

38 Cambridge Road

P/0443/19

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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

17th April 2019

APPLICATION P/0443/19

NUMBER:

VALIDATE DATE: 30/01/2019

LOCATION: RRF HARROW, 38 CAMBRIDGE ROAD, HARROW,

WARD: HEADSTONE NORTH

POSTCODE: HA2 7LD

APPLICANT: PASTOR HUMPHREY EPIE **AGENT:** BENJAMIN ASSOCIATES LTD

CASE OFFICER: TENDAI MUTASA

EXPIRY DATE: 27/03/2019

PROPOSAL

Single storey side extension; installation of front access ramp; external alterations

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.

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 12th December 2018

Statutory Return Type: Minor Development

Council Interest: N/A GLA Community N/A

Infrastructure Levy (CIL) Contribution (provisional):

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.

Planning Committee 38 Cambridge Road

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	RRF Harrow, 38 Cambridge Road, Harrow
	Headstone North
	HA2 7LD
Applicant	Pastor Humphrey Epie
Ward	Headstone North
Local Plan allocation	None
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	N/A

PART 2: Assessment

1.0 SITE DESCRIPTION

- 1.1 The application site is a single storey church on the north east side of Cambridge Road. The building was a purpose built community meeting room and was built in the mid 1980's and converted to a church after getting planning permission in 2015.
- 1.2 The site is not located in a conservation area but is located in Flood Zone 2 and in critical drainage area of Harrow.
- 1.3 To the west of the site is number 38 Cambridge Road, a residential building, to the east is number 32 another residential building and to the north east is a large car park. Further North West is commercial buildings.
- 1.4 Access to the building is from 36 Cambridge Road and there is also rear access from the North Harrow Shopping Parade car park.

2.0 PROPOSAL

It is proposed to extend the church to the east by a single storey side extension to be used as training rooms, kitchen and toilet facilities. The single storey side extension would be approximately 11m deep and 8.85m wide with eaves height of 1.90 and maximum height of 3.0m and feature a pitched roof. It would feature windows facing the rear garden of number 38.

A new disabled ramp is proposed.

3.0 RELEVANT PLANNING HISTORY

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

Description	Status and date of decision
LBH/29275 and West/600/94/VAR	Granted 03/07/1986
Single Storey Building for place of	
worship with access and parking; and a	
subsequent application for the continued	
use as place of worship without	
compliance of condition 9 attached to	
planning permission LBH/29275 to allow	
extended use	
P/4793/14	Granted 03/03/2015
Continued Use as Place of worship bible	
school and meeting hub for the elderly	
(use class D1)	

4.0 **CONSULTATION**

- 4.1 A total of 5 notification letters were sent to neighbouring properties regarding this application.
- 4.2 The public consultation period expired on 22/02/2019.
- 4.3 22 objections were received from adjoining residents.
- 4.4 A summary of the responses received along with the Officer comments are set out below:

Summary of Comments	Officer Comments	
Traffic and Parking	Addressed under section 6.6	
Objection to proposals as		
they would increase car		
parking problems on		
Cambridge Road		
	The situation is as existing and the current	
The driveway provides	proposal will not impact upon the access	
limited access for	for emergency vehicles.	
emergency vehicles		
Residential Amenity	The proposed extension will not involve an	
Increased noise due to more	increase in the congregational floorspace,	
people visiting the church	but will be providing training rooms for use	
and audio sounds.	with the activities of the existing church. A	
	condition has been attached to ensure that	
	the training rooms remain ancillary to the	
	church. Concerns relating to existing noise	
	issues should be addressed through the	

	Environmental Health Department.	
	It is considered that the window would not be harmful to the amenities of the neighbouring property	
	These elements have been discussed under section on neighbour amenity	
The introduction of a side window which would overlook garden		
Overbearing, overlooking,		
loss of privacy and overshadowing		
Character and Appearance The proposals almost doubles in site and this is over-intensification of the site	It is considered that due to its modest proportions and single storey nature, the proposals are considered acceptable.	
Other matters Proposals would reduce the value of properties	This is not considered a material planning consideration.	
The church uses the same address as number 38 Cambridge Road and this should be addressed	This is noted and has been investigated; both properties have legal title to the address.	
The existing hoarding sign should be removed	This matter is being dealt with by the Enforcement Team	

4.6 <u>Statutory and Non Statutory Consultation</u>

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

Summary of Comments	Officer Comments
LBH Highways	Noted
No objections subject to	

conditions for cycle storage	
details and revised travel	
plan.	
LBH Drainage No objections	Noted
subject to conditions	
Travel Planner	Conditions attached for a revised travel
A revised travel plan should	plan to be submitted.
be submitted.	

