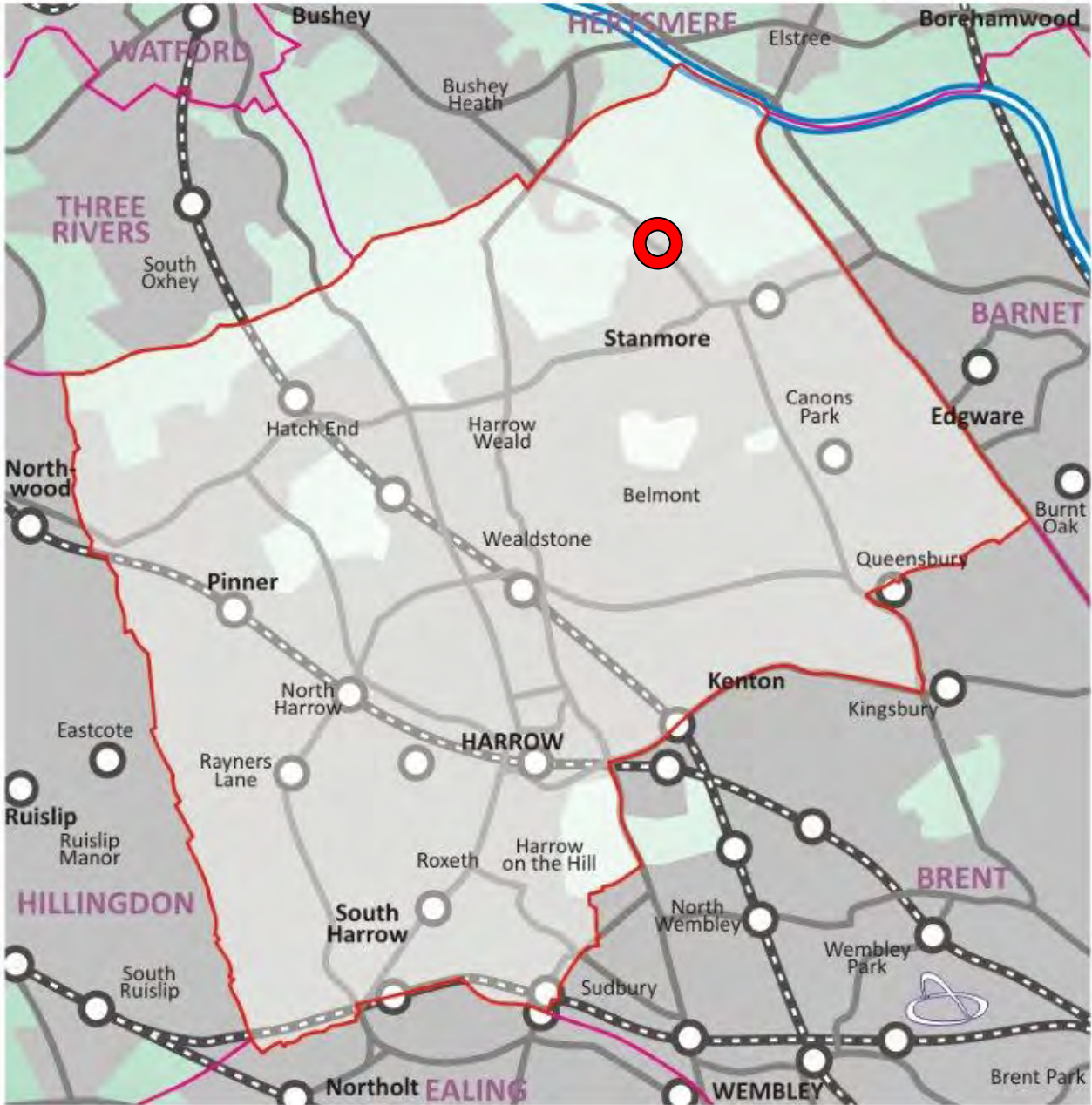
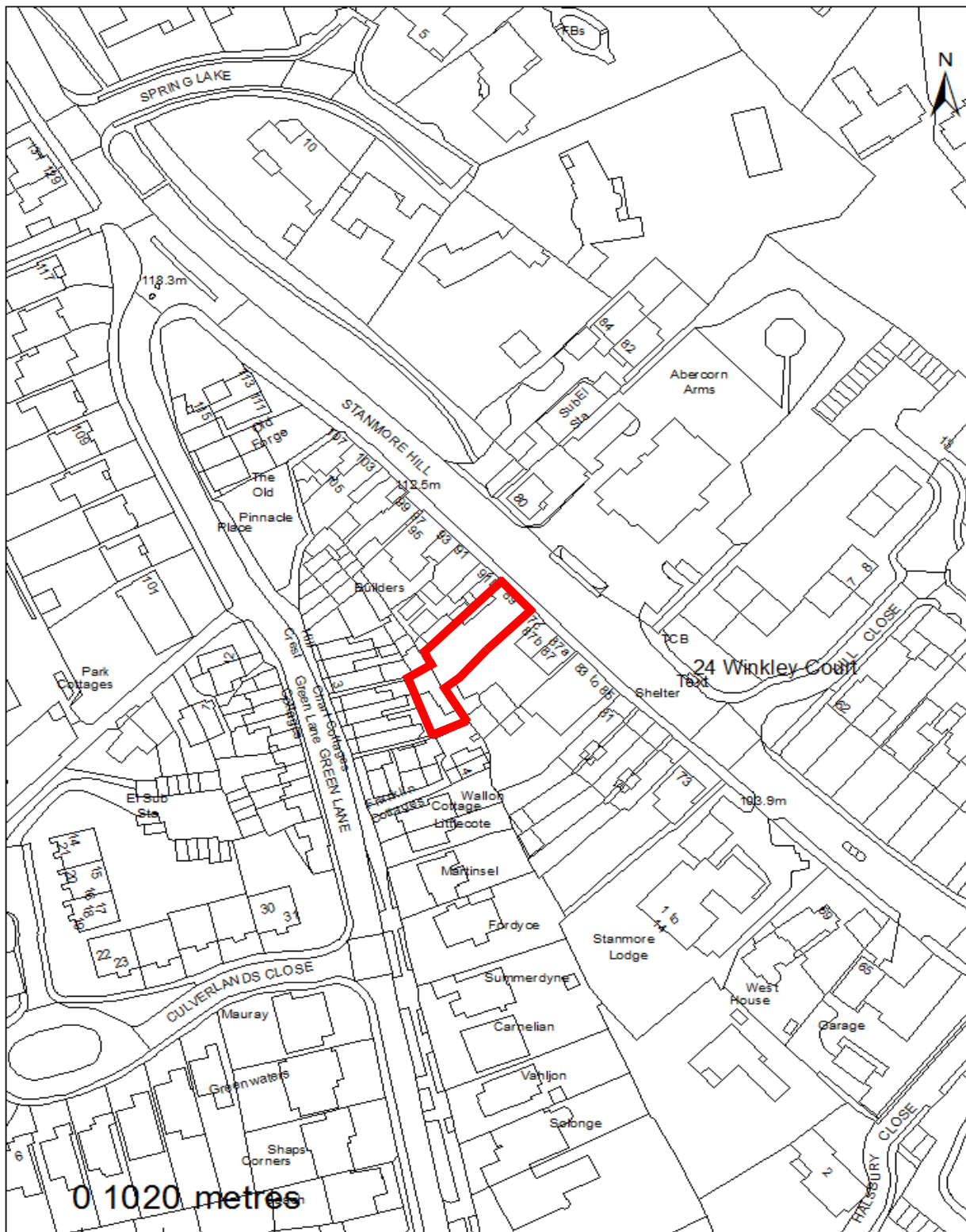


