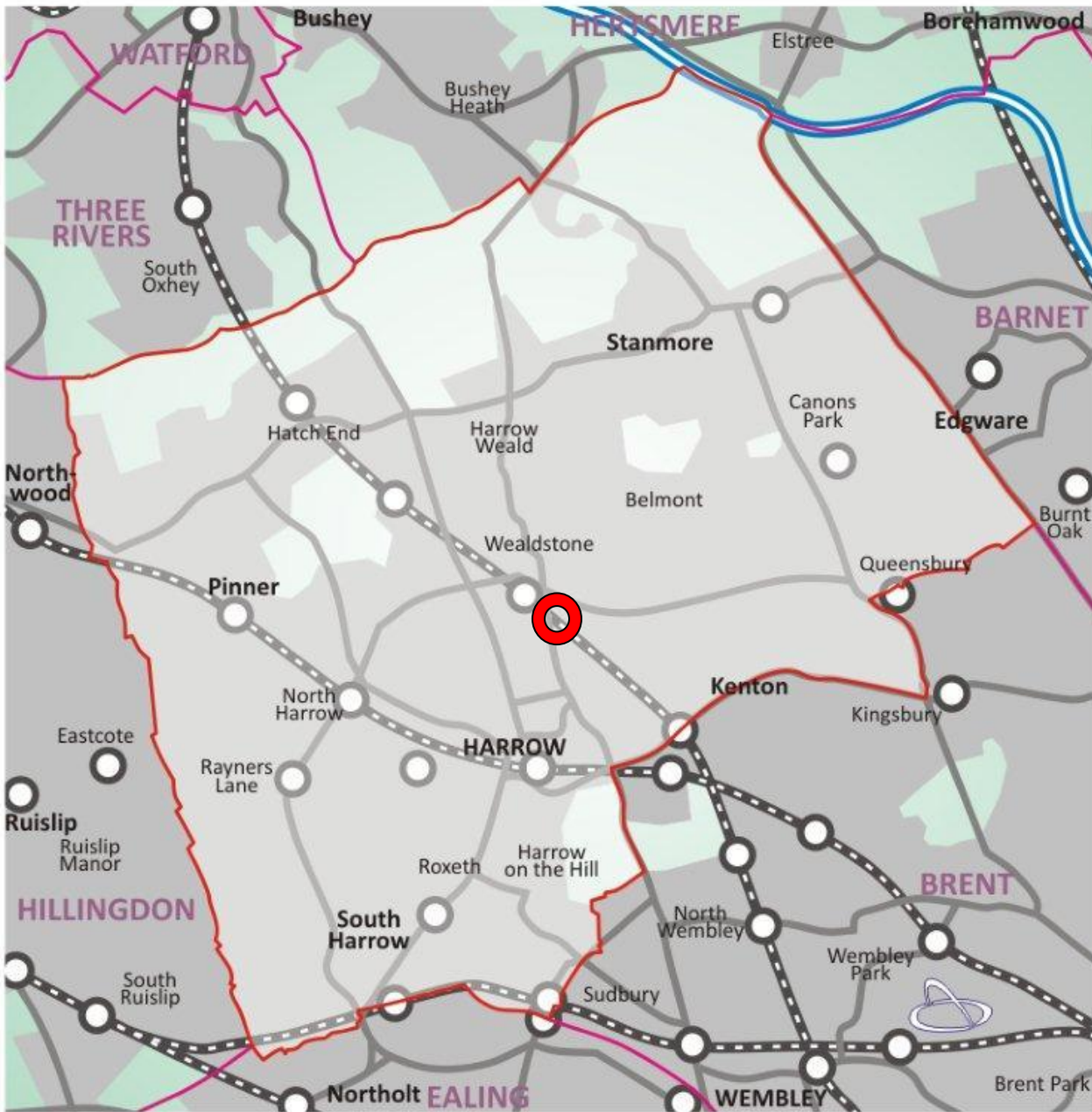
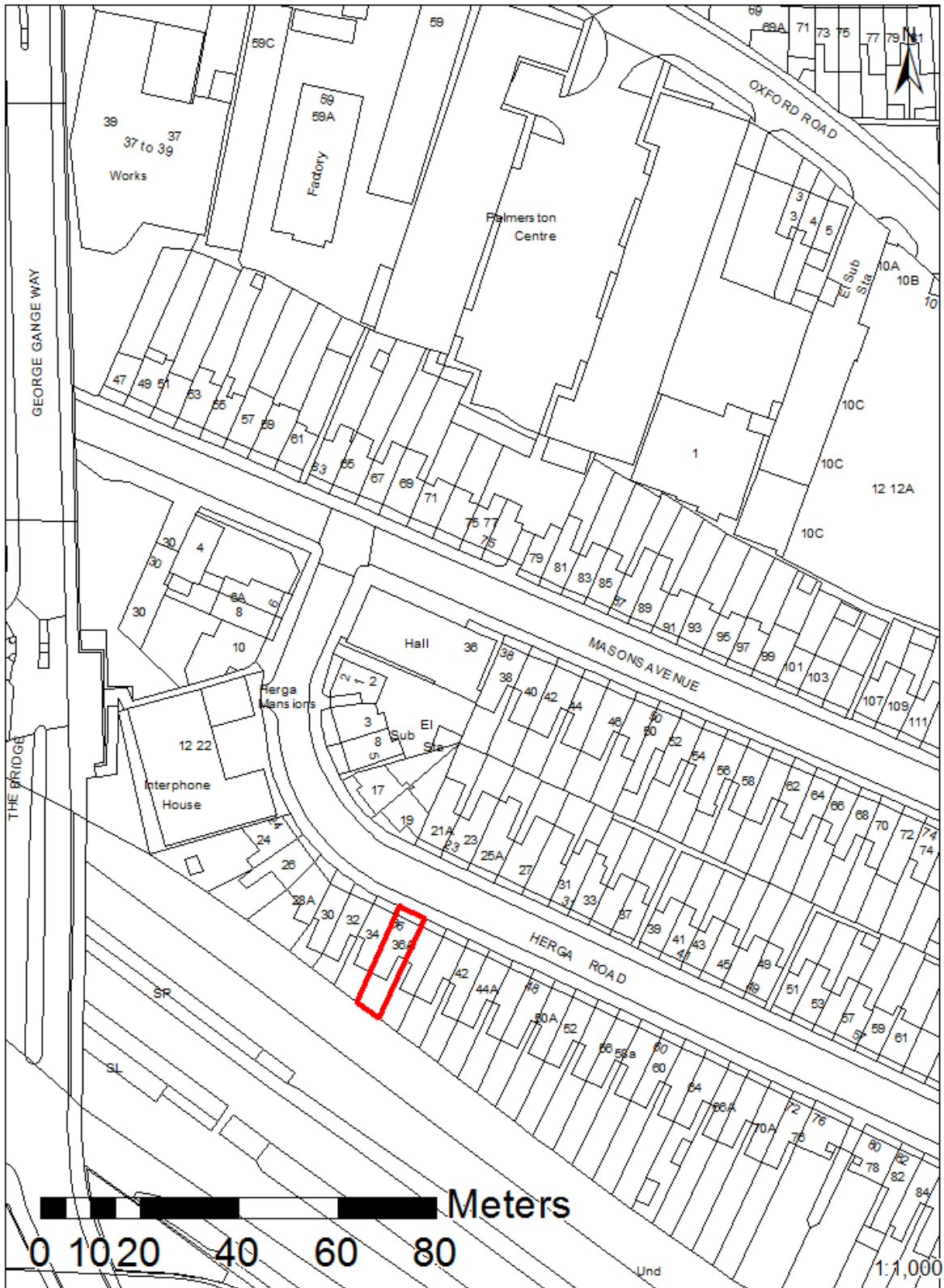


