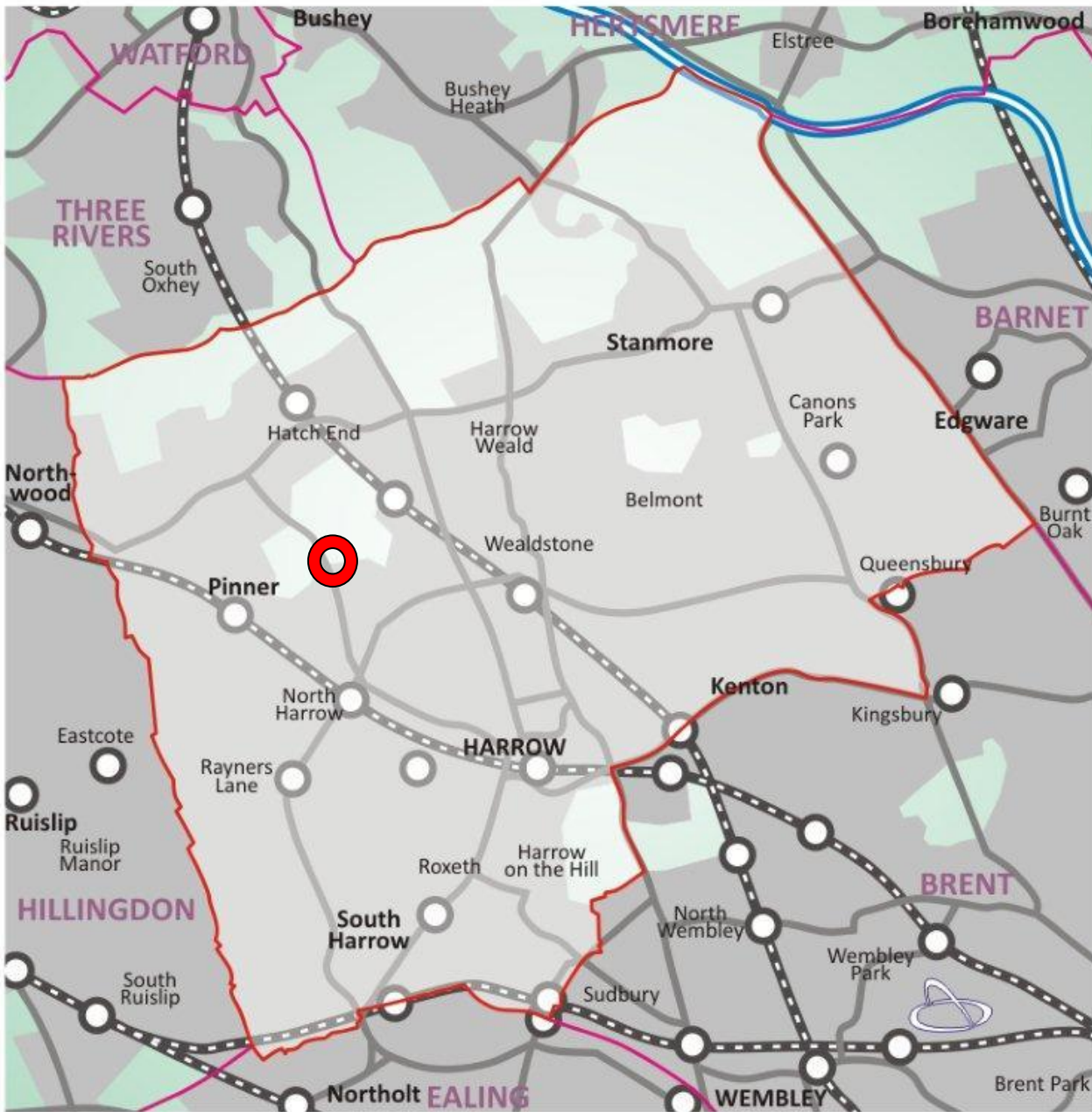
