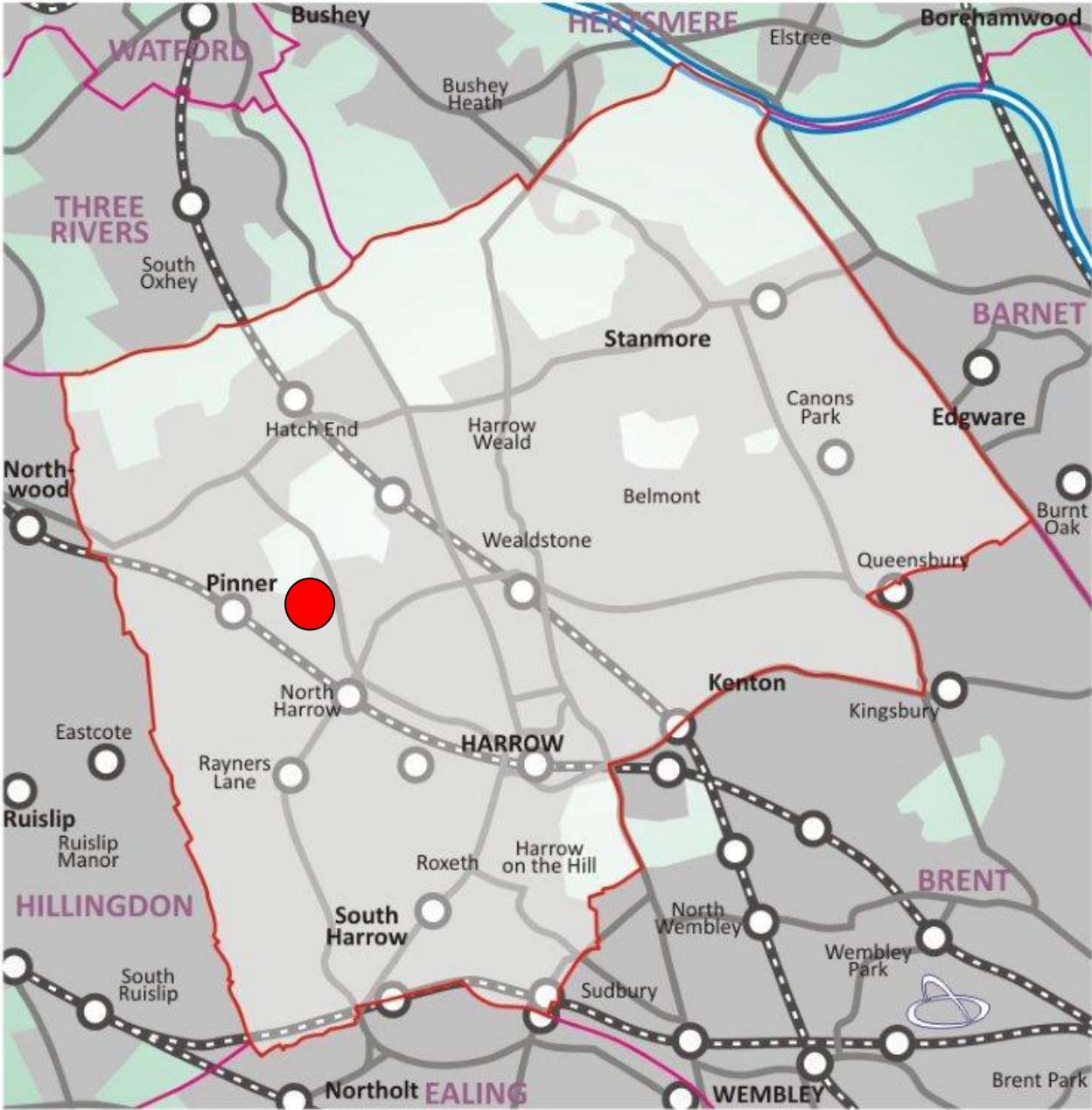
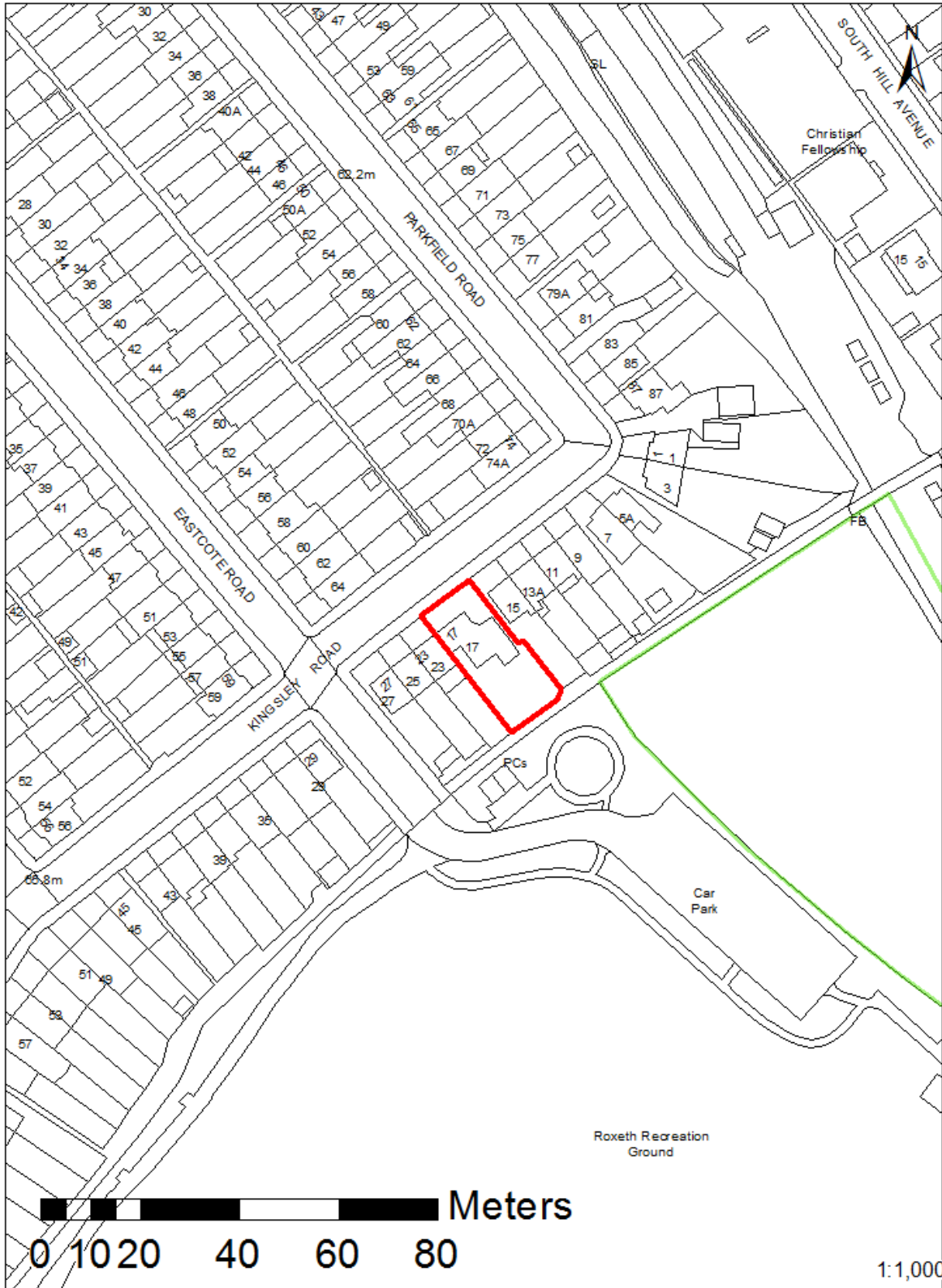


