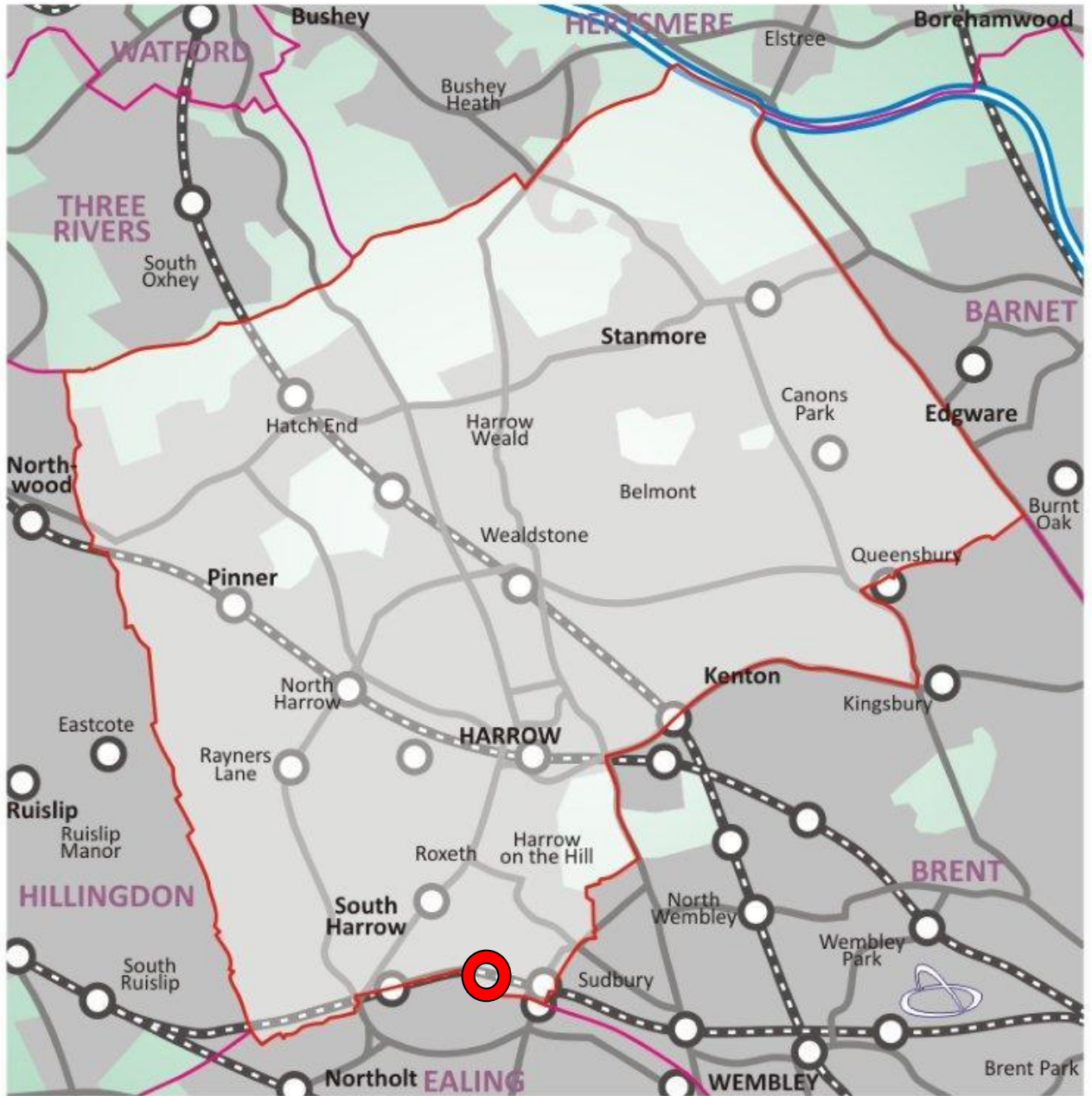
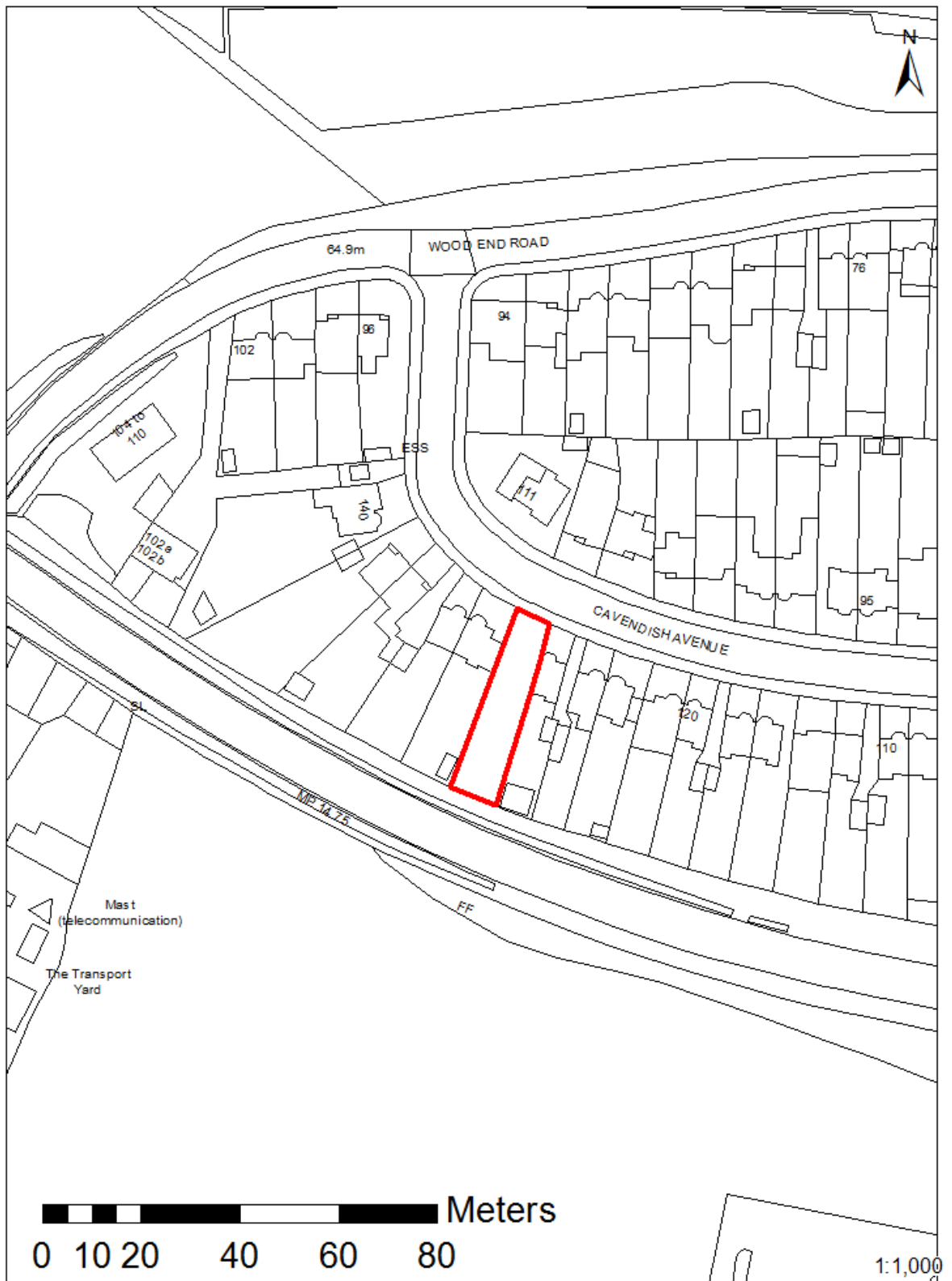


 = application site



132 Cavendish Avenue	P/2185/18
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132 Cavendish Avenue



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

5th September 2018

Application Number: P/2185/18
Validate Date: 01/06/2018
Location: 132 CAVENDISH AVENUE
Ward: HARROW ON THE HILL
Postcode: HA1 3RQ
Applicant: MRS IZABELA RESZUTA
Agent: AMBRIGAM ARCHITECTS
Case Officer: NABEEL KASMANI
Extended Expiry Date: 10/09/2018

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.