 = application site



36 Masons Avenue	P/1004/19
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36 Masons Avenue



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LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

22nd May 2019

APPLICATION NUMBER: P/1004/19
VALIDATE DATE: 28TH FEBRUARY 2019
LOCATION: 36 MASONS AVENUE
WARD: MARLBOROUGH
POSTCODE: HA3 5AR
APPLICANT: LONDON SRI AYYAPPAN KOVIL TEMPLE
AGENT: LAMONT PLANNING ASSOCIATES
CASE OFFICER: NABEEL KASMANI
EXTENDED EXPIRY DATE: 31ST MAY 2019

PROPOSAL

First Floor Extension and Alterations to Ground Floor Access

RECOMMENDATION A

The Planning Committee is asked to:

- 1) agree the reasons for approval as set out in this report, and
- 2) grant planning permission subject to authority being delegated to the 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 submission and implementation of a Travel Plan.

RECOMMENDATION B

That if the Section 106 Agreement is not completed by 30th August 2019, or as such extended period as may be agreed by the 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 proposed development, in the absence of a Legal Agreement to provide appropriate improvements and monitoring that directly relate to the development, would fail to adequately mitigate the impact of the development on the transport impacts arising directly from the development, contrary to the National Planning Policy Framework (2019), policies 6.3, 6.13, 6.14 and 7.14 of The London Plan (2016), Core Strategy (2012) policy CS1,

policies DM1 and DM43 of the Harrow Development Management Policies Local Plan, policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013) and the Supplementary Planning Document: Planning Obligations (2013).

REASON FOR THE RECOMMENDATIONS

The proposal would enhance the existing facilities and further support the community use. The proposed extension would be appropriate within the urban environment in terms of material presence and design and would not unacceptably impact upon the amenity of neighbouring occupiers in terms of: privacy/outlook; daylight, sunlight, overshadowing. Conditions have been included to further protect the residential amenities of adjoining occupiers from undue noise and disturbances associated with the community use. The proposed transport aspects of this proposal are considered to be in accordance with strategic and local transport policies and a Travel Plan would encourage the utilisation of more sustainable methods of transport. Officers conclude that the proposed development is worthy of support.

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

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 12 December 2018

Statutory Return Type:	(E)13 Minor Dwellings
Council Interest:	n/a
GLA Community Infrastructure Levy (CIL) Contribution:	£18,419
Local CIL requirement:	n/a

HUMAN RIGHTS ACT

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

EQUALITIES

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

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

S17 Crime & Disorder Act

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

1.0 SITE DESCRIPTION

- 1.1 The application site comprises a detached building on the corner of Masons Avenue and Herga Road. The building is split level, with part one and half storey high, with a large pitched roof that effectively goes up to two storeys in height, and part three storey high adjacent to no. 38 Masons Avenue
- 1.2 The subject building comprises a Sri Ayyappan Temple, which falls within Use Class D1 of the Town and Country Planning (Use Classed) Order 1987 (as amended). The existing building comprises 362m² of floorspace that falls within this Use Class.
- 1.3 The ground floor hall is used as a community facility for free daily meals, yoga and meditation classes. Faith based activities take place from 08.30 to 13.00 and 17.00 to 21.00 Monday to Thursday, 08.30 to 13.00 and 17.00 to 21.30 Saturday and 08.30 to 13:00 on Sunday. The first floor of the building includes the temple and can accommodate approximately 50 devotees. A total of 6 part-time staff are employed at the site.
- 1.4 The design features of the building include gable ends and parapet walls, larger windows and at ground floor level vertical red and white stripe render has been applied.
- 1.5 There are a number of commercial premises along Masons Avenue, particularly closer to Wealdstone centre, but the character of the street is predominately two storey terraced dwellings. This is similar along Herga Road, although there are two flatted developments, Herga Mansions immediately adjacent to the application site and Interphone House opposite Herga Mansions.
- 1.6 Harrow & Wealdstone Station is located to the west of the site, an approximate 5 minute walk, and as such the site has a Public Transport Availability Level (PTAL) of 5. Both Masons Avenue and Herga Road are in Controlled Parking Zone (CPZ)
- 1.7 The application site is partly within Surface Water Flood Zones 3a and 3b and is located within the Harrow and Wealdstone Opportunity Area.

2.0 PROPOSAL

- 2.1 The proposal is for first floor extension of the building, above the existing one and half storey section. This would provide a larger area for the temple on the first-floor.
- 2.2 The extension would be 19.7m in length, and link in with the taller section of the existing building. The extension would have a pitched roof and gable end facing onto Herga Road, much like the existing building. The height of the extended building to the top of the new roof would be 11m.
- 2.3 The extension would result in an increase in floorspace of the building by approximately 210m²; this would result in a larger prayer room on the first floor.

2.4 The application also seeks to amend the ground floor access by providing a ramp with railings (step-free access) for the entrances fronting Masons Avenue and Herga Road.

