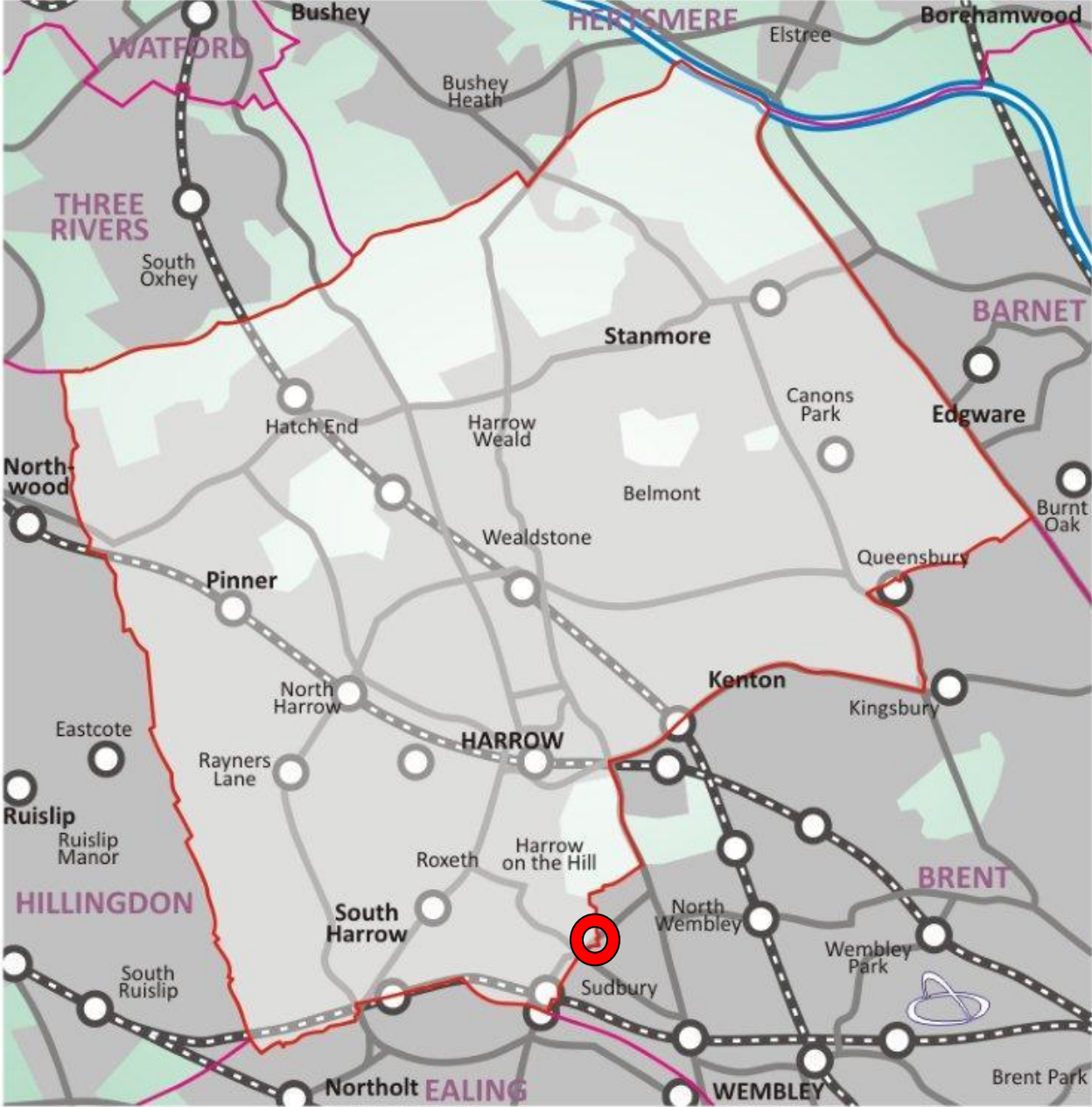
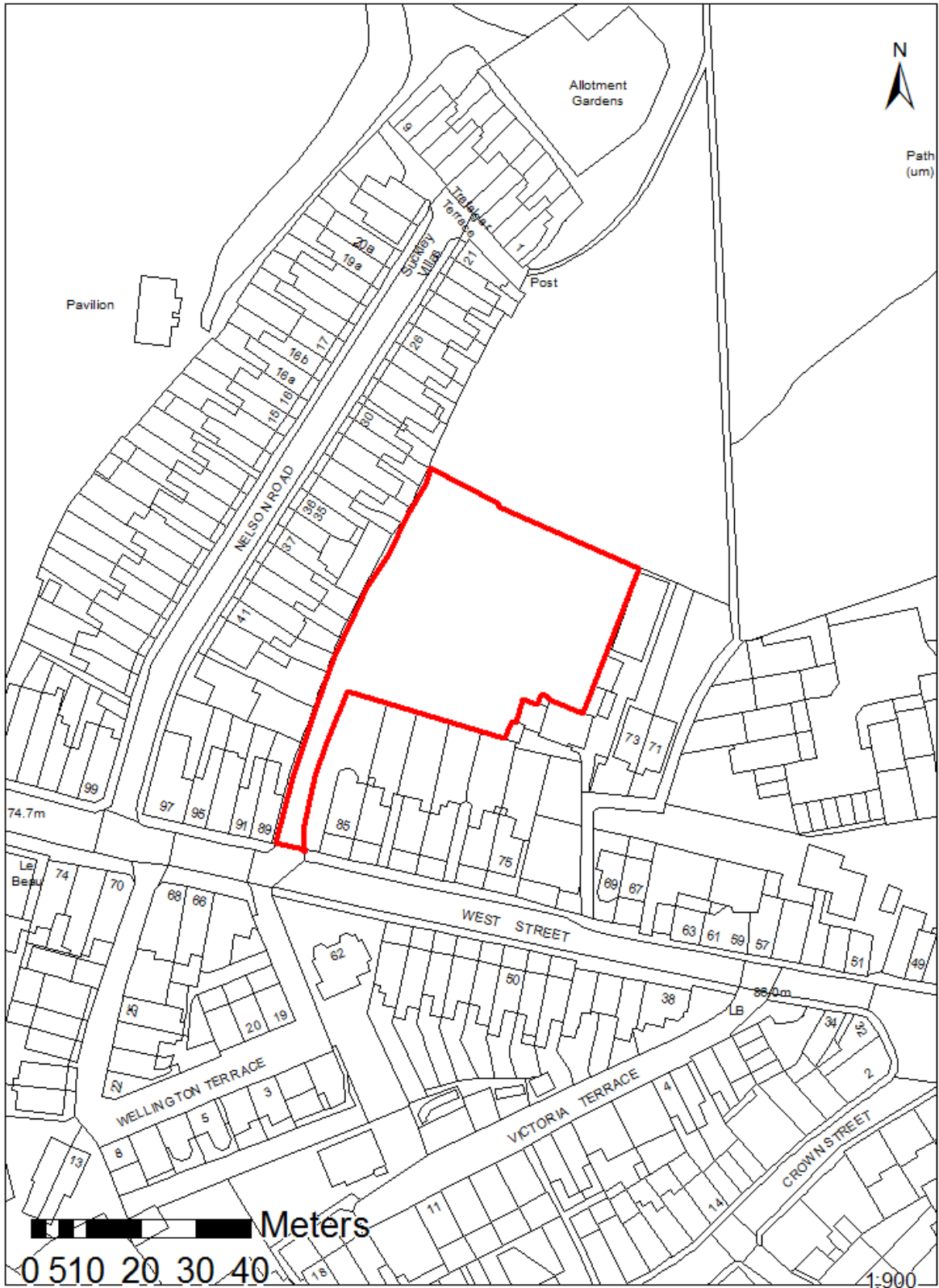


 = application site



<b>The Powerhouse, 87 West Street</b>	<b>P/1604/18</b>
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# The Powerhouse, 87 West Street



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

25<sup>th</sup> July 2018

**Application Number:** P/1604/18  
**Validate Date:** 27/04/18  
**Location:** THE POWERHOUSE, 87 WEST STREET,  
HARROW-ON-THE-HILL  
**Ward:** HARROW-ON-THE-HILL  
**Postcode:** HA1 3EL  
**Applicant:** JASPAR HOMES LTD.  
**Agent:** ICENI PROJECTS LTD.  
**Case Officer:** GRAHAM MANSFIELD  
**Expiry Date:** 08/06/2018 (EXTENDED EXPIRY: 28<sup>TH</sup> JULY 2018)

### **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.

Creation of second floor to provide two flats (retrospective); changes to the fenestration comprising alterations to existing windows and doors, introduction of new windows and doors and part replacement of gabled roof to north east of the building (retrospective); Proposed Detached Single storey building to provide two cottages; external alterations; associated landscaping and parking; Refuse and cycle storage

The Planning Committee is asked to:

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

### **REASON FOR THE RECOMMENDATIONS**

The development would provide 4 residential units. The residential units would contribute to the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). Furthermore the development would have a satisfactory impact on the character of the conservation area, the amenities of existing neighbouring occupiers and future occupiers of the development.

## **INFORMATION**

This application is reported to Planning Committee as both the existing and proposed development creates more than two residential units and therefore falls outside Schedule 1 of the Scheme of Delegation. In addition to the above, the application is reported to Planning Committee owing to the level of public interest.