Redevelopment to provide two storey dwellinghouse with basement and accommodation in roof; refuse storage

The Planning Committee is asked to:

RECOMMENDATION

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

REASON FOR THE RECOMMENDATIONS

The proposed dwellinghouse would have a satisfactory impact on the character and appearance locality and would not have a detrimental impact on the residential amenities of adjoining occupiers. The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2018), 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 due to the public interest received under part 1, Proviso E of the scheme of delegation dated 29th May 2013

Statutory Return Type:	Minor dwellings
Council Interest:	None
GLA Community	270m ²
Infrastructure Levy (CIL)	£9,450.00
Contribution (provisional):	
Local CIL requirement:	£29,700.00

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	132 Cavendish Avenue, Harrow, HA1 3RQ
Applicant	Mrs Izabela Reszuta
Ward	Harrow on the Hill
Local Plan allocation	No
Conservation Area	No
Listed Building	No
Setting of Listed Building	No
Building of Local Interest	No
Tree Preservation Order	No
Other	No

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site was formerly occupied by a semi-detached property located on the south side of Cavendish Avenue. The surrounding properties are of a typical 1930's metroland style.
- 1.2 The attached semi-detached property to the west, no. 134 Cavendish Avenue, is unextended to the rear. The adjoining semi-detached property to the east, no. 130, is unextended at the rear and features an attached garage adjacent to the shared boundary with the application site. London Underground's Piccadilly Line adjoins the application site to the rear
- 1.3 Owing to the bend in the highway, the application property had a front elevation which was set approximately 1.8m forward of no. 130 Cavendish Avenue (located to the east). No. 130 is also differs in orientation with the rear elevation of no. 130 angled away from no. 132 Cavendish Avenue
- 1.4 The site is located within a Critical Drainage Area. There are no other site specific constraints on the site
- 1.5 Planning permission was granted under P/4297/17 to create a basement and extend the former property with a two storey side to rear extension. The former application property was demolished without planning permission in order to implement the permission under reference P/4297/17

2.0 PROPOSAL

- 2.1 The application proposes to re-provide the former semi-detached property. The proposed dwelling would largely mirror that of the existing attached semi-detached property at no. 134 Cavendish Avenue with the extensions that were granted under planning application P/4297/17 in addition to a new basement.
- 2.2 The proposed replacement dwellinghouse would occupy the full width of the plot. The proposed basement would have an approximate area of 88m². The proposed ground floor would have a maximum depth of 10.5m adjacent to the attached property no. 134 and a depth of 10m adjacent to the shared boundary with no. 130. The first-floor would feature a side and rear projection. A rear dormer is also proposed to provide habitable accommodation in the roofspace

2.3 The proposal has been revised during the course of the application so that the projection of the first-floor front extension has been reduced, the fenestration details have been amended and the rear dormer has been reduced in size.

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status and date of decision
P/4297/17	Excavation to create basement level at rear; two storey side to rear extension	Granted 14/11/2017
P/5614/17	Certificate of Proposed Lawful Development: Single Storey Rear Extension	Refused 31/01/2018
P/5615/17	Certificate of Proposed Lawful Development: Front Porch	Granted 31/01/2018
P/5616/17	Certificate of Proposed Lawful Development: Rear Dormer	Granted 15/02/2018
P/0962/18;	Redevelopment to provide a two storey dwellinghouse with basement and accommodation in the roof; refuse storage	Refused 15/05/2018

4.0 CONSULTATION

4.1 A total of 4 consultation letters were sent to neighbouring properties regarding this application.

4.2 The overall public consultation period expired on 22/06/2018.

4.3 Following the submitted amendments to the scheme, a re-consultation was undertaken, expiring on 10/06/2018.

4.4 Adjoining Properties

Number of letters Sent	4
Number of Responses Received	6 (including a petition with 36 signatures)
Number in Support	0
Number of Objections	6 (including a petition with 36 signatures)

4.5 6 objections were received from neighbouring residents including a petition with 36 signatories.

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

Summary of Comments	Officer Comments
<u>Character and Appearance</u> - Modified building remains oversized for the plot; Out of character with the other properties in the road; No precedent for a basement on Cavendish Road, unacceptable size and risk of collapse, subsidence to neighbouring properties, public highway; lead to high number of visitors and disturbance; flooding risk; Development at rear should not exceed 4m; Refuse storage structure should not be permitted; Any development of a property should replicate the former demolished property to preserve the 1930s metro land character of the road	These comments have been addressed in section 6.3 of the report. The proposed basement would have to comply with building regulations for safety
<u>Traffic and Parking</u> Reduction in off-street parking area	This has been addressed in section 6.5 of the report
<u>Other Reasons</u> Purpose is to create HMO; should	This application has to be

<p>get proof from applicant whether this is the intention; property could be subdivided into flats or bedsits</p> <p>No consideration for planning and environmental protection legislation for works undertaken to property to date;</p> <p>Party wall resolution needed with no. 130 Cavendish Avenue; planning permission should be conditional on proposal not encroaching boundary with no. 130; drainage and guttering must be within application site; proposal should not taper outwards due to encroachment; works undertaking without damaging adjacent garage of no. 130;</p> <p>Local residents want building works to be completed soon due to ongoing disturbances and impact</p> <p>Inconsistent and unfair approach by Harrow Planning Department</p> <p>Comments from 130 Cavendish Avenue still stand and are unaffected by the amendments to the planning application</p>	<p>considered on its own merit.</p> <p>This would need to be investigated and appropriate action taken under the appropriate legislations</p> <p>The proposed development is shown to be built within the site ownership of the applicant. Party wall resolutions and the conditions raised are civil matters</p> <p>This is noted</p> <p>Each planning application is considered on its own merit</p> <p>This is noted</p>
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4.9 Statutory and Non Statutory Consultation

4.10 The following consultations have been undertaken:

LBH Highways
LBH Drainage
LBH Waste
TFL
Thames Water

4.11 External Consultation

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

Consultee	Summary of Comments	Officer Comments
LBH Highways	No objection	Noted
LBH Drainage	No objection subject to conditions	The conditions have been included in appendix 1
LBH Waste	No comment	Noted
TFL	No objection subject to planning condition to ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan (2016) Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012	The condition has been included in appendix 1
Thames Water	No Objection. Informative advised	noted

5.0 POLICIES

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

'If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.'

- 5.2 The Government has issued the National Planning Policy Framework [NPPF] which consolidates national planning policy and is a material consideration in the determination of this application.