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.'

- The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied; it is a material consideration in the determination of this application. The current NPPF was published in July 2018 and replaces the first NPPF (March 2012).
- In this instance, the Development Plan comprises the London Plan (2016) and the Local Plan. The Local Plan comprises the Harrow Core Strategy (2012), Harrow and Wealdstone Area Action Plan (AAP) 2013, the Development Management Policies Local Plan (2013), the Site Allocations Local Plan (2013) and the accompanying policies map.
- While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.
- The document was published in draft form in December 2017 and is currently in the Examination in Public (EiP) stage, with the Panel's report expected in Autumn 2019. Given that the draft Plan is in the EiP stage of the formal process it holds some weight in the determination of planning applications, although lesser weight will be given to those areas of the plan that are being challenged through the EiP process (including any potential inconsistencies with the NPPF).
- 5.6 Notwithstanding the above, the Draft London Plan (2017) remains a material planning consideration, with relevant polices referenced within the report below and a summary within Informative 1.

6.0 ASSESSMENT

- 6.1 The main issues are:
 - Character and Appearance of the Area and host property
 - Impact on Residential Amenity
 - Traffic, Parking and Drainage
- 6.2 <u>Character and appearance of the Area</u>

The NPPF states that Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter seven, which address both general design principles and specific design issues. Policy DM1 on Achieving a High Standard of Development of the Development Management Policies Document requires all development proposals to achieve a high standard of design and layout.

- 6.2.1 It is acknowledged that there are two different characters that the development could relate to, which are both the car park area to the rear which is made up of single storey structures and also the residential properties fronting onto Cambridge road. The existing building is a single storey structure, so is the proposed side extension, which follows the prevailing character of the residential area within Cambridge Road, which has two storey buildings at the front and single storey buildings to the rear. The property has its entrance on Cambridge road and as such is read from this side of the street. In light of this, a single storey extension is considered to be acceptable in this location.
- 6.2.2 The extension would be set away from the rear elevations of the neighbouring buildings and would not be overly visible from within the streetscene, therefore due to site circumstances the proposal would not create an incongruous feature and would not be overbearing. The eaves height would be no more than 3m and the roof will be pitched to a total height of less than 4m. Due to its depth and height the proposed extension is considered to remain as a subordinate feature on the rear elevation dwellings on Cambridge Road. The host property also has a relatively large ground and as such the proposed extension would not appear cramped within the property.
- 6.2.3 Sufficient information has been submitted relating to usage of the new building on the comings and goings. The new extension will be used for training purposes and to house a new kitchen and toilet facilities. The applicants have confirmed that the capacity of the training room is for 10 sitting. The immediate use is for safeguarding children who have Sunday school in the foyer. The opening and closing times will be the same as the Church's. In light of this it is considered that the number of comings and goings would not increase and as such it has been established that the proposals would not potentially have a detrimental impact to neighbouring amenity.

6.2.4 In summary, it is considered that the proposed extension can be accommodated on site and in terms of impact upon the character and appearance of the existing building and the streetscene and wider neighbourhood, the proposal would not give rise to any significant conflict with the aims and objectives of the Council's development plan policies to justify refusal on grounds of scale and bulk. The proposal would comply with the provisions of policies subject to conditions.

6.3 Residential Amenity

- 6.3.1 Policy DM1 seeks to "ensure that the amenity and privacy of occupiers of existing and proposed dwellings are safeguarded. Development proposals would be required to meet policy DM1 of the Development Management Policies Local Plan (2013), which 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". This is supported at Paragraph 6.18 in the SPG which states that "the acceptability of an extension will be determined on a case by case basis taking into account particular site considerations including: the design and character of the existing and neighbouring houses (established pattern of development)".
- 6.3.2 Impact on number 38 Cambridge Road (the residential property)

The proposed extension would be single storey and set away from the habitable windows of this neighbouring house by 26.85m. This distance is considered sufficient to not cause any unreasonable overlooking or loss of light. Although new windows are proposed on the side elevation facing the rear gardens of this property, it is considered that due to the separation distances, this new situation would not result in overlooking. Furthermore, due to the siting of the windows at ground level in relation to the boundary it is considered that the windows would not be harmful to the amenities of this neighbouring property. It is noted that the fencing to the church is approximately 1.8m high which helps in screening the proposals from neighbouring properties. As such the proposal would not have a harmful impact on this neighbour.