Statutory Return Type:	Minor
Council Interest:	None
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£ 9,730.00
Local CIL requirement:	£ 30,580.00

## **HUMAN RIGHTS ACT**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

## **EQUALITIES**

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

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

## **S17 Crime & Disorder Act**

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

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

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

**LIST OF ENCLOSURES / APPENDICES:**

Officer Report:

Part 1: Planning Application Fact Sheet

Part 2: Officer Assessment

Appendix 1 – Conditions and Informatives

Appendix 2 – Site Plan

Appendix 3 – Site Photographs

Appendix 4 – Plans and Elevations

## OFFICER REPORT

### PART 1: Planning Application Fact Sheet

The Site	
Address	The Powerhouse, 87 West Street, Harrow-on-the-Hill
Applicant	Jaspar
Ward	Harrow-on-the-Hill
Local Plan allocation	N/A
Conservation Area	Harrow-on-the-Hill Village and Area of Special Character
Listed Building	N/A
Setting of Listed Building	Yes – Old Pye House located to the south
Building of Local Interest	75-85 West Street to the south are locally listed
Tree Preservation Order	All deemed protected as part of conservation area
Land Designations	Adjoins Metropolitan Open Land and Designated Open Space
	Archaeological Priority Area
	Adjoins Site of Importance for Nature Conservation (SINC)
Flood Zone	Critical Drainage Area and Flood Zone 3a and 3b

Housing		
Dwelling Mix	Studio (no. / %)	2
	1 bed ( no. / %)	0
	2 bed ( no. / %)	2 (Retrospective)
	3 bed ( no. / %)	0
	4 bed ( no. / %)	0
	Overall % of Affordable Housing	N/A
	Comply with London Housing SPG?	Yes
	Comply with M4(2) of Building Regulations?	Condition attached

<b>Transportation</b>		
Car parking	No. Existing Car Parking spaces	Informal hard surfacing
	No. Proposed Car Parking spaces	4 (+ 14 under prior approval scheme)
	Proposed Parking Ratio	1:1
Cycle Parking	No. Existing Cycle Parking spaces	N/A
	No. Proposed Cycle Parking spaces	24
	Cycle Parking Ratio	1:2
Public Transport	PTAL Rating	2
	Closest Rail Station / Distance (m)	Harrow-on-the-Hill approx. 866m to the north
	Bus Routes	Bus stop located on Lower Road approximately 243m to the west, served by: H10 and 395
Parking Controls	Controlled Parking Zone?	No
	CPZ Hours	N/A
	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
Refuse/Recycling Collection		Dedicated Refuse Storage

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site consist of a 0.18ha site located to the east of Nelson Road and to the north of West Street, Harrow-on-the-Hill
- 1.2 The site is occupied by a building dating from the 19<sup>th</sup> Century which was formerly used as a power station. In more recent years it was used for industrial purposes with its last use being as offices.
- 1.3 Permission was granted under P/2444/10 for an additional floor to the offices and this permission has since lapsed.
- 1.4 The ground and first floor of the building benefit from a prior approval change of use from office to residential under reference P/0326/17. There have been a number of internal amendments to this scheme and these changes are being assessed under a separate application P/1516/18
- 1.5 The site is located within the Harrow-on-the-Hill Village Conservation Area, the surrounding area is predominately residential with terraces of Victorian age located on West Street and Nelson Road (to the south and west respectively).
- 1.6 The application site is adjacent to a Grade II Listed building known as the 'Old Pye House', this site is linked to the Mission Hall on West Street and until recently was used for the purposes of plastics manufacturing, distribution and storage (light industrial).
- 1.7 Church Fields adjoins the site to the north, this land is designated as Metropolitan Open Land, Open space and is a site for Importance of Nature Conservation (SINC).
- 1.8 The application site is located in area with low transport links and as such has a PTAL rating of 2. However, the site is in walking distance from Harrow Town Centre.
- 1.9 The site is located in a critical drainage area of Harrow, Flood Zones 3a and 3b and an Archaeological Priority Area. There are no other constraints on site.

### **2.0 PROPOSAL**

- 2.1 The application seeks retrospective planning permission for the following:
- 2.2 Replacement of the tiled pitched roof towards the north east of the building.
- 2.3 Addition of a flat roofed second floor extension with lift over-run which includes two self-contained flats with terraced areas. The second floor structure measures approximately 14.1m in depth and 13.5m in width and is set back by 1.5m from the west, south and north sides of the lower floors.



- 2.4 The existing second floor contains two x 2 bedroom, 4 person flats with amenity space provided by a terrace
- 2.5 A series of external changes; including new windows and doors which are finished in a crittal style. Rendering of the eastern flank wall and replacement of a slate tiled roof in the north east corner of the site.
- 2.6 In addition to the retrospective elements it is proposed to erect a single storey building adjacent to the common boundary with properties on West Street. This element would be approximately 13.7m in width and 6.3m in depth and would have a part flat/part pitched roof which would be 2.9m in height adjacent to the common boundary with properties West Street and 4.2m maximum height on the northern flank.
- 2.7 The proposed single storey building would accommodate two studio units with dual aspect windows. Each would have a private amenity space in the form of terraces.
- 2.8 Car parking would be provided across the site on a 1:1 ratio with an additional visitor space, 4 electric charging points would be provided, together with cycle storage and a centrally located waste storage area.
- 2.9 During the course of the application, minor amendments have been made to the scheme. These include the removal of the domed cap on the lift over-run and its replacement with a black matt film, access to the second floor terraces would be restricted on the northern side of the building and the internal layout of the cottages have been modified so that they would be studio units with a shower.

### **3.0 RELEVANT PLANNING HISTORY**

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

<b>Ref no.</b>	<b>Description</b>	<b>Status and date of decision</b>
LBH/28395	Change of use from light industrial to offices and light industrial	Granted: 12/09/1985
P/1319/04	Singles storey extensions; alterations to storage building to provide gatehouse/reception building	Granted: 11/11/2004
P/1065/07	Second floor extension to form additional office suite	Granted: 19/07/2007
P/2444/10	Second floor extension to form additional office suite	Granted: 15/12/2010
P/2714/13	Approval of details pursuant to condition 2 (materials) attached to P/2444/10 dated 15/12/2010 for second floor extension to form additional office suite	Approved: 12/11/2013
P/5401/16	Prior Approval: Conversion of offices	Refused: 05/01/2017

	<p>(Class B1a) to 14 self-contained flats of main building and cottage (Class C3).</p> <p>Reason for Refusal:  <i>The submitted Phase I Environmental Site Assessment has identified a moderate risk to human health and has recommended intrusive ground investigation to determine whether further action is necessary; and no additional information has been submitted to address these matters. It is therefore considered that insufficient information has been provided to enable the local planning authority to establish whether the proposed development would result in unacceptable impacts in terms of contamination risks for future occupiers of the development, contrary to condition O.2 (b) to Class O of Part 3 (of Schedule 2) of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.</i></p>	
P/0326/17	Prior Approval: Conversion of offices (Class B1a) to 14 self-contained flats of main building and cottage (Class C3).	Granted: 06/03/2017
P/5766/17	Creation of Second floor to provide two flats (Retrospective); Proposed Detached Single storey building to provide two cottages; Change of use of detached outbuilding from office (Class B1) to Residential (Class C3), External alterations; Associated landscaping and parking; Refuse and cycle storage	Withdrawn
P/5161/17	Changes to the Fenestration Comprising Alterations to Existing Windows And Doors and Introduction of New Windows and Doors and Part Replacement of Gabled Roof to North East of the Building' (Retrospective)	Withdrawn
P/1971/18	Details pursuant to Condition 1 attached to Prior Approval P/0326/18	Not Yet Determined
P/1516/18	Minor alteration to position of internal walls	Not Yet Determined

#### 4.0 **CONSULTATION**

4.1 A total of 62 consultation letters were sent to neighbouring residents, together with the erection of site notices.

4.2 The overall public consultation period expired on 2018.

4.3 Adjoining Properties

Number of letters Sent	62
Number of Responses Received, including a petition with 200 signatures	232
Number in Support	0
Number of Objections (including petition of 200 signatures).	232
Number of other Representations (neither objecting or supporting)	0

4.4 Following the amendments which were made to the scheme, neighbouring properties were re-consulted and invited to comment. A total of 63 consultation letters were sent on 22<sup>nd</sup> June 2018 with the 14 day re-consultation period expiring on 6<sup>th</sup> July 2018. No further comments/objections were received to the re-consultation.