- 5.3 In this instance, the Development Plan comprises The London Plan 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. 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. Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.
- 5.5 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
Character and Appearance
Residential Amenity and Accessibility
Traffic and Parking
Development and Flood Risk

6.2 Principle of Development

- 6.2.1 National Planning Policy Framework (2018), The London Plan (2016), The Harrow Core Strategy (2012) and the Development Management Policies Local Plan (2013) all seek to increase housing supply locally, regionally and nationally, and promote the provision of high quality mix of housing. Policy 3.8 of The London Plan (2016) encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. This policy requires consideration to be given to the accessibility of the site to services and amenities
- 6.2.2 Policy CS1.A of Harrow's Core Strategy (2012) undertakes to manage growth in accordance with the spatial strategy. The spatial strategy directs residential and other development to the Harrow & Wealdstone Intensification Area, town centres and, in suburban areas, to strategic previously developed sites. Policy CS1.B of the Core Strategy resists development on garden sites, recognising the propensity for such proposals to lead to unmanaged, incremental

growth that undermines the spatial strategy. It also resists proposals that would harm the character of suburban areas

6.2.3 With regards to the definition of what constitutes 'garden land' development, the Council has developed Supplementary Planning Document (SPD): Garden Land development, which was subject to public consultation and adopted on 11 April (2013). Paragraph 3.1 of the Garden Land Development SPD (2013) provides definition of what is garden land development:

- a. *gardens of houses;*
- b. *gardens of properties converted to flats and purpose-built maisonettes;*
- c. *communal gardens to blocks of flats;*
- d. *communal or 'open plan' garden areas serving multiple dwellings;*
- e. *any land that formed part of a garden but which has been legally and/or physically severed from the donor property(ies); and*
- f. *land functionally related to a residential garden (or gardens) and used solely to provide residential amenity but not forming the curtilage of the dwellinghouse.*

6.2.4 The proposed dwellinghouse would replace the pre-existing dwellinghouse on site with the increased footprint that was established under previous planning application reference P/P/4297/17. As the proposal seeks to provide a replacement single family dwellinghouse at the site, the proposal would not constitute garden land development. The principle of the development would be acceptable, subject to all other material planning considerations which are explored further in the report below.

6.3 Character and Appearance

6.3.1 Policy DM1 of the DMP gives advice that "all development proposals must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout, or which are detrimental to local character and appearance, will be resisted. The Council has adopted a Supplementary Planning Document (SPD) on Residential Design (2010), which gives design guidance. Substantial weight is accorded to the SPD as a material planning consideration

6.3.2 Paragraph 4.8 of the SDP Residential Design Guide (2010) states "The design and layout of new development should recognise the character of the area in which it is situated and, in applying minimum density and other policy requirements, respond to the positive features of that character. In instances where the surrounding area lacks an identifiable character with positive attributes, or the proposal site is severed from its surroundings (i.e by railway lines, major roads

and industrial areas), the design of new development may establish a distinctive new local identity.”

- 6.3.3 The subject application is a resubmission following the refusal of the preceding scheme reference P/0962/18. The proposed replacement dwellinghouse would be similar to that which formerly occupied the application site and would incorporate the elements which were approved on the householder planning application reference P/4297/17.
- 6.3.4 The principle of the basement was considered to be acceptable on the previous application P/0962/18. A number of objections make reference to the proposed basement and that it would set a precedence and be out of character. A basement in itself is not objectionable and does find support in Policy D9 of the draft London Plan (2017). The principle of a basement is therefore not in itself objectionable. As the basement would be sunken and the lightwell would be located at the rear, the proposed basement would not have a visible presence within the streetscene. For this reason, officers consider that the basement would not have a harmful impact on the character or appearance of the subject dwelling or locality.
- 6.3.5 Officers acknowledge that basements are not common in neighbourhoods which have predominantly semi-detached and terraced housing typologies. The primary reason for this is that a basement would not be the most effective way to enlarge the existing dwellinghouses given the costs and degree of construction work required for the degree of additional floorspace which may be provided. Unusually, in this instance, the semi-detached property has been demolished and therefore the provision of a basement may have become a more viable option and can contribute to the floor area of the site, thereby making more efficient use of the land for the proposed occupier without having an unduly harmful impact on the aesthetics of the dwellinghouse or locality.
- 6.3.5 Following the previously refused scheme (reference P/0962/18), a number of amendments have been made to address reasons for refusal. The first-floor front projection has been reduced so that it does not protrude beyond the adjacent bay window. The canopy for the single storey rear extension has been omitted and the fenestration details have been amended to provide more conventional window openings as characterised within the locality.
- 6.3.6 Additionally, the rear dormer has been reduced in scale, the Juliette balcony has been removed and there is no longer a lightwell at the front of the property. Officers consider that the amendments to the subject proposal would satisfactorily address the first-three reasons of the previously refused scheme. The proposed replacement dwellinghouse would be identical to the previous semi-detached dwellinghouse on the site with the additional extensions that were

previously granted under planning application P/4297/17. As such, it is considered that the scale and proportions of the proposed replacement dwelling would be acceptable in this instance. For these reasons, it is considered that the proposal would not have a detrimental impact on the character or appearance of the locality.

6.3.7 The forecourt of the application site consisted of hardsurfacing. No landscaping details have been supplied with the application. The submitted design and access statement states that the proposed refuse storage would be located within the forecourt of the property in a designated refuse store and this is shown in the proposed floorplan. It is considered that the location of the refuse store within the forecourt would be acceptable and would screen the refuse bins which can create visual clutter in the streetscene, subject to suitable design and appearance. For this reasons, conditions are therefore attached requiring a landscaping strategy which should incorporate soft landscaping and details of the design and appearance of the refuse store to be submitted and approved by the local planning authority.

6.4 Residential Amenity and Accessibility

6.4.1 Policy 3.5C of The London Plan requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people's needs. In this regard, minimum gross internal areas (GIA) are required for different types of accommodation, and new residential accommodation should have a layout that provides a functional space. Table 3.3 of The London Plan specifies minimum GIAs for residential units and advises that these minimum sizes should be exceeded where possible. The use of these residential unit GIA's as minima is also reiterated in Appendix 1 of the Residential Design Guide SPD. This is supported by policy DM1 of the DMP.

6.4.2 The proposed dwelling would be laid out over four floors and would have a floor space of approximately 270sqm. The submitted floorplans show that there would be four habitable rooms on the first and second floors. The property is therefore considered to be a four bedroom, 8 person unit. The area of each of the proposed bedrooms would exceed 11.5m². The proposed dwellinghouse would therefore comply with London Plan (2016) floor space standards in terms of overall floor space and bedroom sizes.

6.4.3 Nationally described standards require a minimum of 2.3 metres ceiling height for at least 75% of the dwelling area, while Standard 31 of the London Plan Housing SPG strongly encourages a minimum 2.5m so that the new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The applicant has provided sections to indicate the floor to ceiling heights for the each floor of the proposed dwellinghouse. With the exception of the

proposed loft, the remaining floors would meet the minimum 2.5m floor to ceiling height. The floor to ceiling height in the proposed loft would be 2m. Given that more than 75% of the dwellinghouse would meet the minimum floor to ceiling heights, it is considered that the proposal would be acceptable in this regard. The proposed replacement dwellinghouse would provide a satisfactory degree of light into and outlook from the habitable rooms.

