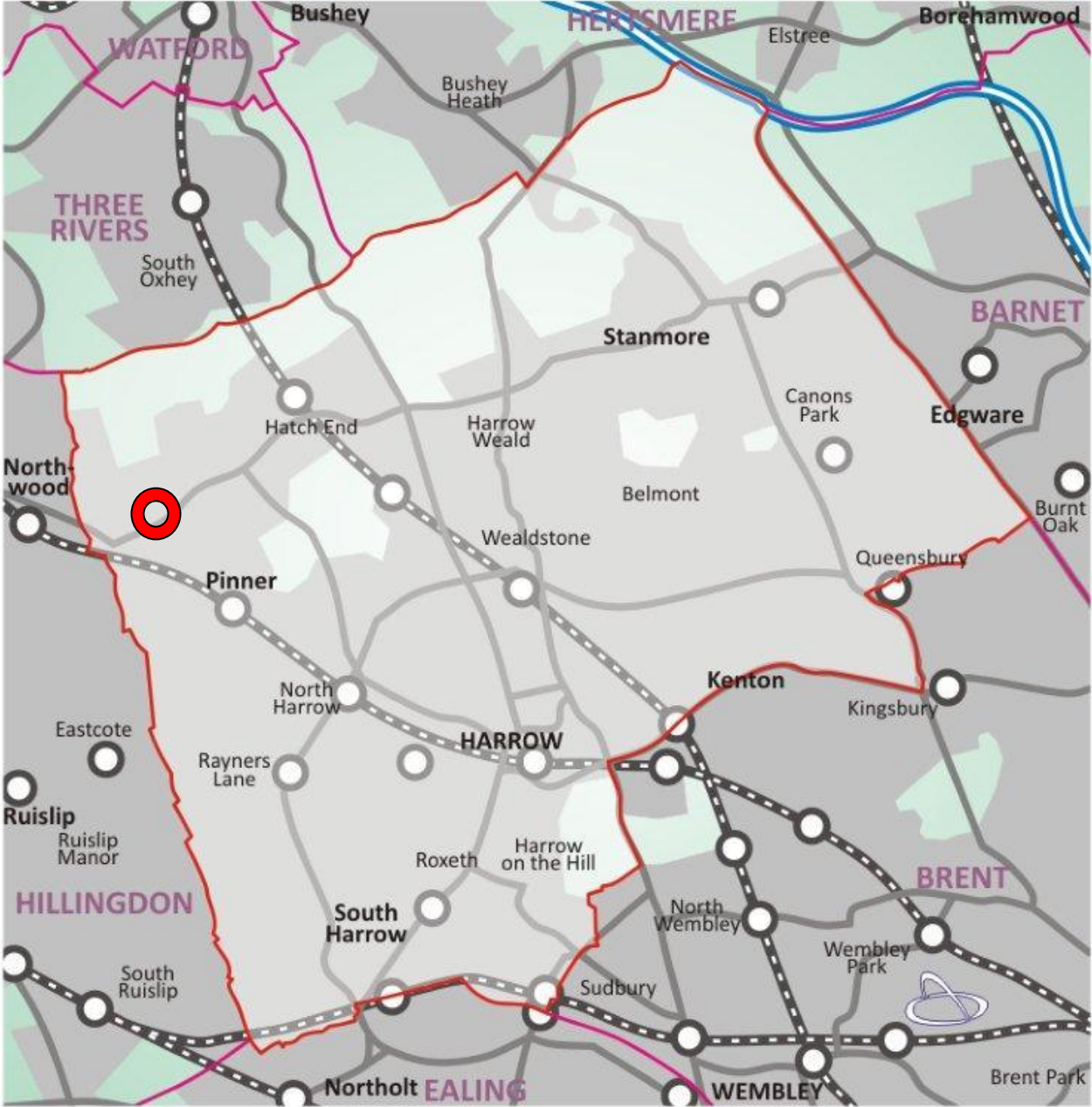
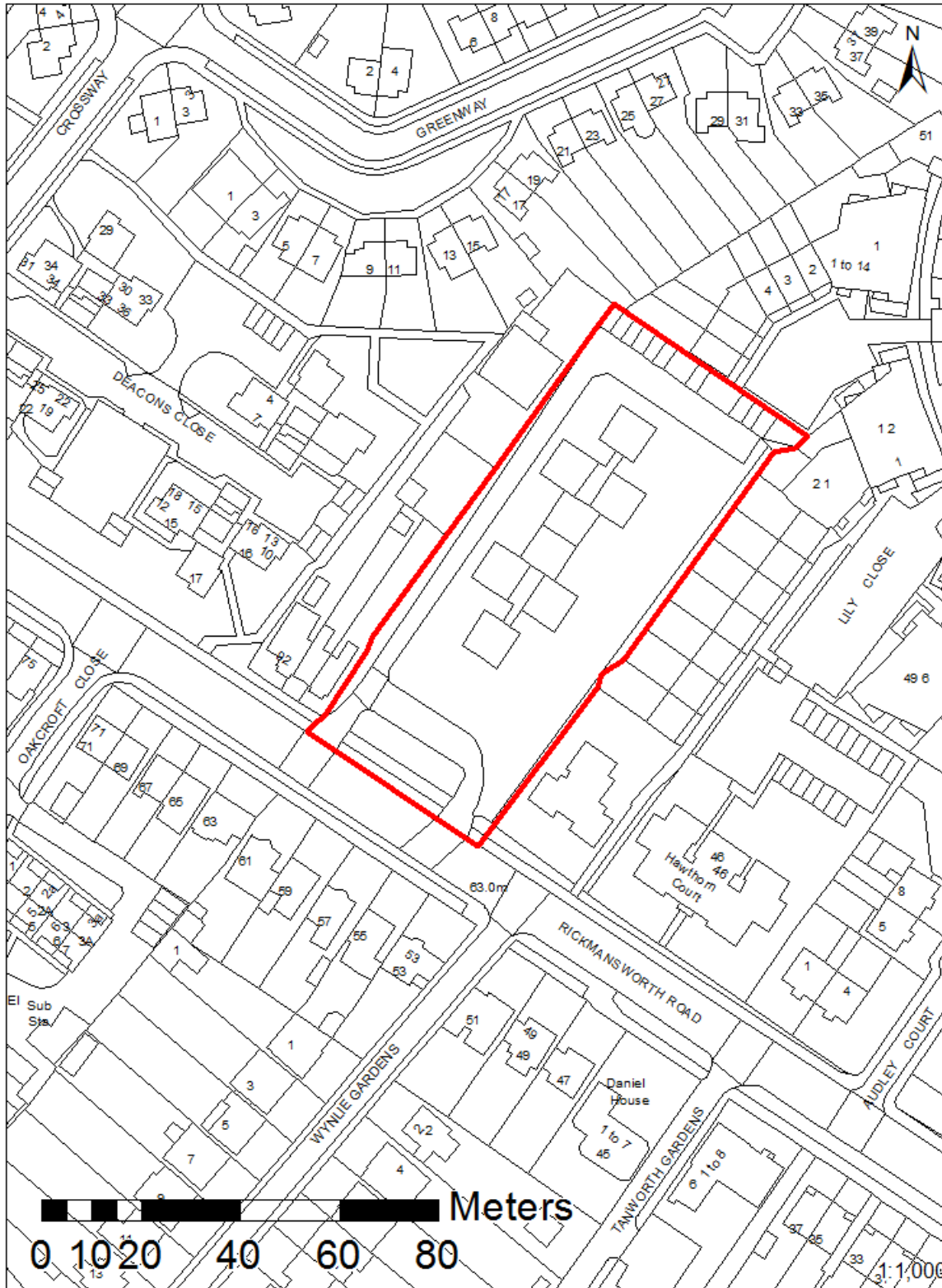


 = application site



<b>NORTHCOTE, 86 RICKMANSWORTH ROAD, PINNER</b>	<b>P/2367/18</b>
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# Northcote, 86 Rickmansworth Road



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**LONDON BOROUGH OF HARROW**

**PLANNING COMMITTEE**

**23rd January 2019**

**APPLICATION NUMBER:** P/2367/18  
**VALIDATE DATE:** 29/06/2018  
**LOCATION:** NORTHCOTE 86 RICKMANSWORTH ROAD,  
PINNER  
**WARD:** PINNER  
**POSTCODE:** HA5 3TW  
**APPLICANT:** MR DAVIES  
**AGENT:** SAGE COTTAGE STUDIO LTD  
**CASE OFFICER:** RAPHAEL ADENEGAN  
**EXPIRY DATE:** 31/01/2019

**PROPOSAL**

Development to provide a two storey building for eight flats (8 x 1 bed flats); front boundary wall; new access from Rickmansworth Road; parking; amenity space; refuse and cycle storage.