4.5 The objections which were received from neighbouring residents are summarised in the table below:

<b>Summary of Comments</b>	<b>Officer Comments</b>
Objects to the application due to:	
<u>Principle of the development</u>	This has been addressed in section 6.4 of the report.
<ul style="list-style-type: none"> <li>• Overdevelopment and intensification</li> </ul>	
<u>Character of the conservation area</u>	The impact of the proposal on the character and appearance of the area, conservation area and listed buildings have been addressed in section 6.4 of the report.
<ul style="list-style-type: none"> <li>• Destruction of Heritage building</li> <li>• Impacts on conservation area</li> <li>• Impacts on adjacent listed building</li> <li>• Unsuitable materials</li> <li>• Impacts on protected views</li> <li>• Concerns regarding lift shaft</li> <li>• Unsightly and top heavy second floor extension</li> <li>• Block view of St. Mary's Church</li> <li>• Poor design</li> <li>• Impact of 2 cottages on the courtyard of the</li> </ul>	

<p>Powerhouse</p> <ul style="list-style-type: none"> <li>• External alterations and insertion of extra windows are inappropriate</li> <li>• White rendered walls to the side are out of character</li> <li>• White render has undue impact on setting of Grade II listed Old Pye House</li> <li>• New cottages will unduly impact the setting of Old Pye House</li> <li>• Windows and doors not in keeping with the local area</li> <li>• Height of building is now excessive</li> <li>• Removal of Iron railings</li> <li>• Current second floor and proposals do not enhance the conservation area.</li> <li>• Plastic windows do not mimic the originals</li> <li>• Brick balustrades have been removed and results in a modern looking building</li> <li>• Article 4 directions should be enforced</li> <li>• Conservation rules should be applied consistently</li> <li>• Second floor built with unapproved materials</li> <li>• Landscaping is out of character with the area</li> <li>• Second floor interrupts protected view contrary to policy DM3 of Harrow DMP.</li> <li>• The Powerhouse is outlined by Historic England as being one of four design used for Coal and Oil Fired Power Stations of 19<sup>th</sup> and 20<sup>th</sup> centuries</li> <li>• Existing outbuilding should not be replicated within the site.</li> <li>• Proposed cottages have no architectural merit.</li> <li>• Removal of corrugated external finishes and replacement with render on the eastern elevation, together with insertion of windows.</li> <li>• Insertion of gas flues into the external fabric of the building.</li> <li>• Differences in the previously consented second floor to what has been built now on site.</li> <li>• Bin and bike stores unduly impact the character of the area.</li> </ul>	
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<p><u>Residential Amenity Impacts (Neighbours)</u></p> <ul style="list-style-type: none"> <li>• Overlooking from windows</li> <li>• Overlooking from terraces</li> <li>• Overlooking from proposed cottages</li> <li>• Introduction of flank windows close to adjoining boundaries</li> <li>• Views for neighbouring residents would be ruined by additional second floor.</li> <li>• Privacy impacts on occupiers of Nelson Road.</li> <li>• Impact of windows on cottages facing the boundary with properties on West Street.</li> <li>• Noise impacts from balcony use.</li> <li>• Proposed second floor would interrupt 45 degree line in terms of privacy</li> <li>• Second floor overshadows rear gardens on West Street</li> <li>• Second floor windows overlook properties on West Street</li> </ul>	<p>The terraces to the southern and western elevations have been restricted for maintenance use only. A condition has been included to maintain this; The principle of the second floor and the resulting amenity impacts have been established in the previous planning permissions granted for the second floor; The impacts of the proposal on residential amenity has been addressed in section 6.6 of the report.</p>
<p><u>Residential Amenity Impacts (Future Occupiers)</u></p> <ul style="list-style-type: none"> <li>• Cottages are of poor quality and not laid out as studios</li> <li>• No privacy and poor outlook</li> <li>• Single aspect</li> <li>• Non-compliance with lifetime homes due to flood risk implications</li> <li>• In defensible space around cottages</li> <li>• Poor light levels for future residents</li> <li>• H&amp;S concerns due to location of electricity substation</li> <li>• Concerns regarding the potential contamination of the site</li> </ul>	<p>These comments have been addressed in section 6.5 of the report</p>
<p><u>Traffic, Parking &amp; Highways</u></p> <ul style="list-style-type: none"> <li>• Insufficient parking provision</li> <li>• Parking pressures on West Street</li> <li>• Breaches of Construction Management Plan</li> <li>• Vehicular access concerns within the application site</li> <li>• No provision of electric charging points</li> <li>• Parking is not accordance with one parking space per bedroom.</li> <li>• CPZ needs to be applied to the surrounding area</li> <li>• Car parking would encroach onto public right of way</li> <li>• Emergency access concerns to site and neighbouring properties on Nelson Road</li> <li>• PTAL rating of 2 is misleading</li> </ul>	<p>Traffic, Parking &amp; Highways matters have been addressed in section 6.7 of the report.</p>

<ul style="list-style-type: none"> <li>• Potential congestion and impact on highway safety.</li> <li>• Reference to breaches in construction management plan attached to the prior approval application.</li> </ul>	
<p><u>Trees &amp; Bio-diversity</u></p> <ul style="list-style-type: none"> <li>• Damage/removal to trees and hedges</li> <li>• Inaccuracies in bat survey</li> </ul>	<p>Extensive biodiversity conditions have been added and a landscape condition to ensure additional soft landscaping is provided where feasible</p>
<p><u>Drainage</u></p> <ul style="list-style-type: none"> <li>• Information in Flood Risk Assessment is inaccurate</li> <li>• Statements do not acknowledge flood zone 3a and 3b as noted by Harrow Council Drainage</li> <li>• Reference to previous flood risk assessments</li> </ul>	<p>Drainage matters have been addressed in section 6.8 of the report</p>
<p><u>Other</u></p> <ul style="list-style-type: none"> <li>• Misleading and incomplete plans</li> <li>• Impacts on public and private rights of way</li> <li>• Breaches and non-adherence to planning processes</li> <li>• Inability to enforce and setting precedence for other developers</li> <li>• Contamination risks have not been addressed</li> <li>• Impact of electrical substation on future occupants</li> <li>• Reference to developer's previous history at Harrow Magistrates Court</li> <li>• Failure of Council to deal with the applicant via enforcement procedures</li> <li>• Setting of precedence in terms of retrospective developments in the conservation area</li> <li>• Applicant should not be allowed to make further planning applications</li> <li>• New cottages will block rights of way</li> <li>• Bin and bike stores blocks right of way</li> <li>• Abuses in planning rules and permitted development rights.</li> </ul>	<p>Rights of access cannot be controlled or altered by the local planning authority, as they do not fall under planning legislation; each application is considered on its merit; previous breaches do not preclude the submission of an application as covered in section 6.1 of the report; legal proceedings with UK Power Networks is a private civil matter;</p>

<ul style="list-style-type: none"> <li>• A full retrospective planning application should be sought for the development</li> <li>• Legal issues in regards to 'development being a single operation'.</li> <li>• Reference to the proposed internal changes to Permitted development scheme</li> <li>• Legal proceedings have been commenced by UK Power networks</li> <li>• No consultation with fire services</li> <li>• Reference to planning reference P/3259/12 and appeal at 43-49 West Street</li> <li>• Jaspars' contempt for the planning authority and local residents</li> <li>• Reference to plans on permitted development scheme.</li> <li>• Fenestration on the north side of the building will cause light pollution to Church Fields</li> <li>• Reference and comparison to refused householder developments in the nearby vicinity</li> </ul>	
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4.6 Statutory and Non Statutory Consultation

4.7 The following consultations have been undertaken, together with the responses received and officer comments:

Consultee	Summary of Comments	Officer Comments
LBH Conservation Officer	<p>The building is located within the Harrow on the Hill Village Conservation Area and in the setting of the grade II listed Old Pye House</p> <p>The proposal is accepted with the exception of the lift overrun and AOV on top of the roof extension to the Powerhouse and there is concern over the impact of the two new cottages. This is due to the impact that would be created on the listed Old Pye House</p>	The comments have been discussed under section 6.4 of the report

	and the character and appearance of the Harrow on the Hill Conservation Area.	
LBH Drainage	Please note that the site 'Power House, 87 West Street, Harrow, HA1 3EL ' is within surface water flood zone 3a & 3b according to our surface water flood maps and as an LLFA the current design is unsatisfactory as the building is not flood resilient therefore the building heritage that the developers have highlighted as significant will remain at risk. The planning application can be conditioned for flood mitigation measures (flood proofing of both the existing and proposed buildings), foul water disposal, surface water disposal, surface water attenuation and SUDS.	The comments are acknowledged and conditions have been included to this effect.
LBH Highways	We have previously commented on the various applications for this site and do not consider that anything significantly different is proposed. The increase in number of dwellings is facilitated by an increase in the number of car and cycle parking spaces; we therefore have no objection to the proposal.	Noted and condition recommended.



LBH Bio-diversity Officer	There aren't grounds for outright objection to the scheme in relation to biodiversity issues but it doesn't satisfy requirements presently. Given the proximity to one of the borough's most significant wildlife sites, particularly within the context of the southern part of Harrow, the applicants should be expected to make every effort to deliver net gain for biodiversity within their scheme. Pre-commencement conditions are advised	The respective conditions have been included.
Landscape Officer	No Objection subject to conditions	Conditions included
Environmental Health	Awaiting Comments which will be included in the addendum	
LBH Building Control	OTIS Lifts Technical Services have confirmed that the 'crush zone' at this moment in time is critical in all instances for the welfare of the lift engineer who may be operating for maintenance purposes in that zone above the carriage itself. Until this time, the 'crush zone' is critical	The comments have been noted
Historic England (GLAAS) -	The planning application lies in an area of archaeological interest. The proposed impact is not extensive and could be sufficiently mitigated	Noted. Condition attached.

	through the implementation of an archaeological watching brief during development. No objection subject to condition requiring a written scheme of investigation.	
Historic England (Scheduled Ancient Monuments)	No Comments/Objections	Noted
Natural England	No Comments/Objections	Noted
Metropolitan Police (Designing Out Crime Officer)	No Objections	Noted
Harrow Hill Trust	Summary: Proposal for the cottages is overdevelopment of the site and not in keeping with conservation area. The design is inappropriate when compared to other cottages in the area.	This has been addressed in section 6.4 of the report.
CAAC	<p>'This was built before World War I as the Powerhouse for the hill. It was converted to offices. It is next to the Old Pye House which is listed. This site has been taken over by Jasper Homes.</p> <p>The lift overrun is unacceptable. They should go for an alternative lift with no overruns which are possible. This is the most objectionable part for the main building, providing the rooftop extension on</p>	The comments on the lift over-run has been addressed in section 6.4.16 of the report. Comments on the impact of the proposal on the character and appearance of the conservation area and listed building have been addressed in section 6.4.