- 6.4.4 Policy 7.6B, subsection D, of The London Plan (2016) states that “new buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”. Policy DM1 of the DMP seeks to ensure that “proposals that would be detrimental to the privacy and amenity of neighbouring occupiers, or that would fail to achieve satisfactory privacy and amenity for future occupiers of the development, will be resisted”.
- 6.4.5 With regard to the impact of the proposal on the adjoining occupiers at no. 130 Cavendish Avenue, the proposed ground floor adjacent to that neighbouring property largely replicate the footprint of the scheme that was proposed under granted application P/4297/17. It is noted that the majority of the ground floor side element would be screened by the existing garage at no.130.
- 6.4.6 In the preceding scheme, side walls and a canopy were proposed over the raised patio. These however have been removed as part of the revised scheme. The proposed rear patio would extend 2m beyond the rear wall at ground floor level. As a result of the change in levels, many of the properties within Cavendish Avenue feature raised patios. The proposed patio is approximately 1m deeper than the pre-existing patio. As the adjacent rear habitable windows are located 3.0m away from the common boundary of the application site and the rear building line of no. 130 differs in terms orientation, it is considered that the proposed ground floor element of the scheme would have an acceptable impact in terms of overshadowing, daylight, outlook and privacy.
- 6.4.6 The proposed first-floor rear projection would not breach the 45 degree splay from the adjacent rear corners of no. 130 Cavendish Avenue. As such the impact of the first floor rear projection in relation to daylight, outlook and overshadowing is considered to be satisfactory. The projection of the proposed first floor front extension has been reduced and in conjunction with the separation distance with no. 130, it is considered that the no undue impacts would result in terms of outlook, daylight and overshadowing from the proposed first-floor front extension.
- 6.4.7 With regards to the impact of the proposal on the residential amenities of the attached property, no. 134, the replacement

dwellinghouse would feature a single storey rear element which would project 3m from the adjacent rear wall of no. 134 and would be sited 600mm away from the shared boundary. The first-floor rear projection would be sited 3.3m away from the shared boundary with the attached dwellinghouse. For these reasons, officers consider that the impacts in relation to daylight, outlook and overshadowing are satisfactory.

6.4.8 In terms of the impacts of privacy on the occupants of no. 130 Cavendish Avenue, no flank windows are proposed for the eastern elevations of the development and therefore would be satisfactory in terms of privacy or perceived overlooking. The preceding application proposed floor to ceiling patio windows facing the common boundary with no. 134. These have been omitted in the current application. Additionally, the Juliette balcony has been removed from the rear dormer and the rear window sizes have been reduced. Under these circumstances, it is considered that the proposal would not have an unduly harmful impact on the privacy amenity of the adjoining occupiers

6.4.9 An objection has been raised on the level of activity which may arise as a result of the use of the basement. The proposed basement is annotated to feature a bar and home cinema. The application is for the construction of a single family dwellinghouse and therefore it is reasonable to expect a family to occupy the proposed dwelling on this basis. While the provision of a home cinema and bar within the basement may increase the potential entertaining space for the future occupiers, given the scale and context of the basement use, officers consider that it would not result in undue noise or activity disturbances to a degree which would have a harmful impact on the residential amenities of the adjoining occupiers.

6.5 Traffic and Parking

6.5.1 The London Plan (2016) and the adopted Core Strategy (2012) encourage and advocate sustainable modes of travel and requires that each development should be assessed on its respective merits and requirements, in terms of the level of parking spaces to be provided etc.

6.5.2 Objections have been raised in relation to the impacts of the proposal on parking. Policy DM42 of the DMP gives 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. The replacement dwellinghouse would be accessed via the existing crossover to the site and would provide the same level of off-site parking as pre-existing. The Council's highway department have not raised an objection to the scheme in terms of parking and servicing.

6.6 Development and Flood Risk

- 6.6.1 The application site is located within a critical drainage area as defined by the maps held by the local drainage authority. The proposed replacement dwellinghouse would increase the amount of hardstanding area on the property. The Council's drainage engineer has raised no objection to the proposed development subject to conditions with regards to surface and foul water disposal, surface water attenuation and storage and basement details.

7.0 CONCLUSION AND REASONS FOR APPROVAL

- 7.1 The proposed dwellinghouse would have a satisfactory impact on the character and appearance locality and would not have a detrimental impact on the residential amenities of adjoining occupiers. The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2018), the policies and proposals in The London Plan (2016), the Harrow Core Strategy (2012) and the Development Management Policies Local Plan (2013), and to all relevant material considerations, and any comments received in response to publicity and consultation

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Drawing and Documents

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: E-0000 Rev PL-00, E-0101 Rev PL-01, E-0102 Rev PL-01, E-0103 Rev PL-01, E-0200 Rev PL-01, E-0201 Rev PL-01, E-0300 Rev PL-01, E-0301 Rev PL-01, E-0303 Rev PL-01, E-0302 Rev PL-00, 0101 Rev PL-01, 0102 Rev PL-01, 0103 Rev PL-01, 0200 Rev PL-01, 0201 Rev PL-01, 0300 Rev PL-01, 0301 Rev PL-01, 0302 Rev PL-01, 0303 Rev PL-01, 0100 Rev PL-02, 0102 Rev PL-05 (proposed ground floor), PL-0102 Rev PL-06, 0103 Rev PL-04 (proposed second floor plan), 0104 PL-04, 0105 Rev PL-03, 0200 Rev PL-03 (proposed section AA), 0201 Rev PL-04 (proposed section BB), 0202 Rev PL-03, 0300 Rev PL-06 (proposed front elevation), 0301 Rev PL-06 (proposed rear elevation), 0302 Rev PL-06 (proposed side elevation, P-0303 Rev PL-04, Design and Access Statement

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

3. Materials

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

- a) Facing materials and roof
- b) Windows and doors
- c) Rainwater goods
- d) Boundary treatment
- e) Hardsurfacing

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

REASON: To safeguard the appearance of the locality and to ensure effective surface water drainage.

4. Glazing

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

REASON: To safeguard the amenity of neighbouring residents.

5. No Balcony

The flat roof area of the dwellinghouse hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority

REASON: To safeguard the residential amenities of neighbouring residents, in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

6. Landscaping 1

The development of the dwellinghouse hereby permitted shall not be occupied until there has been submitted to, and approved in writing, by the local planning authority, a scheme of hard and soft landscaping including details of the boundary treatment and refuse store. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To safeguard the appearance and character of the area, and to enhance the appearance of the development, in accordance with policy DM23 of the Development Management Policies Local Plan 2013.

7. Landscaping 2

All planting, seeding or turfing comprised 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

8. Site Levels

No site works or development shall commence 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 levels of the site, have been submitted to, and approved 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, in accordance with policies DM1 and DM10 of the Development Management Policies Local Plan 2013. Details are required prior to commencement of development to ensure a satisfactory form of development.

9. Accessible and Adaptable Dwellings

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 2015 and thereafter retained in that form as far as possible.

REASON: To ensure that, where the development is capable of meeting 'Accessible and adaptable dwellings' standards and that the development complies with relevant policies.

10. Construction Method Statement

The development of the dwellinghouses hereby permitted shall not be commenced until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include, but shall not be limited to:

- 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

The demolition and construction of the building on site shall be carried out in accordance with the approved Method Statement.

REASON: In the interests of public safety and to ensure a minimal effect on the amenities of neighbouring premises and the transport network, in accordance with policies DM1 and DM43 of the Development Management Policies Local Plan 2013. Details are required prior to commencement of development to ensure a satisfactory form of development.