The Planning Committee is asked to:

**RECOMMENDATION A**

- 1) agree the reasons for approval as set out this report; and
- 2) grant planning permission subject to authority being delegated to the Interim Chief Planning Officer in consultation with the Director of Legal and Governance Services for the completion of the Section 106 legal agreement and other enabling legislation and issue of the planning permission and subject to minor amendments to the conditions (set out in Appendix 1 of this report) or the legal agreement. The Section 106 Agreement Heads of Terms would cover the following matters:
  - Contribution of £3,000 for the introduction of waiting restrictions at the access to ensure that good visibility is maintained.
  - Planning permission monitoring fee of £1580;

## **RECOMMENDATION B**

That if the Section 106 Agreement is not completed by 12 March 2019, or as such extended period as may be agreed by the Interim Chief Planning Officer in consultation with the Chair of the Planning Committee, then it is recommended to delegate the decision to REFUSE planning permission to the Interim Chief Planning Officer on the grounds that:

The proposal by reason of the closure of one of the two points of egress from the site would result in greater harm to the safety of drivers exiting the site and using Rickmansworth Road. Accordingly, the proposal conflicts with Policy DM42 of the Harrow Council Development Management Policies 2013 insofar as it seeks to maintain the safety of access to the public highway and the Supplementary Planning Document: Planning Obligations (2013).

## **REASON FOR THE RECOMMENDATIONS**

The proposed scheme seeks to provide 8 residential units of accommodation. The proposed residential units would contribute to a strategically important part of the housing stock of the Borough, in accordance with paragraph 3.55 of the London Plan (2016). The proposed development would have a satisfactory impact on the character of the area, the amenities of existing neighbouring occupiers and future occupiers of the development.

## **INFORMATION**

This application is reported to Planning Committee as the proposed development creates more than 3 residential units and therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	Minor Dwelling
Council Interest:	None
GLA Community	£19,985 plus indexing
Infrastructure Levy (CIL)	
Contribution (provisional):	
Local CIL requirement:	£62,810 plus indexing

## **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 Polices 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.

## OFFICER REPORT

### PART 1: Planning Application Fact Sheet

The Site	
Address	Northcote, 86 Rickmansworth Road, Pinner, HA5 3TW
Applicant	Mr Davies
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	None
Other	N/A

Housing		
Density  (whole site including Northcote)	Proposed Density hr/ha	297
	Proposed Density u/ph	74.4
	PTAL	A / 1B / 2
	London Plan Density Range	150–250 hr/ha 50–95 u/ha
Dwelling Mix	Studio (no. / %)	
	1 bed ( no. / %)	8/ 100%
	2 bed ( no. / %)	
	3 bed ( no. / %)	
	4 bed ( no. / %)	
	Overall % of Affordable Housing	N/A
	Comply with London Housing SPG?	Yes
Comply with M4(2) of Building Regulations?	Condition attached	
Transportation		
Car parking	No. Existing Car Parking spaces	4
	No. Proposed Car Parking spaces	8
	Proposed Parking Ratio	1:1

Cycle Parking	No. Existing Cycle Parking spaces	0
	No. Proposed Cycle Parking spaces	8
	Cycle Parking Ratio	1:1
Public Transport	PTAL Rating	
	Closest Rail Station / Distance (m)	Northwood Hills (730m)
	Bus Routes	
Parking Controls	Controlled Parking Zone?	N/A
	CPZ Hours	N/A
	Previous CPZ Consultation (if not in a CPZ)	N/A
	Other on-street controls	
Parking Stress	Area/streets of parking stress survey	N/A
	Dates/times of parking stress survey	N/A
	Summary of results of survey	N/A
Refuse/Recycling Collection	Summary of proposed refuse/recycling strategy	Refer to planning application documents

<b>Sustainability / Energy</b>	
BREEAM Rating	N/A
Development complies with Part L 2013	Condition Added
Renewable Energy Source / %	N/A

## **PART 2: Assessment**

### **1.0 SITE DESCRIPTION**

- 1.1 The application site contains a purpose built block of flats containing 24 self-contained flats named 'Northcote'.
- 1.2 'Northcote' is of a 1930's character consisting of brick and render.
- 1.3 The existing flats are set back from Rickmansworth Road by a substantial amount of open green space which contains a number of mature trees.
- 1.4 There is a front parking area in a u shape used for informal parking.
- 1.5 An access road cuts through the left hand side of the site and loops around the rear of Northcote. There are a number of garages to the rear of the site which are in various states of dis-repair.
- 1.6 Stamford Court, a two storey building containing four maisonettes (built in the early 2000's) shares the access road serving Northcote.
- 1.7 To the front of Stamford Court and neighbouring the boundary of Northcote (to the northwest) is Nos 88-92 Rickmansworth Road which are a terrace of Victorian dwellinghouses.
- 1.8 The site is located within an area with a public transport accessibility level (PTAL) of 2.
- 1.9 The site is not located within a critical drainage area

### **2.0 PROPOSAL**

- 2.1 The proposal is to build a new block of 8 x 1 bedroom flats with associated refuse bin/cycle storage to the south-western side of the site in front of the existing Northcote building.
- 2.2 The proposal would consist of 8 x 1 bedroom 2 person units with 4 each on ground and first floors. The units would measure 53sq.m, with windows angled to avoid overlooking of rear. The proposed ground floor flats would benefit from 5.0sqm of private amenity space
- 2.3 The proposed building would be located close to the boundary of the site with Rickmansworth Road and would measure 7.40m in height to the roof ridge and 6.10m to the eaves with a width of 24m and a depth of 12m.
- 2.4 It is proposed to subdivide the land between the existing 'Northcote' and proposed residential block by constructing a 2.0m high boundary wall.



2.5 The refuse would be located in a new storage block located on the north-western boundary of the site. This structure would also contain refuse storage for the existing flats on site.

### 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>
P/3333/10	Bin Store to the Front of the Property	Refused: 16/02/2011
P/3719/16	Redevelopment to provide 5 x terraced house; new vehicle access; parking, bin and cycle store	Withdrawn by applicant
P/2065/16	Development of a three storey building for nine flats; new access; parking and bins storage	Withdrawn by applicant
P/4311/16	Development To Provide A Two Storey Building For Eight Flats; New Access From Rickmansworth Road Parking And Bin / Cycle Storage	<p>Refused on 17/11/2016 for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposal, by reason of its excessive use of different materials and fenestration would result in a poor design and be unduly obtrusive to the detriment of the character of the street scene and the area, contrary to the NPPF, policies 7.4B and 7.6B of The London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document: Residential Design Guide (2010).</li> <li>2. The proposal has failed to demonstrate that there has been sufficient provision made for private outdoor amenity space, resulting in an inadequate standard of amenity for the future occupiers, contrary to policy DM1 of the Harrow Development Management Policies Local Plan (2013), the Harrow Residential Design Guide SPD and the Mayor of London Housing Design Guide SPG (2016).</li> </ol>

		<p>3. The proposed refuse arrangements due to the poor accessibility of the proposed bins within the storage area, the potential harm to highway safety due to the door openings and the failure to demonstrate that these could be safely accessed by future and existing occupiers, would be detrimental to the amenity of existing and future occupiers and detrimental to the successful functioning of the service road. The proposal is therefore contrary to policies DM1, DM44.C and DM45 of the Development Management Policies Local Plan 2013.</p> <p>4. The proposal has failed to satisfactorily address the loss of existing car parking spaces or demonstrate that future requirements would be satisfactorily met, would be likely to increase parking stress on the surrounding network and has also failed to demonstrate that it would allow safe movement of traffic and circulation for pedestrians, to the detriment of highway safety and convenience contrary to policies DM1 and DM42 of the Development Management Policies Local Plan (2013).</p> <p>5. The proposed development, in the absence of sufficient information to demonstrate that the loss of existing trees and green space would not impinge on the health and wellbeing of wildlife and biodiversity in the area would be contrary to policy 7.19 of the London Plan (2016) and DM20 of the Development Management Policies Local Plan 2013.</p>
P/2161/17	Development To Provide A Two Storey Building For Eight Flats; Front Boundary Wall; New Access From Rickmansworth Road Parking, Amenity Space, refuse and cycle Storage.	<p>Refused on 20/07/2017 for the following reason:</p> <p>The proposal has failed to satisfactorily address the loss of existing car parking spaces or demonstrate that future requirements would be satisfactorily met, therefore it would be likely to increase parking stress on the surrounding network and has also failed to demonstrate that it would allow safe movement of traffic and circulation for pedestrians, to the detriment of highway safety and convenience contrary to policy 6.13 of the London Plan</p>