3.0 **RELEVANT PLANNING HISTORY**

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

Ref no.	Description	Status and date of decision
LBH/42679	First Floor Extension To Part Of Hall	Refused 19/05/1991
P/1384/13	First Floor Extension	<p>Refused 23/08/2013</p> <p>1. The proposed first floor extension, by reason of its height, bulk and massing, would be incongruous and out of keeping within the immediate streetscene and have an unacceptable adverse impact upon this prominent corner site and on the character and appearance of the wider area, contrary to the aims and objectives of the NPPF (2012), policies 7.4B and 7.6B of The London Plan (2011), policy CS1.B of the Harrow Core Strategy (2012) and policies AAP3, AAP4 and AAP6 of the Harrow and Wealdstone Area Action Plan (2013).</p> <p>2. The proposed first floor extension, by reason of its height and bulk, would have an overbearing impact and result in the loss of outlook and new overlooking to No.1 and 3 Herga Mansions (ground and first floor flats on north elevation of building), to the detriment of the residential amenities of the occupiers of these dwellings, contrary to policy 7.6B of The London Plan (2011), policy DM46 of the Development Management Policies Local Plan (2013) and the adopted Supplementary Planning Document - Residential Design Guide (2010).</p> <p>3. The applicant has failed to demonstrate that the proposed extension to the first floor of the building would not result in an unacceptable intensification of the use that would be of detriment to the amenities of local residential occupiers in terms of noise and general disturbance, and have an adverse impact on the local highway</p>

		<p>network through insufficient parking availability, contrary to policy AAP19 of the Harrow and Wealdstone Area Action Plan (2013) and policies DM1 and DM46 of the Development Management Policies Local Plan (2013).</p> <p>4. The application, by way of failure to submit a Flood Risk Assessment, may be at risk of flooding and lead to an increased risk of flooding in the area which is designated as an area of Flood Risk Zone 3 in the Council's Strategic Flood Risk Assessment (SFRA), and therefore would be contrary to the National Planning Policy Framework (2012), 5.12 of The London Plan (2011), policy CS1.U of the Harrow Core Strategy (2012) and policy AAP9 of the Harrow and Wealdstone Area Action Plan (2013).</p>
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4.0 **CONSULTATION**

4.1 A total of 29 consultation letters were sent to neighbouring properties regarding this application.

4.2 **Adjoining Properties**

Number of letters Sent	29
Number of Responses Received	8 (including 2 petitions with a total of 80 signatures)
Number in Support	0
Number of Objections	8

4.4 A 21 day reconsultation was undertaken on 16th April 2019 with an amended description to include alterations to the ground floor access. A total of 29 adjoining properties were consulted and 1 additional objection was received.

4.5 A summary of the responses received are set out below with officer comments in Italics:

Summary of Comments on original consultation (including petition)
<u>Character</u> Existing building not maintained; disregard for character of area;

building is already too large and out of character with area; alterations would ruin character and appearance of existing hall which should be preserved;
These comments have been addressed in section 6.3 of the report.

Amenity

Loss of light; noise and disturbances; overlooking and lack of privacy; loud music often played on site; use of double doors adjacent to access road would increase disturbance
These comments have been addressed in section 6.4 of the report. Appropriate conditions are included to safeguard the residential amenity of adjoining occupiers.

Highways and Parking

Parking pressure resulting from existing use; Impact on parking provision; congestion; intensification of site will exacerbate parking issues;
This has been addressed in section 6.5 of the report

Other

Increase in pollution; rubbish left outside site; use of site not in keeping with local area; extension not likely to be built to high quality;
No supporting evident has been provided to support the claim that the proposal will result in a material increase in pollution; a designated refuse store is provided to be secured by condition; the site has a lawful D1 use and has been historically used as a community hall, a condition is included to ensure materials use match the property.

4.5 Statutory and Non Statutory Consultation

4.6 The following consultations have been undertaken and a summary of the consultation responses received are set out below.

LBH Highways

The proposal to extend the existing building is not seeking to increase the congregation but instead improve the facilities and alter the spread of existing trips to the site.

Based on this viewpoint, we cannot consider that the proposal would have a material highways impact as the centre is already in operation and will not intensify the effect if numbers attending remain the same. It is possible however, that despite the aforementioned intentions, an improved offer will attract new attendees.

The submitted transport statement has considered the current impact and forecast the impact of a small increase in attendees and both scenarios do not depict a significant impact for the surrounding highway network. The roads in the

immediate vicinity are covered by CPZ J which operates during the hours of worship meaning that non-permit holders cannot park there. The congregation has instead been encouraged to utilise the public car park at Harrow Leisure Centre which appears to have spare capacity.

There is a significant percentage of attendees travelling by car which could be reduced via measures proposed in the travel plan. This site is within a location that has very good public transport accessibility meaning that many of these trips could be transferred to more sustainable modes.

It is unlikely that this proposal result in a severe impact for the surrounding highway network therefore, Highways have no objection to construction logistics plan and details of cycle storage.

Travel Planner

Having looked at the proposals and Travel Plan measures, I would recommend a Travel Plan be secured by S106.

LBH Drainage

No Objection subject to conditions on emergency planning, foul and surface water disposal and surface water attenuation

LBH Environmental Health

Whilst we've not received any recent noise complaints, we have had other complaints in relation to fly-tipping along the private alley and issues with water flowing from the temple onto the highway. As such, I do have concerns regarding the development from a waste and a noise point of view, as they are proposing to utilise the alley more and have installed rooflights.

No objection subject to conditions for lighting and noise.

5.0 POLICIES

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

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

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

5.3 In this instance, the Development Plan comprises The London Plan 2016 [LP] and the Local Development Framework [LDF]. The LDF comprises The Harrow Core Strategy 2012 [CS], Harrow and Wealdstone Area Action Plan 2013 [AAP], the Development Management Policies Local Plan 2013 [DMP], the Site Allocations Local Plan [SALP] 2013 and Harrow Local Area Map 2013 [LAP].

- 5.4 While this application has been principally considered against the adopted London Plan (2016) policies, some regard has also been given to relevant policies in the Draft London Plan (2017), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough. The document 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).
- 5.5 A full list of all the policies used in the consideration of this application is provided as Informative 1 in Appendix 1 of this report.