11. Permitted Development Restriction

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

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

12. Drainage 1

The dwellinghouse hereby permitted shall not commence until a scheme for works for the disposal of surface water, surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To make use of sustainable drainage measures to control the rate and volume of surface water runoff, to ensure separation of surface and foul water systems, make provision for storage and demonstrate arrangements for the management and maintenance of the measures, in accordance with Policy 5.13 of The London Plan (2016) and Policy DM 10 of the Harrow Development Management Policies Local Plan (2013). Details are required prior to commencement of development to ensure a satisfactory form of development.

13. Drainage 2

The dwellinghouse hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided in accordance with policy DM10 of the Development Management Policies Local Plan 2013

14. Drainage 3

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 and in accordance with policy DM10 of the Development Management Policies Local Plan 2013. Details are required prior to commencement of development to ensure a satisfactory form of development.

15. Design and Method Statement London Underground

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- provide details on the use of tall plant/scaffolding
- accommodate the location of the existing London Underground structures
- demonstrate that there will at no time be any potential security risk to our railway, property or structures
- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012. Details are required prior to commencement of development to ensure a satisfactory form of development.

Informatives

1. Policies

The following policies are relevant to this decision:

National Planning Policy Framework [NPPF] (2018)

The London Plan (2016)

Polices: 3.1, 3.5, 3.8, 5.12, 5.13, 6.9, 6.13, 7.1, 7.2, 7.4, 7.6

The Draft London Plan (2017)

D1, D2, D3, D5, D9 H1, SI5, T3, T6.1

The Harrow Core Strategy (2012)

Core Policy CS 1

Development Management Policies Local Plan (2013)

DM1, DM2, DM10, DM18, DM22, DM23, DM27 and DM42

Supplementary Planning Document – Residential Design Guide (2010)

Supplementary Planning Document – Garden Land Development (2013)

2. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015

This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3. Compliance with Planning Conditions

Compliance With Planning Conditions Requiring Submission and Approval of Details Before Development Commences

- You will be in breach of planning permission if you start development without complying with a condition requiring you to do something before you start. For example, that a scheme or details of the development must first be approved by the Local Planning Authority.
- Carrying out works in breach of such a condition will not satisfy the requirement to commence the development within the time permitted
- Beginning development in breach of a planning condition will invalidate your planning permission.
- If you require confirmation as to whether the works you have carried out are acceptable, then you should apply to the Local Planning Authority for a certificate of lawfulness

4. GLA Community Infrastructure Levy

Please be advised that approval of this application, (by PINS if allowed on Appeal following the Refusal by Harrow Council), attracts a liability payment of £9,450.00 of Community Infrastructure Levy. This charge has been levied under Greater London Authority CIL charging schedule and s211 of the Planning Act 2008. Harrow Council as CIL collecting authority on commencement of development will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £9,450.00 for the application, based on the levy rate for Harrow of £35/sqm and the stated floorspace of 2642 sqm. You are advised to visit the planning portal website where you can download the appropriate document templates.

5. Harrow Community Infrastructure Levy

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: £29,700.00

6. Party Wall Act

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

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

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

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

00862 when ordering. Also available for download from the Portal website:

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

7. Highways

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 applicants expense. Failure to report any damage could result in a charge being levied against the property

8. Considerate Contractor Code of Practice

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

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

0800-1300 hours Saturday

9. 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

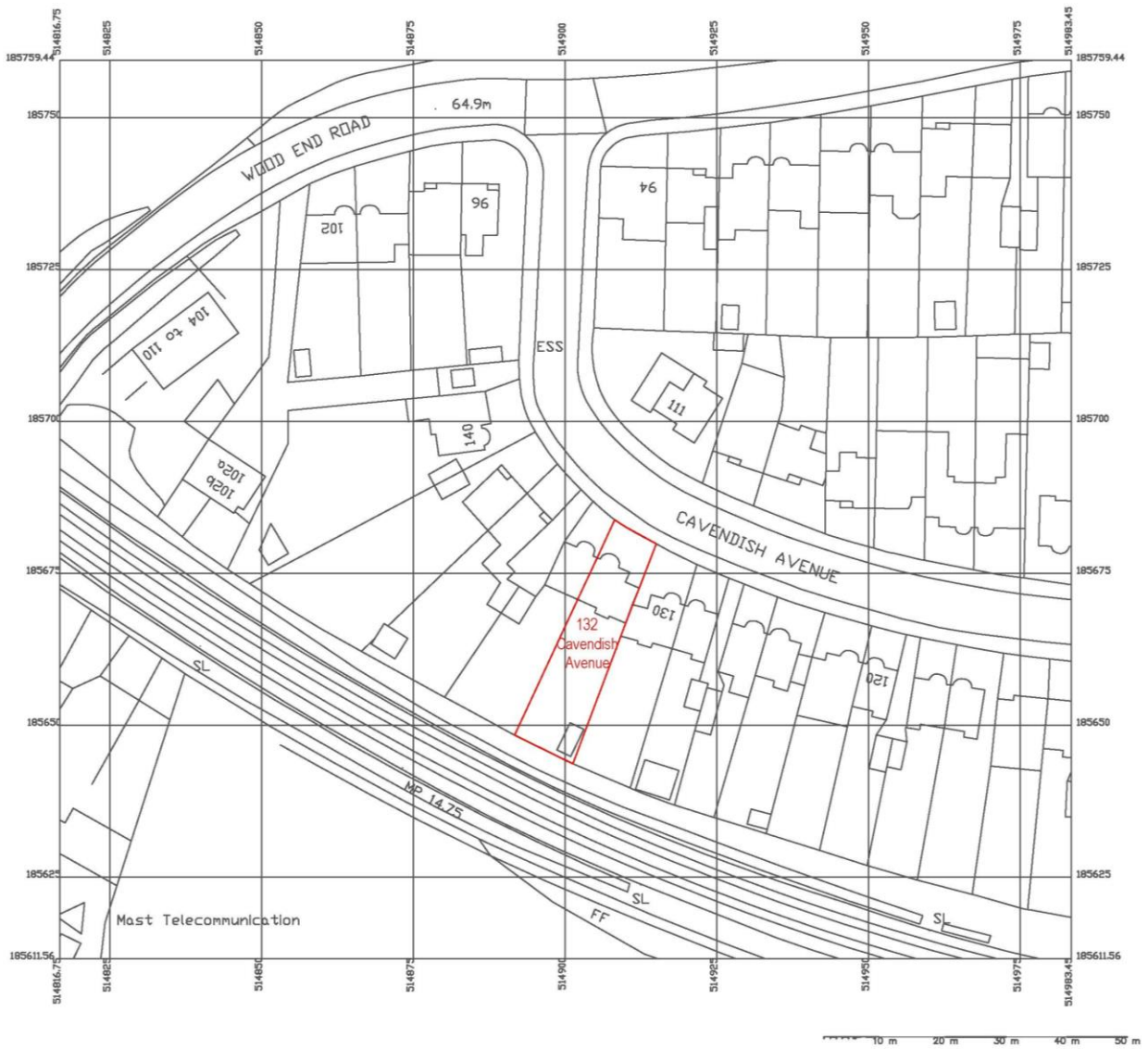
there are practical reasons for not doing so. Sustainable drainage systems cover the whole range of sustainable approaches to surface drainage management. They are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Therefore, almost any development should be able to include a sustainable drainage scheme based on these principles.