 = application site



<b>17 Kingsley Road HA2 8LD</b>	<b>P/3226/19</b>
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# 17 Kingsley Road HA2 8LD



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# LONDON BOROUGH OF HARROW

## PLANNING COMMITTEE

**20 November 2019**

**APPLICATION NUMBER:** P/3226/19  
**VALIDATE DATE:** 19/07/2019  
**LOCATION:** 17 Kingsley Road, South Harrow, HA2 8LD  
**WARD:** ROXBOURNE  
**POSTCODE:** HA2 8LD  
**APPLICANT:** MR KAMALUDDEN JAN  
**AGENT:** V-DESIGN CAD SERVICES LTD  
**CASE OFFICER:** SELINA HOTWANI  
**EXTENDED EXPIRY DATE:** 02/12/2019

### **PROPOSAL**

Redevelopment to provide a three storey building containing 4 flats comprising 2 x 1 bed maisonettes with habitable roofspace and 2 x 2 bed self-contained flats ; amenity space and bin / cycle storage

### **RECOMMENDATION**

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 the Conditions listed in Appendix 1 of this report.

### **REASON FOR THE RECOMMENDATIONS**

The proposed scheme seeks to provide 4 residential units on previously developed land. 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) and provide an enhancement to the existing and former street scene providing a two storey property more in keeping with the existing pattern of development. Accordingly, the proposed development would improve the visual amenity of the site and surrounding area and 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 consists of construction of more than three new dwellings. The proposal therefore falls outside Schedule 1 of the Scheme of Delegation.

Statutory Return Type:	(E)13 Minor Dwellings
Council Interest:	No
Net Additional Floorspace:	238 sqm
Infrastructure Levy (CIL)	
Contribution:	£14,280 (with indexation)
Local CIL requirement:	£37,699.20 (with indexation)

## **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.

## **OFFICER REPORT**

### **PART 1: Assessment**

#### **1.0 SITE DESCRIPTION**

- 1.1 The application site is currently vacant and was formerly occupied by a single storey bungalow on the south eastern side of Kingsley Road which occupies a site approximately double the width of the surrounding dwellinghouses.
- 1.2 The area is characterised by terraced properties with large frontages. The subject property benefits of a 3m deep front forecourt. There is a 0.8m width shared access between No. 15 and the subject property. The site lies within a critical drainage area but is not within any designated flood zone.
- 1.3 The neighbouring property at No. 15 is located north-east of the site and benefits from a 6m deep extension. On the other side No. 23 benefits from a ground floor extension approximately 3m deep. The site backs onto Roxeth Recreation Ground, also designated Metropolitan Open Land.
- 1.4 The site has a PTAL of 4 and is 0.6m away from South Harrow Underground Station. It is not located within a conservation area nor is it a listed building.

#### **2.0 PROPOSAL**

- 2.1 It is proposed to demolish the existing bungalow and construct a two storey building adjoining the existing terrace (23-27 Kingsley Road) to form two x two bedroom three person flats on the ground floor and two x one bedroom, two person split level flats on the first and loft floors.
- 2.2 Two rear dormers are proposed on the rear roofslope with rear facing windows and four front rooflights. The rear façade is characterised by a first floor rear outrigger with a staggered depth comprising a part 2.6m, part 3.4m and gable end with two rear facing windows. At ground floor the building would extend 6.2m from the rear elevation incorporating a flat roof.
- 2.3 Bins stores would be provided within the private rear gardens of the units and a holding area for four bins on collection day is provided at the front of the site. Cycle stores would be distributed in the front and rear gardens.

#### **3.0 RELEVANT PLANNING HISTORY**

P/5874/15 - Redevelopment to Provide A Three Storey Building For Two Maisonettes With Habitable Roofspace And Two Flats; Separate Amenity Space And Bin / Cycle Storage – Granted 08/03/2016

## 4.0 CONSULTATION

- 4.1 A total of 2 consultation letters were sent to neighbouring properties regarding this application. The public consultation period expired on 23 August 2019
- 4.2 A re-consultation took place on 27 September 2019. This was primarily to reflect the revised description of development which sought to rectify number of bedrooms in the upper floor flats. Two further comments were received, the details of which have been incorporated in the summary of responses below:
- 4.3 Following the aforementioned consultations 12 objections were received.
- 4.4 A summary of the responses received are set out below with officer comments in Italics:

### **Summary of Comments (Objections)**

*Character:* It is bigger than what it had replaced which was a bungalow to the front and back. It would dominate the street scene and be out of character. It extends rearwards far more than the existing which would reduce their current garden space.

The increase in density is likely to cause detrimental harm to the character of the area and is a sign of overdevelopment. Furthermore, the quality of the view from the park in a north-westerly direction will be diminished.

*A similar sized scheme has already been permitted under planning permission P/5874/19. The proposed scheme would be 1.4m larger in depth at ground floor, however as the per the character and appearance assessment below, the scheme would be acceptable.*

Local understanding is that the plot of where the recently demolished building was a pond. Aerial pictures from the 50's show no buildings to be on site and so any such development would be intrusive and out of scale to what the established intention of the site was.

*The site is considered previously developed land which was formerly occupied by a bungalow. The proposal seeks to retain the residential use of the site and would infill the areas around the former bungalow and is considered to be of an acceptable scale and design.*

The increase in the proposed rear extension would mean that it would be at least 3.5m beyond the single storey extension at No. 23 Kingsley Road, which is larger than the scheme approved under permission (P/5874/15) which was approx. 1.7m beyond. The first floor also appears excessively large.

*The proposed ground floor would be larger than that approved in the previous application, however the additional depth is considered acceptable as per the character and appearance assessment below.*

The current passageway to the rear garden could have implications on security and safety providing an opportunity for muggers.

*This will be gated and a Secure by Design accreditation will need to be attained in order to ensure all relevant safety measures are in place.*

Parking: All occupiers would need cars and there do not appear to be any parking spaces marked on the plans. The development would worsen the existing situation. The ripple effect from the major Echo One development will make parking more of a problem in the area.

*The site would require two additional cars, however the Council's highways officer considers the close proximity to South Harrow Underground Station and the availability of on-street parking around the site would ensure that no adverse harm would be caused as a result. As a result, no parking provision is acceptable.*

If the scheme at 200 Northolt Road for 151 new units come forward (P/2010/19) then there will be major additional pressure from displacement parking.

- *This application is still under consideration and is not for residential use (C3) but for co-living use the nature of which is different. However, each planning application is based on its own merits.*

*Amenity:* The excessive depth would block out light the houses nearby. The rear facing windows at second floor level would overlook the gardens of Nos. 25 and 27 Kingsley Road. The proposed development would also result in a loss of privacy for Nos. 11 and 15 Kingsley Road.

It is considered that the proposed development would block the light to a window located on the rear ground floor of No. 23 Kingsley Road. A daylight assessment has been requested by 23 Kingsley Road.