6.0 **ASSESSMENT**

6.1 The main issues are

- Principle of the Development
- Character and Appearance
- Residential Amenity
- Transport and Parking
- Flood Risk and Drainage

6.2 Principle of Development

- 6.2.1 The application site lies within the Wealdstone East sub-area, as set out in the Harrow and Wealdstone Area Action Plan 2013 [AAP]. The AAP states that one of the considerations for this sub—area is to: 'Reinforce the strengths and role of the sub area in providing key community facilities from sports and recreation, meeting places, open spaces, waste management through to local industrial services'. There is no specific policy in the AAP regarding the provision of community facilities. However, Policy DM46 (*New Community, Sport and Education Facilities*) of the Development Management Policies Local Plan (2013) is relevant.
- 6.2.2 Policy DM46 of the Harrow Development Management Policies Local Plan (2013) states;
- A. Proposals for the refurbishment and re-use of existing premises for community, sport and educational facilities will be supported.
 - B. Proposals for the provision of new community, sport and educational facilities will be supported where:
 - a) they are located within the community that they are intended to serve;
 - b) subject to (a) they are safe and located in an area of good public transport accessibility or in town centres; and
 - c) there would be no adverse impact on residential amenity (see Policy DM1) or highway safety."

6.2.3 The building is currently used as a religious meeting place, which falls within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). This proposal would extend the existing facility by approximately 210m², therefore falling under Section B of Policy DM46. Noting that the proposal is for an enlargement of an existing use, rather than a change of use, it is considered that the proposal would continue to be located within the community that it is intended to serve. As such, in terms of the principle of development, the application is considered to be acceptable with regards to the part B(a) of Policy DM46. The proposal's compliance with sections B (b and c) is set out below.

6.3 Character and Appearance

6.3.1 Chapter 12 of 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. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

6.3.2 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. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other relevant design policies in this chapter include specific design requirements relating to inclusive design; designing out crime; local character; public realm; architecture; tall and large scale buildings; and heritage assets.

6.3.3 Harrow's Core Strategy Policy CS1 seeks to protect the character of Harrow's suburbs and town centres. Policy DM1 of the Development Management Policies Local Plan (2013) and Policy AAP4 of the Harrow and Wealdstone Area Action Plan (2013) require all development proposals to achieve a high standard of design.

6.3.4 Volumetrically, the existing building is split into two distinct parts: a taller element with a narrow frontage along Masons Avenue, and a shorter element with an elongated frontage to Masons Avenue. The dimensions of the building are such that the floor to ceiling height is much larger than a domestic property (approximately 3.9m compared to 2.5m), and this accentuates the bulk and massing of the building, especially given its close proximity to the adjacent residential properties on Masons Avenue. However, the character of the area is not uniform, and the building also addresses Herga Road. The context of the streetscene here includes Herga Mansions, immediately to the south of the application site, and Interphone House, both of which are more recent flatted developments of a larger scale and size than the two storey dwellings that predominate in the area.

- 6.3.5 The design of the proposed first-floor extension has been amended from the previously refused application (reference P/1384/13). Importantly, the flank walls would only increase by 1.4m in height, the pitch roof would be set-back from the flank elevations and would be shallower, the ridge height would be reduced and the fenestration details would be amended to provide rooflights rather than first-floor windows fronting Masons Avenue.
- 6.3.6 The proposed first-floor extension would inevitably increase the massing of the building. Any additional bulk to the existing building would be readily visible from the streetscene, given the siting of the building on a prominent corner plot. However, officers consider that the revised scheme would result in a more sympathetic addition to the building that would be visually distinct from the three storey part of the building adjacent to no. 38 Masons Avenue and would not appear unduly dominant or unremitting within the streetscene.
- 6.3.7 The proposed first-floor extension would sit comfortably within the built context and would respond to the character of the immediate locality. For these reasons, officers consider that the proposed massing, design and scale of the proposed first-floor extension would not detract from the character or appearance of the area
- 6.3.8 The proposed extension would be finished in render and facebrick to match the existing building. Slate tiles are proposed for the roof. Officers consider the choice of materials to be acceptable and would ensure the extension sympathetically relates to the existing building and the character and appearance of the locality.
- 6.3.9 The finished floor level of the building is approximately 500mm higher than the adjacent pathway. The existing access points to the site are served by steps along Masons Avenue and Herga Road. The proposal would provide a new ramp and stepped access along Masons Avenue and Herga Road. The ramp fronting Masons Avenue would be approximately 18m in length and the ramp fronting Herga Road would have a projection of 4.2m. Metal railings are proposed along the entirety of the access ramps/steps and would have a maximum height of 1.4m. While the proposed railings would be readily visible from the streetscene, they would be functional in scale and appearance and would not have a detrimental impact on the appearance of the streetscene.
- 6.3.10 The proposed level access to the existing building would enhance the standard of accessibility and would accord with the objectives of Policy 7.2 of the London Plan and Policy DM2 of the Harrow Development Management Policies Local Plan.
- 6.3.11 Designated refuse storage would be provided within the curtilage of the application site and would be screened away from the streetscene. Subject to further conditions on the refuse strategy, officers consider that the proposed refuse storage would accord with Policy DM45 of the Development Management Policies Local Plan (2013).
- 6.3.11 In conclusion, officers consider that the scale, form and design of the proposed development would respect the character and appearance of the locality in accordance with the above policies.

6.4 Residential Amenity

Neighbouring Occupiers

- 6.4.1 A core principle of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy 7.6 of the London Plan states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate.
- 6.4.2 Harrow Local Plan Policy DM1 undertakes to assess privacy and amenity considerations having regard to, among other things, the prevailing character of amenity and the need to make effective use of land; the relationship between buildings and site boundaries; and the visual impact when viewed from within the buildings and outdoor spaces.
- 6.4.3 London Plan Policy 7.15 seeks to reduce and manage noise associated with development. Local Plan Policy DM1 requires a high standard of amenity taking into account among other things, noise, hours of operation, and vibration.
- 6.4.4 Herga Mansions is a block of flats that lies to the immediate south of the application site, and is separated from the subject building by a access road that serves the car park at the rear for these flats; the separation between the wall of the subject building and Herga Mansions is 3.1m and a further 1m separation would be provided between Herga Mansions and the proposed southern flank elevation. The adjacent north facing flank elevation of Herga Mansions features four windows serving the kitchen for flats 1 and 3 on the ground and first-floors respectively (as shown on drawing no. 2162/2 for planning permission E-891-99-REN dated 25th November 1999 for a second floor extension).
- 6.4.5 The respective kitchen of flat 1 is served by two windows and a glazed door and therefore does not solely rely on a single window to provide light into and outlook from the kitchen. The respective windows are already north facing, liable to overlookin Furthermore the windows are north facing, already subject to overlooking and have a limited outlook. The proposed first-floor extension would result in a minor incursion of the 45 degree vertical splay when measured from the adjacent ground floor windows on the north facing elevations of Herga Mansions and would therefore impact the light into and outlook from the respective ground floor kitchen. However, for the reasons detailed above and given the minor incursion that would occur, officers consider that on balance, the proposed extension would not harmfully exacerbate the existing amenity relationship such as to warrant a refusal for this reason.