	<p>the second floor is well-detailed. This can still be seen from Church Fields.</p> <p>The outbuildings are tiny. They have no amenity space and this pushes parking spaces up. They would be worried that they cannot meet minimum standards. This would be an over-intensive use of the site.</p> <p>The Powerhouse should be isolated too as it is a special building. The extra building would encroach on its footprint. The building is a strong, forceful industrial building. These would make it a bit too domesticated’.</p> <p>We add the following comments:  ‘There is much more glazing on the proposed. The glazing is too much. This would take away the randomness of what is there before. The windows are now too repetitious. It no longer looks like the brick box that it was.</p> <p>There would now be too many changes’.</p>	
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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 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- 5.5 The document has been published in draft form in December 2017. Currently, the Mayor of London is seeking representations from interested parties/stakeholders, before the draft Plan is sent to the Secretary of State for Examination in Public, which is not expected to take place until the summer of 2019. Given that that the draft Plan is still in the initial stages of the formal process it holds very limited weight in the determination of planning applications.
- 5.6 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant polices referenced within the report below and a summary within Informative 1.

## **6.0 ASSESSMENT**

- 6.1 The main issues are;

Principle of the Development  
Regeneration  
Character of the Conservation Area  
Impact on Open Space and Biodiversity  
Residential Amenity for Future Occupiers  
Residential Amenity (Neighbouring Residents)  
Traffic, Parking & Servicing  
Drainage

### **6.1.1 Background**

The application site was subject to a prior approval application (P/0326/17) which allowed the applicant to exercise their permitted development rights to convert the former offices and the stand alone entrance building to 14 residential units.

- 6.1.2 After the above works had commenced on site the applicant proceeded to construct the second floor extension. The applicant initially provided evidence showing that the previous planning approval P/2444/10 for a Second floor extension to form additional office suite was implemented in 2013. After further investigation by the Council, it was found that the works at second floor level did not benefit from planning permission as the time-period for commencement of the development approved by application P/2444/10 expired prior to the current works commencing.
- 6.1.3 The Council also sought a legal position on whether the erection of the second floor together with the conversion of the lower floors to residential accommodation resulted in a development of a single operation.
- 6.1.4 The legal position on this at the time was that this is a matter of fact and degree and depends on the nature of the works. Merely because the works to the second floor were carried out at the same time as the Prior Approval works, does not make it a single operation. The main deciding factor in this case is that you can clearly distinguish between the Prior Approval works and the works necessary for the second floor development. Therefore, the works appeared to be quite separate, though commenced soon after the Prior Approval implementation.
- 6.1.5 The applicant sought to rectify this by the submission of planning application P/5766/17. However, during the course of this application it was brought to the attention of the Council that the layout and number of the flats under prior approval reference P/0326/17 were not in accordance with the approved plans.
- 6.1.6 This was investigated by the Council's enforcement team and the number of flats within the ground and first floor have reverted to what was approved under prior approval reference P/0326/17. A parallel non material amendment application has been submitted alongside this application and is being assessed under planning reference P/1516/18.
- 6.1.7 Noting the above, the Council are required to fully assess the expediency before taking any formal action and it must be pointed out that carrying out works without planning permission is not a criminal offence. So in the interests of being reasonable, the Council required a planning application to retain the second floor and external alterations and for the proposed cottages, whereby the Council can again assess the planning merits in accordance with national and local policy. The assessments of these elements are explored further below.

## 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 Objections have been raised in relation to the principle of the development. Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of residential dwellings here.
- 6.2.3 Policy 3.8 of The London Plan (2016) also encourages the borough to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Further to this, Core Policy 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
- 6.2.4 The site is not allocated for development but represents 'a previously developed' site, however the redevelopment of the site and the provision of new dwellings on the site are considered to represent a 'windfall development' as outlined in the Core Strategy. The use of the land for residential uses could therefore be supported in principle and would make an important contribution to the housing stock in the borough.
- 6.2.5 Whilst it is noted that the draft London Plan (2017) can only be attributed limited weight, the proposal is considered to successfully reflect the intent of draft policy H2 'Small Sites' which recognises the importance in utilising smaller sites.
- 6.2.6 Accordingly, the proposed scheme for providing residential accommodation is considered to contribute to the overall housing need of the borough and would be in conformity with the Government's objectives of planning for growth and presumption towards sustainable development as outlined within the NPPF. The proposal to introduce residential units at the site is considered acceptable in principle, subject to compliance with the relevant development plan policies and supplementary planning guidance that seeks to provide high quality residential development.

### 6.3 Regeneration

- 6.3.1 The proposed development intends to replace an under-utilised brownfield site with residential units. The proposed redevelopment allows the site to be used in a more efficient way that would generate additional housing stock within the Borough. In this respect, the proposed development would meet the overarching principles of regeneration into the area.

### 6.4 Character of the Conservation Area

- 6.4.1 Policy 7.4 (B) of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass.
- 6.4.2 Core Policy CS1.B specifies that 'All Development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design

and/or enhancing areas of poor design; extensions should respect their host building.

6.4.3 Policies DM7 of the Harrow Development Management Policies Local Plan (2013), and Policy 7.8D of the London Plan (2016) provide further guidance to ensure developments would not harm heritage assets. Policy CS1.B of the recently adopted Core Strategy requires all new development to respond positively to local context in terms of design, siting, density and spacing and reinforce the positive attributes of local distinctiveness.

6.4.4 The application site is located within the Harrow-on-the-Hill Village Conservation Area and adjacent to a Grade II Listed building (Old Pye House). As such, it is imperative that developments either maintain or enhance heritage assets.

6.4.5 Objections have been raised in relation to the second floor and the proposed cottages to the south of the site and the fact that these two elements would have an undue impact on the character of the conservation area and would unduly harm the setting of the Grade II Listed building. Each of these elements are assessed as follows:

#### Second Floor Extension

6.4.6 Objections have highlighted that the second floor as built is unduly bulky and tall in height.

6.4.7 It is noted that the principle of attaching a second floor to the main Powerhouse building has already been established through planning permissions P/1065/07 and P/2444/10, notwithstanding the fact these were proposed for office use, the principle of a second storey would still remain acceptable.

6.4.8 Officers note that what has been constructed on site differs slightly to what was previously granted. However, it is considered that the scale and size of the second floor is appropriate and retains as sense of subordination due to the set back from the first floor level. Overall the second floor would appear as a proportionate addition to the main building

6.4.9 In terms of the materials used in construction, the bricks used do not unduly harm the wider conservation area. Officers recognise that the bricks used in the construction of the second floor are not a perfect brick for brick match. However, weathering over time would ensure that the second floor would blend in with the main building. Furthermore, when viewed from the wider area in Church Fields the change in brick work cannot be fully appreciated.

6.4.10 Noting the above two factors it is considered that the materials used in the second floor extension do not unduly impact the character of the building or the wider conservation area.

6.4.11 Further objections state that the windows detract from the original industrial nature of the building and that the plastic windows are of a poor quality. However, the windows used are of a slimline metal, similar in profile to the

original Crittal style windows which existed prior to the development on site. Furthermore, the use of the arched window openings and profiles ensure that the second floor harmonises with the form of the lower floors of the Powerhouse.

- 6.4.12 Reference has been made to the lift over run that has been constructed on the roof of the second floor. Objections have noted that the lift overrun is an unacceptable addition to the building. In the context of the site and the existing building it is considered that the lift projection would not be unduly high.
- 6.4.13 Specific concerns relating to the use of a glazed dome have been noted and the applicant has provided minor amendments to omit the glazed domes for a flat cover which would match the black coloured over-run. Officers consider that this method of design would be acceptable.
- 6.4.14 The lift over run due to its limited height cannot be appreciated at ground level adjacent to the main building, due to its limited projection. However, when viewed from Church Fields, due to the changes in topography, the lift over run can be seen. It is considered that the lift over run does not appear unduly obtrusive when viewed in its wider context. The lift overrun is of an appropriate scale and does not look incongruous, considering the surrounding rooftop features which include dormers of various forms and sizes. Different roof levels due to the topography of the area also add to the roof profile variety. In addition, the lift over run due to its colour does not appear overly prominent against the dark coloured slate roofs of neighbouring properties.
- 6.4.15 Additional information has been provided by the applicant which details that the lift over-run does not house a mechanism and is a 'crush zone' that is required to comply with EU law of lift safety, specifically Euro Standards EN81-20 and EN81-50. Even if a hydraulic lift was to be used, this would also require a crush zone to comply with that legislation. These comments were relayed to the Council's Building Control team who after further considerations, verified that the 'crush zone' is critical at the time for safety purposes and required by the above standards.
- 6.4.16 The need for the lift over-run has been addressed above. It is appreciated that the lift-over run would be visible when viewed from Church Fields and has therefore been considered harmful by the Conservation Officer. However, there is an identified need for this structure as detailed above and it would be seen in the context of the surrounding roof forms and paraphernalia. For these reasons and on balance, officers consider that the lift over-run would be acceptable in this instance.

#### External alterations & Replacement Roof

- 6.4.17 A number of external alterations have been made to the existing Powerhouse building including the widening of window openings and the addition of new windows and doors. Works have also been carried out which involved the removal of corrugated cladding and its replacement with an external white rendered surface.