6.3.3 Impact on number 34 Cambridge Road. This is a new build.

The proposed extension would be single storey and set away from the habitable windows of this neighbouring house by 26.90m. This distance is considered sufficient to not cause any unreasonable overlooking or loss of light. As such the proposal would not have a harmful impact on this neighbour.

6.4.4 Other neighbours at the rear of the site

As mentioned under site description, to the rear of the site is a large public car park and further north is a commercial building and as such no neighbours will be affected by the proposals at the rear of the site.

6.4.5 In summary, it is considered that the proposed single storey side extension would not have an unreasonable impact on neighbouring amenity in terms of privacy, overbearing, loss of outlook or overshadowing, in compliance with policies 7.4B and 7.6.B of the London Plan (2016), policy CS1.B of the Harrow Core Strategy (2012) and Policy DM1 of the Harrow Development Management Policies (2013).

6.5 <u>Development and Flood Risk</u>

6.5.1 The proposed development is shown to be built within fluvial flood zone 2 and in close proximity to surface water flood zone 3a & 3b and is defined by NPPF as having a high probability of flooding, as shown on maps in LB Harrow Strategic Flood Risk Assessment (SFRA) and/or Environment Agency Flood Zone Maps. Therefore the construction may be/is at a risk of flooding. Further to this, the proposals include development in close proximity to a watercourse which is designated 'Main River'. This will prejudice flood defence interests and adversely affect the character of the watercourse, and restrict necessary access to the watercourse for the Environment Agency to carry out its maintenance and inspection functions as Land Drainage Authority.

Policies DM9 and DM10 were introduced to address surface water run-off and flood risk from developments.

6.5.2 The application would result in a net increase in development footprint and there is the potential for surface water run off rates to increase. The Drainage Team has been consulted and has commented that the Flood Risk Assessment submitted with this application is considered acceptable subject to conditions and informatives for flood mitigation measures, emergency planning, surface & foul water disposal and the informative on main river buffer zone. In order to address this issue it has been considered necessary to attach conditions and informatives to this permission.

6.6 Traffic, Safety and Parking

- 6.6.1 Policy CS1.R of the Core Strategy states that parking for new development will be managed to contribute to the delivery of a modal shift from the private car to more sustainable modes. Policy CS1.S of the Core Strategy states that over-development of sites with a low public transport accessibility rating will be resisted. Higher densities will be considered appropriate where the proposal involves the redevelopment of a previously-developed site of strategic significance and can secure improvements to local transport sufficient to enhance the public transport accessibility level of the site.
- 6.6.2 Policy DM42 indicates that proposals that result in inappropriate on-site parking provisions, which lead to significant on-street parking problems, prejudice highway safety or diminish the convenience of pedestrians and cyclist will be resisted. This is further supported by Policy DM46B(c) and DM46D(c), which require community facilities to have no adverse impacts on residential amenity or highway safety, and to provide adequate parking and access arrangements.
- 6.6.3 The application site is located at the rear of Cambridge Road adjacent a large public car park. The surrounding area has a public transport accessibility rating (PTAL) of 2. Objections have been received from neighbouring properties citing potential problems with car parking due to the proposed extension. The Highways Team have no objections to the proposals as there is a large public car park beside the building which can be used by visitors. Public transport options are also a short walk from the site offering bus and Underground services. However,

whilst worshippers may choose to park on street, a revised travel plan statement should encourage travel by sustainable modes and demonstrate how people will be encouraged to use the public car park if they cannot travel by an alternative mode.

- 6.6.4 The submitted plans clearly indicate the proposed usage of the new extension. This is proposed to be used for training purposes for the existing church therefore it is not anticipated that the numbers of comings and outgoings would increase.
- 6.6.5 Notwithstanding the submitted travel plan, the travel planner has commented that details submitted are not sufficient and as such a condition has been attached for a revised travel plan to be submitted prior to occupation of the new extension.
- 6.6.6 No cycle storage has been provided on plan and the Highways Team have commented that appropriate cycle storage must be provided in accordance with London Plan standards; details can be secured via condition.
- 6.6.7 Subject to a condition, it is therefore considered that the development would not result in any unreasonable impacts on highway safety and convenience and subject to safeguarding conditions would therefore accord with policies DM26 and DM42 of the DMP (2013).

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed development has not been found to negatively impact the character and appearance of the property and the area. Furthermore, the proposed extensions and external alterations have not been found to have an unacceptably harmful effect on the amenity of the neighbouring occupiers.