		<p>(2016), policies DM1 and DM42 of the Development Management Policies Local Plan (2013).</p> <p>This was subsequently dismissed at appeal ref. APP/M5450/W/17/3187061 dated March 18 2018.</p>
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### Summary of Appeal Decision

- 3.2 In reaching his decision to dismiss the appeal, the Inspector considered that by virtue of the scheme removing the southern access point, and through the creation of additional units, that the northern most access would experience a marked intensification of use. The Inspector considered that by virtue of unrestricted parking being available along Rickmansworth Road, the visibility at the northern junction was inadequate. It is worthy to note that the Inspector was not presented with any material evidence on this point by virtue of both the Appellant and the Council agreeing that the proposed was safe.
- 3.3 With regards to refuse collection, the Inspector concluded that despite the Appellant setting out that a vehicle could get within close proximity to bin storage areas to facilitate refuse collection that the Appellant had not demonstrated that such manoeuvring could be undertaken safely without conflict with other vehicles. Accordingly, when considering the relative frequency and regularity of this manoeuvre, the Inspector found a conflict with Policy DM1 of the Development Management Policies Local Plan insofar as it seeks to secure the convenience and safety of servicing.
- 3.4 It is important to note that the Inspector, in coming to the above conclusion did not conclude that the impacts of the above were “severe”, instead , noted that he had insufficient evidence to discount that those impacts were not severe. In light of those conclusions, and in attaching significant weight to them, the Inspector went on to conclude, on ‘on balance’ that the appeal should not succeed.

### **4.0 CONSULTATION**

- 4.1 A total of 65 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 The overall public consultation period expired on 21<sup>st</sup> July 2018.

#### 4.3 Adjoining Properties

Number of letters Sent	56
Number of Responses Received	44
Number in Support	0
Number of Objections	44
Number of other Representations (neither objecting or supporting)	0

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

Principle of the Development

- i. There is no requirement for additional housing in the area;

Character of Development

- ii. The building would not be in keeping with the area and would be harmful;  
iii. Loss of trees would be harmful to the character of the area;  
iv. Dividing wall not in character;  
v. While there are some other flats close to the road, most properties on the street are houses or the flats are set back with a green area in front. I can't help but feel that any more flats close to the road would affect the look and feel of what is otherwise is a very nice aesthetic for a main road;

Neighbouring Amenity

- vi. The proposal would result in a loss of privacy to neighbouring occupiers, due to the new building and the loss of trees;  
vii. The proposal will result in a loss of light and outlook for existing occupiers due to proposed new building, wall and trees, especially blocking out light to Flats 1-5 Northcote, which would directly face the new development;  
viii. The proposed new wall will lead to segregation and a sense of a hostile environment;  
ix. The proposal will result in a loss of green space which is used as children's play area/amenity space;

Traffic and Parking

- x. The loss of existing parking spaces and one of the two access points will be harmful to the existing occupiers which will consequently spill out on to Rickmansworth Road;  
xi. There will be safety issues due to the loss of one of the existing entrance/exit will require drivers to reverse out, causing a number of problems especially congestion, potential accidents, with bin lorries etc. which will be exacerbated by extra housing;  
xii. Loss of entrance in relation to access, servicing and emergency vehicles;

- xiii. As Northcote suffers from health and safety issues and if another Grenfell were to happen here, then who would be to blame;
- xiv. Stamford Court has been completely overlooked in this proposal. We are already subject to cars using our carpark to turn around, park their cars without our permission since Northcote is already congested. This will cause more congestion;
- xv. No allowance for visitor parking;
- xvi. Parking overspill issues;
- xvii. Construction impacts on occupiers of Northcote and neighbouring occupiers;
- xviii. There seem not to be any provision for pedestrians and their safety. Residents, most of whom have young families, would need to weave through the traffic;
- xix. The evidence provided seems to have only been based on a snap shot taken on a short time frame, which is based on photos as video evidence has not been made available;
- xx. The evidence provided has not taken into account the changes in traffic congestion over different periods of time;
- xxi. The data collected does not take into account extra traffic related to Northwood School as there is already a marked increase;
- xxii. The proposal does not take into account the impact it will have on the main Rickmansworth Road as well as existing residents;

#### Refuse Bins/Bike Store

- xxiii. Having the bin stores right near the entrance will cause congestion especially on bin collection day;
- xxiv. The location of the bins adjacent to house 88 Rickmansworth Road where they have a window in the side wall and will cause smells to seep into their home;
- xxv. No consideration has been made for the fact that cars may still decide to park in front of the bins stores leading to delays in the trucks getting into the site and causing more hold up and disruption on the busy road;
- xxvi. The increased level of bin storage will result in harmful hygiene, vermin problems which are a health and safety issue;
- xxvii. The bike and bin store will result in obstruction to the existing road which has been reduced in width Doors of store will open outwards which would harm the highway safety;
- xxviii. Amount of refuse storage is not sufficient;
- xxix. Stamford Court share the bins with Northcote;
- xxx. The bike store at the front will result in potential theft/crime issues;
- xxxi. The loss of trees would result in increased flood risk and potentially subsidence;

#### Trees and Flooding / Subsidence

- xxxii. The trees may be protected or should have protected designation and should not be removed;

### Biodiversity

- xxxiii. Loss of the open space would result in loss of shrubbery local birds and other wildlife;

### Other Issues

- xxxiv. Overall, the decision has been made already and was thoroughly investigated, with the previous planning officer visiting residents in person to understand the impact on them and their properties. There is no change to the proposal and given the in depth nature the review previously, I think the outcome reached then would be a robust one;
- xxxv. Maintenance Issues of existing Northcote;
- xxxvi. Potential asbestos in existing garages to the rear of the site;
- xxxvii. There are no visible changes to the plans from the previous application. Therefore, it does not seem there is little regard by the applicant in understanding the current issues and trying to address them;
- xxxviii. The applicant has submitted several applications that have been refused and this new application is adding to the stress caused as a result;

The issues raised above have been addressed in the context of the report.

#### 4.5 Statutory and Non Statutory Consultation

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

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
LBH Highways	The transport statement submitted with the application addresses the matters raised in the appeal. The main issue related to the safety of the vehicle access and the report demonstrates that this proposal does not present a significant highway safety concern, however, in light of the remaining concerns of residents, I would recommend that a s106 contribution is made by the applicant for the introduction of waiting restrictions at the access to ensure that good visibility is maintained.	Noted
LBH Drainage	<u>Drainage Requirements:</u> In line with our Development Management Policy 10, to make use of sustainable drainage	Noted

	<p>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 used, the applicant should submit a surface water drainage strategy.</p> <p><u>Proposed Parking &amp; Hardstandings</u> The use of non-permeable surfacing impacts upon the ability of the environment to absorb surface water, and the hardsurfacing of the front gardens and forecourts lead to localised surface water flooding. Hence our requirement for use of permeable paving for all hardstanding. The applicant should submit full construction details of permeable paving with their maintenance plan.</p> <p><u>New Access:</u> The new access from Rickmansworth Road has been indicated as 5m wide on the submitted drawing. Please inform the applicant that the maximum width of vehicle crossover is 4.5m (3.6m where grass verges exist) and the vehicle crossing should be constructed in line with Harrow's New Vehicle Crossing Policy, dated September 2017.</p> <p>The requested details can be conditioned, attached are our standard drainage conditions/informative for reference</p>	
Design Out Crime Officer	I have examined the plans and have no objections to the application. I see no reason why this development would not achieve a Secured By Design accreditation.	Noted
Thames Water	No response has been received.	See paragraph 6.10

LBH Landscape Architect	No response has been received.	See paragraph 6.3
Tree Officer	No response has been received.	See paragraph 6.8
LBH Refuse and Waste Department	No response has been received.	See paragraph 6.6

## **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 policies referenced within the report below and a summary within Informative 1.