 = application site



89 Stanmore Hill, Stanmore	P/4049/17
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89 Stanmore Hill, Stanmore **P/4049/17**

LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

14th December 2017

APPLICATION NUMBER: P/4049/17
VALIDATION DATE: 02/10/2017
LOCATION: 89 STANMORE HILL, STANMORE
WARD: STANMORE PARK
POSTCODE: HA7 3DZ
APPLICANT: MR SIMON RYDER
AGENT: RACHEL CAPLIN, PRESTON BENNETT
CASE OFFICER: DAVID BUCKLEY
EXPIRY DATE: 16/12/2017

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.

Redevelopment: Part single storey and two storey building with habitable roof space and basement level to provide offices (Class B1(a)) at ground floor and basement level; two studio flats at ground floor level, and four one bedroom flats on upper floors (Class C3); Bin and Cycle storage; Demolition of existing building.

RECOMMENDATION

The Planning Committee is asked to:

Agree a resolution to grant planning permission subject to authority being delegated to the Divisional Director of Regeneration, Enterprise and Planning until the expiry period of consultation has been completed on 22nd December 2017.

REASON

The proposed development of the site would provide an acceptable development comprising an acceptable level of residential accommodation and office space, thereby contributing to the Borough's housing stock and office space. The development would be acceptable in terms of material planning considerations.

The decision to **GRANT** planning permission has been taken having regard to the National Planning Policy Framework 2012, the policies and proposals in The London Plan 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.

INFORMATION

This application is reported to Planning Committee as the development would be for 6 x new residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type: (E13) Minor Dwellings
Council Interest: None

Floor Area: 232 sq m

GLA Community Infrastructure (CIL) Contribution (provisional): £ 8,120 (based on a £35 contribution per square metre of additional floorspace)

Harrow Community Infrastructure (CIL) Contribution (provisional): £ 25,520 (based on a £110 contribution per square metre of additional floorspace)

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
- National Planning Policy Framework
- London Plan

- Local Plan - Core Strategy, Development Management Policies, SPGs
- Other relevant guidance

LIST OF ENCLOSURES / APPENDICES:

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

Appendix 5 – Previous Appeal Decision

OFFICER REPORT

PART 1: Planning Application Fact Sheet

The Site	
Address	89 Stanmore Hill, Stanmore, HA7 3DZ
Applicant	Rachel Caplin, Preston Bennett
Ward	Stanmore Hill
Local Plan Allocation	No
Conservation Area	Yes- Stanmore Hill Conservation Area
Listed Building	No
Setting of Listed Building	Yes, opposite the Grade II listed Abercorn Arms
Building of Local Interest	Yes- Locally listed 80 Stanmore Hill is opposite
Tree Preservation Order	No
Other	Neighbourhood Parade

Transportation		
Car parking	No. Existing Car Parking spaces	0
	No. Proposed Car Parking spaces	0
	Proposed Parking Ratio	0
Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	6
	Cycle Parking Ratio	1:1
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Stanmore – 1.1km
	Bus Routes	142, other routes from Stanmore Station
Parking Controls	Controlled Parking Zone?	Yes, CPZ Zone B,
	CPZ Hours	3pm-4pm Mon-Fri
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	N/A
Parking Stress	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
	Summary of results of survey	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Large communal refuse bins to the rear of the building.

1.0 SITE DESCRIPTION

- 1.1 The application relates to what was previously a single and two storey building on the south western side of Stanmore Hill.
- 1.2 Planning permission was originally refused by Harrow Council under Planning Reference P/1679/14. However, an appeal was made under Harrow reference P/1679/14/4598 and PINS Reference APP/M5450/A/2225661, all of the reasons for refusal were overturned and PINS granted planning permission with a number of planning conditions attached. Subsequent to the previous planning permission reference P/1679/14, the site has now been cleared and is surrounded by hoardings.
- 1.3 The building is situated within a mix of commercial and residential properties on a prominent slope which rises from south east to north-west along Stanmore Hill. Prior to demolition the ground floor of the building on site was vacant, with authorised A1/A3 use class and was previously in use as a café/bakery. The first floor was in use as one residential unit.
- 1.4 The site has a shared access drive to the south with No. 87. The site is adjoined to the north by a single storey rear extension (No. 91A) which is currently in use as an Estate Agency (Class A2). The adjacent building to the south, No. 87 is currently in use as a hairdressing salon.
- 1.5 The site is located within the Stanmore Hill Conservation Area and is within the setting of the grade II listed Abercorn Arms and telephone box and the locally listed No. 80 Stanmore Hill opposite. The site is also located within the Stanmore local neighbourhood parade.

2.0 PROPOSAL

- 2.1 The application proposes a redevelopment of the site involving demolition of the existing building and construction of a part single storey and two storey building with basement and habitable roof space to provide two 1 x B1 office unit (Class B1), 2 x studio flats at ground floor level, and 4 x one bedroom flats on upper floors (Class C3) together with bin and cycle storage.
- 2.2 The proposal would have an almost identical description and appearance to the previous scheme under planning reference P/1679/14, which was allowed on appeal. The only difference would be that the ground floor unit would be office rather than retail and would have an ancillary basement area.
The proposed building would occupy a similar position in the plot as the previous building on site.
- 2.3 The two storey element of the building would have a width of 10 metres and a crown roof with a height between 10.4 and 11.4 metres from the natural ground level. It would be set back from a single storey front projection by a distance of approximately 1.1 metres.
- 2.4 The flat roof of the single storey front projection would provide a balcony enclosed by 0.9 metre high black railings along the front. Four sets of French doors would

open onto the balcony. The two storey element of the building would have a maximum depth of 16.9 metres and would include a subordinate two storey projection, also with a crown roof design. The single storey rear element would project a further 10.6 metres beyond the two storey rear wall and would have a flat roof to a height of 3 metres.

- 2.5 The front roofslope of the building would incorporate five identical hipped roof dormers with a width of 1.27 metres and a height of 2.4 metres. The rear roof slopes of the building would incorporate four flat roof dormers with a width of 1.35 metres and a height of 1.35 metres.
- 2.6 The ground floor would be a single office unit, with an ancillary basement. Each of the first floor and second floors would provide two x one bedroom flats. The entrances to the first and second floor flats would be from the rear elevation of the building. A refuse and cycle storage area would be provided in the rear courtyard adjacent to the single storey rear projection.