- 6.4.6 The proposed first-floor extension would be sited approximately 16m away from the front elevations of nos. 6-10 Herga Road and nos. 67-79 Masons Avenue. The additional massing of the proposed extension would be readily visible from the adjacent habitable rooms facing the application site and would inevitably result in a change in outlook when compared to the existing situation. However, visibility does not equate to harm. The design of the proposed extension would mitigate the perception of bulk. In conjunction with the separation distance between the proposed extension and the front elevations of the respective neighbouring dwellinghouses, officers consider that the proposal would not have a detrimental impact on the residential amenities of those adjoining properties by reason of overshadowing, loss of light or loss of outlook.
- 6.4.7 The proposal would provide a total of 16 rooflights within the roofslope to enable natural light to penetrate the proposed temple. The provision of rooflights would ensure that the privacy amenities of adjoining and neighbouring occupiers would be safeguarded.
- 6.5.8 The building is currently used as a religious meeting place, which falls within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). This proposal would extend and improve the existing facility.
- 6.5.9 The supporting Transport Assessment details the site use and operation. Faith based activities are held within the temple between 08.30 – 13:00 and 17:00 – 21:00 Monday to Thursday, 08.30 - 13.00 and 17.00 - 21.30 Saturday and 08.30 - 13:00 on Sunday. The first floor includes the temple and can accommodate approximately 50 devotees. The Transport Assessment states that visitors come and go on a regular basis, leaving after prayer, in part due to the size of the temple. Table 2.1 of the Transport Assessment details the average number of daily Temple visitors and is reproduced below;

Day	Average Number of Visitors
Monday	20
Tuesday	20
Wednesday	25
Thursday	40
Friday	40
Saturday	60
Sunday	20

- 6.5.10 The Transport Statement notes that the maximum time spent on site is usually circa 1-2 hours per visit. Special Prayers/Temple festivals take place between July, August and from the middle of November until the middle of January. During this period, the latter daily prayer meeting time is extended to 22:00 and approximately 100 devotees attend the site throughout the day.

- 6.5.11 The submitted Transport Assessment states that the proposed expansion of the Temple and improvements to the building is expected to offer the current devotee base with improved facilities rather than attracting new devotees. However, it is possible that the improved building would attract more devotees and may result in an increased use of the community hall. It is noted that a number of objections from neighbouring occupiers have raised concerns on excessive noise and general disturbances from the existing use, loud music and use at anti-social hours. The proposed increase occupancy could exacerbate these impacts.
- 6.5.12 The application was referred to the Council's Environment Health team who have advised that there have been no statutory nuisance complaints received in relation to the existing use. The Environment Health team have raised no objection to the proposal subject to conditions related to noise and external lighting. It is considered that these conditions would control noise emanating from the site and therefore regulate existing concerns by neighbouring occupiers with regard to loud music related disturbances.
- 6.5.13 The lawful use of the building is within a D1 use class, and it is not subject to any planning restrictions regarding the hours of use or the number of patrons that may use it. The extension could increase the level of patronage to the site and may therefore exacerbate the degree of noise associated with the increased activity. To control this, officers consider that it would be appropriate to restrict the hours of use and the number of attendees to safeguard the residential amenities of adjoining occupiers.
- 6.5.14 Subject to conditions, officers consider that the proposed development would not have a detrimental impact on the residential amenities of the adjoining occupiers and would accord with the relevant policies in this regard.

6.5 Transport and Parking

- 6.5.1 The application site has a public transport accessibility rating of PTAL 5 and therefore has a good level of access to public transport. CPZ Zone J operated around the site and operates between 07.00-00:00.
- 6.5.2 The application site was referred to the Council's Highways Officer who has advised that the roads in the immediate vicinity are covered by CPZ J which operated during the hours of worship, meaning non-permit holders cannot park there. The Highways Officer has noted that the congregation has been encouraged to utilise the public car park at Harrow Leisure Centre which appears to have spare capacity. The Travel Plan would also seek to encourage a modal shift to more sustainable modes, given the very good public transport accessibility of the site.
- 6.5.3 The Highways Officer has advised that it is unlikely that the proposal would result in a severe impact for the surrounding highway network, and the Highways Authority therefore have no objection to the proposal, subject to conditions.

6.6 Flood Risk and Drainage

6.6.1 The application site is located partly within Surface Water Flood Zones 3a and 3b. A Flood Risk Assessment has been provided with the application.

6.6.2 The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to safeguarding conditions and the submission of Emergency Planning Information. The proposal would therefore comply with policies 5.12 and 5.13 of the London Plan (2016) and Policies DM9 and DM10 of the Development Management Policies (2013)

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposal would enhance the existing facilities and further support the community use. The proposed extension would be appropriate within the urban environment in terms of material presence and design and would not unacceptably impact upon the amenity of neighbouring occupiers in terms of: privacy/outlook; daylight, sunlight, overshadowing. Conditions have been included to further protect the residential amenities of adjoining occupiers from undue noise and disturbances associated with the community use. The proposed transport aspects of this proposal are considered to be in accordance with strategic and local transport policies and a Travel Plan would encourage the utilisation of more sustainable methods of transport. Officers conclude that the proposed development is worthy of support.