*Amenity impact has been addressed in the requisite section below.*

The potential impact on light received by the flank window at no. 23 raised in the objection dated 17<sup>th</sup> August 2019 is still not addressed.

*This window is not an original source of primary light as it would appear that the that the main source of light is from the patio doors in the rear elevation.*

Cycle storage: poor layout with one flat having to wheel their cycles internally.

*There is adequate external cycle storage provided with 4 cycles being placed in the front store.*

Flooding: There appears to be no flood mitigation measures.

*The site is not located within any designated flood zones.*

*Quality of accommodation:* The floor to ceiling heights appear to fall short of the required 2.5m with areas sloping down to under 1m. Stacking issues.

*Sections have been provided to ensure that the appropriate floor to ceiling heights are compliant. Stacking issues have been addressed by acoustic flooring.*

*Inaccuracies:* The description is incorrect as the plans show 2x2 bedroom and 2x1 bedroom units and not 2x2 maisonettes and 2x2 units. Two parking spaces are proposed but none are shown on the plans.

*The proposal has been amended to reflect a correct description of development and reference to two parking spaces to the forecourt has been omitted.*

The property shown as No. 19 on the topographic survey is in fact No. 23 Kingsley Road. The proposed site plan is inaccurate in the same way.

*This has been rectified.*

*Noise report:* Expected levels of noise resulting from washing machines used overnight should be checked using Harrow Requirements.

*The Acoustic Report has been reviewed by Harrow Council's Environmental Health Officer who concludes that the mitigation measures in place would be adequate subject to compliance. A condition to ensure this will be the case is therefore recommended.*

#### 4.5 Statutory and Non Statutory Consultation

4.6 The following consultations have been undertaken.

- *London Underground:* No comments
- *Metropolitan Police:* Few concerns regarding boundary treatment, location and access to the cycle store, bin store and the standards and suitability of the planned doors and windows. As such, a Secured by Design accreditation is strongly advised.
- *Drainage Officer:* No objections subject to conditions
- *Landscape Officer:* Further clarification in terms of the front forecourt should be requested and soft and hard landscaping conditions should be requested.
- *Highways Officer:* Highways have no objection to this proposal subject to clarification on the cycle parking details.



- *Waste Coordinator:* The bins will need to be fully visible and within 2m of the front boundary. Other than that no objection.

## **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 National Planning Policy Framework (NPPF) 2019 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.

5.3 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.

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 originally published in draft form in December 2017 and subject to Examination in Public (EiP), with the Panel's report published in October 2019. The Plan (Consolidated Suggested Changes Version published in July 2019) holds some weight in the determination of planning applications, although lesser weight will be given to those areas of the plan that are recommended to be amended in the Panel's report.

5.5 Notwithstanding the above, the Draft London Plan remains a material planning consideration, with relevant policies referenced within the report below and a summary within Informative 1.

## **6.0 ASSESSMENT**

6.1 The main issues are:

- Principle of the Development
- Character and Appearance of the area
- Housing Supply, Mix and Density
- Residential Amenity
- Transport and Parking
- Flood Risk and Development
- Accessibility

## **6.2 Principle of Development**

- 6.2.1 In assessing the principle of development the following national and local policies are relevant: Policy 3.8 of The London Plan (2016) and Core Policy CS1 (I) which encourages the Borough to provide a range of housing choices including a mix of housing in terms of type, size and tenure. Having regard to the London Plan and the Council's policies and guidelines, it is considered that the proposed development would constitute an increase in housing stock within the borough, and would therefore be acceptable in principle. There is no specific policy in the Council's Core Strategy that precludes the principle of redeveloping a site to provide new flats and promote the potential for re-using or redeveloping existing sites and facilities.
- 6.2.2 The application property is a bungalow with the surrounding properties being two storey terraced properties. The footprint of the proposed two storey property would not significantly increase over that of the existing bungalow and therefore it is considered that the proposal would not constitute garden land development. Development Plan policies encourage the effective and efficient use of land, particularly through the use of land through redevelopment of previously-developed land. Whilst it is noted that the ground floor has been extended by approximately 3m when measured from the main rear elevation of the pre-existing bungalow the paragraph 3.6 of the Council's Garden Land SPD states that: For the avoidance of doubt, garden land development excludes "(c) the redevelopment of an existing dwelling or group of dwellings to provide multiple dwellings or flats on the same building footprint, plus any appropriate enlargement.
- 6.2.3 The development would result in an enlargement of approximately 56 sqm from the pre-existing footprint of the original bungalow. The additional infill elements are considered to be appropriate given that these would be acceptable in planning terms. As such, the proposal would not constitute garden land development. Furthermore, the site has already gained permission for a similar scheme and footprint at the site under planning reference: P/5874/15 granted on 18 April 2016.
- 6.2.4 As such, the principle of the redevelopment of the site for the same number of units and similar footprint has already been established. Subject to the assessment of the planning considerations outlined below, the principle of the development is therefore considered to be acceptable.

## **6.3 Character & Appearance of the area**

- 6.3.1 In assessing the proposed development against local and national design policies it is relevant to consider it against London Plan policy 7.4 (B) which promotes high quality design and local Core Strategy Policy CS1.B and policy DM1 of the Development Management Policies Local Plan (2013) which promotes development to positively respond to local and historic context in terms of design and layout and resists a poor standard of development.

- 6.3.2 Given that the fundamental design considerations including the scale and height of the building, overall appearance and materials were assessed as part of the previous proposal and there have been no significant changes to these elements in the current scheme, it is considered that the design and appearance of the proposed scheme would be acceptable. Furthermore, whilst the proposed footprint is larger in the depth by approximately 1.4m than that previous approved (P/5874/15) this would not be out of character with other developments in the immediate vicinity of the site, namely the neighbouring property at no. 15 Kingsley Road which benefits from a single storey rear extension which is marginally larger than that being proposed. On the other side, given that the single storey element would appear 3.4m beyond the extension at no. 23 Kingsley Road and would be set away from their flank wall by 0.9m the additional scale from that previously approved is considered to be acceptable given these mitigating circumstances.
- 6.3.3 In addition, the overall height, appearance and front gable features and bay windows at ground level would be similar to the front elevations of nos. 21-23 Kingsley Road. Two front entrance doors have also been included to retain a semi-detached appearance to ensure consistency with the existing street pattern and in this regard it is considered that the proposal would not appear at odds with the character and appearance of the wider area. Although the site backs onto designated Metropolitan Open Land, the rear elevation of the proposed built form would still maintain over 10m distance. Furthermore, given the acceptability of the design and scale of the proposal it is not considered that it would result in any significant impact on the openness of this designation particularly as it would follow existing neighbouring patterns of development.
- 6.3.4 There are some changes from the previously approved scheme which includes:
- Reduction in width of the property by 0.9m away from No. 23 Kingsley Road.
  - Increased depth of property by 1.4m (rearwards)
  - Change in unit mix to include 2 x 1 bedroom maisonettes from 2 x 2 bedroom maisonettes.
  - Increased depth (including front bay windows) from 13m (approved) to 14.36m (proposed).
  - New set of doors at ground floor
  - Revised bin location.
- 6.3.5 As per the assessment above, the changes from the previous proposal are considered to be acceptable. Furthermore, whilst it is noted that concerns have been raised by residents in terms of overdevelopment, views to and from the park and lack of garden space the above assessment addresses these points and in this regard the proposal is considered to be acceptable.