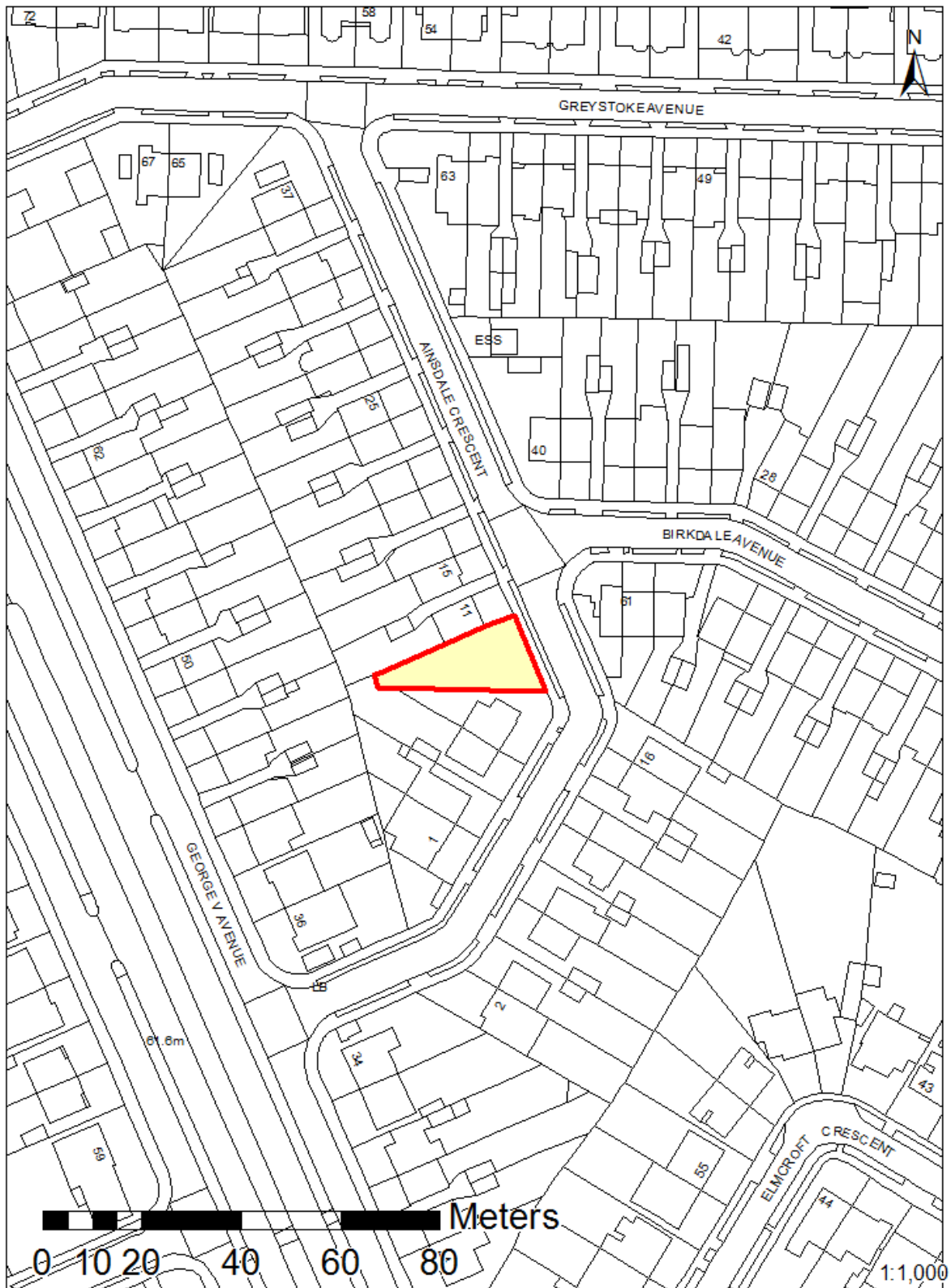