3.0 RELEVANT PLANNING HISTORY

P/1679/14 - Redevelopment: Part Single Storey And Two Storey Building With Habitable Roof Space To Provide Two Retail Units (Class A1) And 2 X Studio Flats At Ground Floor Level, And 4 X One Bedroom Flats On Upper Floors (Class C3); Bin And Cycle Storage; Demolition Of Existing Building.
Refused: 05/08/2014

Reasons for Refusal:

1. The proposed ground floor residential studio flats would introduce an inappropriate use within the Stanmore Hill neighbourhood parade that would be detrimental to the viability and vitality of the proposed ground floor retail units and the adjoining local neighbourhood parade, contrary to policies 2.15 C and 4.8 of the London Plan (2011) and policy DM 38 of the Harrow Development Management Policies Local Plan (2013).

2. The proposal, by reason of its poor design and excessive scale and bulk would give rise to a bulky, incongruous and obtrusive form of development that would not be in keeping with the character and scale of the adjacent buildings and would fail to preserve or enhance the character or appearance of the Stanmore Hill Conservation Area or the setting of the adjacent grade II listed buildings, to the detriment of the character and appearance of the locality, contrary to the National Planning Policy Framework (2012), policies 7.4.B, 7.6 B, 7.8 C and 7.8.D of The London Plan (2011), core policy CS1 B and D of the Harrow Core Strategy (2012), policies DM 1 and DM 7 of the Harrow Development Management Policies Local Plan (2013), the Stanmore Hill Conservation Area Appraisal and Management Strategy and the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).

3. The proposal, by reason of its poor design and excessive scale and bulk and the proximity of the first and second floor windows in relation to the rear garden boundaries of No. 1 – 3 Chart Cottages and Hillcrest, Green Lane would give rise to

unreasonable perceived overlooking for the occupiers of these properties, to the detriment of their residential amenities and the visual amenities of the surrounding occupiers, contrary to the National Planning Policy Framework (2012), policy 7.6 B of The London Plan (2011), policy DM 1 of the Harrow Development Management Policies Local Plan (2013) and the Council's adopted Supplementary Planning Document - Residential Design Guide (2010).

4. The proposal by reason of inappropriate siting of refuse and cycle storage facilities, poor internal vertical stacking arrangement of the rear first floor flat and front ground floor studio flat, poor outlook for the ground floor studio flats and non-compliance with Lifetime Homes standards would provide cramped, substandard and low quality accommodation that would give rise to undue loss of privacy and noise and disturbance for the occupiers of the ground floor flats, to the detriment of the residential amenities of the future occupiers of the ground floor studio flats, contrary to the National Planning Policy Framework (2012), policies 3.5.B, 3.5.C, 3.8.C/D and 7.2.C and 7.6 of The London Plan (2011), core policy CS 1 K of the Harrow Core Strategy (2012), policies DM 1 and DM 2 of the Harrow Development Management Policies Local Plan (2013), the adopted Supplementary Planning Document: Accessible Homes (2010) and the adopted Supplementary Planning Document: Residential Design Guide (2010).

5. The proposal, by reason of the location of primary windows to habitable rooms of the rear first and second floor flats in close proximity to the boundary of the site, would prejudice the future development of the site to the North West, contrary to policy 7.6 B of The London Plan (2013) and policy DM 1 of the Harrow Development Management Policies Development Plan Document (2013).

**P/326/05/DCO CONTINUED USE AS A BAKERY SHOP AND CAFE AT FRONT (CLASS A1/A3)
Granted 21-Mar-2005**

4.0 CONSULTATION

4.1 16 consultation letters were sent to neighbouring properties regarding this application and the consultation period expired on 23rd October 2017. After the notification was changed to include 'Setting of a Listed Building' neighbours were re-notified, with the consultation period expiring 22nd December 2017.

4.2 Site notice and newspaper advertisements were displayed, with expiry date for consultation on 21st November 2017. However, the stated reason for advertisement was 'Character of a Conservation Area'. A corrected renotification of site notice and newspaper advertisement was undertaken with the reason of 'Character of a Conservation Area and Setting of a Listed Building' with an expiry date of 22nd December 2017.

4.3 Adjoining Properties

Number of Letters Sent	16
Number of Responses Received	0

Number in Support	0
Number of Objections	0
Number of other Representations (neither objecting or supporting)	0

4.4 Statutory and Non Statutory Consultation

The following consultations have been undertaken:

- LBH Highways
- Conservation Officer
- Planning Policy
- Drainage Engineering Officers
- Waste Management Officers

4.5 External Consultation

N/A

4.6 Internal Consultation

4.7 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
Planning Policy Officers	No objection to the proposal.	Comments noted.
LBH Highways	No objection to the proposal, subject to conditions related to cycle parking and Construction Management Plan.	Comments noted.
LBH Conservation Officer	There is not much change between this and the previously approved at appeal scheme. The proposal would have a similar impact on the character and appearance of the conservation area and the setting of the listed buildings as the previously approved scheme and is therefore appropriate subject to the same conditions as before.	Comments noted and are addressed in the relevant section of the report below.
Drainage Engineering Officers	No objection to the proposal subject to condition for basement development.	Comments noted and are addressed in the relevant section of the report below.

Waste Management Officers	No objection to the proposal.	Comments noted.
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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
- Amenity of Future Occupiers
- Traffic, Parking, Servicing and Construction Issues
- Secure by Design Issues
- Sustainable Development/Development and Flood Risk
- Section 106 Agreement

6.2 Principle of Development

Demolition of Existing Building

- 6.2.1 Policy DM 7 of the Harrow Development Management Policies Local Plan (2013) outlines that: "Proposals that secure the preservation, conservation or enhancement of a heritage asset and its setting, or which secure opportunities for sustainable enjoyment will be supported". Demolition of the existing building was found acceptable in the previous scheme reference P/1679/14 in accordance with the NPPF and Harrow Policy DM7. The demolition has already taken place since that time. There have been no changes to planning policy or significant changes in site circumstances since that time. As a result this is still considered acceptable in accordance with the relevant policies.

Provision of Ground Floor Units and New Ground Floor and Upper Floor Residential Use

- 6.2.2 In the previous scheme reference P/1679/14, it was proposed to include the two residential units at ground floor as in the current scheme and two retail units on the ground floor Harrow Planning Officers found that the ground floor retail units with a window display would be considered appropriate to the centre. However, officers also found that residential accommodation in the ground floor, adjacent to the retail units would be contrary to Policy DM38 which relates to Neighbourhood Parades. At the Planning Appeal, paragraph 11 of the Inspectors Report found that the placement of the residential units would not be harmful to the future viability of the retail units and as a result the Inspector overturned this reason for refusal.
- 6.2.3 In the current scheme, the two retail units have been replaced with a single B1 Office unit. Policy DM38 states that ground floor premises could be acceptable for non A class uses, provided that a window display or other active frontage is provided. The submitted elevations show that there would be a window that would appear as an active frontage. On this basis, combined with the Inspectors comments in the previous appeal, in principle the proposal is considered acceptable, subject to the other main relevant material planning considerations. The provision of upper floor residential uses was considered acceptable by officers in the previous application reference P/1679/14 and as there have been no changes to relevant planning policy or site circumstances since that time and on this basis, the upper floor residential is acceptable in principle.

Proposed Basement

- 6.2.4 The basement would be ancillary to the office use and would be considered acceptable in terms of principle.

6.3 Regeneration

6.3.1 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. The proposed development would create an office development which would result in the creation of a number of long term jobs in what is currently an unused site. The construction of the site would result in some temporary jobs within the Borough, which would be throughout the duration of the construction process.