The applicant can contact Harrow Drainage Section for further information

9. Thames Water

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE Photographs

Pre-existing dwellinghouse



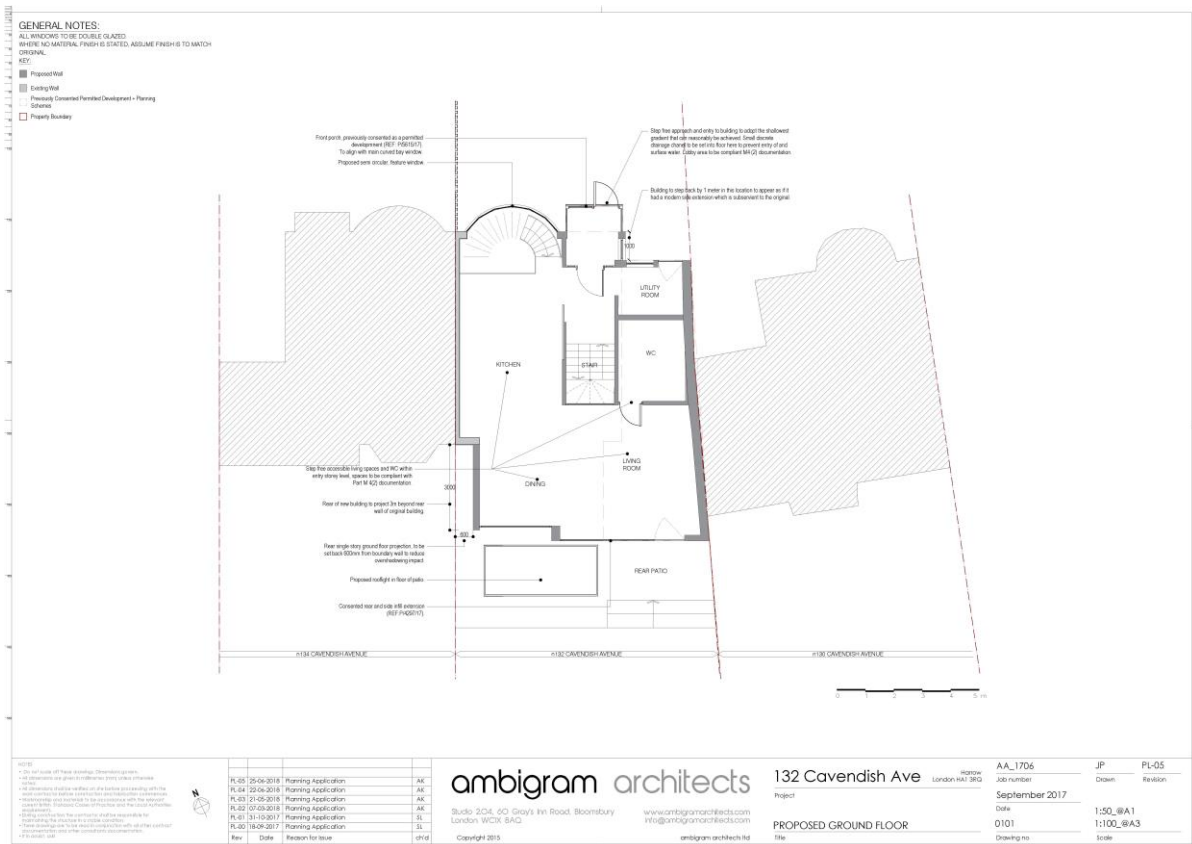
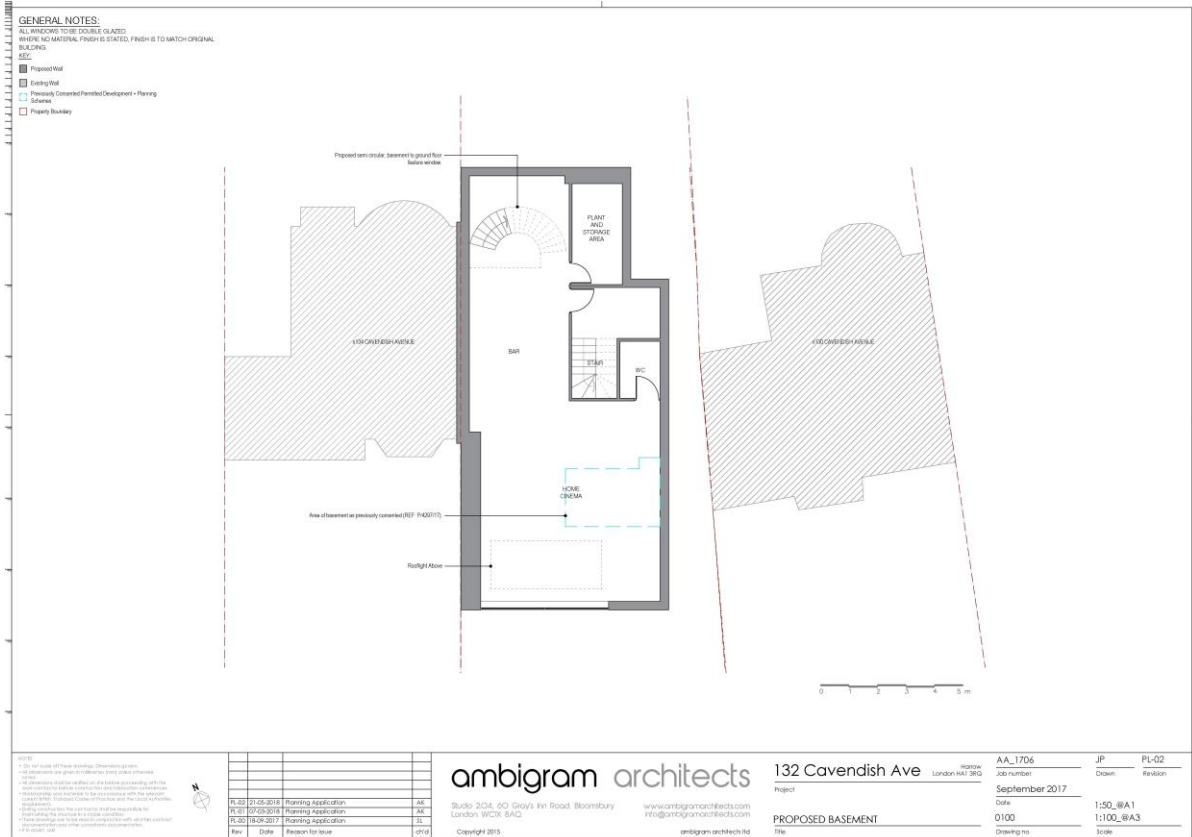