APPENDIX 1: Conditions and Informatives

Conditions

1. Timing

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

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

2. Approved Drawing and Documents

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

Location Plan, Sheet no A101, Sheet no A102, Travel Plan Statement dated 20/11/2018, Design and Access Statement, Flood Risk Assessment

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

3 Materials

The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

REASON: To match the appearance of the original dwelling and to safeguard the appearance of the locality to comply with core policy CS 1B of the Harrow Core Strategy 2012 and policy DM 1 of the Development Management Policies Local Plan 2013.

4. Cycle Storage

Notwithstanding the details hereby approved, prior to occupation of the building, details of secured cycle storage shall be submitted to the Local Planning Authority for approval. The cycle storage thus approved shall be carried out and implemented in full on site in accordance with the approved details and shall be retained as such thereafter.

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport, in accordance with policy 6.9B of The London Plan (2016) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).

5. <u>Building Regulations</u>

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

REASON: To ensure that the development is capable of meeting 'Accessible and Adaptable Dwellings' standards in accordance with policies 3.5 and 3.8 of The London Plan 2016, policy CS1.K of The Harrow Core Strategy 2012 and policies DM1 and DM2 of the Development Management Policies Local Plan 2013.

6. Travel Plan

Prior to occupation of the development hereby permitted, a revised Travel Plan shall be submitted to, and approved in writing by the local planning authority. The travel plan shall be implemented in accordance with the approved details from the commencement of the use on site and retained thereafter.

REASON: To safeguard the amenities of neighbouring residents and to ensure that highway safety is not prejudiced.

7. Flood Risk Assessment

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 09/03/2017 and the following mitigation measures detailed within the FRA:

Provision of compensatory flood storage measures detailed within the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To ensure that the development would not exacerbate the risk of flooding within the site or increase the risk and consequences of flooding elsewhere achieves.

8. Flood Water Disposal 1

The development hereby permitted shall not be commenced (yes) 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.

To ensure that the necessary construction and design criteria for the development proposals follow approved conditions.

The applicant should contact Thames Water Utilities Limited and Harrow Drainage Section at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided in accordance with Sewers for Adoption.

9. Flood Water Disposal 2

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

To ensure that the necessary construction and design criteria for the development proposals follow approved conditions according to NPPF.

The applicant should contact Harrow Drainage Section at the earliest opportunity.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

10 Use of training rooms

The training rooms hereby approved shall be used solely in connection with and incidental to the existing church and shall not be used to expand the church's capacity.

REASON: To safeguard the amenity of neighbouring residents and the character of the locality as required by policy DM1 of the Harrow Development Management Policies Local Plan 2013.

Informatives

1. Policies

The following policies are relevant to this decision:

The National Planning Policy Framework (2018) The London Plan 2017 (Draft)

D1 London's form and characteristics

D2 Delivering good design

D3 Inclusive Design

The London Plan 2016:

7.3, 7.4B, 7.6B

The Harrow Core Strategy 2012:

CS1.B

Harrow Development Management Policies Local Plan 2013:

DM1, DM9, DM10, DM42, DM47

2. <u>Pre-application engagement</u>

Grant with pre-application advice

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

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

4. 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

5. SUDS

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

SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2012) gives priority to the use of sustainable drainage systems in the management of residual flood risk and the technical guidance confirms that the use of such systems is a policy aim in all flood zones. Policy 5.13 of the London Plan (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

6. Main River Buffer Zone

The proposals include development in close proximity to a watercourse which is designated 'Main River'. This will prejudice flood defence interests and adversely affect the character of the watercourse, and restrict necessary access to the watercourse for the Environment Agency to carry out its maintenance and inspection functions as Land Drainage Authority.

(Note to Local Planning Authority: Under the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any works in, over, under or within 8 meters of a main river, or structure, irrespective of any planning permission granted. It is likely that such consent will be withheld in this case).

The applicant should contact the Environment Agency at the earliest opportunity.