6.3.3 It is therefore considered that the proposed development would meet the overarching principles of regeneration into the area.

6.4 Character and Appearance of the Area

6.4.1 The National Planning Policy Framework (NPPF) was published by the Government on March 27th 2012. The NPPF does not change the law in relation to planning (as the Localism Act 2012 does), but rather sets out the Government's planning policies for England and how these are expected to be applied. It remains the case that the Council is required to make decisions in accordance with the development plan for an area, unless other material considerations indicate otherwise (S.38 (6) of the Planning Act). The development plan for Harrow comprises The London Plan 2016 [LP] and the Local Development Framework [LDF].

6.4.2 Policy 7.8D of The London Plan (2016) states that 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'. Core Policy CS 1.D states that 'proposals that would harm the significance of heritage assets including their setting will be resisted. The enhancement of heritage assets will be supported and encouraged'. This emphasised further in policy DM 7 of the Harrow Development Management Policies Local Plan (2013).

6.4.3 The property is within the Stanmore Hill Conservation Area. The Stanmore Hill Conservation Area Appraisal and Management Strategy outlines that the area

“comprises fine examples of residential houses and some commercial units using high quality traditional materials and detailing. These date from the 18th century to the early 20th century and are on sloping land, set amongst much greenery and important historic walls.

- 6.4.4 In the previous scheme reference P/1679/14, officers found the scheme unacceptable in terms of character due to the scale and bulk of the proposed new building, on the basis that it would be harmful to the character of the Stanmore Hill Conservation Area and the setting of the adjacent Grade II Listed Building.
- 6.4.5 However at the appeal, the Planning Inspectorate found that while the overall height the building would be taller than the existing building, it would be consistent with its neighbours and others in the street frontage, taking into account the slope of Stanmore Hill. The Inspector also found that the roof form and the set back of the first floor to provide a balcony are not without parallel in the area, where there is a notably wide variation of style, finish and orientation of buildings. The inspector also found that other design features, such as the roof dormers and railings, etc. are not harmful to the heritage destinations. On the basis of conditions to control the use of construction materials and the quality of external finishes and boundary treatments, the Planning Inspector found the scheme acceptable in terms of character and appearance.
- 6.4.6 There have been no significant changes to relevant policy or site circumstances since that time. Based on the previous history, the Councils' Conservation Officer has not raised any objection to the current proposal, subject to the conditions highlighted above. On this basis the scheme would be considered acceptable in terms of character and appearance.

Landscaping

- 6.4.7 The previous scheme reference P/1679/14 was found acceptable in terms of landscaping and there have been no significant changes to policy or site circumstances since that time. As proposed by the officer in the original report, the Planning Inspector included conditions requiring submission of hard and soft landscaping details and for these to be implemented. On this basis, the scheme is considered acceptable in terms of landscaping in accordance with policy DM23.

Conclusion

- 6.4.8 Subject to the conditions mentioned above, it is considered that the external appearance and design of the development is consistent with the principles of good design as required by the National Planning Policy Framework (2012). The resultant development would be appropriate in its context and would comply with policies 7.4B, 7.6B and 7.8 of The London Plan (2016), Core Policy CS1 (B) of the Harrow Core Strategy, policies DM1 and DM7 of the Council's Development Management Policies Local Plan and the Council's adopted Supplementary Planning Document – Residential Design Guide (2010), and the Stanmore Hill Conservation Area Appraisal and Management Strategy.

6.5 *Amenity of Neighbouring Occupiers*

- 6.6 Core Strategy Policy CS1 B requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DM1 Achieving a High Standard of Development sets out a number of privacy and amenity criteria for the assessment of the impact of development upon neighbouring occupiers. Harrow has also produced a Residential Design Guide SPD.
- 6.7 In the previous application, reference P/1679/14, the proposed uses, retail and residential, were found acceptable at this location, subject to issues of privacy and scale of the building. The change in the current scheme from retail to office would not create additional amenity concerns and so in terms of the use, is considered acceptable in terms of neighbouring amenity. The creation of a basement, although it would increase the built area, would not be a significant enough increase to create unacceptable harm to neighbour's in comparison to the previously allowed scheme.
- 6.8 It was also found by officers of Harrow Council in the previous application reference P/1679/14 that the proposal would result in harm to neighbours at No. 1-3 Chart Cottages and Hillcrest Green Lane due to an unacceptable level of overlooking and loss of privacy. However, in paragraph 15 of the Inspector report it was stated that there is a reasonable separation between the window facing Green Lane (at first and roof floor) and the rear boundary. With obscure glazing facing No 87 secured by planning condition. The Inspector considered that unacceptable loss of privacy to neighbours would be avoided.
- 6.9 In terms of overlooking, it was found in the previous application reference P/1679/14 that the upper floors of No 87B to the south and No. 91 to the north both had residential accommodation. The proposal would comply with the code in relation to the upper floor flats and as there are no ground floor residential windows, the impact in terms of light and outlook would be acceptable in relation to these neighbours.
- 6.10 It was found in the officer's report that the northern facing primary bedroom windows facing the site of No. 91/91A could prejudice future development of the single storey building at No. 91A and this formed a reason for refusal. However, in paragraph 17 of the Inspectors response, , while the Planning Inspector acknowledges that the implementation of the scheme could influence development at No. 91, he stated that in the absence of any formal policy, proposal or permission at this neighbouring site, this consideration is insufficient to impede an otherwise acceptable scheme and so overturned this reason for refusal.
- 6.11 On the basis that relevant planning policy, and that relevant site circumstances at the application site and nearby sites have not changed since the previous decision and also the fact that the amendments to the proposal would not have any additional amenity impact, the scheme is still considered acceptable in terms of neighbouring occupier amenity and future development nearby. This is subject to conditions limiting the number of flank windows and ensuring that windows in the south eastern flank elevation are obscure glazed and high level only which were attached to the Planning Inspectors decision and are included in the current report.