## **6.0 ASSESSMENT**

6.1 Notwithstanding the reason for the refusal of the previous scheme, the principle and issues for planning consideration of the current scheme are the same. The applicant has undertaken a traffic assessment and has submitted a Transport Statement (TA) purported to overcome the concern raised by the Appeal Inspector. The subject application has been considered on this basis taking into account the appeal decision. The main issues are:

- Principle of the Development
- Character and Appearance of the Area
- Residential Amenity for Future Occupiers
- Residential Amenity (Neighbouring Residents)
- Traffic and Parking
- Accessibility
- Trees and Development
- Ecology and Biodiversity
- Drainage
- Consultation Responses

## **6.2 Principle of Development**

6.2.1 Policy DM1 of the Development Management Policies Local Plan 2013 [DMP] recognises that the provision of high quality developments can help to meet the borough's housing needs, subject to there being no adverse impacts on the character of the area or residential amenity.

6.2.2 An objection has been made in relation to the principle need for new residential accommodation on site.

6.2.3 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. Further to this, Core Policy CS1 (I) states that 'New residential development shall result in a mix of housing in terms of type, size and tenure across the Borough and within neighbourhoods, to promote housing choice, meet local needs, and to maintain mixed and sustainable communities'. Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed new units would constitute an increase in housing stock within the borough, and would therefore be acceptable in principle. And whilst the issue of Garden Land development may arise in this case, it did not form part of the refusal of previous planning applications. It is also noted that the principle of development was accepted under the previously refused applications P/4311/16 and P/2161/17. Notwithstanding the acceptability of the principle, the proposal would be subject to all other material planning considerations, in particular, impact on highways safety, which are explored further in the report below.

### Affordable Housing

- 6.2.4 The proposal to introduce 8 residential units to the site would be below the 10 unit threshold and as such would not trigger the requirement to provide any element of affordable housing.

### Housing Mix

- 6.2.5 Policy DM24 (Housing Mix) of the Development Management Policies Local Plan document supports proposals that secure an appropriate mix of housing on the site. Although the proposed development is for 1 bed units only, and as such no mix, the proposal would nevertheless contribute towards the housing stock and increase the choice of housing in the Borough and the opportunity area and would therefore find some support in policies 3.5 and 3.8 of The London Plan (2016).
- 6.2.6 London Plan and Local Plan policies on housing development must be viewed in the context of the forecast growth across London and Harrow's spatial strategy for managing growth locally over the plan period to 2026. The proposal's 8 home contribution to housing supply ensures that this site makes an appropriate contribution to the Borough's housing need over the plan period to 2026.

## **6.3 Character and Appearance of the Area**

- 6.3.1 The National Planning Policy Framework 2018 advises at paragraph 124 that planning policies and decisions should aim to ensure that developments should optimise the potential of the site to accommodate development and respond to local character and history and reflect the identity of local surroundings and materials. The London Plan (2016) policy 7.4B sets out the design principles that all boroughs should seek to ensure for all development proposals. Core Policy CS1.B states that all development shall respond positively to the local and historic context in terms of design, siting, density and spacing, reinforce the positive attributes of local distinctiveness whilst promoting innovative design and/or enhancing areas of poor design. Policy DM 1 of the Development Management Policies Local Plan (2013) states that all development must achieve a high standard of design and layout. Proposals which fail to achieve a high standard of design and layout or which would be detrimental to local character and appearance will be resisted.
- 6.3.2 Part B of DM1 goes on to state: *“the massing, bulk, scale and height of proposed buildings in relation to the location, the surroundings and any impact on neighbouring occupiers” and “b. the appearance of proposed buildings, including but not limited to architectural inspiration, detailing, roof form, materials and colour, entrances, windows and the discreet accommodation of external services”*

- 6.3.3 The character on this section of Rickmansworth Road includes a number of 3 storey flatted developments on the eastern side of the road, including the existing building at Northcote, as well as the neighbours immediately to the south at No. 62 Rickmansworth Road which is a flat roofed 3 storey block and Hawthorn Court at No. 46, while to the north there is a Victorian terrace containing three properties at No's 88-92 Rickmansworth Road and beyond this a flatted development consisting of several blocks at Deacons Close, which again are three storey flats. On the opposite side are typical Metroland dwellinghouses, with a variety of detached, semi and terraced houses.
- 6.3.4 A number of objections have been made that the character of the proposal would be unacceptable and out of keeping with the existing street scene, due to the design of the building itself and the loss of the trees located at the front of the site.
- 6.3.5 The building line, scale, design and bulk of the proposed new building would be generally the same as what was proposed under refused application P/2161/17. Under this application it was considered that the proposed building line would be acceptable as it would sit only slightly forward of the cottages to the north and although it would be further forward than some of the neighbouring buildings, it would be only two storeys in height, while a number of nearby flats are three storey. There has been no significant change to the proposed location of the development, and therefore would be satisfactory.
- 6.3.6 Unlike the P/4311/16 scheme which was refused on design grounds, the last refused scheme (P/2161/17) was not refused on design ground. The current scheme is identical to the P/2161/17 scheme. It has been designed to include a simpler palette of materials. The proposed two storey building would be finished in a London stock brick similar to that of the existing Northcote building. This would be complemented by white render around the amended fenestration arrangement. The simplified design in terms of the use materials and arrangement of fenestration is considered to overcome the previous concerns in relation to design and character. Notwithstanding this, a condition requiring the submission of proposed external materials to be submitted to the Local Planning Authority for approval is attached.

#### Layout and Landscaping

- 6.3.7 Policy DM1 of the Harrow Development Management Policies' Local Plan (2013) state that the assessment of development proposals will have regard to the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. Policy DM23 part C states that proposals that fail to make appropriate provision for hard and soft landscaping of forecourts, or which fail to contribute to streetside greenery where required, will be refused. Paragraph 4.13 of the adopted Residential Design Guide SPD states that building forecourts make a particularly important contribution to streetside greenness and the leafy, suburban character in Harrow's residential areas. Development that leaves insufficient space for forecourt landscaping will not be accepted.

- 6.3.8 There have also been objections made that the loss of the existing trees would be harmful to the character of the area. The removal of trees is not encouraged and it is acknowledged that maintaining trees does enhance the character of the area. However as per the previously refused applications, the Council's Tree Officer has stated that the existing trees at the front boundary are not considered sufficiently high value to be designated with a TPO. Therefore, their loss would not be considered unacceptable. However, the trees and the front landscaping area would both need to be removed in order to construct the new building. Similarly, the Council's Tree Officer has not objected to this proposal and is content with the contents submitted within the arboriculture report. As such a condition requiring the protection of existing tree root systems during construction phases is attached.
- 6.3.9 A number of objections have been received in this regard stating that the loss of this green landscaping would result in harm to the character of the area. The Council's Landscape Architect did not object to the previous applications and the loss of part of the existing green space is not considered unacceptable in principle. It is considered that the general landscaping plans provided would be satisfactory. However, further landscaping details is to be secured through planning conditions which have been recommended.
- 6.3.10 In terms of quality of design and visual amenity, it is considered that the scheme would not unduly detract from the character and context of the area. The Council's Landscaping Architect has raised no objection to the proposal. In this respect, subject to suggested planning conditions regarding materials and landscaping, no objections are raised with regard to the NPPF, London Plan and Local Plan Policies DM1 and DM22 and the SPD – Residential Design Guide.

#### 6.4 **Residential Amenity for Future Occupiers**

- 6.4.1 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.
- 6.4.2 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. 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.
- 6.4.3 All new dwellings are required to comply with the minimum space standards as set out in the London Plan (2016).