- 6.3.6 Subject to a condition to secure final details of proposed materials, it is considered that the design and appearance of the proposed development would follow the neighbouring properties closely and sit comfortably within the street scene given its comparable scale, height, massing and architecture. It is considered that the proposed development would not unacceptably harm the appearance of the locality and therefore accords with above stated policies.

#### *Refuse Storage*

- 6.3.7 Policy DM26 states that part of the requirements for good design are that bin and refuse storage must be provided in such a way as to minimise its visual impact and that adequate arrangements for the storage and collection of waste, which would not give rise to nuisance to future occupiers is required. Policy DM45 states that waste storage must be located and screened to avoid nuisance to occupiers and adverse visual impact.
- 6.3.8 Paragraph 5.8 of the Harrow Residential Design Guide SPD states that “The design and layout of residential development must make satisfactory arrangements for the storage and collection of recycling and waste.” This proposal would fall under the three bin system for new flats which require blue bins for recyclable waste (1280 litre) and grey / galvanised waste bins for residual waste (110 litre) and a food caddy. Although the property would now be purpose built flats the Council’s Waste Coordinator requires each flat to accommodate 1 x 240ltr domestic bin and 1 x 240ltr recycling bin plus food waste caddy, this is because the property would be serviced under the existing refuse arrangements in place. The proposal would meet this requirement.
- 6.3.9 The revised bin store location which confines refuse into the rear gardens of each unit would be considered acceptable. A holding area for weekly collection is proposed on the side of the property adjacent to No. 23 Kingsley Road and a secure cycle stand is located on the opposite side boundary. A condition ensuring the bins would be located within 2m of the front boundary is recommended as per the Councils Waste Coordinators advice. This arrangement would ensure that the proposed development would not result in a cluttered forecourt and would therefore not harm the character and appearance of the host property or street scene.

#### *Landscaping*

- 6.3.10 Policy DM22 requires proposals to include hard and soft landscaping to be provided as part of new development. The existing property comprises some soft landscaping and a single car parking space. The loss of the car parking and replacement soft landscaping would be a welcomed addition. Notwithstanding this, appropriate hard and soft landscaping scheme including any ground surfacing would be subject of a condition. Furthermore, no details relating to the boundary treatments to the front of the property or to the rear subdividing the gardens proposed have been provided and therefore this will also be included as part of the recommended landscaping condition.

## *Access*

- 6.3.11 Access via the side passage adjacent to No. 23 Kingsley Road would be provided to allow occupiers of the upper floor flats to access the rear gardens. This is proposed to be gated as per comments by the Secure by Design officer and would be considered acceptable. Refuse and cycle stores would be appropriately placed allowing for easy access for future occupiers. In this regard, the proposed access arrangements are considered to comply with policy DM1 of the Development Management Policies Document (2013).

## **6.4 Housing Supply, Mix and Density**

- 6.4.1 Policies 3.5C and 7.6B of the London Plan (2016) and policy DM1 of the DMP are relevant in assessing the quality of accommodation provided and seek requires all new residential development to provide, amongst other things, accommodation which is adequate to meet people's needs.
- 6.4.2 The proposed development would provide four units 2 x one bed two person dwellings and 2 x two bedroom three person units. This would be consistent with the mix of accommodation within the surrounding area and comply with the policies listed above.

## *Room Size and Layout*

- 6.4.3 The Technical Housing standards (2015) (THS) specifies Gross Internal Areas (GIA) for new dwellings, and footnote 57 of the London Plan explains that 'new dwellings in this context includes new build, conversions and changes of use.' A minimum ceiling height of 2.3m is provided for at least 75% of the dwelling area, and from the proposed cross section the application would be above this standard at 2.5m and the loft area would also have a higher floor to ceiling height at 2.4m.
- 6.4.4 The GIA for all the proposed new units and habitable bedrooms would meet the minimum space standards required. Internal storage is shown on the plans and would also generally meet the London Plan 2016 thresholds, although the upper floor flats fall short slightly, but given that the floor areas of these units exceed that of the London Plan it is considered that these are acceptable. All units would be dual aspect and would include sufficient daylight and outlook. As such, it is considered that the proposed units would provide a reasonable standard of living for occupiers, contrary to policies DM1 and DM26 of the Development Management Policies Document (2013).

## *Layout & stacking*

- 6.4.5 Paragraph 4.55 of the Residential Design Guide SPD specifies that 'the vertical stacking of rooms between flats should ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. Where possible, the horizontal arrangement of rooms between flats in a block should also avoid bedrooms adjoining neighbouring living rooms, kitchens and bathrooms, as well as communal areas such as halls and stairs'.

- 6.4.6 The vertical stacking between the floors would conflict with the above guidelines given that it would place kitchens serving the upper floor flats directly above the bedrooms of the units below. However, the applicant has provided an Acoustic Report which outlines measures to ensure appropriate insulation including timber joist flooring comprising a JCW Acoustic Deck over the subfloor; timber boards, timber joists with 100mm isover Acoustic Partition Roll and two layers of 15mm Gyproc SoundBlock plasterboard on resilient bars. The Council's Environmental Health Officer has confirmed that these measures would overcome any issues of noise transmission arising from the vertical stacking arrangement. A condition ensuring that the proposed development would be carried out in accordance with the measures set out in the submitted Acoustic Report is therefore recommended.

#### *Outdoor Amenity Space*

- 6.4.7 Policy DM1 of the DMP seeks to inter alia ensure that development proposals provide an appropriate form of useable outdoor space. This is further reinforced under paragraph 4.64 of the SPD requires that residential development should provide appropriate amenity space. Policy DM27 expects proposals for residential development to provide appropriate amenity space in accordance with the London Plan standards which requires a minimum of 5 sqm per 1-2 person dwelling and an extra 1m<sup>2</sup> for each additional occupant. The proposed flats would meet these standards as each flat would benefit from access to a dedicated rear garden exceeding the minimum threshold. As such, this element is considered to be acceptable.

### **6.5 Residential Amenity**

- 6.5.1 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.

#### *Impact to No. 15 Kingsley Road*

- 6.5.2 No. 15 Kingsley Road benefits from a 6m deep single storey rear extension. The extension is separated from the application site by the existing shared alleyway. The staggered side wall of the extension maintains a gap of 1.2m between the flank wall of the extension and the side boundary of the application site, this narrows to the rear to 0.9m due to the increased width of the application site at the rear. The building line of the single storey rear extension would fall marginally short of the extension at this property (No. 15) and would be separated at its closest point by 1.2m and would increase to 1.9m to the rear. This separation distance and given the similar depths of the proposed single storey element and existing extension at No. 15 it is unlikely to cause harm to neighbouring occupiers on that side. The high level, obscure glazed window on the side elevation of the extension at No. 15 is not protected and therefore no significant impact would occur as a result.

6.5.3 The two storey element would be set in from the flank rear wall of the proposed dwelling by approximately 2.1m and when measured from the corner of No. 15 Kingsley Road would not impinge the 45 degree line. As such, it is not considered that the first floor element would have an unacceptable level of impact in terms of daylight, outlook or poor visual amenity, furthermore no windows are proposed on the side elevation. Whilst new windows are proposed on the rear elevation of the property there are no properties located to the rear which would be affected as a result in terms of loss of privacy. No flank windows are proposed at first floor level.