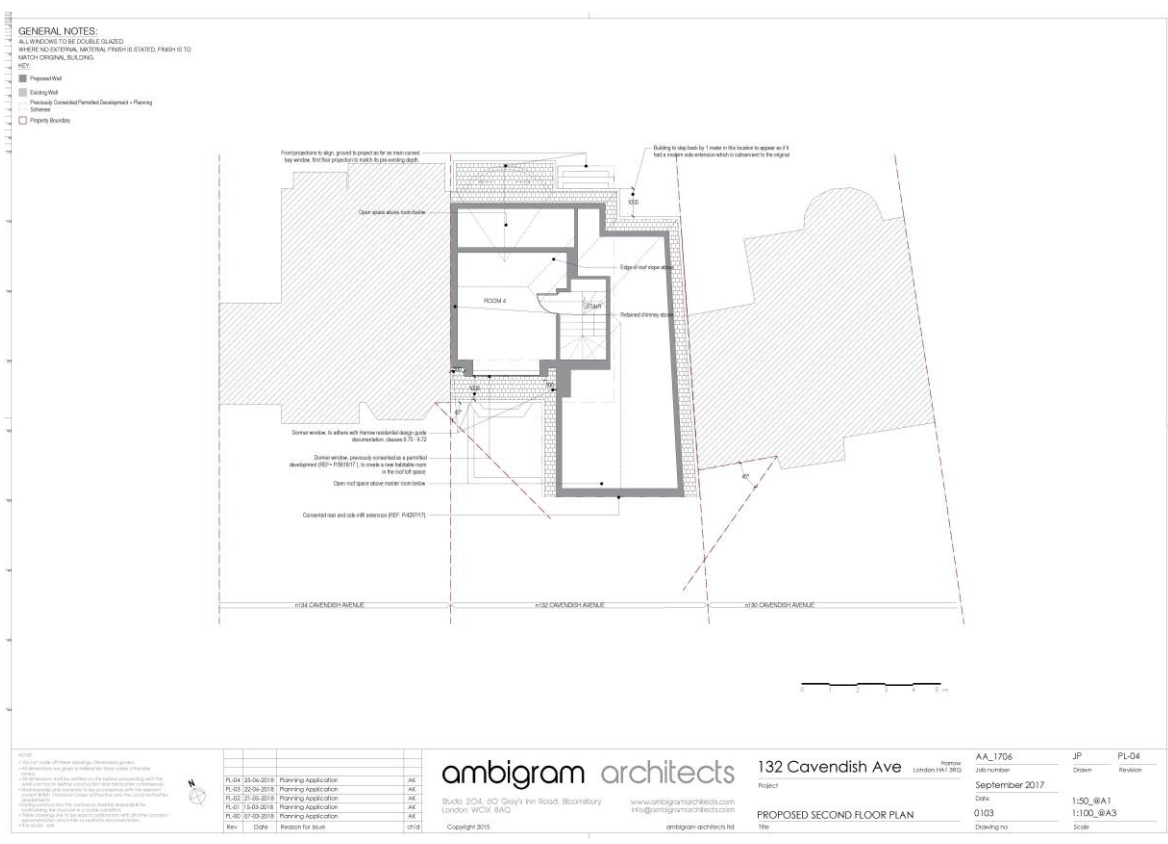
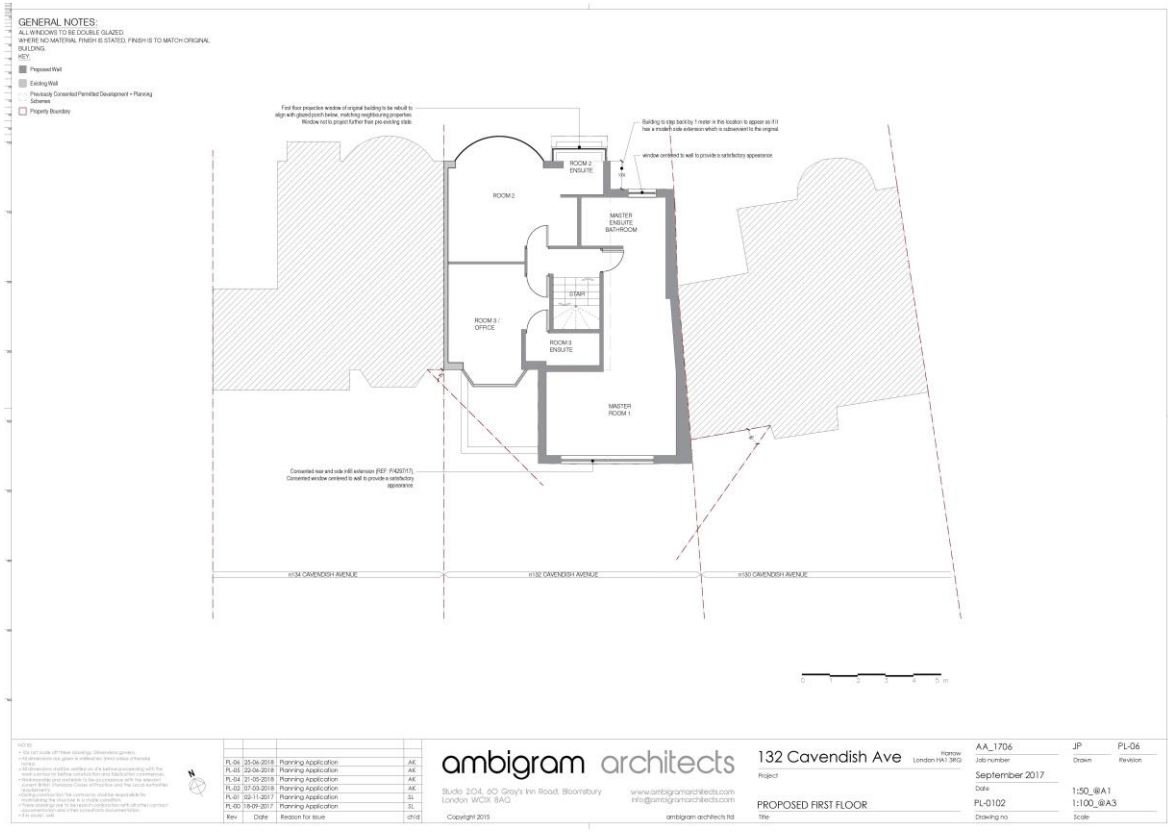
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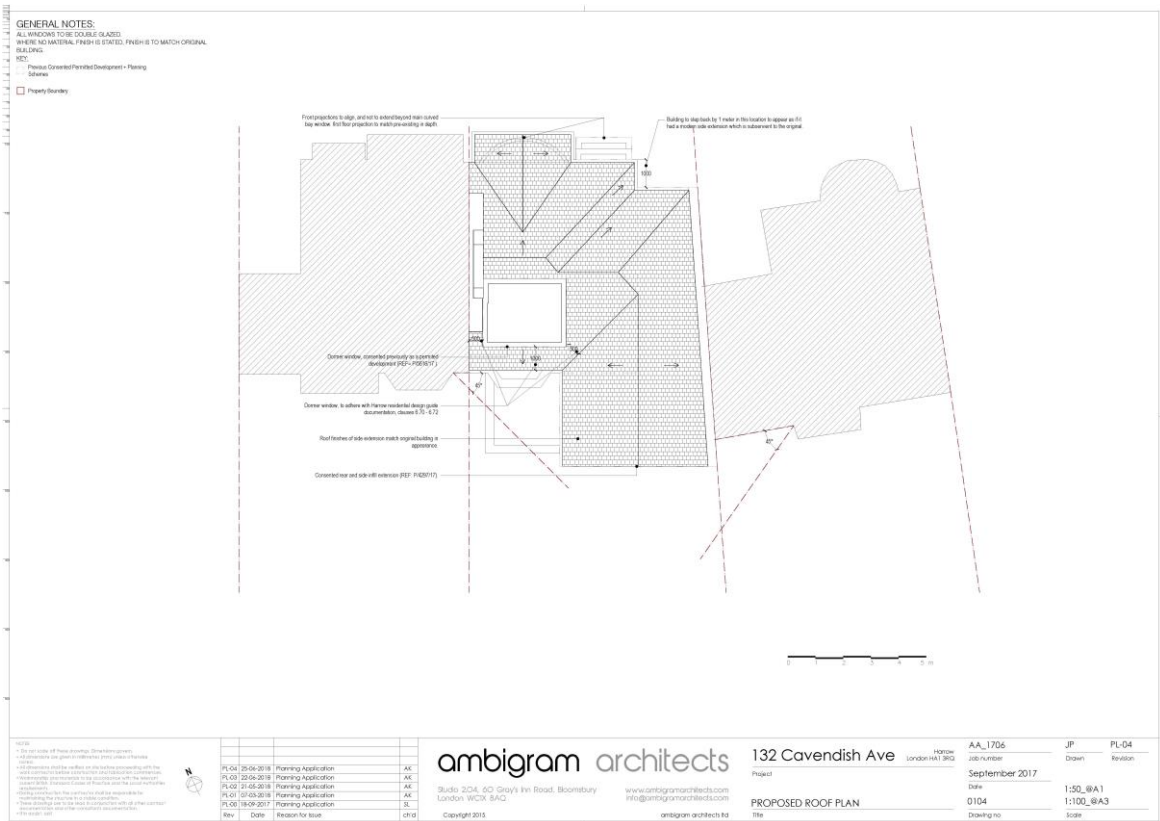