6.12 *Future Occupier Amenity*

- 6.13 London Plan Policy 3.5 Quality and Design of Housing Developments sets out a range of criteria for achieving good quality residential development. Part B of the policy deals with residential development at the neighbourhood scale; Part C addresses quality issues at the level of the individual dwelling.
- 6.14 Implementation of the policy is amplified by provisions within the Mayor's Housing SPG (2016). The amplification is extremely comprehensive and overlaps significantly with matters that are dealt with separately elsewhere in this report, particularly Lifetime Neighbourhoods. In response to a request for clarification about the detail internal arrangements of the proposed flats the applicant has advised that the development has been designed to accord with the London Housing Design Guide. Furthermore, the Housing Standards Minor Alterations to the London Plan have now been adopted as at March 2016.
- 6.15 In the previous scheme reference P/1679/14, the scheme was found unacceptable in terms of future occupier amenity, due to inappropriate siting of refuse and cycle storage facilities, poor internal vertical stacking arrangement of the rear first floor flat and front ground floor studio flat, poor outlook for the ground floor studio flats and non-compliance with Lifetime Homes standards, resulting in poor quality accommodation for future ground floor occupiers.
- 6.16 However, the response from the Planning Inspectorate found that these did not constitute a reason for refusal of planning permission. In paragraph 13 of the Planning Inspectors response, the stacking issues, i.e., the first floor kitchen and living room over the ground floor flats living room. However, the Inspector found that this could be insulated appropriately through separate building control legislation and that as a result the different uses and stacking issues would not result in unacceptable noise or disturbance to occupiers.
- 6.17 In terms of refuse bins and storage for the 6 x cycles it was acknowledged by the Planning Inspector that the outlook to the main windows of ground floor studio would be limited and that all uses of the window would convey waste and bicycles past the front of the apartments. However the Inspector found that overall, due to the limited number of occupiers, the impact in terms of noise and disturbance would be limited. In terms of Lifetime Homes Standards it was found that while to some degree the scheme would not comply in terms of level access and wheelchair turning space, minor modifications like this can be secured by way of planning condition. The Planning Inspector included a condition that the development shall be built to Lifetime Homes Standards. Since the appeal decision, Lifetime Homes Standards have been replaced by Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'. Current London Plan policy 3.8 requires 90% of new housing to meet this standard. On this basis, the condition will be updated to reflect current policy. Aside from this, relevant policy and site circumstances have not changed significantly and the proposed residential units are unaltered from the previous scheme that was granted on appeal. On this basis, the scheme is considered acceptable in terms of future occupier amenity.

6.18 *Traffic, Parking, Access and Servicing*

6.19 In terms of traffic and parking the proposal was found acceptable in terms of traffic, parking and servicing in the previous scheme reference P/1679/14. The alterations to the scheme, such as the change from retail to office use and the inclusion of the basement would not have a material impact on the scheme in terms of highways issues. The scheme will be conditioned for 6 x cycle spaces as in the previous scheme allowed on appeal. On this basis, the scheme is acceptable in this regard in accordance with policy.

6.20 *Construction Logistics Plan*

6.21 The Highways Authority has raised concerns in the current proposal as to how the scheme would be managed, particularly as Stanmore Hill is a busy main road and due to the additional works required to create a basement. They require a construction logistics plan which has been addressed through a planning condition. It is noted that a condition requiring a Construction Logistics Plan was not required in the previous scheme allowed by the Planning Inspectorate. However, that scheme did not include a basement and so this element of the scheme was not assessed in that application.

6.22 *Flood Risk and Development*

6.23 The previous scheme reference P/1679/14 was found acceptable subject to conditions relating to surface water drainage, attenuation and sewage disposal.

6.24 The current proposal would not increase the proposed development footprint in comparison to the previous proposal. However it would include a basement. Due to the fact that the site is not in a higher risk flood zone, a basement would be acceptable. However, Drainage Officers do require further details for basement protections for ground water flooding, which would include waterproofing and water tanking details. This has been secured via a planning condition. It is acknowledged that this condition was not included by the Planning Inspectorate in the previous scheme, but due to the change in description highlighted above, i.e., the basement, this is considered an appropriate condition.

6.25 Subject to the conditions securing the above, it is considered that the proposed development would accord with policy 5.2 of London Plan (2016) and policy DM10 of the Harrow Development Management Policies Local Plan (2013).

Conclusion

6.26 The principle of the scheme and the majority of the scheme were found acceptable through the allowed Planning Appeal Harrow reference P/1679/14/4598. The additional aspects of the current scheme, namely the addition of a basement and the change from retail to office use, would not be considered additionally harmful in terms of all main policy aspects, including character, amenity, drainage and flood risk, traffic and parking. Therefore subject to relevant conditions the scheme is considered to be policy compliant

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

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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

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

2 Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

216/P/1; 216/P/2; 216/P/3; 216/P/4; 216/P/5; 216/P/6; 216/P/7; Site Location Plan 216/P/8; Planning, Design and Access and Heritage Statement September 2017.

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

3 M4 (2) Accessibility

The development hereby permitted shall be constructed to the specifications of: "Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings" of the Building Regulations 2013 as far as possible and thereafter retained in that form.

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards.

4 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) Ground surfacing
- e) Boundary treatment

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

REASON: To safeguard the appearance of the Stanmore Hill Conservation Area and the adjacent nationally listed buildings.

5 Site Enclosure

Site works in connection with the demolition of the existing building and the development of the new building hereby permitted shall not commence before the boundary of the site is enclosed by a close-boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain in place until works and clearance have been completed, and the development is ready for occupation.

REASON: To protect the amenity and safety of neighbouring occupiers.

6 Landscape

Notwithstanding the approved plans, a landscape plan and management plan, including long term design objectives, management responsibilities and maintenance schedules for all communal landscape areas other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the local planning authority prior to the occupation of the development. The landscape plan and management plan shall be carried out as approved.

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

7 Landscape

Hard landscaping works including any hard surfacing shall be completed in accordance with the approved details before any part of the building is occupied and all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner. Any 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 gives written approval to any variation.

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

8 Flood risk and Development

Notwithstanding the approved plans, the development hereby permitted shall not commence until details for a scheme for works for the disposal of foul water, surface water and surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk.

9 Flood risk and Development- Basement

Notwithstanding the approved plans, the scheme shall not commence until details for basement protection for ground water flooding, which would include waterproofing and water tanking details have been submitted and approved by the Local Planning Authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To build in resistance and resilience in managing, reducing and mitigating the effects of flood risk following guidance in the National Planning Policy Framework. To ensure that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

10 Site Levels

No site works or development shall commence, excluding any works of demolition, until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the level of the site, have been submitted to, and approve in writing by the Local planning Authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement. To ensure that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

11 Flank Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows, doors, other than those shown on approved plans, shall be installed in the flank walls of the building hereby permitted without the prior permission in writing of the local planning authority.

REASON: To safeguard the amenity of neighbouring residents

12 Refuse Storage

The development hereby permitted shall not commence until details of a scheme for the storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the refuse storage facilities thereafter retained.

REASON: To protect the amenity of future residents. To ensure that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

13 Cycle Storage

No development shall take place until details of six secure cycle parking spaces on the site have been submitted to and approved in writing by the local planning authority. The cycle parking spaces shall be provided in accordance with the approved details before any part of the building is occupied and retained thereafter.

REASON: To provide safe and secure cycle storage for the use of future occupiers. To ensure that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

14 Construction Logistics Statement

No development shall take place 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
- v. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that the construction of the development does not unduly impact on highway safety and the amenities of the existing occupiers of the properties adjacent to the site. To ensure that the proposed works can be incorporated in to the design, this is PRE-COMMENCEMENT Condition.