- 6.4.18 Objections outline that the external changes to the building including the rendering of the east elevation of the building has had a detrimental impact on the former industrial building and the wider conservation area. Reference has also been made to replacement windows and the insertion of extra openings within the external fabric of the building.
- 6.4.19 Officers consider that the replacement window openings would be sympathetic to the original building and the reinstatement of elements of the historic design is a welcome alteration. Furthermore, the alterations would enhance the quality and longevity of the building. Given the previous alterations that had been undertaken to the building during its lifetime and given the relatively modest and sympathetic changes made to preserve and maintain the building in the future with the new residential use, it is considered that this element of the proposal is considered acceptable and would not have a detrimental impact on the character or appearance of the conservation area or the setting of the listed building.
- 6.4.20 In addition, a pitched slate roof feature to the north east corner of the site has been replaced. This element has used materials which would appear to consistent with that of the original roof and therefore would maintain the character of the host premises and wider conservation area.

#### Proposed Cottages

- 6.4.21 The proposed element of the scheme seeks to erect a single storey structure adjacent to the rear boundaries with 77 to 83 West Street. The proposed building would accommodate two self-contained studio's which have been described as 'cottages'. A number of objections note that this proposed element of the scheme would be an overdevelopment of the site which would unduly impact on the character of the site and wider conservation area.
- 6.4.22 Officers consider that in relation to the wider site, the proposed self-contained residential units would not add significant bulk to the overall site. At a footprint of approximately 88sqm, the proposed building would not be unduly large considering the overall size of the application site.
- 6.4.23 The proposed cottages are considered to be a modest addition to the site and would appear subservient to the main Powerhouse building. The size and scale of the proposed cottages would reflect that of the existing detached building close to the entrance of the site and their single storey nature would ensure that the proposed cottages would not appear unduly bulky or obtrusive.
- 6.4.24 In terms of architecture, the proposed cottage building would be simple and would reflect that of the existing adjacent detached single storey building on site. It is indicated that the proposed cottage buildings would be finished in brick to match that of the existing buildings on site. Officers consider that the material treatments would be acceptable subject to a condition requiring samples to be submitted and approved by the Council.

### Protected Views

- 6.4.25 Objections have been received which indicated that the existing second floor addition, together with the lift overrun interrupt views towards St. Mary's Church and the Hill.
- 6.4.26 Policy DM3 Section B (b) states that developments in the wider setting consultation area should form an attractive element in its own right and preserve or enhance the viewers' ability to recognise and to appreciate the landmark.
- 6.4.27 The northern end of the application site is located within the wider setting of the West Harrow Recreation Ground (WHRG) Protected View. From the viewing location of WHRG, Harrow on the Hill is prominent on the skyline with St. Mary's Church a clearly visible feature at the top of the wooded hill rising above the terraces on Drury Road.
- 6.4.28 It is considered that the second floor that has been constructed on site would maintain the views of both St. Mary's Church and the Hill when viewed from the designated viewing area, in WHRG as it would not be appreciated due to its size distance from this location.
- 6.4.29 In addition to the above the Harrow on the Hill Village Conservation Area Character Appraisal sets out key views and vistas both in and out of the conservation area. Due to the limited height and size of the second floor it is considered that key views of the church and hill would not be interrupted when viewed from points on Bessborough Road and West Street.
- 6.4.30 It is also noted that comments refer to views out of the conservation from the top of the hill, most notably from 'Peachey Stone'. However, due to the modest height and location, it is considered that the development would not unduly impact on the long distance panoramic views from the conservation area.

### Landscaping

- 6.4.31 The application was referred to the Council's Landscape Architect who has raised no objections to the proposal provided that the existing surface material for the hardstanding is retained or matched. It is considered that there could be some scope for additional tree planting or soft landscaping within the site, which would create a more attractive space, soften the parked cars and enhance biodiversity in the area. Conditions are therefore included requiring a landscaping masterplan to be submitted and approved by the local planning authority.

### Impact on Open Space & Bio-diversity

- 6.4.32 The National Planning Policy Framework (2012) establishes a set of principles for conserving and enhancing biodiversity when determining planning applications. Policy 7.19 of the London Plan (2016) gives effect to the London-wide Biodiversity Action Plan and requires development proposals to make a positive contribution to the protection, enhancement, creation and

management of biodiversity. Policy DM21 of the Harrow Development Management Policies states that opportunities to enhance locally important habitats and to support locally important species will be sought. Where possible, proposals should secure restoration and re-creation of significant components of the natural environment as part of the design and layout of the development.

- 6.4.33 The application site adjoins a site of Importance for Nature Conservation and Metropolitan Open Land to the north. The application was referred to the Council's Biodiversity Officer who has advised that given the proximity to one of the borough's most significant wildlife sites, every effort to deliver net gain for biodiversity within the scheme should be sought.
- 6.4.34 A number of pre-commencement conditions are included to this effect such and cover the provision of herb-rich green roofs, provision of breeding locations for birds foraging within the vicinity of the site, provision of breeding locations for bat species foraging within the area, ongoing management to ensure value of biodiversity measures is realised and maintained and to ensure that protected wildlife and nearby areas of biodiversity interest are protected during construction.
- 6.4.35 The application site also adjoins Metropolitan Open Land (MOL) to the north. Policy 7.17 of the London Plan (201) affords to London's Metropolitan Open Land the same level of protection as applies nationally to the Green Belt, including the presumption against inappropriate development. As detailed earlier within the report, the principle and resulting impact of the second floor was established in previous planning permissions. The proposed cottages would be single storey and obscured from MOL views by virtue of their siting within the plot. The height of the lift overrun would be modest. For these reasons, it is considered that the proposal would not detract from the visual amenities of the MOL.

## 6.5 Residential Amenity for Future Occupiers

- 6.5.1 London Plan Policy 3.5 *Quality and Design of Housing Developments* sets out a range of criteria for achieving good quality residential development. Part B of the policy deals with residential development at the neighbourhood scale; Part C addresses quality issues at the level of the individual dwelling.
- 6.5.2 Implementation of the policy is amplified by provisions within the Mayor's Housing SPG (2016). The amplification is extremely comprehensive and overlaps significantly with matters that are dealt with separately elsewhere in this report, particularly Lifetime Neighbourhoods. In response to a request for clarification about the detail internal arrangements of the proposed flats and houses the applicant has advised that the development has been designed to accord with the London Housing Design Guide. Furthermore, the Housing Standards Minor Alterations to the London Plan have now been adopted as at March 2016. Where relevant these are addressed in the appraisal below.
- 6.5.3 Both the retrospective and proposed elements of the development would provide the following accommodation:

Flat	Type	Area (sq m)
15	2 bedroom, 4 persons (retro)	83sqm
16	2 bedroom, 4 persons (retro)	74.5sqm
17	Studio	37sqm
18	Studio	37sqm

- 6.5.4 The dwellings in all instances meet the required GIA for the respective occupancy levels. Furthermore, Flats 15 and 16 demonstrate that a level of dedicated storage space for future occupiers, which accords with the minimum requirements for their respective occupancy levels. The residential units are therefore considered to provide an adequate level of accommodation for future occupiers that would not be cramped or contrived.
- 6.5.5 The London Plan Housing Standards (March 2016) calls for a minimum floor to ceiling height of 2.5 metres across 75% of the GIA of a dwelling. The proposed sections indicate that the second floor as built and the proposed cottages would achieve a floor to ceiling height of over 2.5m. The proposed layouts are functional and would continue to provide a satisfactory level of accommodation for future occupiers.
- 6.5.6 It is considered that the existing second floor residential units are satisfactory in terms of outlook and daylight. Each flat in the second floor benefits from generous dual aspect windows with views either looking within the site and rooftop level or towards Church Fields to the north.
- 6.5.7 In terms of the proposed cottages to the south of the site. Minor amendments have been made to the initial floor plans which result in both studio's being dual aspect units. Concerns have been expressed regarding the quality of accommodation for future occupiers and impacts in terms of privacy.
- 6.5.8 It is acknowledged that the proposed cottages would have north facing windows and therefore daylight levels would be expected to be low, this would be further impacted by the fact the Powerhouse building is located 4.0m away from the windows in question. However, the dual aspect nature of both studio units would be acceptable in this instance.
- 6.5.9 In terms of privacy, it is acknowledged that the access to the main entrance of the proposed cottages would be adjacent to the pathway serving the main entrance of the Powerhouse. Furthermore, the proposed north facing elevations of the cottages would only be sited some 4m away from the south facing windows of the Powerhouse. The proximity of the south facing windows to the pathway was already established with the change of use prior approval application and on this basis, it is considered that the close siting of the north facing windows for the proposed cottages would have a similar relationship and potential privacy impact. While there would be a smaller landscaped area to the front of the proposed cottages, the proposed terrace to the western unit and the space provided to the front of the eastern unit would still help mitigate potential overlooking and would be considered suitable defensible space.

- 6.5.10 A number of objections have been made in relation to the contamination risks on the site and the proximity to the electric substation. A Phase 1 Preliminary Risk Assessment report has been submitted in support of the application. This has been referred to the Council's Environmental Health Team for further consideration and comments which will be forthcoming. The comments will be reported to members through the addendum.