*Impact to No. 23 Kingsley Road*

6.5.4 No 23 Kingsley Road benefits from a 3m deep single storey rear extension. The proposed single storey projection would extend a further 3.4m from the rear elevation. As the property is a detached dwelling and under the Council's Residential Design Guide the allowable limits for rear extensions is 4m. Given the neighbouring extension, the depth would appear as 3.4m on that side and is therefore not considered this element would negatively impact on the amenity of these occupiers. There are further mitigating circumstances as the proposed depth of the single storey element of the replacement dwelling would be set away from the flank wall and side boundary shared with No. 23 by 0.9m.

6.5.5 An objection has been received from this neighbouring property with regard to a ground floor flank window that will be impacted by the proposed development. This window is obscure glazed and appears to be a secondary source of light with the main source of light from the patio doors in the rear elevation. Furthermore, whilst the Council's Residential Design Guide reiterates in paragraph that 6.21 that whilst "A small window in a flank elevation maybe acceptable in principle. However, purpose-made obscure glazing to avoid overlooking would normally be required in windows to halls, landings, bathrooms and toilets, and in small secondary windows to habitable rooms and kitchens. Such windows would not be protected from future development on the adjoining property. "

6.5.6 It should also be noted that since the previously permitted scheme the proposal has been amended to allow for a 0.9m gap between the flank wall and neighbouring side window. In this regard, the current solution is an improvement from the permitted scheme.

6.5.7 The first floor element would be located approximately 3m away from the flank wall of No. 23 and would not impinge the 45 degree line which would ensure that this property would not be adversely affected by the proposal in terms of daylight and outlook. No flank windows are proposed on this and as such no loss or perceived loss of privacy would occur as a result.

6.5.8 The proposed rear dormer windows would be visually contained within the roofslope of the roof with the appropriate set ins from the roof edges which would ensure that no impingement on visual amenity would occur as a result to both neighbouring properties.

6.5.9 In summary, it is considered that the proposal would accord with the National Planning Policy Framework (2019), policies 3.5C and 7.6B of The London plan (2016), policies DM1 and DM27 of the Harrow Development Management Policies Local Plan (2013), Supplementary Planning Guidance: Housing Design Guide (2012) and adopted Supplementary Planning Document (SPD): Residential Design Guide (2010).

## **6.6 Transport and Parking**

6.6.1 The NPPF sets out the overarching planning policies on the delivery of sustainable development through the planning system. It emphasises the importance of reducing the need to travel, and encouraging public transport provision to secure new sustainable patterns of transport use. The London Plan (2016) Policies 6.3, 6.9 and 6.13 seek to regulate parking in order to minimize additional car travel, reduce trip lengths and encourage use of other, more sustainable means of travel. The Parking Addendum to Chapter 6 of The London Plan sets out maximum parking standards for new development dependent up on their use and level of public transport accessibility. Policy DM42 of the Development Management Policies Local Plan (2013) gives advice that developments should make adequate provision for parking and safe access to and within the site and not lead to any material increase in substandard vehicular access.

6.6.2 This proposal is within a PTAL 4 location however is a short walk from South Harrow Underground and bus station and all of the amenities of the South Harrow town centre (PTAL 5). This is a good location for a car free proposal. Car ownership in this area is at the lowest level for Harrow with 58.8% of households having access to at least one car or van (Census 2011 data) however flats tend to have lower car ownership levels than houses therefore, the actual amount is likely to be less. On this basis it can be anticipated that there would be a parking demand for two spaces associated with this proposal. This level of demand could be accommodated on-street and is unlikely to have a severe impact for the surrounding highway network. Notwithstanding this, the good access to public transport and wealth of amenities in the vicinity mean that it is very likely that residents would be able to travel using sustainable modes and not have to rely on a private car.

6.6.3 The quantum and siting of the cycle stands would be appropriate and are considered to be accessible. Further detail would be required showing the type of store, type of stands and their dimensions as such a condition to this effect is recommended.

6.6.4 In conclusion, it is considered that subject to the above conditions, the proposal would accord with the above stated policies.



## **6.7 Flood Risk and Development**

- 6.7.1 The site is not located within any designated area of Flood Risk, however in line with the Council's standard drainage requirements and policy DM10 which requires applicants to make use of sustainable 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 a condition requiring the applicant to submit a surface water drainage strategy would be recommended. Thames Water Consent is also required and a confirmation letter to this effect should be submitted to the Local Planning Authority. An informative reminding the applicant to do so will also be imposed.
- 6.7.2 Given that there are some elements of hard surfacing proposed on the forecourt, the Council's Drainage Engineer recommends a condition relating to the use of permeable paving for all hard surfacing to be imposed. This would avoid localised surface water flooding.
- 6.7.3 Subject to the above conditions and informatives it is therefore considered that the proposed development would be acceptable in terms of flood risk and would accord with policy DM10 of the Council's Development Management Policies Document (2013).

## **6.8 Accessibility**

- 6.8.1 Core Policy CS1.K of the Harrow Core Strategy and Policies 3.8, 7.1 and 7.2 of The London Plan (2016) require all new housing to be built to Lifetime Homes Standards. This has been replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - 'accessible and adaptable dwellings'.
- 6.8.2 The applicant has confirmed that a 1:12 slope ramp from natural ground level to the ground floor level will be provided on entering the property to ensure adequate accessibility for wheelchair users. The applicants have also confirmed that the ground floor units would be M4 (2) compliant. However, a condition to ensure the new flats would be designed to meet regulation M4 is recommended. On this basis, this element is considered to be acceptable.

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

- 7.1 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 approval given that the redevelopment of the site to provide four new would not be detrimental to the overall character and appearance of the existing site and would provide an enhancement to the visual amenities of the street scene and surrounding area. The amenities of neighbouring occupiers would not be unreasonably harmed by the development. The proposal would provide satisfactory accommodation for future 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 Plans and documents

PLANLIST: PL-01, PL-02 Rev A, PL-03 Rev B, PL-04, PL-05, PL-06 Rev A, PL-07 Rev B, PL-08, PL-09, PL-10, PL-11, PL-12 Rev A, Acoustic Report reference: 190906-R001, Design and Access Statement Rev B (dated 28.10.2019), Surface Water Drainage Assessment (October 2018)

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

#### 3. Site Levels

No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority. The development shall be constructed in accordance with the agreed detail and retained thereafter.

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.

#### 4. Materials

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

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

The applicant shall submit full construction details of permeable paving with their maintenance plan. 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 protect the locality from surface water flooding.

5. Permeable Paving

Notwithstanding the approved details, the development hereby permitted shall not progress beyond damp proof course level until, full details of the permeable paving and details relating to the long term maintenance and management of the on-site drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with details as agreed and shall be retained thereafter.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development, in accordance with The National Planning Policy Framework (2019), policy CS1 of The Core Strategy (2012), policy SI13 of the London Plan (2016) and policies DM1 and DM10 of the Harrow Development Management Local Policies Plan (2013).

6. Refuse Storage

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

REASON: to safeguard the appearance of the locality.

7. Secure by Design

Evidence of certification of Secure by Design Accreditation 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 interest of creating safer and more sustainable communities and to safeguard amenity by reducing the risk of crime and the fear of crime.

8. Cycle Storage

The flats hereby approved shall not be first occupied until cycle parking details showing a layout plan of the storage area, types of stands and access doorways with dimensions 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 and the cycle stores shall be in place prior to the first occupation of the development and thereafter retained in that form.