INFORMATIVES

1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:
National Planning Policy Framework (2012)

The London Plan (2016) policies:

- 2.15 – Town Centres
- 3.1 - Ensuring Equal Life Chances For All
- 3.3 - Increasing Housing Supply
- 3.4 - Optimising Housing Potential
- 3.5 - Quality and Design of Housing Developments
- 3.8 - Housing Choice
- 4.8 – Supporting a successful and diverse retail sector
- 5.2 – Minimising Carbon Dioxide Emissions
- 5.3 – Sustainable Design and Construction
- 5.13 – Sustainable drainage
- 6.9 – Cycling
- 6.13 - Parking
- 7.1 - Building London’s Neighbourhoods and Communities
- 7.2 - An Inclusive Environment
- 7.3 - Designing Out Crime
- 7.4 - Local Character
- 7.6 – Architecture
- 7.8 – Heritage Assets

Harrow Core Strategy (2012)

Core Policy CS1 B, D and K – Overarching Policy

Harrow Development Management Policies Local Plan (2013)

- Policy DM 1 – Achieving a High Standard of Development
- Policy DM 2 – Achieving Lifetime Neighbourhoods
- Policy DM 7 – Heritage Assets
- Policy DM 10 – On Site Water Management and Surface Water Attenuation
- 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 38 – Other Town Centre Frontages and Neighbourhood Parades
- Policy DM 42 – Parking Standards
- Policy DM 44 – Servicing

Supplementary Planning Documents / Guidance

- Housing Supplementary Planning Guidance (2012)
- Supplementary Planning Document: Residential Design Guide (2010)
- Supplementary Planning Document - Accessible Homes (2010)
- Supplementary Planning Document – Sustainable Building Design (2009)

Code of Practice for Storage and Collection of Refuse and Materials for
Recycling in Domestic Properties (2008)
Stanmore Hill Conservation Area Appraisal and Management Strategy

2 Grant with pre-application advice

Statement under Article 31 (1)(cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

3 Mayor CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £ 8,120 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008.

Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL).

Your proposal is subject to a CIL Liability Notice indicating a levy of £ 8,120 for the application, based on the levy rate for Harrow of £35/sq m and the stated increase in floorspace of 202 sq m.

You are advised to visit the planning portal website where you can download the appropriate document templates.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

4 Harrow CIL

Harrow has a Community Infrastructure Levy which will apply Borough wide for certain uses of over 100sqm gross internal floor space. The CIL has been examined by the Planning Inspectorate and found to be legally compliant. It will be charged from the 1st October 2013. Any planning application determined after this date will be charged accordingly.

Harrow's Charges are: £ 25,520

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 sq m

All other uses - Nil.

The Harrow CIL Liability for this development is: £ 25,520

5 CONSIDERATE CONTRACTOR CODE OF PRACTICE

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

6 PARTY WALL ACT:

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

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

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

7 COMPLIANCE WITH PLANNING CONDITIONS

IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval

of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a

scheme or details of the development must first be approved by the Local Planning Authority.

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

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

- If you require confirmation as to whether the works you have carried out are acceptable

- 8 Notwithstanding the details set out in the condition above, the Construction Management Plan should also be produced in accordance with Transport for London guidance. Further information can be found at: <https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/guidance-by-transport-type/freight>

9 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.

10 STREET NAMING AND NUMBERING INFORMATIVE

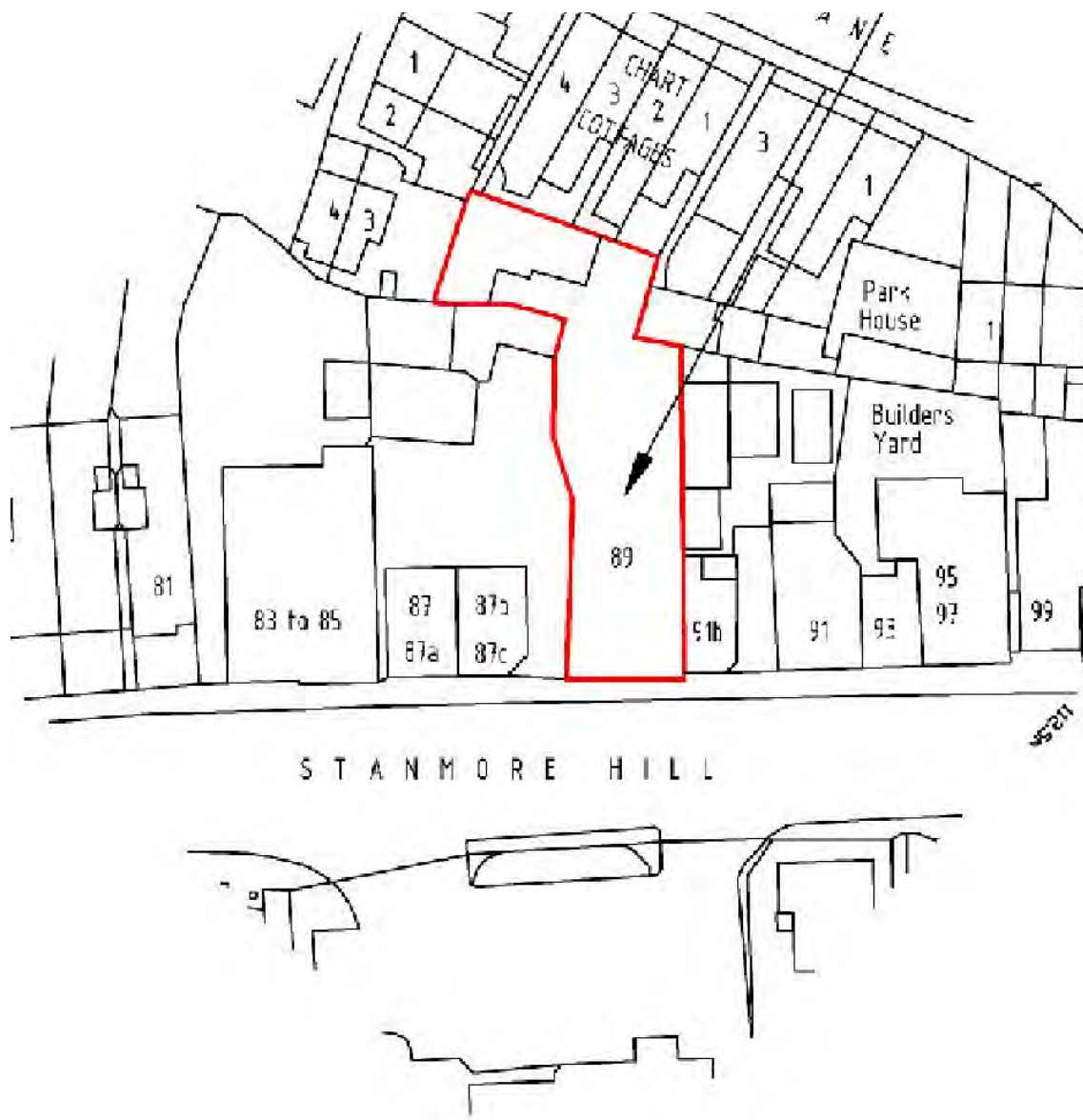
Harrow Council is responsible for the naming and numbering of new or existing streets and buildings within the borough boundaries. The council carries out these functions under the London Government Act 1963 and the London Building Acts (Amendment) Act 1939. All new developments, sub division of existing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

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

Plan Numbers : 216/P/1; 216/P/2; 216/P/3; 216/P/4; 216/P/5; 216/P/6; 216/P/7; Site Location Plan 216/P/8; Planning, Design and Access and Heritage Statement September 2017