 = application site



| | |
|------------------------|-----------------|
| Address of Site | P4743/18 |
|------------------------|-----------------|

9 Ainsdale Crescent



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

5th September 2018

APPLICATION NUMBER: P/4743/17
VALIDATE DATE: 18/12/2007
LOCATION: 9 AINSDALE CRESCENT
WARD: PINNER
POSTCODE: HA5 5SF
APPLICANT: MR SELVANAYAGAM PANKAYACHLEVAN
AGENT: MR BAINS
CASE OFFICER: CATRIONA COOKE
EXPIRY DATE: 25/04/2018

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.

Change of use from residential (class c3) to care home (class c2)

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 development would provide care for three young people. The proposed internal layouts, specifications and management of the proposed change of use would provide an acceptable standard of accommodation in accordance with Policies 3.16 and 3.17 of The London Plan (2016), Policies DM1 and DM29 of the DMP (2013). Furthermore, the development would not unduly impact on the amenity of the neighbouring occupiers.

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. The application was deferred from the Planning Committee Held on 5th September 2018 for a Members site Visit which is due to be carried out on 22nd September 2018.

| | |
|---|---------------|
| Statutory Return Type: | Change of use |
| Council Interest: | None |
| GLA Community Infrastructure Levy (CIL) Contribution (provisional): | N/A |
| Local CIL requirement: | N/A |

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 CRIME & DISORDER ACT

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

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

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

LIST OF ENCLOSURES / APPENDICES:

Officer Report:
Part 1: Planning Application Fact Sheet
Part 2: Officer Assessment
Appendix 1 – Conditions and Informatives
Appendix 2 – Plans and Elevations

OFFICER REPORT

PART 1: Planning Application Fact Sheet

| The Site | | |
|----------------------------|--------------------------------------|----------|
| Address | 9 Ainsdale Crescent, Pinner, HA5 5SF | |
| Applicant | Mr Selvanayagam Pankayachlevan | |
| Ward | Pinner | |
| Local Plan allocation | N/A | |
| Conservation Area | N/A | |
| Listed Building | N/A | |
| Setting of Listed Building | N/A | |
| Building of Local Interest | N/A | |
| Tree Preservation Order | N/A | |
| Other | Critical Drainage Area | |
| Transportation | | |
| Car parking | No. Existing Car Parking spaces | 2 |
| | No. Proposed Car Parking spaces | 2 |
| | Proposed Parking Ratio | |
| Public Transport | PTAL Rating | 1a |
| | Closest Rail Station / Distance (m) | |
| | Bus Routes | H18; H19 |

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a two storey semi-detached property on the western side of Ainsdale Crescent.
- 1.2 The dwellinghouse has been extended with a two storey side extension.
- 1.3 The property is not located within a conservation area, nor is it statutorily / locally listed. The site is located inside an archaeological priory area.
- 1.4 The site is in a Critical Drainage Area

2.0 PROPOSAL

- 2.1 It is proposed to change the use of the dwelling house to a care home for three vulnerable adolescents with two full time carers on site. There would be no external or internal alterations.

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 |
|----------------|--------------------------------------|------------------------------------|
| LBH/27402 | Two storey side extension assistant: | Granted 22/04/1985 |

4.0 CONSULTATION

- 4.1 A total of 3 notification letters were sent to neighbouring properties regarding this application
- 4.2 The public consultation period expired on 08/01/2018
- 4.3 Adjoining Properties

| | |
|---|----|
| Number of letters Sent | 3 |
| Number of Responses Received | 22 |
| Number in Support | 0 |
| Number of Objections | 22 |
| Number of other Representations (neither objecting or | 0 |

| | |
|-------------|--|
| supporting) | |
|-------------|--|

4.4 22 objections were received from adjoining residents.

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

| Details of Representation | Summary of Comments | Officer Comments |
|--|---|---|
| Residents of Ainsdale Road/Birkdale Avenue | In a family orientated neighbourhood, a change of use of use of a dwellinghouse is not in keeping with the character of the area. | Issues relating to character are assessed in section 6.3 of this report |
| | Congestion and parking issues due to close proximity to Pinner Park and Nower Hill Schools. | Issues relating to parking congestion are assessed in section 6.7 of this report. |
| | Disturbance and Loss of Privacy | Issues relating to residential amenity are assessed in section 6.5 of this report |
| | Drainage issues | Issues relating to drainage are assessed in section 6.6 of this report. |

4.6 Internal Consultation

| |
|--------------------------|
| LBH Drainage |
| LBH Highways |
| LBH Waste Officer |
| LBH Environmental Health |
| LBH Licencing |

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

| Consultee | Summary of Comments | Officer Comments |
|--------------------------|---|-------------------------|
| Drainage Team | Standard Drainage Conditions should be attached | Noted. |
| Highways Team | No objections subject to retention of existing parking space and bike storage condition | Noted |
| Waste Officer | No comments received | |
| LBH Environmental Health | No comments received | |
| LBH Licencing | No comments received | |

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 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 policies referenced within the report below and a summary within Informative 1

6.0 ASSESSMENT

6.1 The main issues are;

Principle of the Development
Character and Appearance of the Area
Residential Amenity and Accessibility
Traffic, Parking and Drainage

6.2 Principle of Development

6.2.1 Policy 3.8 of The London Plan (2016) 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.

6.2.2 Policy DM 29 supports in principle the conversions to care homes on previously development land.

6.2.4 In this case it is considered that the principle of a change of use to a care home is therefore acceptable.

6.3 Character and Appearance of the Area

6.4.1 There are no external alterations proposed to the host property and therefore there would be no impact on the visual character of the area.