7. <u>Highways Informative</u>

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

Checked:

Interim Chief Planning Officer	Beverley Kuchar	Yes
Corporate Director	Paul Walker	Yes

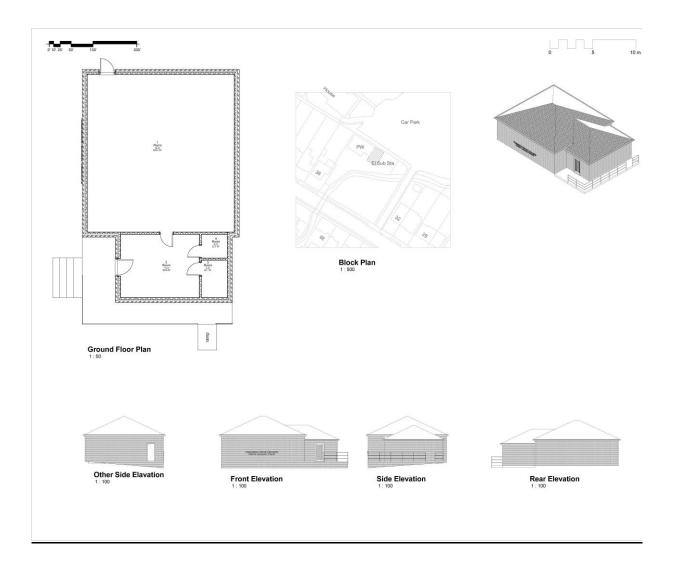
APPENDIX 2: SITE PLAN

SITE LOCATION PLAN AREA 2 HA SCALE 1:1250 on A4

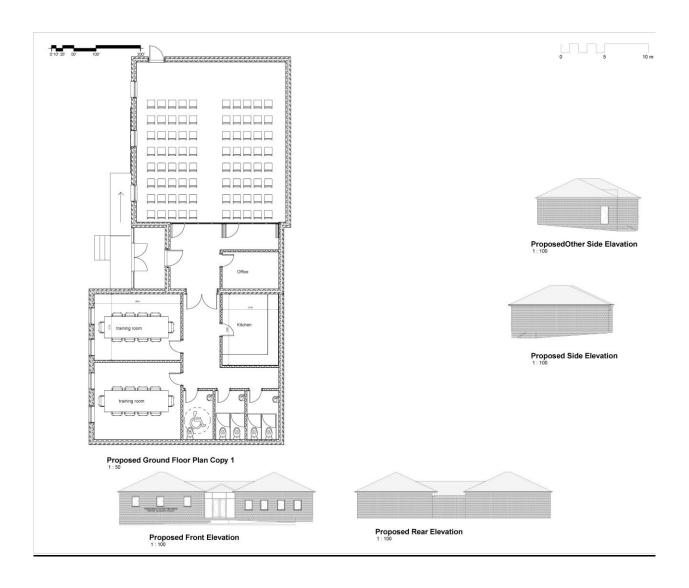
CENTRE COORDINATES: 513459, 188795



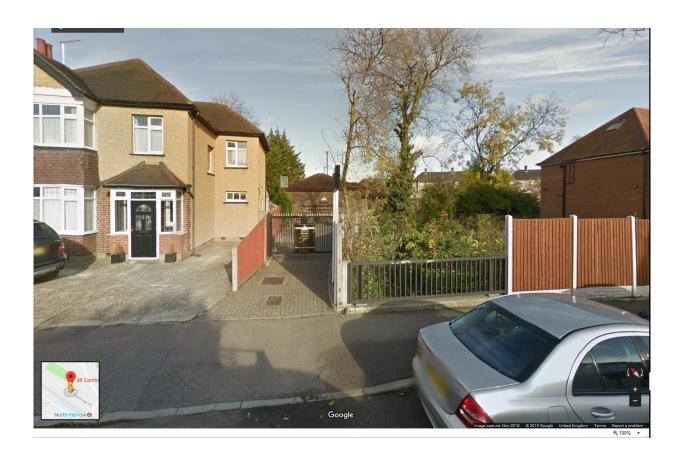
APPENDIX 3: PLANS AND ELEVATIONS Existing Plans



Proposed Plans



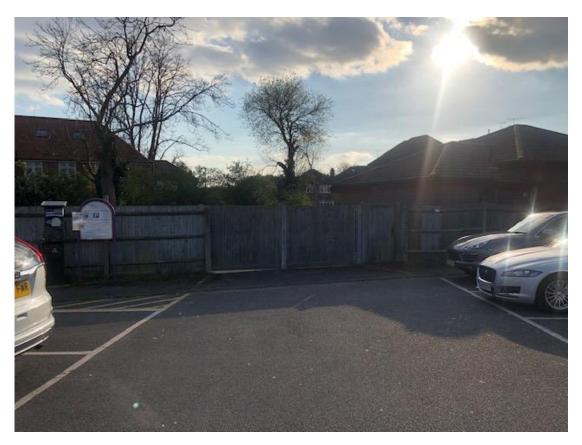
APPENDIX 4: SITE PHOTOS

















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