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

CHECKED

Interim Chief Planning Officer	Beverley Kuchar	8/5/19
Corporate Director	Paul Walker	9/5/19

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 Plans and documents

Save where varied by the other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

05/997/01 Rev A, 05/997/PLAN/02 Rev A, 05/997/PLAN/10 Rev A, 05/997/PLAN/11 Rev A, 05/997/PLAN/12 Rev A, 05/997/PLAN/13 Rev A, 05/997/PLAN/14 Rev A, 05/997/PLAN/15 Rev A, 05/997/PLAN/16 Rev A, 05/997/PLAN/17 Rev A, 05/997/PLAN/30 Rev A, 05/997/PLAN/31 Rev A, 05/997/PLAN/32 Rev A, 05/997/PLAN/33 Rev A, 05/997/PLAN/34 Rev A, 05/997/PLAN/35 Rev A, 05/997/PLAN/36, 05/997/PLAN/37, Planning, Design and Access Statement (February 2019), Flood Risk Assessment (21 November 2018), Transport Statement (February 2019), Travel Plan (February 2019),

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

3. Construction Logistics Plan

No development shall take place, including any works of demolition, until a demolition and construction logistics plan has first been submitted to and agreed in writing by the Local Planning Authority. The plan shall detail (but not limited to) the arrangements for:

- a) the parking of vehicles of site operatives and visitors;
- b) HGV access to the site, loading and unloading of plant and materials;
- c) Number of HGV's anticipated
- d) storage of plant and materials used in construction of the development;
- e) Programme of work and phasing
- f) Site layout plan
- g) Highway condition (before, during, after)
- h) measures for the control and reduction of dust
- i) a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To ensure that measures are put in place to manage and reduce noise and vibration impacts during and construction and to safeguard the amenity of

neighbouring occupiers, in accordance with Policies 7.14 and 7.15 of the London Plan (2016) and Policy DM1 of the Development Management Policies Local Plan (2013) and to ensure that the transport network impact of demolition and construction work associated with the development is managed in accordance with Policy 6.3 of the London Plan (2016). Details are required prior to commencement of development to ensure a satisfactory form of development.

4. Noise Condition

The development hereby permitted shall not be occupied until a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical, administrative measures, noise limits and any other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures

REASON: To safeguard the amenity of neighbouring occupiers, in accordance with Policy 7.15 of the London Plan (2016) and Policy DM1 of the Development Management Policies Local Plan (2013)

5. Surface and Foul Water Disposal

The development hereby permitted shall not be commenced until works for the disposal of surface and foul water have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Development Management Policies Local Plan 2013. Details are required prior to commencement of development to ensure a satisfactory form of development.

6. Surface Water Attenuation

The development hereby permitted shall not be commenced until surface water attenuation and storage works have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with these approved details and shall thereafter be retained.

REASON: To prevent the increased risk of flooding, reduce and mitigate the effects of flood risk in accordance with policy DM10 of the Development Management Policies Local Plan 2013. Details are required prior to commencement of development to ensure a satisfactory form of development.

7. Flood Evacuation Plan

The development hereby permitted shall not be occupied until emergency planning information including evacuation have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure suitable arrangements and safe access/egress from the site during a flood event have been provided, in accordance with Policy 5.12 of The London Plan (2016) and Policy DM9 of the Harrow Development Management Policies Local Plan (2013)

8. Materials

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

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

9. No window(s)/door(s), other than those shown on the approved plans, shall be installed in the elevation(s) of the development hereby permitted without the prior permission in writing of the local planning authority.

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

10. Rooflights

The rooflights in the roofslopes shall not protrude more than 150mm beyond the plane of the slope of the original roof

REASON: To safeguard the amenity of neighbouring residents and the character and appearance of the locality, in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013).

11. Hours of operation

Unless otherwise agreed in writing by the local planning authority, the temple and community hall shall only be open to the public between: 8:00am and 22:30pm Mondays to Sundays inclusive of Bank Holidays.

REASON: To safeguard the amenities of neighbouring properties in accordance with policy DM1 of the Harrow Development Management Local Policies Plan (2013).

12. Restriction of Use Class

The premises shall be only be used for the purposes specified in the application and for no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that order with or without modification).

REASON: To safeguard the amenity of neighbouring residents and the character of the locality and in the interests of highway safety in accordance with policies DM1, DM42 and DM46 of the Harrow Development Management Policies Local Plan (2013)

13. Restriction on number of patrons

Unless otherwise agreed in writing with the Local Planning Authority, the maximum number of staff and patrons in the premises shall not exceed 150 persons at any one time, in accordance with the submitted information as part of the Planning Application.

REASON: To ensure that the use of the site is not over-intensive and to safeguard the amenity of neighbouring residential properties in accordance with Policy DM1 of the Harrow Development Management Policies Local Plan (2013).

14. Cycle storage

Notwithstanding the details shown on the submitted plans, the development shall not be occupied until details of secure cycle storage including location of stands, type of cycle stands and shelters have been submitted to and approved in writing, by the Local Planning Authority. There is a requirement to provide a minimum of 1 long stay space and 7 short stay spaces

REASON: To provide secure, convenient and accessible cycle parking facilities for patrons in accordance with Policy 6.9 of the London Plan (2016)

15. Use of double doors on southern elevation

Unless otherwise agreed in writing by the Local Planning Authority, the double doors within the south elevation adjacent to the access road shall only be used for access/egress in the event of an emergency and shall remain closed at all other times.

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

16. Music and Amplified Sound

No music or any other amplified sound caused as a result of this permission shall be audible at the boundary of any residential premises either attached to, or in the vicinity of, the premises to which this permission refers.

REASON: To ensure that the proposed development does not give rise to noise nuisance to neighbouring residents in accordance with policy DM1 of the Harrow Development Management Policies Local Plan (2013)

17. Refuse Storage

The proposed extension shall not be occupied until a refuse storage strategy has been submitted to and agreed in writing by the local planning authority.

REASON: To safeguard the character of the local area and residential amenities of the adjoining occupiers, in accordance with policies DM1 and DM45 of the Development Management Strategies Local Plan (2013).

Informatives

1. Planning Policies

The following policies are relevant to this decision:

National Planning Policy Framework (2019) (NPPF)

London Plan (2016): 3.16, 5.12, 5.13, 6.3, 6.9, 6.12, 6.13, 7.1, 7.2, 7.4, 7.6, 7.15,

Draft London Plan (2017): D1, D2, D3, D13, S1, SI12, SI13, T3, T4, T5, T6,

Harrow Core Strategy (2012): CS1

Development Management Policies (2013): DM1, DM2, DM9, DM10, DM42, DM43, DM45, DM46,

Supplementary Planning Document: Residential Design Guide (2010)

2. 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.