REASON: To ensure that adequate, secure and acceptable form of cycle parking is provided in accordance with Policies DM1 and DM42 of the Harrow Development Management Local Plans Policy (2013).

9. Accessibility

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 as far as possible 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)..

10. Landscape Plan

The development hereby approved shall not be occupied until a landscape masterplan comprising hard and soft landscape details, shall be submitted to, and approved in writing by, the Local Planning Authority. The soft and hard landscaping details should include:

- Planting plans (at a scale not less than 1:100);
- Schedules of plants, noting species, plant sizes, plant container sizes (all at time of planting) and proposed numbers / densities;
- Written specification of planting and cultivation works to be undertaken;
- A landscape implementation programme;
- Hard Landscape Material Details; and
- Landscaping scheme including proposed implementation.

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

11. Landscape Implementation

All planting, seeding or turfing 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.

12. No use as balcony

The roof area of the single storey rear projection of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON: To safeguard the amenity of neighbouring residents

13. Flood Risk Management

Notwithstanding the approved plans, the development hereby permitted shall not commence until details for a scheme for works for the disposal of foul water, surface water and surface water attenuation and storage works on site as a result of the approved development shall be submitted to the local planning authority to be approved in writing. The development shall be completed in accordance with the approved details and shall thereafter be retained.

REASON: To ensure that the development has adequate drainage facilities, to reduce and mitigate the effects of flood risk and would not impact the character and appearance of the development.

14. Private amenity space

Notwithstanding the submitted details, the private rear garden areas shall be bounded by close-boarded timber fencing to a maximum height of 1.8metres. Prior to the first occupation of the development and shall be retained thereafter.

REASON: To protect the residential amenities of the existing and future occupiers of the development in accordance with policies DM1 and DM26 of the Harrow Development Management Policies Local Plan (2013) and the Residential Design Guide SPD (2010).

15. Removal of Permitted Development

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 2019.

16. Communal Television Equipment

The development hereby approved shall not progress beyond damp course level, until details of a strategy for the provision of communal facilities for television reception (eg. aerials, dishes and other such equipment) as been 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

17. Acoustic Report

The sound insulation measures shall be installed correctly and be carried out in accordance with the Acoustic Report (prepared by ACA Acoustics, reference 190906-R001) hereby approved and shall be adhered to thereafter.

REASON: To ensure that the development does not harm the safety and free flow of the public highway.

## **Informatives**

1. The following policies and guidance are relevant to this decision:

### **National Planning Policy Framework (2019)**

#### **The London Plan (2016)**

3.1, 3.3, 3.4, 3.5, 3.6, 3.8, 5.12, 5.13, 5.14, 6.3, 6.9 6.10, 6.13, 7.2, 7.4B, 7.5, 7.6B,

#### **Draft London Plan (2017)**

T5, T6

#### **Harrow Core Strategy (2012)**

CS1 Overarching Policy

#### **Harrow Development Management Policies Local Plan (2013)**

DM1, DM2, DM10, DM12, DM16, DM22, DM24, DM27, DM42, DM45

#### **Supplementary Planning Documents**

Supplementary Planning Document: Residential Design Guide (2010)

Mayor of London's Housing Supplementary Planning Guidance (2016)

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

Accessible Homes Supplementary Planning Document (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:

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 (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

5. Mayoral Community Infrastructure Levy (provisional)

Please be advised that this application attracts a liability payment of £14,280 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 £14,280 for the application, based on the levy rate for Harrow of £60/sqm.



## 6. Harrow Community Infrastructure Levy (provisional)

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 estimated CIL Liability for this development is: £37,699.20

## 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. Street Naming And 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\\_a](http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_a)

[nd\\_numbering](#)

9. 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)

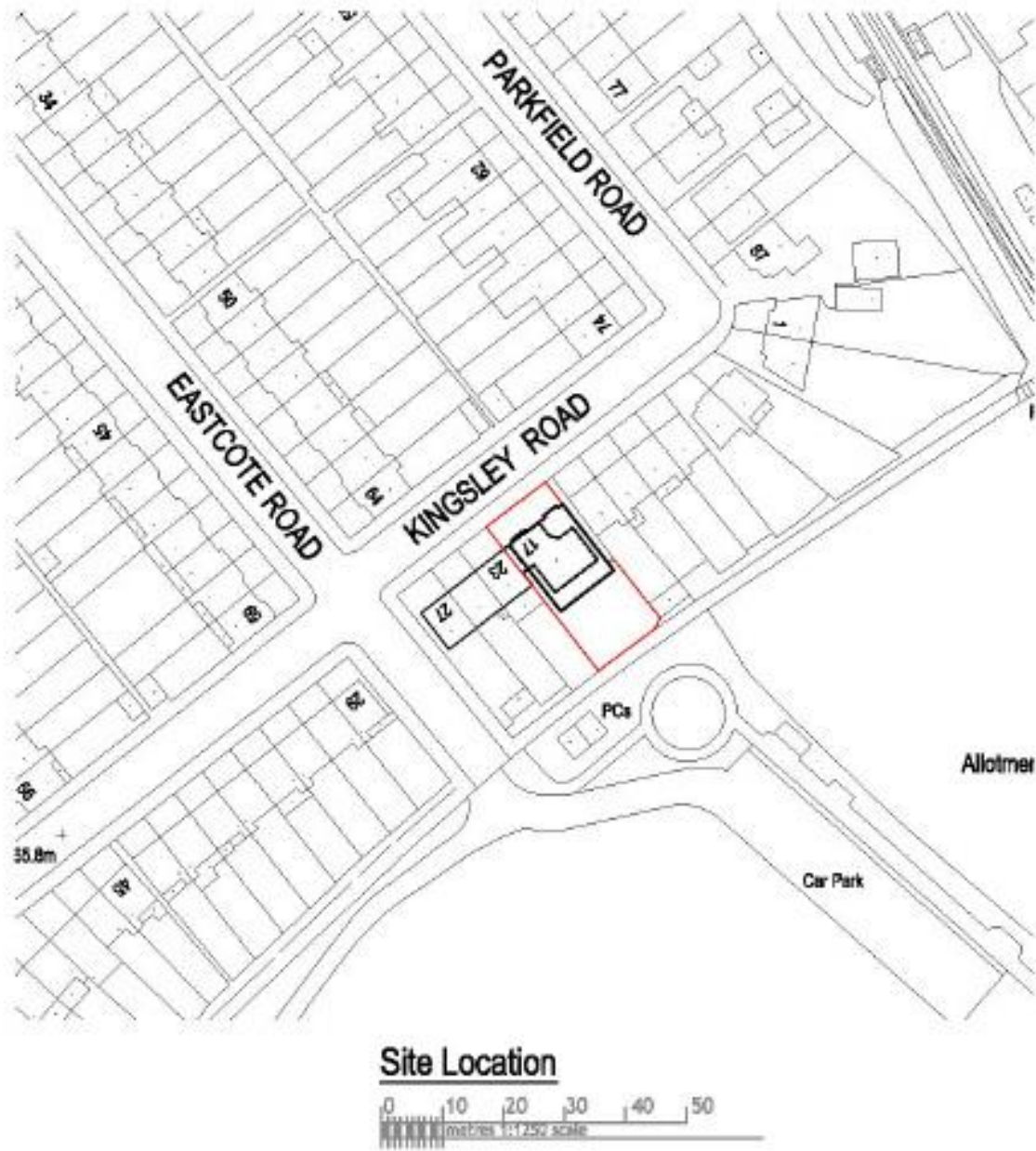
This decision has been taken in accordance with paragraphs 187-189 of The National Planning Policy Framework. Pre-application advice was sought and provided and the submitted application was in accordance with that advice.