**Table 3.3 Minimum space standards for new dwellings<sup>57</sup>**

Number of bedrooms	Number of bed spaces	Minimum GIA (m2)			Built-in storage (m2)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37)*			1.0
	2p	50	58		1.5

- 6.4.4 The units would all measure 53sq.m. The requirement for a 1 bedroom 2 person unit is 50sq.m, with 1.5sq.m of storage space. The proposed units do not provide built in storage, although there would be more than sufficient space to provide this in each of the units, and as such considered acceptable.
- 6.4.5 There is sufficient natural light in to the bedrooms and living areas and the outlook and privacy to these would be acceptable in accordance with the adopted Residential Design Guide SPD and policy DM1. The London Plan requires a floor to ceiling height of 2.5m which would be provided on both the ground and first floors and so it would be considered acceptable in this regard.
- 6.4.6 Policy DM1 states assessment of development should have regard to the provision of appropriate space around buildings for setting and landscaping, as a resource for occupiers and to secure privacy and amenity.
- 6.4.7 Residential Design Guide SPD states that amenity space, either on a private or communal basis, should be provided. Paragraph 4.11 of the SPD states that the amount of amenity space to be provided will be informed by the London Plan standards, the needs of the future occupants of the development and the character of the area. The Mayor of London Housing SPG Standard 26 states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings.
- 6.4.8 The proposed groundfloor flats have direct access to a patio of at least 5sq.m, and a communal space with patio, lawn, barbeque area of 150sqm as a supplement to the private amenity space. As such, the proposal would sufficiently provide the four first floor flats with usable amenity space.
- 6.4.9 It is considered that the proposed amenity space would be functionable and usable for future occupiers of the proposed development. Furthermore, a sense of privacy would be maintained, owing to the proposed hedging and brick wall separating the proposed shared amenity from the existing Northcote building. A condition has been attached for the submission of detailed boundary treatments around the proposed development area.
- 6.4.10 Overall, it is considered that the proposed development would make adequate provision of amenity space for future occupiers.

## 6.5 **Residential Amenity (Neighbouring Residents)**

- 6.5.1 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”.
- 6.5.2 A number of responses have been received, objecting on the grounds that the proposed development would result in harm to neighbouring amenity from the new development.
- 6.5.3 These relate mainly to loss of privacy, loss of light and outlook and loss of the existing outdoor amenity space. Issues related to traffic and parking will be addressed in a separate section below.
- 6.5.4 The objections related to privacy mainly relate to the existing building at Northcote which states that, due to the proximity of the new building to the existing front windows of neighbours at Northcote, these neighbours would be overlooked to an unacceptable degree. It is acknowledged that there would be some degree of overlooking from the new flats. There is no specific distance between buildings required by policy to maintain an acceptable relationship in terms of privacy. However, in this type of flatted development it is considered that the distance between the two buildings of approximately 12 metres would be sufficient to overcome a large degree of harm related to overlooking and loss of privacy. Furthermore, the windows on the facing wall have been arranged so that the bedroom windows directly facing Northcote would be high level secondary windows and the large primary bedrooms windows would be angled so that they would not directly face the existing Northcote flats. These two factors combined would be sufficient to ensure that, while there would be some degree of overlooking, it would not be to an unacceptable extent and would not be contrary to policy DM1. In addition, the previous application was not refused on this ground nor did the Planning Inspector dismiss the appeal on this ground.
- 6.5.5 The loss of trees from the front boundary has also been cited in neighbour objections as a reason that there would be an unacceptable degree of loss of privacy to other nearby neighbours. However, the windows in the new development would face towards the front and rear, with no flank windows. The building would sit on a similar building line to the adjacent neighbours at No’s 88-92 to the north-west and No. 62 to the south-east respectively and so even with the loss of trees it is not considered that there would be an increased degree of overlooking or loss of privacy. The distance across the road to neighbours on the other side of Rickmansworth Road would be sufficient to ensure that the degree of overlooking would be acceptable in accordance with policy DM1.

- 6.5.6 Other objections related to loss of light or outlook particularly to occupiers of Northcote. These state that due to the proximity of the new building to the existing front windows of neighbours at Northcote and also the proposed wall and trees, there would be an unacceptable loss of light and outlook to occupiers. Policy DM1 states that all development proposals must achieve a high standard of amenity and privacy. Policy DM1 also states that the visual impact when viewed from within buildings and outdoor spaces (applying the Council's 45 degree code where relevant) must be taken in to consideration. In this case, due to the distance between the proposed development and the existing building at Northcote and the limited height of the proposed development, the proposal would not intersect a 45 degree line measured vertically from the bottom of the ground floor windows at the front of Northcote, so the proposal would comply with policy DM1 in this regard. The proposed wall would not be higher than 1 metre and trees vegetation could be controlled by condition to ensure they would not be excessive in height/ fast growing, etc. and so would comply with policy DM1. Again, the Planning Inspector did not dismiss the appeal on this ground.
- 6.5.7 An objection has also been made that the proposed new wall would result in a sense of a hostile environment. While it is recognised that a high enclosing wall could have this effect, a low wall that people could see over would not result in a hostile or oppressive atmosphere and as the height of the wall could be guaranteed by condition, this is not considered to be unacceptable.
- 6.5.8 The proposed building would sit forward of the building line of the adjacent neighbouring flats at No. 62 Rickmansworth Road, which are to the south-east of the application site. It should be acknowledged that the proposal would not comply with the horizontal 45 degree line in relation to this building and so would lead to some loss of outlook to neighbouring occupiers, particularly at ground floor level. However, they would retain a significant degree of natural light as the new development would be located to the north-west of the site, allowing natural light for most of the day. Furthermore, most of the outlook currently is to the front over the existing car park at No. 62. Therefore, while there would be some loss of outlook, it would not be substantial, and as such retaining adequate level of outlook to the flats. In addition, while the 45 degree code is cited in policy DM1, the residential Design Guide SPD states that this should not be applied in an arbitrary manner and that each sites unique circumstances should be taken into account. Therefore, due to site circumstances described above, the proposal would have an acceptable impact on neighbouring light and outlook in accordance with policy DM1 and the Residential Deign Guide SPD.
- 6.5.9 The neighbouring properties at No's 88-92 and on the opposite site of the road would be sufficiently distant from the new development, with the moderate height and scale of the proposed development to ensure that there would not be an unacceptably harmful impact in terms of light outlook in accordance with policy DM1.

- 6.5.10 An objection has been made that the proposal would result in a loss of outdoor amenity space for existing occupiers which is used by children of occupiers at the existing flats at Northcote and that there are few outdoor play areas within close proximity. The flats at Northcote were built in the later 1930's and there are no planning records available of the original permission. Therefore there is no clear designation as children's play area/outdoor amenity space for the site of the proposed development. The Mayor of London Housing Design Guide 4.10.1 states that a minimum of 5sq.m of private outdoor space should be provided for 1-2 person dwellings and an extra 1sq.m should be provided for each additional occupant. With 24 flats on site, if 6sq.m is designated, i.e., for 2-3 person dwellings/ per flat this would make a requirement of 144sq m for the existing occupiers. The remaining outdoor space to the eastern side of the Northcote flats would far exceed this in terms of area and so there would still be sufficient outdoor amenity space for existing occupiers.
- 6.5.11 Based on the forgoing, it is considered that the amenity of the adjoining occupiers would be maintained to an acceptable level. In this respect, no objections are raised with regard to London Plan Policy 7.6, Local Plan Policy DM1 and the SPD – Residential Design Guide

## **6.6 Traffic and Parking**

- 6.6.1 Paragraph 39 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles. Policies DM26 and DM42 of the Development Management Policies Document 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. Policy DM44 part C states that: *"Proposals that would be detrimental to safety, traffic flow or the amenity of neighbouring occupiers will be resisted."*
- 6.6.2 A number of neighbour objections have been received related to traffic and parking. One of the major issues raised is the loss of existing parking spaces and the strain this will put on the remaining parking spaces. It has also been stated in objections that while the rear parking area is labelled on the plan as being unchanged, objectors have stated that the parking at the rear is not for use of the flats in general, but is a dilapidated parking area with spaces in private ownership, which raises questions about provision of future parking space.
- 6.6.3 The outline of the application site, 0.42ha, includes the whole Northcote site, and as such London Plan parking standards should be applied across the entire site to include parking considerations for both the existing development and proposed development A Transport Statement has been provided and includes parking surveys to address the parking stress of the whole site.