6.4.2 It is noted that objections have been received regarding the change of use being out of character with the residential area. However, given that the proposed use would accommodate two full time staff and three vulnerable children at any one time it is considered that the use would not impact on the established character of the area.

Refuse Storage

6.4.5 Details for a convenient location and arrangement for the storage of refuse bins is a requirement of policies DM1 and DM26 of the Development Management Policies Local Plan 2013 as part of a formal planning submission.

6.4.6 Given that the property will essentially accommodate the number of residents as a conventional dwelling house it is considered that a total of 3 domestic sized bins would be required, which would comprise a bin for general waste, a bin for recycling and a bin for organic (garden only) waste (optional). In addition, there is a requirement for a small bin for food waste. The applicant has confirmed that the current situation for the dwellinghouse would continue. A condition is recommended for full details to be submitted prior to occupation.

6.5 Impact on Neighbouring Amenity

6.5.1 It is noted that objections have been received regarding loss of privacy and disturbance. However as stated above the proposal would essentially accommodate a similar number of occupants as a family dwellinghouse of this size. Therefore, it is considered that the proposal would not result in an increase in disturbance above and beyond the current situation.

6.6 Drainage and Flood Risk

6.6.1 The site lies in a critical drainage area. However as the proposal would not result in an increase in the development footprint. The proposal is considered satisfactory and in accordance with the objectives of policy DM 10 of the DMP and the guidance contained in the NPPF in this regard.

6.7 Traffic and Parking

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.

6.7.2 The proposal would retain the existing two parking spaces within the curtilage of the site. It is noted that several objections have been raised siting the potential of parking and congestions. The Highways Authority has been consulted and has raised no objection. As noted above the care home would essentially have the occupancy of a single family dwellinghouse and therefore the proposed parking is considered acceptable.

6.7.3 The development would not result in any significant increase in traffic movements from the site or unreasonable impacts on highway safety and convenience, and would therefore accord with policies DM26 and DM42 of the DMP.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal would have no undue impact upon the adjoining properties and it would have no undue impact upon the character and appearance of the area. The decision to grant planning permission has been taken having regard to National planning policies, the policies of The London Plan 2016, the Harrow Core Strategy 2012, the Harrow and Wealdstone Area Action Plan 2013 and the Development Management Policies Local Plan 2013, as well as to all relevant material considerations including any responses to consultation.

APPENDIX 1 : Conditions and Informatives

Conditions

1 Timing

The use 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: Letter dated 4th April; 3259-01/BK; 3259-02/BK; 3259-03/BK; 3259-04/BK; Site Plan

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

3 Bin Storage

The development hereby approved shall not be occupied until there has been submitted to and approved in writing by the local planning authority a scheme for the storage of three bins. The building shall not be occupied until the works have been completed in accordance with the approved scheme and they 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 DM1 of the Harrow Development Management Local Plans Policy (2013).

4 Bin Storage

The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage area, as shown on the approved drawing.

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

Informatives

1 **Policies**

The following policies are relevant to this decision:

National Planning Policy Practice Guidance (2018)

The London Plan 2016

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 5.13 Sustainable Drainage
- 6.13 Parking
- 7.4 Local Character

The Draft London Plan (2017):

- Policy D2 Delivering Good Design
- Policy D3 Inclusive design
- Policy D4 Housing Quality and Standards

Harrow Core Strategy 2012

Core Policy CS 1 – Overarching Policy Objectives

Harrow Development Management Policies Local Plan (2013)

- Policy DM 1 – Achieving a High Standard of Development Policy
- Policy DM 2 – Achieving Lifetime Neighbourhoods Policy
- Policy DM 10 – On Site Water Management and Surface Water Attenuation
- Policy DM 29 – Sheltered Housing, Care Homes and Extra Care Housing
- Policy DM 42 – Parking Standards
- Policy DM 44 - Servicing
- Policy DM 45 – Waste Management

Relevant Supplementary Documents

Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

2 **Pre-application engagement**

Grant without pre-application advice

Statement under Article 31 (1) (cc) of The Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

This decision has been taken in accordance with paragraphs 187- 189 of The National Planning Policy Framework. Harrow 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

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.

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