#### Accessibility and Secure By Design

- 6.5.11 Policy DM2 of the DMP and policies 3.5 and 3.8 of The London Plan (2016) seek to ensure that all new housing is built to 'Lifetime Homes' standards. Furthermore, The London Plan policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion.
- 6.5.12 Specifically, policy 3.8.c of the London Plan (2016) requires 'ninety per cent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'. Criterion d requires 'ten per cent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
- 6.5.13 Whilst the applicant has not specifically confirmed compliance with the requirements of Part M, the proposal plans demonstrate that level access would be provided to each of the five properties. Furthermore, each property would be of a good size and functional layout.
- 6.5.14 Noting the above, the proposed development would be satisfactory in terms of accessibility, subject to a condition to ensure compliance with Building Regulations M4 (2) and M4 (3).
- 6.5.15 Concerns have been raised from neighbouring residents concerning vehicular and pedestrian access. Whilst highway matters are addressed later within the report, in terms of accessibility, the proposed development would utilise the existing access road. Proposed plans indicate that there would be separate pedestrian access.
- 6.5.16 Whilst specific design details relating to SBD have not been provided, it is considered that these details can be secured by way of condition. Specifically, a planning condition would require the proposal to achieve Secured by Design certification (silver or gold) from the MET Police, prior to the occupation of the development. Accordingly, subject to this condition and further conditions relating to maintenance and landscaping the proposed development is considered to provide a safe and secure environment for future occupiers and members of the public, in accordance with Policy 7.3 of The London Plan.

#### Amenity Space

- 6.5.17 Policy DM27 Amenity Space of the Development Management Policies Local Plan document states that the appropriate form and amount of amenity space

should be informed by the Mayor's Housing Design Guide (i.e. the SPG) and criteria set out in the policy.

- 6.5.18 For private amenity space, the SPG requires a minimum of 5m<sup>2</sup> per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant. Both the existing and proposed residential units would meet these minimum dimensions. The amenity space for the four dwellings are considered to be functional and useable spaces.

## 6.6 Residential Amenity (Neighbouring Residents)

- 6.6.1 London Plan Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy, overshadowing, wind and microclimate.
- 6.6.2 Objections have been received in relation to the impacts of the second floor of the development on daylight to neighbouring properties. Whilst the development inevitably results in a distinctive new development on the application site, the appropriate massing and design of the building ensures that no undue harm would result to the residential amenities of the surrounding area.
- 6.6.3 In addition, comments received by neighbouring occupiers state that the addition of four residential properties, and those granted under the prior approval scheme would create undue impacts in terms of noise and disturbance to surrounding residential developments. Officers consider that the residential use is consistent with the surrounding land use. Although the development would generate more activity outside of normal working hours and into the evening and weekends, it is not expected that they would generate unacceptable levels of activity or noise and disturbance, given the existence of similar residential properties close to the site.

### Second Floor Extension

- 6.6.4 Objections have been received in relation to the height of the second floor and its impact on neighbouring residential properties on West Street and Nelson Road. The second floor results in an increase of height of approximately 3.5m. However there is a separation distance from the north flank elevations of properties on West Street of approximately 24.0m and 30.0m from the facing flanks of properties on Nelson Road.
- 6.6.5 Given this relationship between the adjoining properties, the second would not result in undue impacts in terms of loss of daylight, outlook or overshadowing. It is noted that the second floor flats have habitable windows facing the rear of properties on West Street and Nelson Road. Similarly, due to the separation distances it is considered that the impacts in terms of privacy would not be unacceptable, as this degree of mutual overlooking is not uncommon in urban residential environments.
- 6.6.6 In terms of the terrace area which wraps around the external walls of the second floor, objections have been received in terms of the impacts of this area on the privacy of neighbouring properties.

6.6.7 It is noted that the proposed terrace would be limited to the northern side of the second floor. The remainder of the terrace to the west and south has been denoted to be for maintenance purposes only. To ensure that the western and southern sides of the terrace are not used as an amenity space a condition has been attached to this permission restricting the use of these areas. Subject to this condition the second floor amenity areas would be acceptable in terms of privacy impacts.

#### Proposed cottages

6.6.8 The proposed cottages would be located adjacent to the rear of properties on West Street. Objections have been received which outline concerns regarding the impacts of this element of the proposal on neighbouring amenity.

6.6.9 It is noted that the proposed cottages to the south of the site would be of a similar scale to the existing cottage building which exists. Due to the single storey nature of the proposed building, it is considered that there would be limited impacts on the occupants of West Street to the rear by reason of overshadowing, loss of light or loss of privacy.

6.6.10 For the reasons outlined above, and noting the objections received, it is considered that the proposed development would comply with policy 3.5.C of The London Plan 2016, policy CS1.K of The Harrow Core Strategy 2012 and policy DM1 of the Harrow Development Management Policies Local Plan 2013 in failing to ensure high quality design for the development.

#### 6.7 Traffic, Parking and Servicing

6.7.1 Policies DM26 and DM42 of the DMP give advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access. A number of objections have been raised in relation to the parking arrangements and the pressures of parking within the immediate area.

6.7.2 The application site benefits from prior approval, taking into account the approved parking quantum and seeks to provide 4 additional parking spaces for the terraced dwellings, resulting in a parking ratio of 1:1. Whilst it is noted that the draft London Plan (2017) calls for a lower provision of car parking, given the low PTAL rating for the area, the provision of parking is satisfactory in this instance. Overall, there would be 19 residential parking bays on the site including one disabled bay, four active elective charging bays four passive electric charging bays and one visitor parking space.

6.7.3 Secure and readily accessible cycle parking is provided, at one space per room, in line with the The London Plan (2016) requirements. This has been provided on site in the rear garden and is therefore considered acceptable.

6.7.4 The proposed development would be serviced by 4 x 1280 litre waste and recycling bins to be provided near the western boundary for all residential units

on the site. Subject to a condition requiring further details on the location and design of the proposed refuse store, it is considered that the proposal would be acceptable in this regard.

6.7.5 The application was referred to the Council's Highways department who have raised no objection subject to a detailed construction method plan which has been accordingly conditioned.

## 6.8 Drainage

6.8.1 The application site is located within Surface Water Flood Zone 3a & 3b. As a result, there could be a risk posed to future occupiers in relation to flooding. For this reason, a site specific flood risk assessment which includes Emergency Planning information was required and submitted in support of the application, to ensure the safety of future occupiers in the event of (non-fluvial) flooding events.

6.8.2 The application was referred to the Council's Drainage Engineer who has advised that the safe access route submitted for the occupiers and users of the building is satisfactory. However, insufficient information has been submitted regarding fixtures and fittings for the new building and details of whether the new doors and windows on the ground floor of the Powerhouse building would be durable with good sealing's of joints. For these reasons, it is considered that insufficient information has been provided with regard to flood mitigation.

6.8.3 The Council's Drainage Engineer has advised that the outstanding details regarding flood mitigation could be conditioned, in addition to conditions for foul and surface water disposal, surface water attenuation and SUDS. Subject to these conditions, the proposal would accord with the relevant policies in this regard.

## 7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal would contribute to the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016) and would regenerate a brownfield site. Furthermore, the proposed development would, on balance, have a satisfactory impact on the character of the Conservation Area, setting of the Listed Building, the amenities of existing neighbouring occupiers and future occupiers of the development.

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



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

### **Conditions**

#### 1. Timing

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

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

#### 2. Approved Drawing and Documents

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

JM 051 PL 0002, JM\_051\_PL\_0201, JM\_051\_PL\_0051, JM\_051\_PL\_0050, JM\_051\_PL-0049, JM\_051\_PL\_0053, JM\_051\_PL\_0052, JM\_051\_051\_0202, JM 051 PL 0105, JM\_051\_PL\_0101, JM\_051\_PL\_2100, JM\_051\_PL\_0104, JM 051 PL 0001, JM\_051\_PL\_2101, JM\_051\_PL\_0102 Rev A, JM\_051\_PL\_0100 Rev B, JM\_051\_PL\_0103 Rev A, JM\_051\_PL\_0201 Rev B, JM\_051\_PL\_4002, JM\_051\_PL\_4301, JM\_051\_PL\_4302, Delivery and Servicing Management Plan (April 2018), Outline Construction Management Plan (April 2018), Transport Statement (April 2018), Design and Access Statement (April 2018), Biodiversity Letter from AA Environmental Limited (27 July 2017), Flood Risk Assessment (Draft Rev 1 April 2018), Heritage Statement (April 2018), Planning Statement (April 2018), Assessment of Façade Sound Insulation to a Residential Development (March 2017), Archaeological Desk Based Assessment (November 2017), Phase 1 Preliminary Risk Assessment (March 2018), Proposed Lift Overrun and Smoke AOVS (20 June 2018), Response to Conservation Officer Comments (4<sup>th</sup> July 2018)

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

#### 3. Materials

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

- a: facing materials for the buildings;
- b. windows/ doors;
- c. boundary fencing;
- d. ground surfacing;
- e. hard landscape materials and,
- g. proposed materials for refuse/cycle storage areas

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

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

4. Construction Management Plan

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

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

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during demolition and construction and to safeguard the amenity of neighbouring occupiers and to ensure that the transport network impact of demolition and construction work associated with the development is managed and that measures are agreed and in place to manage and reduce dust, noise and vibration during the demolition and construction phases of the development and manage transport impacts during the demolition and construction phases of the development.

5. Hard & Soft Landscaping

The development hereby permitted shall not be occupied until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include details of all boundary treatments on the land and appropriate screening to ground floor windows and amenity space, where required. Details of the boundary treatments, shall be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained thereafter. Soft landscape works shall include: planting plans; schedules of plants, noting species, plant sizes and proposed numbers / densities; written specification of planting and cultivation works to be undertaken; and, a landscape implementation programme.

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

6. Planting Schedules

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

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

7. Landscape Management and Maintenance

The development hereby approved shall not be occupied until a scheme for the on-going management and maintenance of the landscaped areas, including the communal amenity space, within the development, to include a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years for all landscape areas, and details of irrigation arrangements and planters, has first been submitted to the Local Planning Authority in writing to be agreed. The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with the Heart of Harrow.