3. The Party Wall etc. Act 1996

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:

Ucommunities@twoten.comU4T

4. Sustainable Urban Drainage

The applicant is advised that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater

recharge, and improving water quality and amenity. Where the intention is to use soak ways they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. Support for the SUDS approach to managing surface water run-off is set out in the National Planning Policy Framework (NPPF) and its accompanying technical guidance, as well as the London Plan. Specifically, the NPPF (2019) 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

5. Mayoral Community Infrastructure Levy (provisional)

Please be advised that this application attracts a liability payment of £34,434 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 upon the grant of planning permission will be collecting the Mayoral Community Infrastructure Levy (CIL). Your proposal is subject to a CIL Liability Notice indicating a levy of £18,419 for the application, based on the levy rate for Harrow of £35/sqm.

6. Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This decision has been reached in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

7. Compliance with conditions

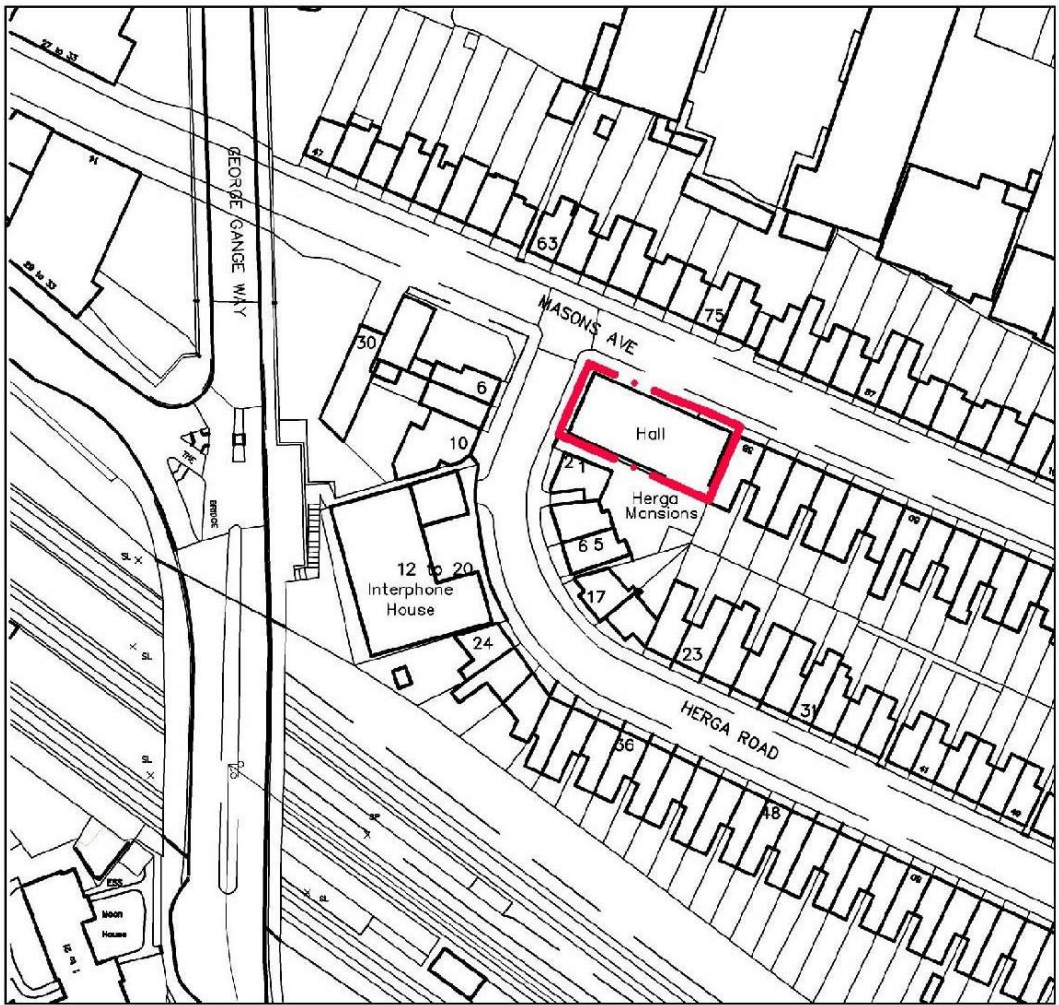
Compliance with Planning Conditions Requiring Submission and Approval of Details Before Development Commences

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

8. Highways Interference

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.