- 6.6.4 The site is in a PTAL 2 location which represents poor access to public transport services. Due to the low PTAL score, it is necessary to demonstrate that adequate parking will be provided for the existing and proposed properties. The rate of parking demand and occupancy needs to be established based on the current situation and this may help to guide what additional provision may be required
- 6.6.5 The applicant has shown cycle parking with 8 spaces for the future occupiers of the new building. Additionally, there would be a car parking space for the proposed flats on a 1:1 ratio. Therefore the parking provision would meet the London Plan 2016 requirement for 1 x parking space per 1 bedroom unit.
- 6.6.6 As the application site covers the whole Northcote, there is the need to provide sufficient disabled parking, electric vehicle charging (20% active and 20% passive), motorcycle parking (2 spaces) and cycle parking (1 per studio/one bed and 2 per two bed+) should be provided for all 32 flats on the Northcote site. The applicant has provided a plan stating that the existing parking arrangements to remain for the rest of the site (current parking arrangements are informal and do not include marked bays). Submitted plans show 26 parking spaces (though informal) existing, within the site at ratio of 1:1.08 per unit. The proposal will result in loss of 9 of these spaces leaving a ratio of 1:07 to the existing 24 flats.
- 6.6.7 Although the previous application was refused on the negative impact on car parking across the whole site, the Planning Inspector disagreed with the Council assertion stating *“I have taken into consideration the appellant’s parking survey, undertaken on several occasions and at different times of day. This suggests that the proposed residual parking level of 24 spaces to serve the existing 24 flats would be sufficient to avoid any significant displacement of vehicle parking away from the site.”*
- 6.6.8 The Planning Inspector goes on to state *“the scheme would also allow for one parking space per new apartment (each of which would have one bedroom) and the aforementioned survey gives me confidence that this level of provision would also be satisfactory. I am also mindful that the Northwood Hills underground station is within approximately 10 – 15 minutes walking distance of the site and therefore reasonably accessible for most people. When also taking into account access to nearby bus routes it is possible that the proposed development would be attractive to future occupiers who did not own a car. Whilst I accept that parking demand may increase from time to time, for example as a result of visitor requirements, the availability of unrestricted parking on Rickmansworth Road means that this would be unlikely to result in significant inconvenience.”*
- 6.6.9 Some objectors have raised the concern that the residual parking proposal for the existing flats fails to have regard to the fact that some of the spaces are already leased to residents and would not therefore be available for general parking. However, land ownership information provided by the appellant, which has not been disputed with any evidence, indicates that few of the spaces identified in the parking scheme are leased and in any event it is considered that the use of those spaces would release parking demand elsewhere within the site.

- 6.6.10 In terms of accommodating disabled parking, motorcycle and cycle parking, the provision of electric charging points for vehicles and formal marking of parking spaces in order to distinguish vehicle turning areas, the Inspector states “ *these issues could have been addressed through the imposition of appropriate planning condition.*” Appropriate condition is attached.
- 6.6.11 The Highways Authority has not raised any fundamental objection to the current proposal. On the basis of the above, it is considered the proposal would not conflict with the requirements of DM42 and would therefore be considered acceptable.

#### Closing of one of the two access points

- 6.6.12 Neighbour objections have also been made that the loss of the two separate entrances to the parking area would result in cars having to reverse out of the site, exacerbating an already poor and dangerous parking and access situation. This concern constitutes the main reason for the dismissal of the appeal. However, according to the applicant, a further Transport Statement was commissioned to address the Inspector’s concerns in relation to the lack of evidence before him.
- 6.6.13 The updated Transport Statement (TS) clarifies that in arriving his conclusion, the Inspector was not provided with highway safety information, nor were they provided with facts about the existing servicing arrangements to the site.
- 6.6.14 The applicant states that the transport statement submitted with the application addresses the matters raised in the appeal. The main issue related to the safety of the vehicle access and the report demonstrates that this proposal does not present a significant highway safety concern, which remains the only outstanding issues to be agreed. This is addressed in paragraphs 6.6.17 – 6.6.22 below.

#### Servicing and Emergency Vehicles

- 6.6.15 Taking the refuse collection first, the TS explains that no evidence was put forward to the appeal with regard to refuse collection as the waste Department raised no objection to the scheme. According to the TS, video survey of refuse vehicles servicing the site concludes that the closure of the southern has no impact at all on the bin lorries which service from the street and would not have any impact on the ability of a bin lorry to reverse in to the site using a banksman. It concludes that based upon traffic counts at the site access, the potential impact during refuse collection of the site having only a single access is forecast to be that one development-related vehicle may be delayed by an average of around 94 seconds a frequency of less than once every two weeks.
- 6.6.16 The TS concludes that such an impact cannot realistically be considered to be material as slight delays to general traffic during refuse collection is an observable both locally and across the UK and is operationally expected. It concludes that evidence shows that any impact to the highway network would not be severe.

## Road Safety

- 6.6.17 The TS demonstrates how the safety of the northern access point at the site has been reviewed. The TS states that there have been no reported accidents at all at the site access in all 19 years of available data. Whilst the TS shows slight intensification of use as a result of the proposal which is forecast to result in vehicle every six to seven minutes entering or exiting the site during Am or PM peak hours, it concludes that the proposal would not materially alter the usage patterns of the site access and it is reasonable to conclude that there could be no material impact on highway safety.
- 6.6.18 The TS concludes that the evidence has demonstrated that there is no “severe” residual cumulative impact relating to the development proposal and, based upon the Government Policy Test set out in paragraph 102 of the National Planning Policy Framework (NPPF), nor is there any conflict with Development Plan Policies relating to highway safety.
- 6.6.19 The Highways Authority has responded to state the loss of one access does mean that all entrance/exit activity will be concentrated in one place, however, this is not uncommon and the access adjacent to 88 Rickmansworth Road is particularly wide. With regards to the submitted TS, the Highways Authority comment stating that the transport statement submitted with the application addresses the matters raised in the appeal. The main issue related to the safety of the vehicle access and the report demonstrates that this proposal does not present a significant highway safety concern, however, in light of the remaining concerns of residents, it is recommend that a s106 contribution is made by the applicant for the introduction of waiting restrictions at the access to ensure that good visibility is maintained.
- 6.6.20 Furthermore the Highways Authority has also stated that a full construction logistics plan; car parking details to include layout, disabled parking bays and electric vehicle charging points should be secured by a pre-commencement condition and a pre-occupation condition for the cycle parking storage details – numbers, type of storage as per London Plan 2016 and London Cycle Design Standards (including 5% accessible stands) to be submitted.
- 6.6.21 Based on the above, it is considered that whilst the proposal would have some impact upon the safety of the free flow of traffic on the service road and wider site in general, the information provided in support of the application by way of TS shows that there is not likely to be a severe impact resulting from the development proposal.
- 6.6.22 Overall and taking into account the proposed introduction of waiting restrictions at the access to ensure that good visibility is maintained to be secured by s106, it is considered that the current proposal addresses previous concerns in relation to parking and highway safety. Therefore the proposed development would accord with policy DM42 in so far as it seeks to secure the convenience and safety of servicing having regard to the National Planning Policy Framework which states that development should only be prevented on transport grounds where the residual cumulative impacts are severe. As such, it

is considered not justifiable to refuse the current proposal on highways grounds.

## **6.7 Accessibility**

- 6.7.1 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.
- 6.7.3 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'. The proposed floorplans demonstrate that there would be level access for wheelchair users from the entrances to the front. It is also considered that the bathroom of the groundfloor flats can be adapted taking into account their floorspace of approximately 5m<sup>2</sup>. Furthermore, the applicants design and access statement highlights that communal area and the proposed residential units have been designed to meet the Housing Supplementary Guidance and Building Regulations Part M (3).
- 6.7.4 On the basis of the above, the proposed development would be satisfactory in terms of accessibility, subject to a condition to ensure compliance with Building Regulations M4 (3)'.

## **6.8 Trees and Development**

- 6.8.1 Policy DM1 of the Harrow Development Management Policies Local Plan (2013) states that the assessment of the design and layout of proposals will have regard to the need to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.
- 6.8.2 Policy DM22 states that the removal of trees subject to TPO's or assessed as being of significant amenity value will only be considered acceptable where it can be demonstrated that the loss of the tree(s) is outweighed by the wider public benefits of the proposal.
- 6.8.3 Neighbour objections have been made that the loss of the existing trees to the front of the site would be harmful as they are of value or should be given Tree Protection Order (TPO) status. An Arboricultural Report has been submitted and the Council's Tree/Arboricultural Officer has responded stating that while the loss of the trees is not encouraged, they are not of sufficient value to be given TPO status and so does not object to the proposal.
- 6.8.4 As these trees to be removed are not considered to be of significant value, the proposed removal of these trees is not considered to be contrary to policies DM1 or DM22 of the Harrow Development Management Policies Local Plan (2013).