8. Surface Water Drainage and Attenuation

No development shall take place, other than works of demolition, until details of works for the disposal of surface water, including surface water attenuation and storage, have been submitted to, and agreed in writing by, the local planning authority. The submitted details shall include measures to prevent water pollution and details of SuDS and their management and maintenance. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development achieves an appropriate greenfield run-off rate in this critical drainage area and to ensure that sustainable urban drainage measures are exploited.

9. Foul Water Drainage

No development shall take place, other than works of demolition, until a foul water drainage strategy, has been submitted to and agreed in writing by the local planning authority. The development shall not be occupied until the agreed drainage strategy has been implemented.

REASON: To ensure that there would be adequate infrastructure in place for the disposal of foul water arising from the development, and to ensure that the development would be resistant and resilient to foul water flooding.

10. Flood Mitigation Measures

The development of the buildings hereby permitted shall not be commenced until Flood Mitigation Measures have been submitted to and approved in writing by the Local Planning Authority. To ensure that the structure is designed to mitigate the effects of any possible flooding on site or elsewhere and include resistance and resilience to flooding. The applicant should provide detailed description of building materials, foundations, floor, wall, fittings, services, doors and windows that minimise water entry whilst maintaining structural integrity, materials and construction techniques that facilitate drying and cleaning, in line with 'Improving the Flood Performance of New Buildings' publication taking into account the expected depth of flooding. 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.

11. External Lighting Strategy

The development hereby approved shall not progress beyond damp proof course level until details of the lighting (full specification, light spill, elevations and location) of all public realm and other external areas (including buildings) within the site has been submitted to, and agreed in writing by, the local planning authority. The development shall be carried out in accordance with the details so agreed and shall be retained as such thereafter.

REASON: To ensure that the development incorporates lighting that contributes to Secured by Design principles and achieves a high standard of residential quality.

12. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, C, D, E and F in Part 1 of Schedule 2 to that Order shall be

carried out in relation to the cottages hereby permitted 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 dwellings in relation to the size of the plot and to safeguard the amenity of neighbouring residents

13. Part M Dwellings

The proposed residential units, as detailed in the submitted and approved drawings, shall be built to Building Regulation Standard M4 (2) 'Accessible and adaptable dwellings'. The development shall be thereafter retained to those standards.

REASON: To ensure provision of 'Wheelchair and Accessible and adaptable' housing.

14. Archaeology

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

REASON: To ensure that an appropriate scheme of archaeological investigation and recording is undertaken in accordance with The National Planning Policy Framework (2012), Policy 7.8 of the London Plan (2016) Policy CS1.D of the Harrow Core Strategy (2012) and Policy DM7 of the Harrow Development Management Policies (2013)

15. Biodiversity 1

The development hereby permitted shall not commence above Damp Proof Course level until details depicting the locations for enhancements for wildlife (breeding locations for birds and bat species), living green roofs for the second storey extension to the powerhouse and the proposed cottages and management and maintenance of biodiversity measures have been submitted to and approved in writing by the Local Planning Authority. The details approved shall be implemented before the occupation of the development and shall thereafter be retained.

REASON: To enhance the ecology and biodiversity of the area.

16. Biodiversity 2

Should the development hereby approved not commence in this calendar year and that the applicant's biodiversity consultant confirms in writing that an updated bat survey would have no benefit, then an updated bat survey will be required prior to the commencement of works. If the development hereby permitted commences during the bird breeding season (March to August) inclusive, trees and buildings in the vicinity of the site shall be examined for nests or signs of breeding birds. Should an active bird's nest be, activities (e.g. tree felling / vegetation clearance / building dismantling / demolition) should cease and an appropriate buffer zone should be established. This buffer zone should be left intact until it has been confirmed that the young have fledged and the nest is no longer in use

REASON: To safeguard the ecology and biodiversity of the area.

17. Restricted use of Terrace

The terraces on the eastern, southern and western elevations on the second floor of the Powerhouse shall only be used for maintenance purposes and not as a private amenity space for the future occupiers of the residential units

REASON: To safeguard the residential amenities of the adjoining occupiers

18. Refuse and Waste

The development hereby approved shall not be occupied until details for the location and design of the refuse store has been submitted to, and approved in writing by the local planning authority. The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area to be approved.

REASON: To ensure a high standard of amenity for future occupiers of the development and to ensure that the bins do not impede inclusive access within the site\_\_\_\_

## 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):

3.1; 3.3; 3.4; 3.5; 3.8; 3.9; 5.13; 6.3; 6.9; 6.10; 6.12; 6.13; 7.1; 7.2; 7.3; 7.4; 7.5; 7.6.

Draft London Plan (2017):

GG4; D1; D2; D3; D4; D5; H1; H2; G7; SI13; T3; T5; T6.1.

Local Development Framework

Harrow Core Strategy 2012  
CS1 Overarching Policy  
Development Management Policies Local Plan 2013  
DM1; DM2; DM10; DM12; DM20; DM21; DM22; DM24; DM27; DM42; DM45.

Supplementary Planning Documents  
Mayors Supplementary Planning Guidance: Housing (2016)  
Harrow Supplementary Planning Document: Residential Design Guide 2010

2. Pre-application engagement

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

3. Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £9,730 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 £9,730 for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 278m<sup>2</sup>

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

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

4. Harrow CIL

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

Harrow's Charges are:

Residential (Use Class C3) - £110 per sqm;  
Hotels (Use Class C1), Residential Institutions except Hospitals, (Use Class C2), Student Accommodation, Hostels and HMOs (Sui generis)- £55 per sqm;  
Retail (Use Class A1), Financial & Professional Services (Use Class A2), Restaurants and Cafes (Use Class A3) Drinking Establishments (Use Class A4) Hot Food Takeaways (Use Class A5) - £100 per sqm

All other uses - Nil.

The Harrow CIL Liability for this development is: £30,580

5. Considerate Contractor Code of Practice

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

6. Party Wall Act

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

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

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

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

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

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

7. Compliance with Planning Conditions

**IMPORTANT: Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences** - You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority. Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted.- Beginning development in breach of a planning condition will invalidate your planning permission.

- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness.



8. Liability For Damage to Highway

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

9. Sustainable Urban Drainage

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

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

Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (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.