APPENDIX 2: SITE PLAN



APPENDIX 3: SITE PHOTOGRAPHS



View towards east from Masons Avenue



View towards west from Masons Avenue



Main entrance to temple and community hall

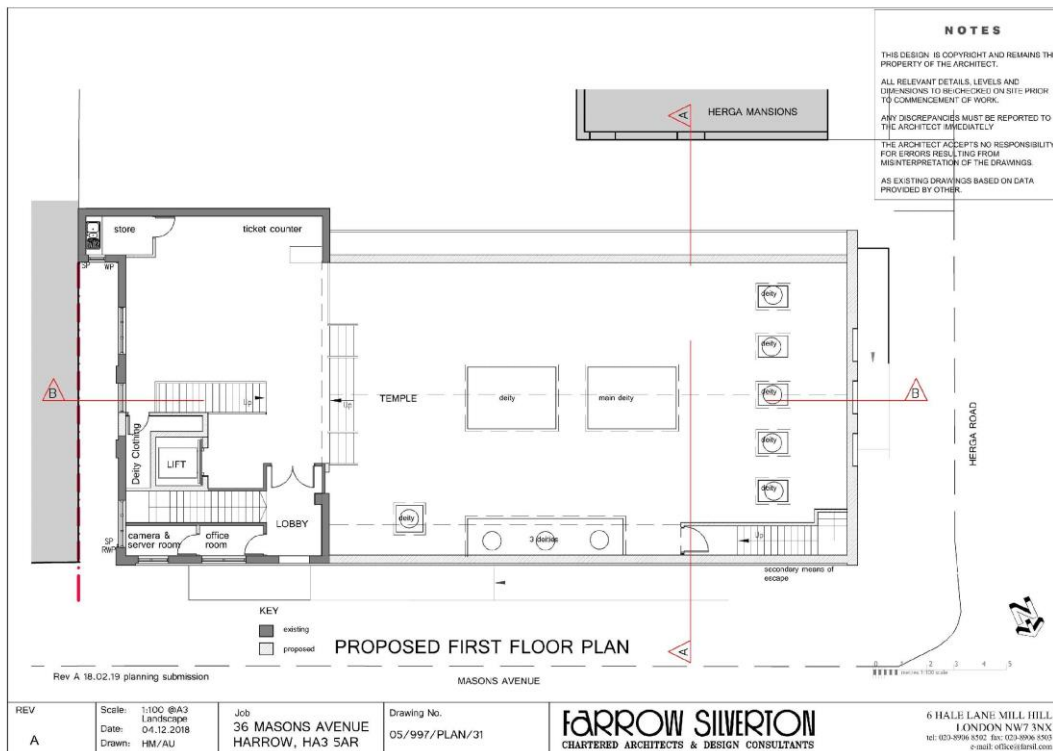
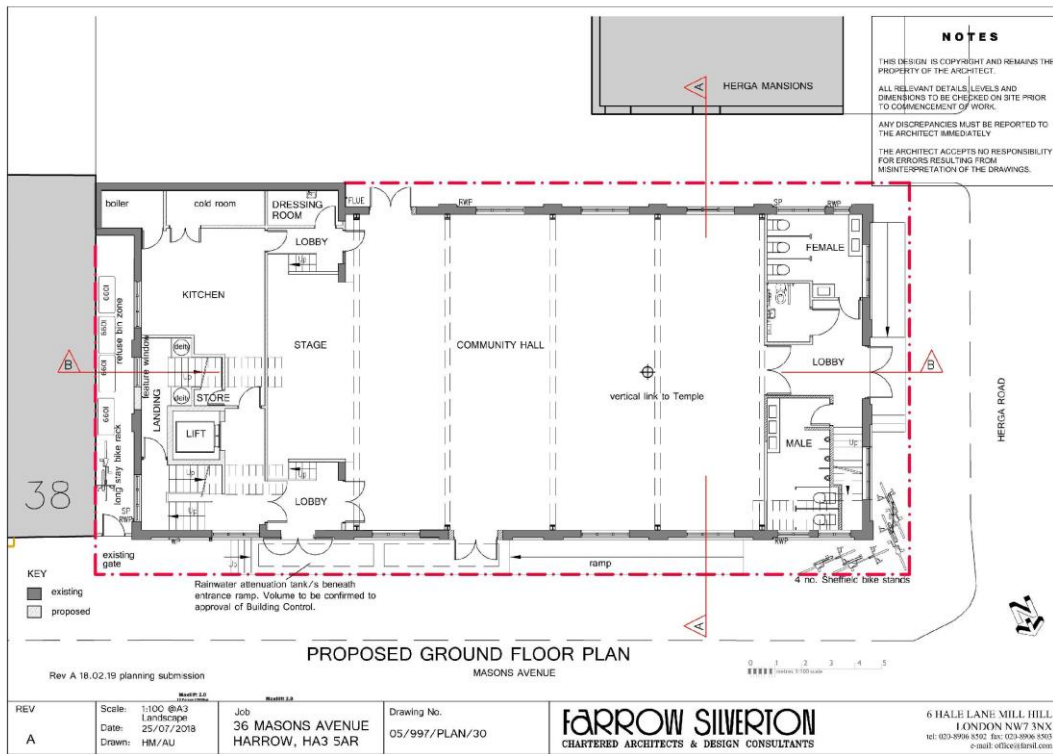


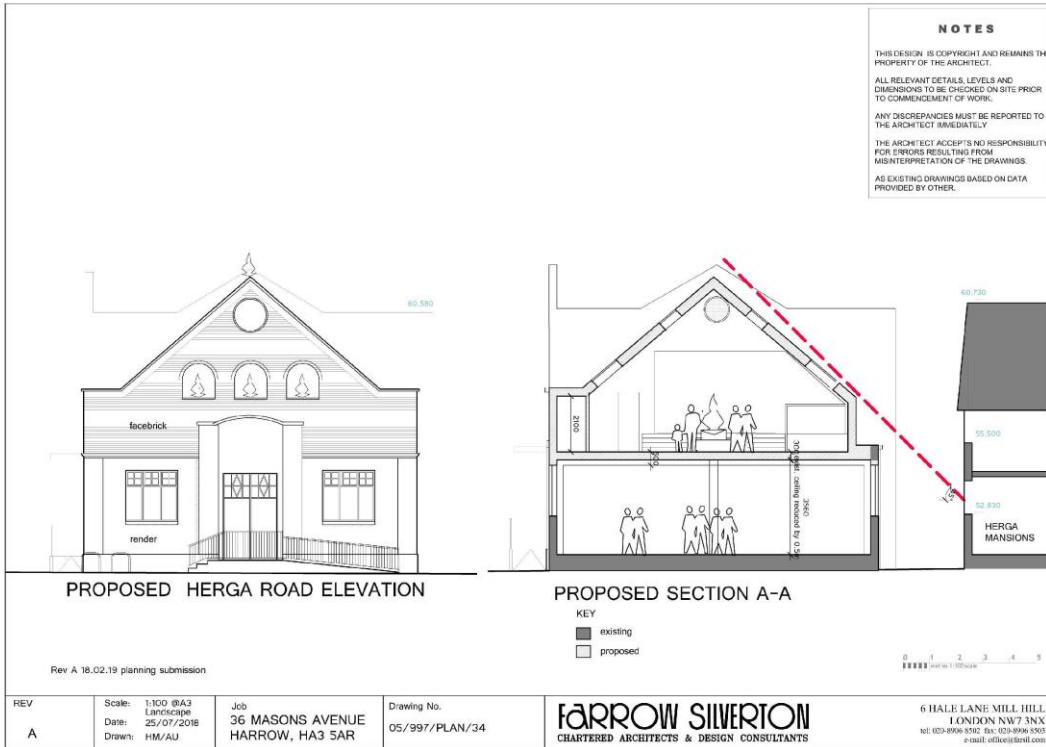
Building context within Herga Road



South facing elevation facing Herga Mansions

APPENDIX 4: PLANS AND ELEVATIONS





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