## 6.9 **Ecology and Biodiversity**

- 6.9.1 Policy 7.19C (a) of The London Plan (2016) states that development should, wherever possible; make a positive contribution to the protection, enhancement, creation and management of biodiversity. Policy DM 20 of the Harrow Development Management Policies Local Plan (2013) relates to Protection of Biodiversity and Access to Nature. This states that proposals that would harmful to locally important biodiversity or increase deficiencies in access to nature will be resisted.
- 6.9.2 It is noted that a number of objections have been received in relation to the loss of trees and green spaces and the impact that this would have on various species of wildlife. An ecology appraisal has been undertaken to determine whether there are any protected species within close proximity to the proposal site.
- 6.9.3 The Council's Biodiversity Officer has reviewed the details and does not have any concerns with the proposal and notes that Natural England would not be required to be consulted with regard to the proposed development given the proximity to Ruislip woods SSSI & NNR, as there is not a significant change of habitats connected to the development site.
- 6.9.4 Furthermore, it is considered that the proposed development would not have a significant impact on two large oak trees in relation to supporting bat habitats. A condition has been attached to the permission requiring the submission of construction method statements to ensure that no existing habitats nearby are unduly impacted by the potential construction works.
- 6.9.5 Overall, it is considered that the current proposal would overcome concerns in relation to biodiversity. Therefore, the proposal would comply with Policy DM 20 of the Harrow Development Management Policies Local Plan (2013).

## 6.10 **Drainage and Flood Risk**

- 6.10.1 Policy DM9 of the Harrow Development Management Policies local Plan (2013) relates to managing flood risk. A number of objections have been received in relation to drainage and flooding. These have stated that the loss of the trees could result in additional flooding risk on the site. The site is not located within a higher risk flood zone either in terms of surface water flooding or fluvial flooding and is not located in a Critical Drainage Area. The Drainage Department (DD) has stated that the applicant should meet the standard drainage requirements and that the applicant needs to provide a drainage strategy for the proposed development. They have also stated that the application should be made aware that Harrow has a separate drainage system for surface water and foul water. The DD response has stated that these issues could be resolved through planning conditions and that they have no objection to the proposal. Therefore there is no requirement for a Flood Risk Assessment and it is considered that the proposal would be acceptable in accordance with policy DM9 of the Harrow Development Management Policies local Plan (2013).

## **7.0 CONCLUSION AND REASONS FOR APPROVAL**

- 7.1 Regarding the acceptability of the principle of flats in the location proposed, there is no policy to support such development being confined only to gateway positions. A number of the existing dwellings nearby along this street are of an equivalent scale to the eight flats proposed.
- 7.2 The impacts of the proposal have been considered on the visual amenity of the site and surrounding area and on the amenity of neighbouring dwellings. It has been concluded that the proposal would sufficiently maintain and relate to the character, appearance and spatial pattern of development of surrounding area and future occupiers would benefit from a sufficient degree of amenity and that on balance, it would not have any significantly adverse impacts on the residential amenity of neighbouring dwellings.
- 7.3 The proposal has also been considered with regard to parking and highway safety and has been found to be acceptable in this regard. The proposal has also been considered with regard to surface drainage and landscaping and is found to be acceptable in these instances.
- 7.4 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, it is considered that the current proposal has overcome the reason for the refusal of the previous scheme, and as such an approval of the application is thereby recommended.

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

### Conditions

#### 1. Time Limit 3 years - Full Permission

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

REASON: In order to comply with the provisions of the Town and Country Planning Act 1990 (as amended).

#### 2. Approved Drawing and Documents

2015-20-PL-40-BLK; 2015-20-PL-40-BIN; 2015-20-PL-40-ELE1; 2015-20-PL-40-ELE2 ; 2015-20-PL-40-ELE3; 2015-20-PL-40-ELE4 Rev A; 2015-20-PL-40-STE; 2015-20-PL-40-PLA-02 ; 2015-20-PL-40-PLA-A; 2015-20-PL-40-PLA-OWN; DPL SK005; DPL SK002 ; Arboricultural Impact Assessment and Method Statement for 86 Rickmansworth Road, dated 13th October 2016 Ref. TH1312 ; TH/A3/1312/TPP 13th October 2016 ; Preliminary Ecological Appraisal (RT-MNE-124666) Dated April 2017; Accessibility and Sustainable Access Proof of Evidence – 10<sup>th</sup> October 2017; Design and Access Statement; Transport Statement Eight New Flats by J Davies Planning Development Limited – Received 31/05/2018; Addendum Planning; Design and Access Statement

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

#### 3. Materials

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 or made available to view on site to, and approved in writing by the local planning authority:

- a: the building
- b: the ground surfacing
- c: the boundary treatment
- d: refuse stores
- e: cycle store

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. Levels

No site works or development shall commence until details of levels of the proposed buildings, roads and footpaths in relation to the adjoining land and highways, and any other changes proposed in the level of the site, have 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.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement. To ensure the details are agreed before the structure is built on site.

5. Windows

Any window located within the flank walls must be glazed with obscure glass and fixed finish so as to be incapable of opening below a height of 1.8 metres above floor level and must be retained in that form thereafter.

REASON: To protect the residential amenity of adjoining occupiers.

6. Landscaping 1

The development hereby permitted shall not progress beyond damp proof course level until there has been submitted to, and approved by, the local planning authority, a scheme of hard and soft landscape works which shall include a survey of all existing trees and hedgerows on the land, indicating those to be retained and those to be lost. Details of those to be retained, together with measures for their protection in the course of the development, shall also be submitted and approved, and carried out in accordance with such approval, prior to any demolition or any other site works, and retained until the development is completed. Soft landscape works shall include: planting plans, and schedules of plants, noting species, plant sizes and proposed numbers / densities.

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

7. Landscaping Management

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



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

8. Tree Retention

The plans and particulars submitted in accordance with the approval of landscaping condition shall include:

- (i) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;
- (ii) details of the species, diameter (measured in accordance with paragraph (i) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (iii) and (iv) below apply;
- (iii) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (iv) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site;
- (iv) details of the specification and position of fencing, and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

9. Construction Method

No development shall take place, including any works of demolition, until a Construction Method 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:

- (a) the parking of vehicles of site operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials used in constructing the development
- (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (e) wheel washing facilities
- (f) measures to control the emission of dust and dirt during construction
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- (h) measures for ensuring no existing habitats nearby are unduly impacted by the potential construction works.

REASON: To ensure satisfactory provision to protect the residential amenity of adjoining occupiers and highway safety.

10. Secure by Design Accreditation

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

REASON: In the interests of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

11. Surface Water Drainage and Attenuation

The development of any buildings hereby permitted shall not be commenced until works for the disposal of surface water have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided.

12. Foul Water Drainage

The development 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 works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided..

13. Part M Dwellings

A minimum of 10% of the units shall be built in accordance with Building Regulation standard M4 (3) 'Wheelchair User Dwellings'. All other residential units in this development, 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. Parking Arrangement

The development hereby permitted shall not progress beyond damp proof course level until there has been submitted to until full construction logistics plan; car parking details to include layout, disabled parking bays and electric vehicle charging points as per London Plan 2016 (minor alterations) has been submitted to, and approved in writing by, the local planning authority and retained thereafter available for that specific use.

REASON: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety and to support the cycling as an alternative to the use of the private motor vehicle.

15. Storage

The residential premises hereby approved shall each be provided with a storage space in accordance with the Mayor of London's Housing Supplementary Planning Guidance (2016) unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development achieves a high standard of residential quality for future occupiers of the development.

16. Refuse, Recycling and Cycle Storage

No development shall commence beyond damp proof course level until details of the location, design and specification of the refuse, recycling store and cycle storage enclosures to serve the residential units have been submitted to and approved by the Local Planning Authority. Subsequently the refuse and recycling store must be constructed, equipped and made available for use prior to the first occupation of the units and retained in that form thereafter.

REASON: To ensure a satisfactory standard of refuse and recycling provision and to protect the residential amenity of adjoining and future occupiers.

17. Removal of Permitted Development Rights

The development hereby permitted shall be used for Class C3 dwellinghouse(s) only and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Schedule 2, Part 3, Class L shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by the Town and Country Planning (General Permitted Development) Order 2015 to maintain mixed, balanced, sustainable and inclusive communities and in the interests of residential and visual amenity in accordance with Policy DM1 of the Harrow Development Management Policies 2013, Policy CS1(B) of the Harrow Core Strategy 2012, Policy 7.4 of the London Plan 2016 and the Core Planning Principles of the National Planning Policy Framework 2012.