Checked:

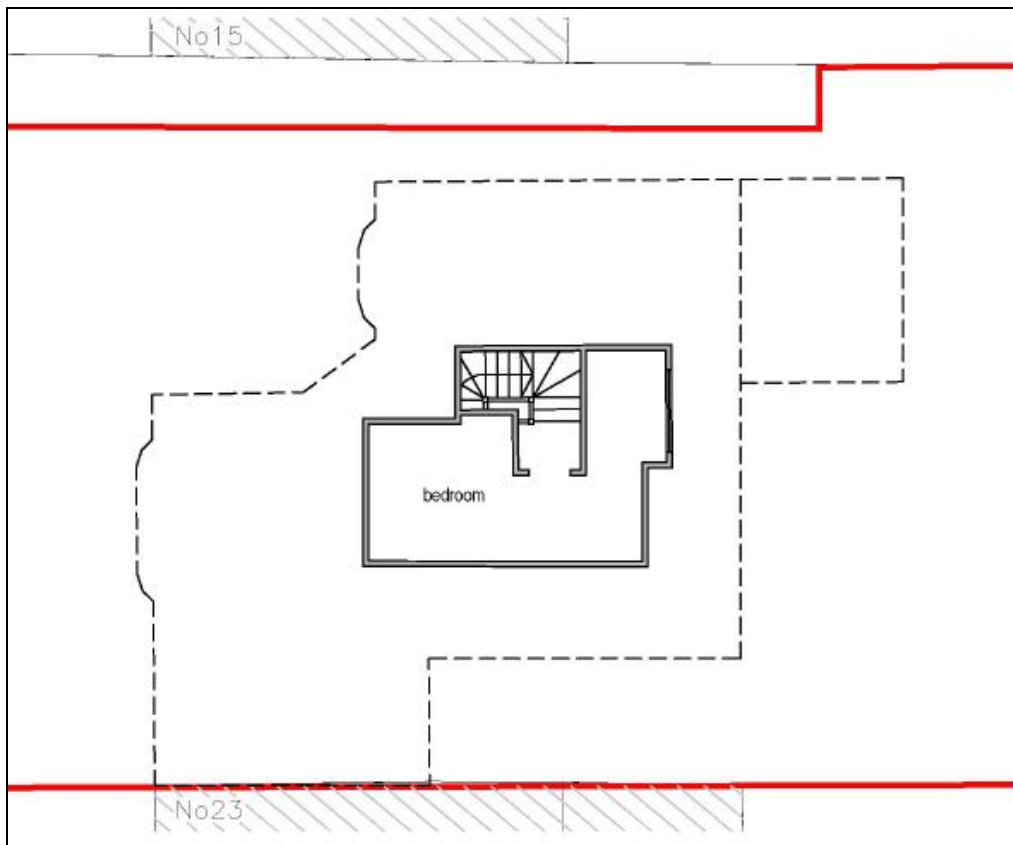
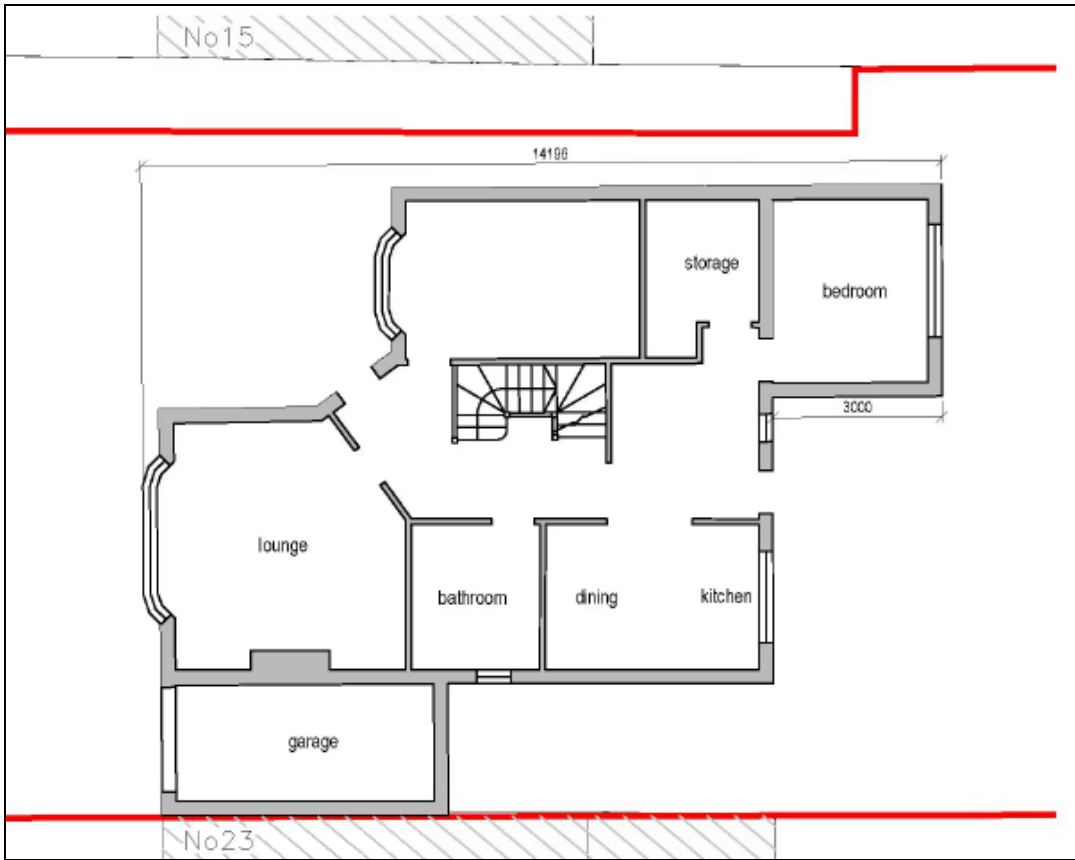
Interim Chief Planning Officer	Beverley Kuchar	8/11/2019
Corporate Director	Paul Walker	11/11/2019