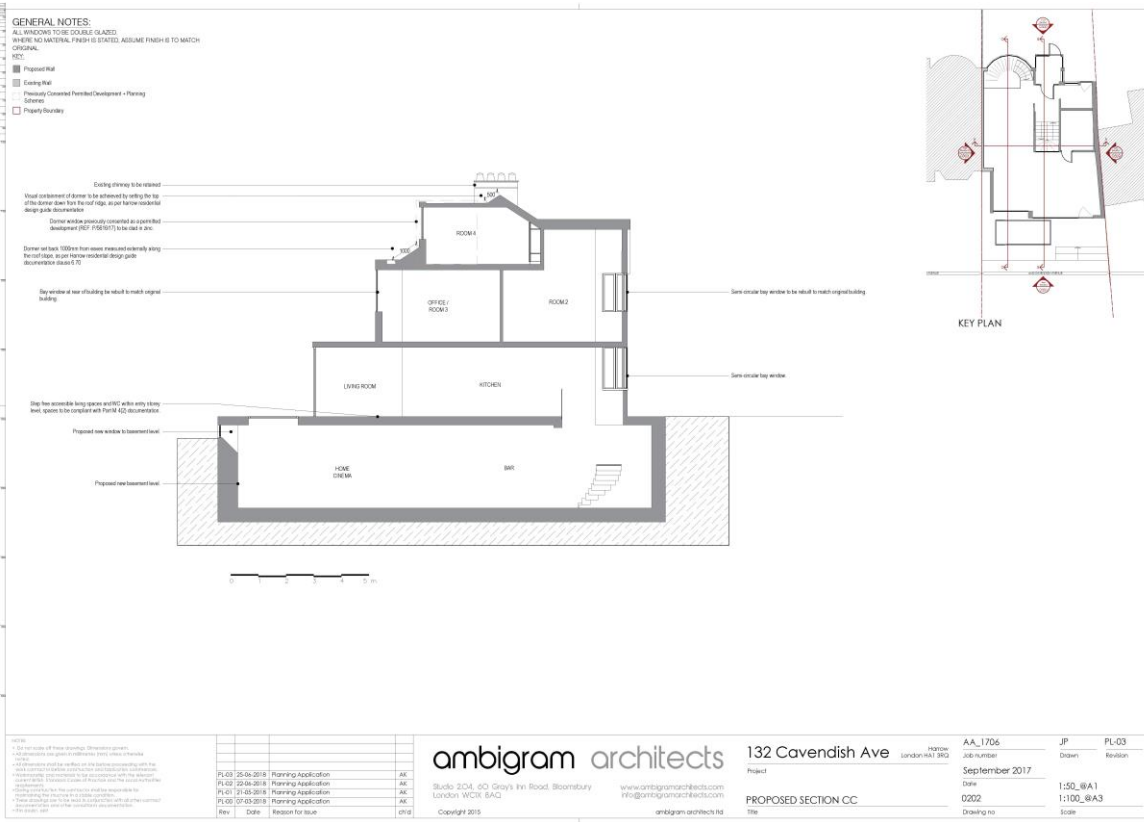
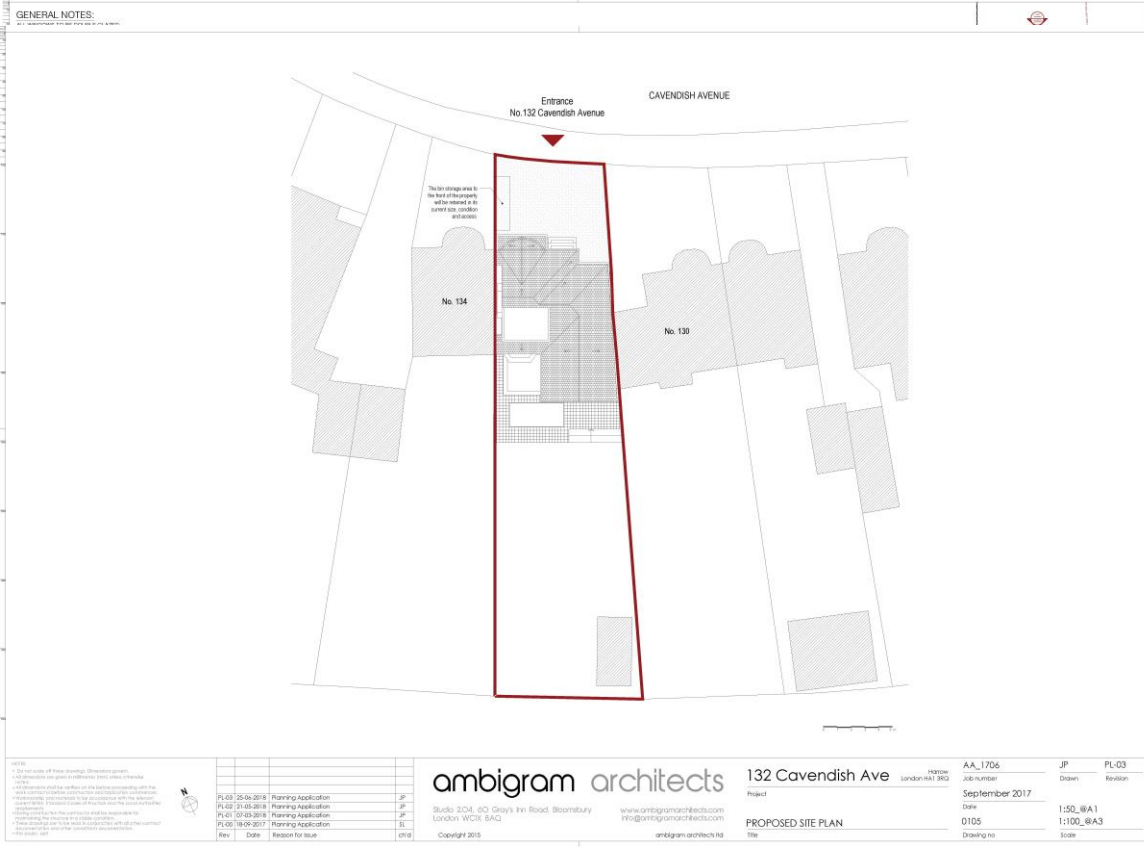






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