APPENDIX 2: SITE PLAN



APPENDIX 3: PHOTOGRAPHS

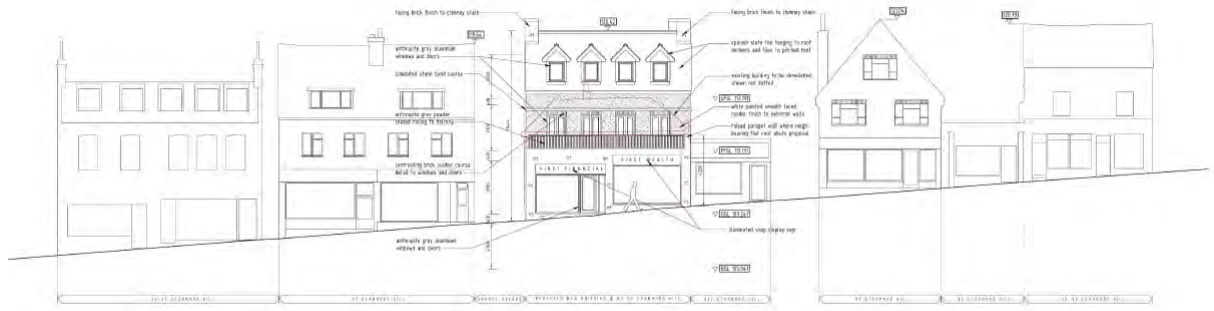


Front/side of cleared site from Stanmore Hill



Side/rear of cleared site from side service road

APPENDIX 4: PLANS AND ELEVATIONS



PROPOSED FRONT ELEVATION WITHIN STREET SCENE



PROPOSED SIDE ELEVATION

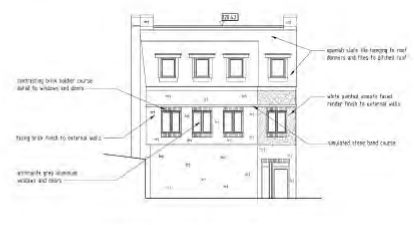


PROPOSED SIDE ELEVATION

1:100
1:200
1:500
1:1000
1:2000
1:5000
1:10000
1:20000
1:50000
1:100000
1:200000
1:500000
1:1000000

0 1 2 3 4 5 6 7 8 9 10

metres



PROPOSED REAR ELEVATION

PLANNING SUBMISSION

Client	duš
Scale	A1
Project	PLANNING PROP
Proposed	PROPOSED ELEV
Address	89 STANMORE HILL, STANMORE, HA 8 9JQ
Client	FIRST FINANCIAL INTL

Proposed Elevations



Proposed Floor Plans

APPENDIX 4: PREVIOUS APPEAL DECISION



Appeal Decision

Site visit made on 25 November 2014

by B J Sims BSc(Hons) CEng MICE MRTPI

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

Decision date: 30 December 2014

Appeal Ref: APP/M5450/A/14/2225661

Secret Pantry, 89 Stanmore Hill, Stanmore, Middlesex HA7 3DZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Sumaria against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/1679/14, dated 5 May 2014, was refused by notice dated 5 August 2014.
 - The development proposed is the erection of a 2.5 storey building with ground floor retail units, two rear studios with amenity and bin/cycle storage and four x 1 bedroom flats across first and roof level floors following demolition of existing building with ground floor A3 use and first floor residential.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a 2.5 storey building with ground floor retail units, two rear studios with amenity and bin/cycle storage and four x 1 bedroom flats across first and roof level floors following demolition of existing building with ground floor A3 use and first floor residential, at Secret Pantry, 89 Stanmore Hill, Stanmore, Middlesex HA7 3DZ, in accordance with the terms of the application Ref P/1679/14, dated 5 May 2014, subject to the conditions set out in the attached Schedule.

Main Issues

2. The main issues in the appeal are:
 - 2.1 the character and appearance of the proposed building in its street context within the Stanmore Hill Conservation Area (SHCA) and the setting of the listed Abercorn Arms and the locally listed 80 Stanmore Hill;
 - 2.2 the potential effect of the proposed ground floor residential units on the viability of the proposed shop units and the viability and vitality of the Stanmore Hill local shopping parade; and
 - 2.3 the living conditions of potential occupiers and of neighbouring residents with respect to privacy and disturbance, including consideration of the future development of No 91 Stanmore Hill adjacent.

Reasons

Character and Appearance

3. Consideration of the first issue includes the statutory duties to pay special attention to the desirability of preserving or enhancing the character or appearance of the SHCA and to have special regard to the desirability of preserving the setting of the listed Abercorn Arms and nearby telephone box¹.
4. Whilst occupying virtually the same footprint, the proposed building would be substantially taller and more prominent than the existing structure and would appear more bulky, due in part to the flat crown of its pitched roof. The Council criticises the design for its varied second floor dormers with pitched roofs to the front and differing depths at the rear. The french windows opening onto a front balcony are also said to be excessively tall and out of place, the choice and quality of black metal railings and windows inappropriate and the chimney design too plain. Concern is also expressed that the shop fronts would be out of keeping with others in the street, being set at different levels and incorporating tall door openings and illuminated display signs. These points are addressed in turn.
5. In overall height the building would be consistent with its neighbours and others in the street frontage, taking into account the slope of Stanmore Hill. Moreover, the roof form and the set back of the first floor to provide a balcony are not without parallel in the area, where there is a notably wide variation of style, finish and orientation of buildings.
6. Although there are currently no other pitched roof dormers to be seen along Stanmore Hill, the introduction of dormers with pitched roofs at the proposed building would not seem out of place but would add to the diverse visual character of the locality. Although the french windows would be taller than others at first floor level in the street frontage, they would not appear disproportionate, compared for example with those at Nos 83 and 85, and would also add interest.
7. As to the shop fronts, others in the area generally follow the horizontal geometry of the elevation of which they form part whereas those proposed in this case would be set at different levels. However, the individual units would step logically up the slope of Stanmore Hill and their overall proportions and illuminated signs would not seem unduly out of keeping with the mixture of shop fronts that make up the local shopping parade.
8. Given conditions to control the use of construction materials and the quality of external finishes and boundary treatments, the proposed development would appear to exhibit an acceptable level of inherent visual cohesion. More importantly in the context of the SHCA, despite some departure from local styles in relation to shop front, dormer and chimney design and use of materials, its overall form and architectural features would complement the existing pattern of development and enhance the immediate street frontage and the SHCA as a whole.
9. It follows that the setting of the listed Abercorn Arms and its associated traditional red telephone box and the locally listed 80 Stanmore Hill would also be preserved. That is especially so given that both buildings are physically and

¹ Planning (Listed buildings and Conservation Areas) Act 1990 Sections 72(1) and 66(1) respectively.

visually separated from the appeal site frontage by the carriageway of Stanmore Hill itself and the public house is set well back behind its front forecourt.

10. With reference to the first issue of character and appearance therefore, the proposed development would accord with the statutory duties with respect to the SHCA and the settings of listed buildings. The development would also comply with the relevant provisions of adopted local planning policy cited by the Council in relation to the quality of design and the protection of heritage assets and local character, in particular Policies 7.4, 7.6 and 7.8 of the adopted London Plan of 2011 (LP), CS1 of the Harrow Core Strategy of 2012 (CS) and DM1 and DM7 of the Harrow Development Management Policies Local Plan (DMLP) of 2013.