# APPENDIX 1: Existing and Proposed Drawings

## SITE PLAN



# EXISTING PLANS & ELEVATIONS





Existing Front Elevation



Existing Rear Elevations

# PROPOSED SITE PLAN



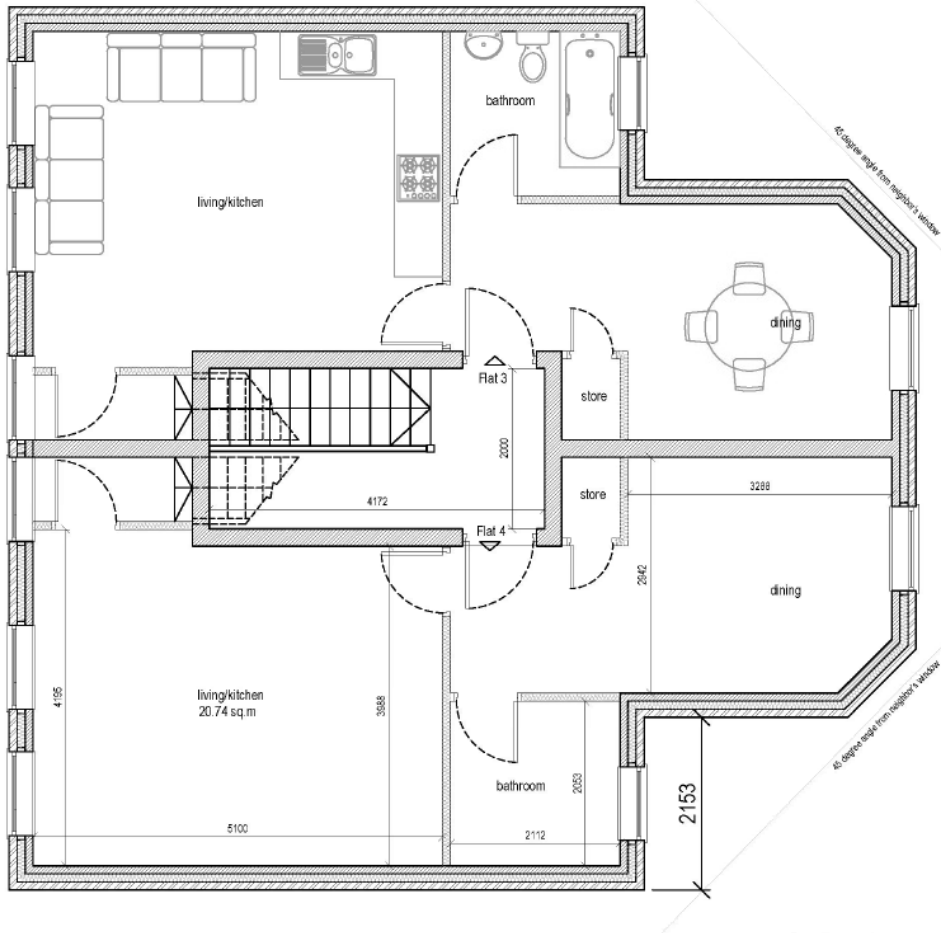
# PROPOSED PLANS & ELEVATIONS



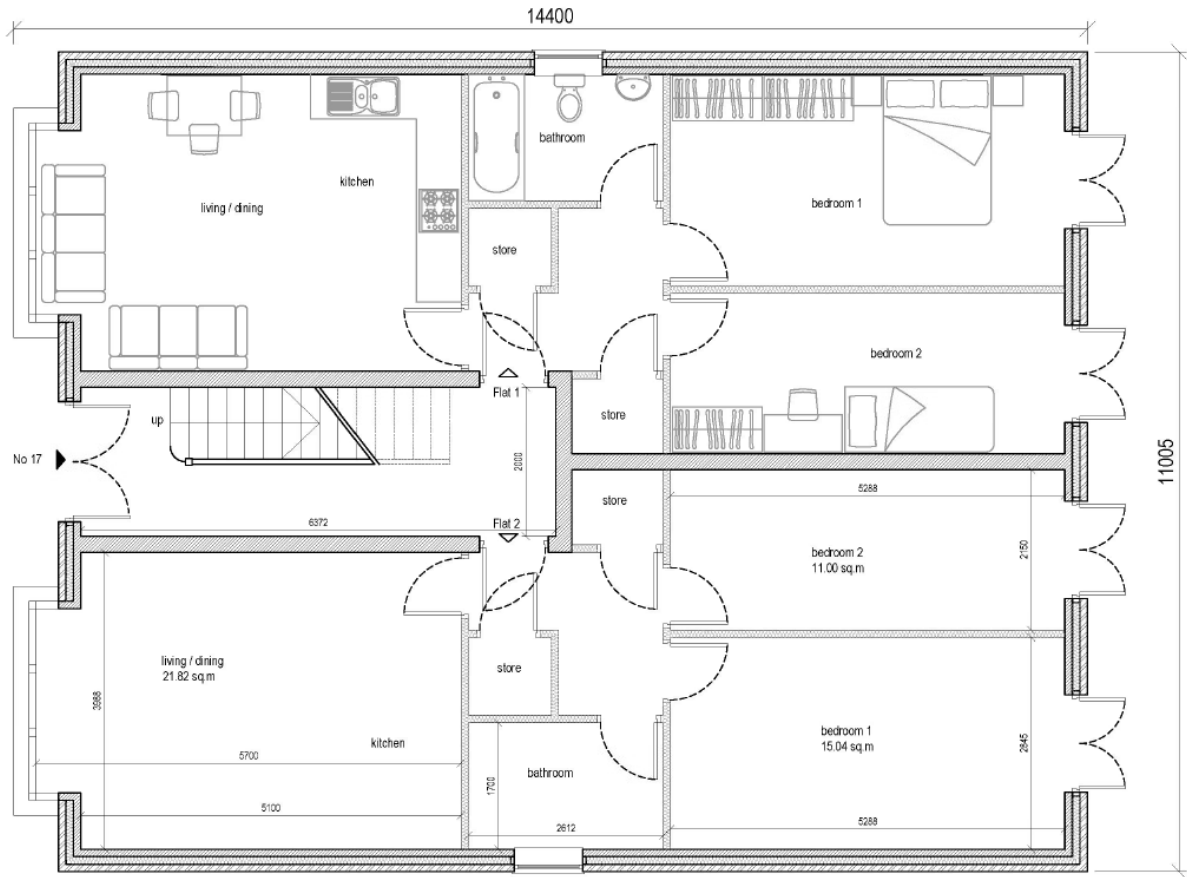


**Proposed Rear Elevation**

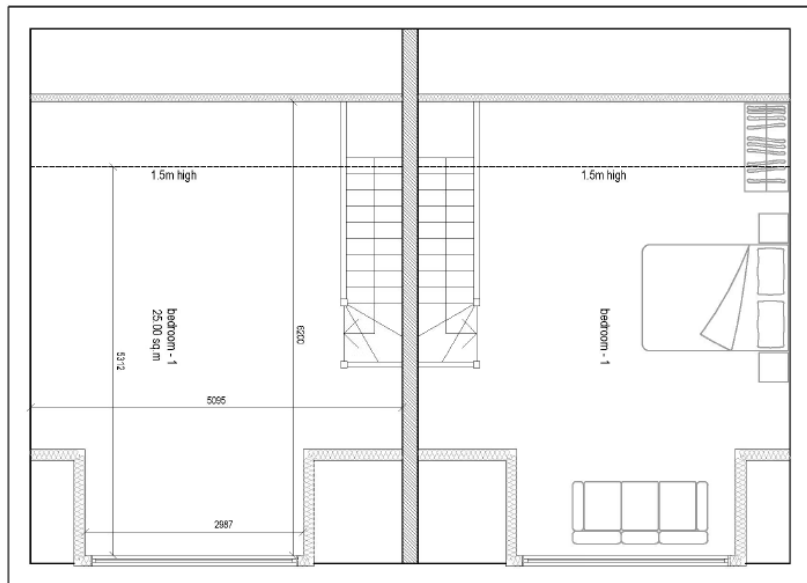
**Ground Floor Plan**



## First Floor Plan



## Loft Plan





**APPENDIX 2: SITE PHOTOGRAPHS**



**View of No. 23 Kingsley Road**



**View of No. 15 Kingsley Road**



**Pre-existing front elevation**



**Pre-existing rear elevation**

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