# 1. APPENDIX 2: SITE PLAN





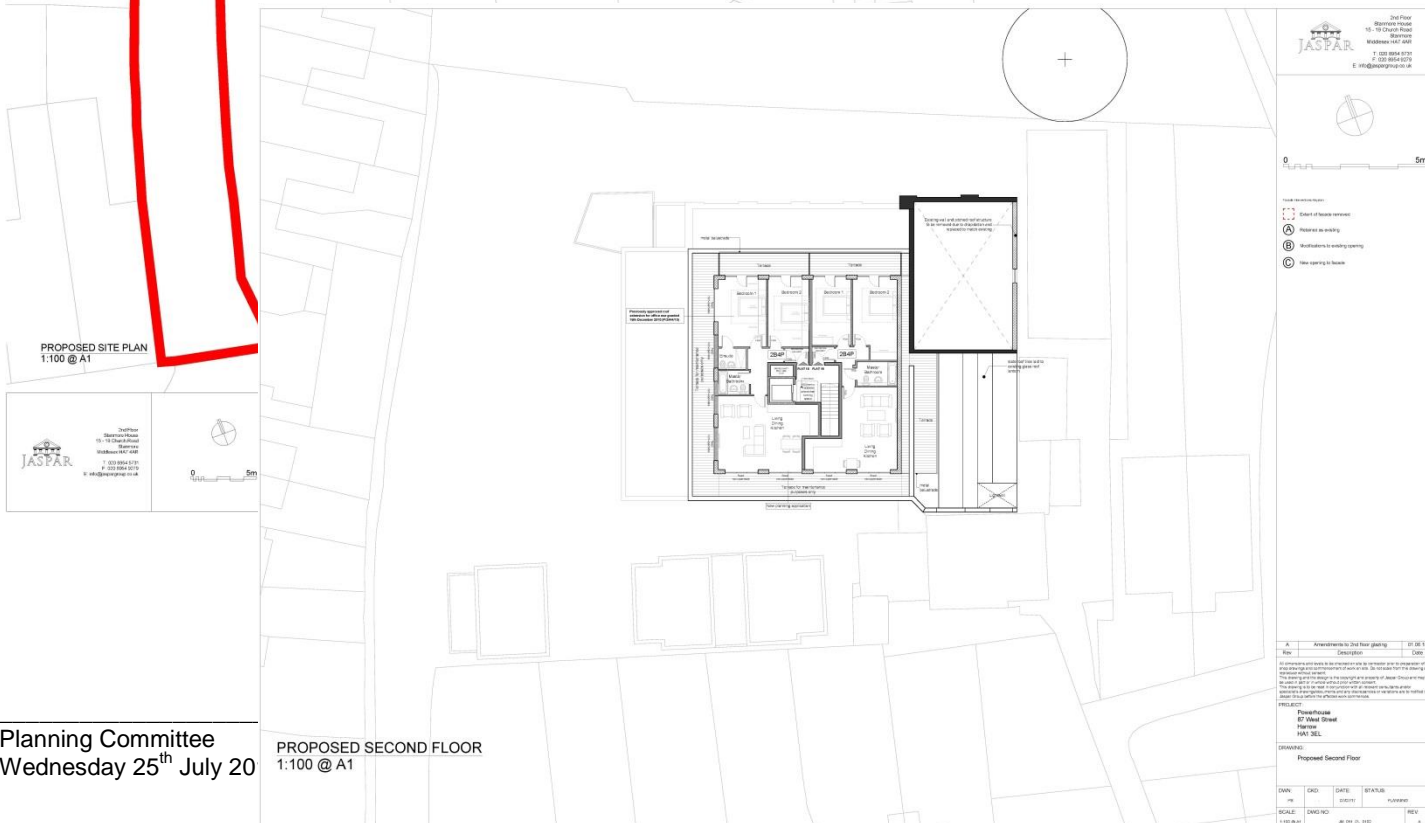
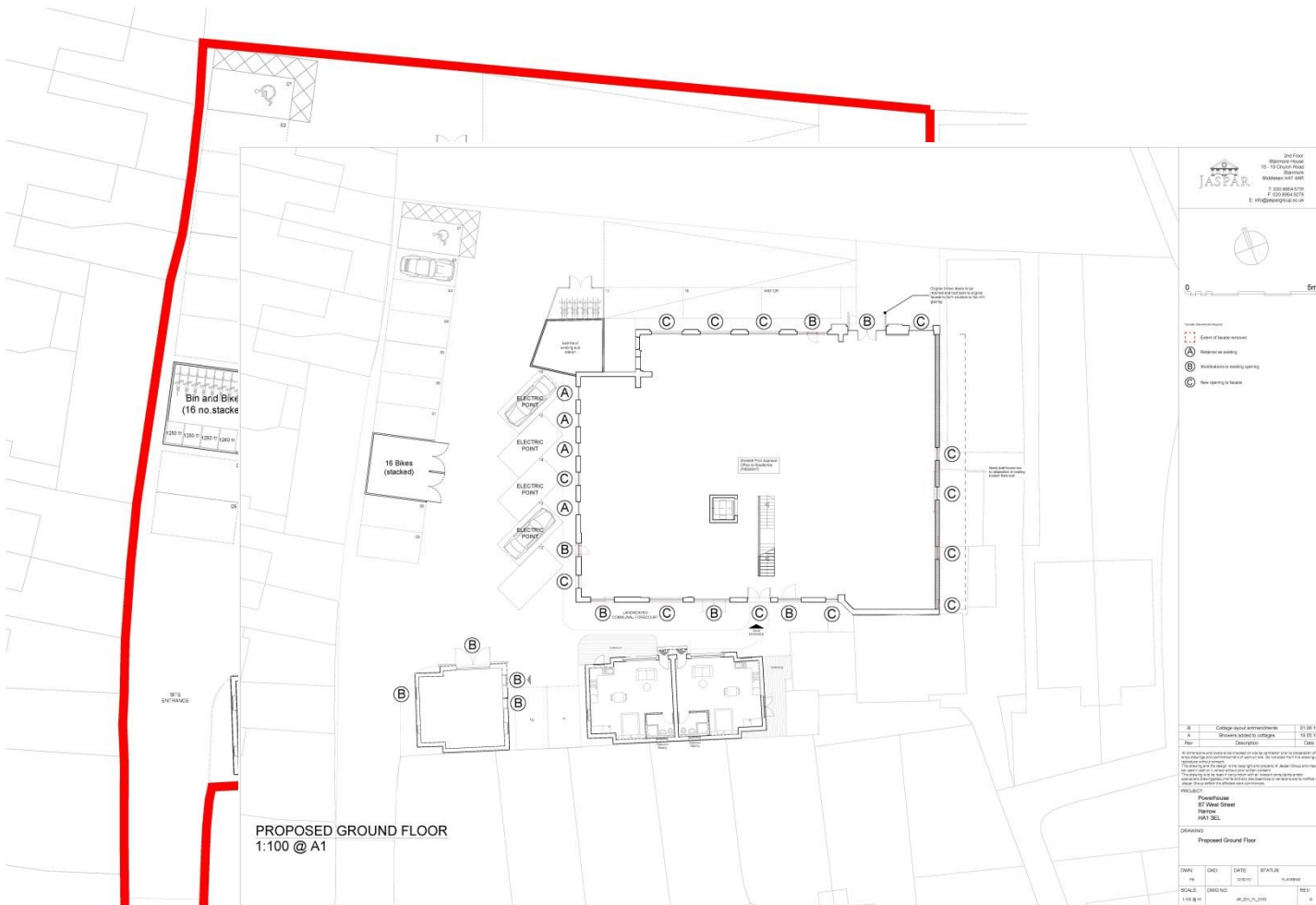
**APPENDIX 3: SITE PHOTOGRAPHS**







# APPENDIX 4: PLANS AND ELEVATIONS



Planning Committee  
Wednesday 25<sup>th</sup> July 20

PROPOSED SECOND FLOOR  
1:100 @ A1

**JASPAR**  
 2nd Floor  
 15-19 Great Street  
 Walsham NE47 4AF  
 T: 01204 624 070  
 F: 01204 624 071  
 E: info@jaspargroup.co.uk

0 5m

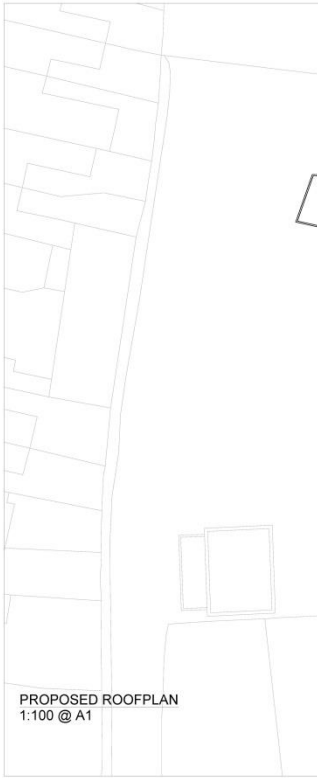
North arrow

Legend:  
 - - - - - Extent of block extension  
 (A) - - - - - Potential for existing  
 (B) - - - - - Works to be existing opening  
 (C) - - - - - New opening to be made

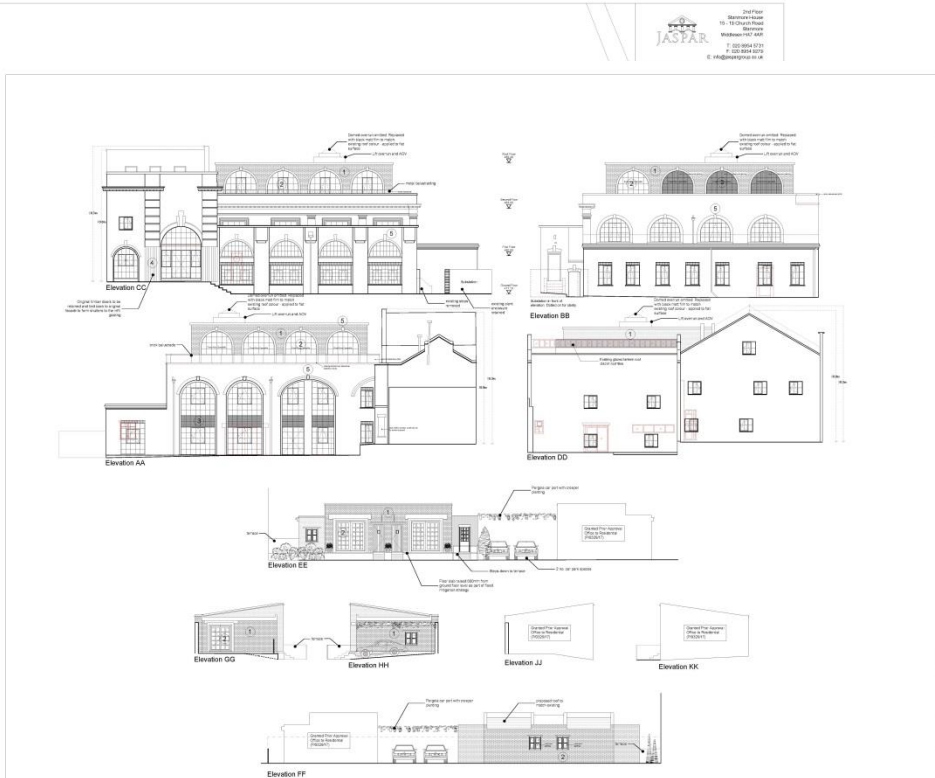
NO	DESCRIPTION	DATE
1	Collaborative amendments	01/08/17
2	Submitted to college	13/08/18

PROJ: 17/001  
 DRAWING: Proposed Ground Floor  
 DATE: 01/08/17  
 SCALE: 1:100 @ A1  
 DRAWN: ALM/JLH  
 CHECKED: JLH  
 STATUS: PLANNING  
 REV: 1





PROPOSED ROOFPLAN  
1:100 @ A1



PROPOSED ELEVATIONS  
1:100 @ A1

2nd Floor  
 16, The Church Road  
 Brighton  
 BN1 1JF  
 T: 01273 505421  
 F: 01273 505422  
 E: info@jastar.co.uk

2nd Floor  
 16, The Church Road  
 Brighton  
 BN1 1JF  
 T: 01273 505421  
 F: 01273 505422  
 E: info@jastar.co.uk

0 5m  
 Extent of elements indicated  
 (shaded) solid or modified

- 1 New set back to first landing
- 2 New front elevation windows
- 3 New front ground floor windows
- 4 New front ground floor entrance
- 5 New front ground floor entrance



NO	DATE	DESCRIPTION	BY	CHKD
1	16/07/18	Issue for planning	DMC	DMC

DATE	NO	DATE	STATUS	REVISION
16/07/18	01	16/07/18	ISSUED	1

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