18. Communal Television Equipment

Prior to the construction of the building hereby approved on site beyond damp course level, additional details of a strategy for the provision of communal facilities for television reception (e.g. aerials, dishes and other such equipment) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the specific size and location of all equipment. The approved details shall be implemented prior to the first occupation of the building and shall be retained thereafter. No other television reception equipment shall be introduced onto the walls or the roof of the building without the prior written approval of the Local Planning Authority.

REASON: In order to prevent the proliferation of individual television reception items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

19. Permitted Development

Notwithstanding the provisions of the Electronic Communications Code Regulation 5 (2003) in accordance with 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 Schedule 2, Part 16, Class A of that order shall be carried out in relation to the development hereby permitted without the prior written permission of the local planning authority.

REASON: In order to prevent the proliferation of individual telecommunication items on the building which would be harmful to the character and appearance of the building and the visual amenity of the area.

## Informatives

### 1. Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:  
National Planning Policy Framework (2018)

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; DM7; DM9, DM10; DM12; DM22; DM24; DM26; 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 not sought prior to the submission of this application..

### 3. Mayoral CIL

Please be advised that approval of this application by Harrow Council will attract a liability payment £19,985 plus indexing 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 £19,985 plus indexing for the application, based on the levy rate for Harrow of £35/sqm and the stated increase in floorspace of 571m<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: £62,810 plus indexing

#### 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. Construction Design Management Regulations

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994 which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Clients have further obligations. Your designer will tell you about these and your planning supervisor can assist you in fulfilling them. Further information is available from the Health and Safety Executive Infoline on 01541 545500

10. Street Numbering

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

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially

named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc. You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.

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

## 11. SUDS

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.

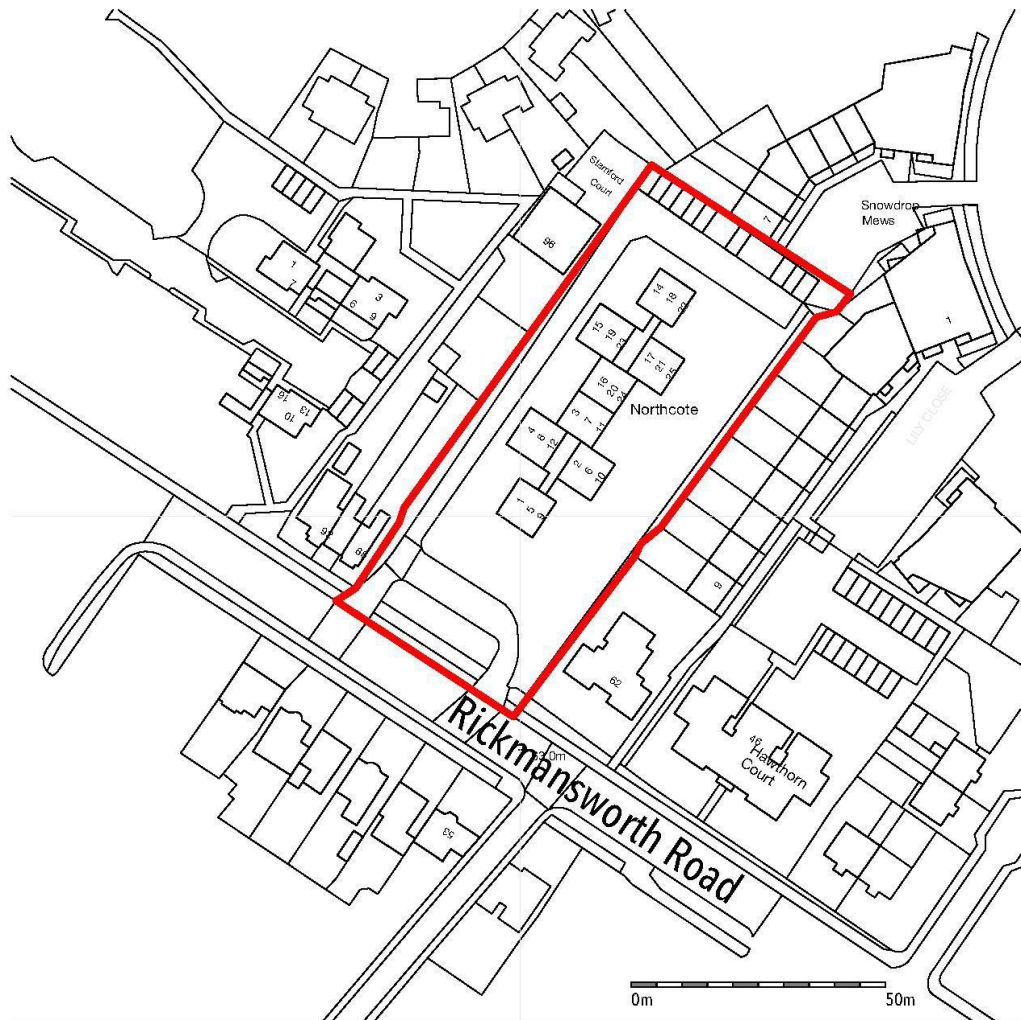
SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soakaways 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 (2012) 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.

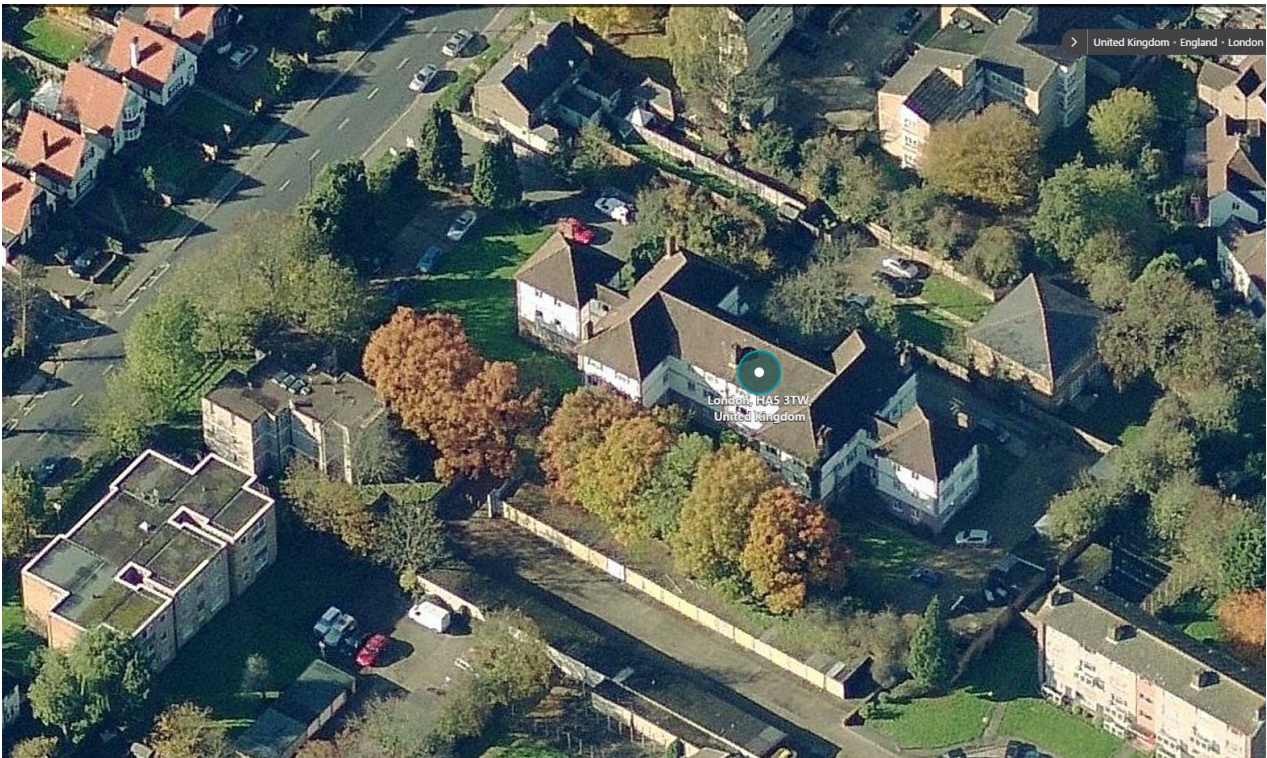
The applicant can contact Harrow Drainage Section for further information. [infrastructure@harrow.gov.uk](mailto:infrastructure@harrow.gov.uk)



**APPENDIX 2: SITE PLAN**



## APPENDIX 3: SITE PHOTOGRAPHS







# APPENDIX 4: PLANS AND ELEVATIONS







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