Viability and Vitality of Stanmore Hill Local Shopping Parade

11. There is no objection to the proposed formation of two separate ground floor shops in place of the existing and currently unoccupied single unit. Concern rests essentially on the replacement of the current rear storage area with separate residential units. However, it is largely unchallenged evidence that not only would the two smaller units be more likely to attract tenants but would be of a size comparable with neighbouring retail units, including potential rear storage space.
12. Accordingly, it would appear that the proposed development would avoid harm to the viability and vitality of the Stanmore Hill Shopping Parade and potentially could enhance both by introducing attractive new shop units suitable for the scale of business likely to seek accommodation in the area. On the second issue therefore, the proposals would comply with LP Policies 2.15 and 4.8 and DMLP Policy DM38.

Living Conditions

13. It is noted that the kitchen and living area of the first floor flat would extend over the sitting area of the studio apartment below. Whilst that may be undesirable, it would not appear that, given appropriate insulation secured by separate building control legislation, the juxtaposition of retail, day living and sleeping accommodation within the proposed building would give rise to unacceptable noise or disturbance to occupiers.
14. The single door and window of each studio apartment would face onto an enclosed parking and service area accommodating refuse bins and storage for six cycles. The outlook and admission of natural light via the main windows of the studio apartments would therefore be limited and it would be necessary for all users of the building to convey waste and bicycles past the front of the apartments. However the comparatively small number of occupiers would be unlikely to cause undue noise and disturbance. Additional natural illumination would be admitted to the interior of the studios by way of roof lights. There is some degree of non-compliance with Lifetime Homes Standards regarding level access and wheelchair turning space but this requires minor modifications which can be secured way of a planning condition. Potential residents would have free choice whether the living arrangements would be acceptable to them, balancing any perceived disadvantage against the benefits of accommodation conveniently located close to local amenities including public open space.

15. Considering the effects on the amenity of existing neighbours, the increased bulk of the built development on the appeal site would be evident in the outlook from adjacent properties and additional rear windows at a higher level could give rise to an increase in perceived overlooking towards the small back gardens of dwellings in Green Lane. However, the rearward projection of the proposed building respects the 45 degree code and avoids any undue dominance or overshadowing of adjacent dwellings and there is reasonable separation between the windows facing Green Lane and the rear boundary. With obscure glazing to windows in the flank wall facing No 87 secured by planning condition, unacceptable loss of privacy at any other property could be prevented. Despite a degree of intensification of the use of the site, there is no evidence that there would be any unacceptable increase in noise or disturbance to neighbours.
16. Overall, having regard to the already highly urban surroundings of the appeal site, the development would have no unacceptably adverse impact on living conditions within or in the vicinity of the proposed building. In these respects the development would comply with LP Policies 3.5, 3.8, 7.2, 7.6, CS Policy 1K and DMLP Policies DM1-2, together with the adopted supplementary Residential Design Guide.
17. Finally, it is possible that the manner of any future redevelopment of the site immediately adjacent at No 91 could be influenced by the implementation of the development subject to this appeal, for example, with reference to loss of light or privacy. However, it is appropriate that the present appeal be determined having regard to current planning circumstances. In the absence of any formal policy, proposal or permission for such development, this consideration carries little weight and provides insufficient ground to impede an otherwise acceptable redevelopment of No 89.

Conditions

18. All of the conditions suggested without prejudice by the Council are necessary and reasonable and are imposed subject only to certain rewording for consistency and to provide the Council with appropriate control over details of the development in advance of its commencement. In particular, for the avoidance of doubt and in the interest of proper planning, Condition 2 specifies compliance with approved drawings and documents. Condition 3 requires compliance with Lifetime Homes Standards, which will cover level access to and wheelchair turning space within the ground floor residential units. Conditions 4 to 11 together seek to ensure that the construction of the development is undertaken with due regard to local amenity and highway safety and that the building, its drainage, landscaping and means of access and enclosure are completed to an acceptable standard including with respect to external finishes and overall appearance. Conditions 12 and 13 secure obscure glazing and prevent the installation of additional windows in the interest of privacy. Conditions 14 and 15 respectively secure proper refuse and cycle storage facilities.

Overall Conclusion

19. Subject to the foregoing conditions, the proposed development is judged to be compliant with relevant statute regarding listed buildings and conservation areas as well as adopted local planning policies which are in turn consistent

with national guidance in the National Planning Policy Framework (NPPF). The appeal is accordingly allowed.

20. Moreover, the development would provide socio-economic benefits of improved use of urban land, additional mixed housing in a sustainable urban location and potential enhanced retail viability and vitality. In the absence of any unacceptable environmental harm, the presumption of the NPPF in favour of sustainable development also militates in favour of permission in this case.

B J Sims

Inspector

SCHEDULE OF PLANNING CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents save where other conditions comprising this permission indicate otherwise:
 - Plans Refs:
PP/2879/STANMORE/SURV/2011/F1; SH89-1001; SH89-1002;
SH89-1003; SH89-1004; SH89-1005; SH89-1006; SH89-1007;
 - Documents:
Heritage Statement (dated April 2014);
Planning, Design and Access Statement (dated April 2014).
- 3) The development hereby permitted shall be built to Lifetime Homes Standards, and thereafter retained to those Standards.
- 4) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building, ground surfacing and boundary treatments comprised in the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) Site works in connection with the demolition of the existing building and the development of the new building hereby permitted shall not commence before the boundary of the site is enclosed by a close-boarded or other security fence to a minimum height of 2 metres. Such fencing shall remain in place until works and clearance have been completed, and the development is ready for occupation.
- 6) No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed in accordance with the approved details before any part of the building is occupied and shall thereafter be retained.
- 7) No development shall commence until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscape works. Details of soft landscaping works shall include planting plans and schedules of plants, noting species, plant sizes and proposed numbers and densities. Details of hard landscaping works shall include means of construction of hard surfaces either in permeable or porous materials or to direct surface water run-off to a permeable or porous area or surface within the site.
- 8) Hard landscaping works including any hard surfacing shall be completed in accordance with the approved details before any part of the building is occupied and all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner. Any 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 gives written approval to any variation.
- 9) No development shall take place until details of the means of disposal of sewage from the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 10) No development shall take place until details of the means of disposal of surface water and surface water attenuation and storage works have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 11) No development shall take place until details of the levels of site and the floor levels of the building in relation to the adjoining land and highway, including any other changes proposed in the levels of the site, have been submitted to and approved in writing by the local planning authority.
 - 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows, doors, other than those shown on approved plans, shall be installed in the flank walls of the building hereby permitted without the prior permission in writing of the local planning authority.
 - 13) The windows in the south eastern flank elevation of the approved building shall be obscure-glazed, in accordance with a specification which shall first have been submitted to and approved in writing by the local planning authority, and permanently fixed closed below a height of 1.7 metres above finished floor level and shall thereafter be retained in that form.
 - 14) The development hereby permitted shall not commence until details of a scheme for the storage of refuse has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the refuse storage facilities thereafter retained.
 - 15) No development shall take place until details of six secure cycle parking spaces on the site have been submitted to and approved in writing by the local planning authority. The cycle parking spaces shall be provided in accordance with the approved details before any part of the building is occupied and retained thereafter.

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