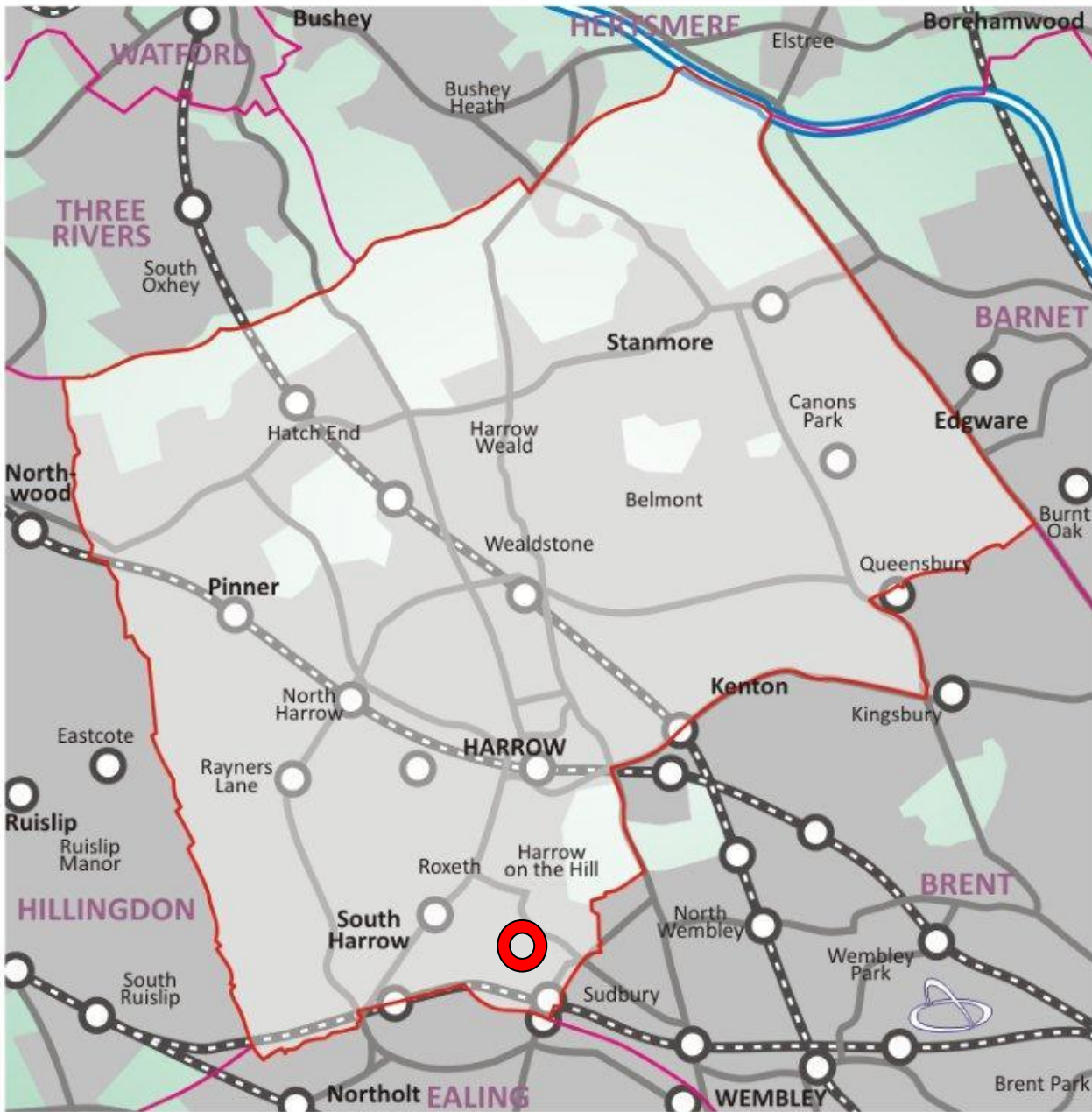
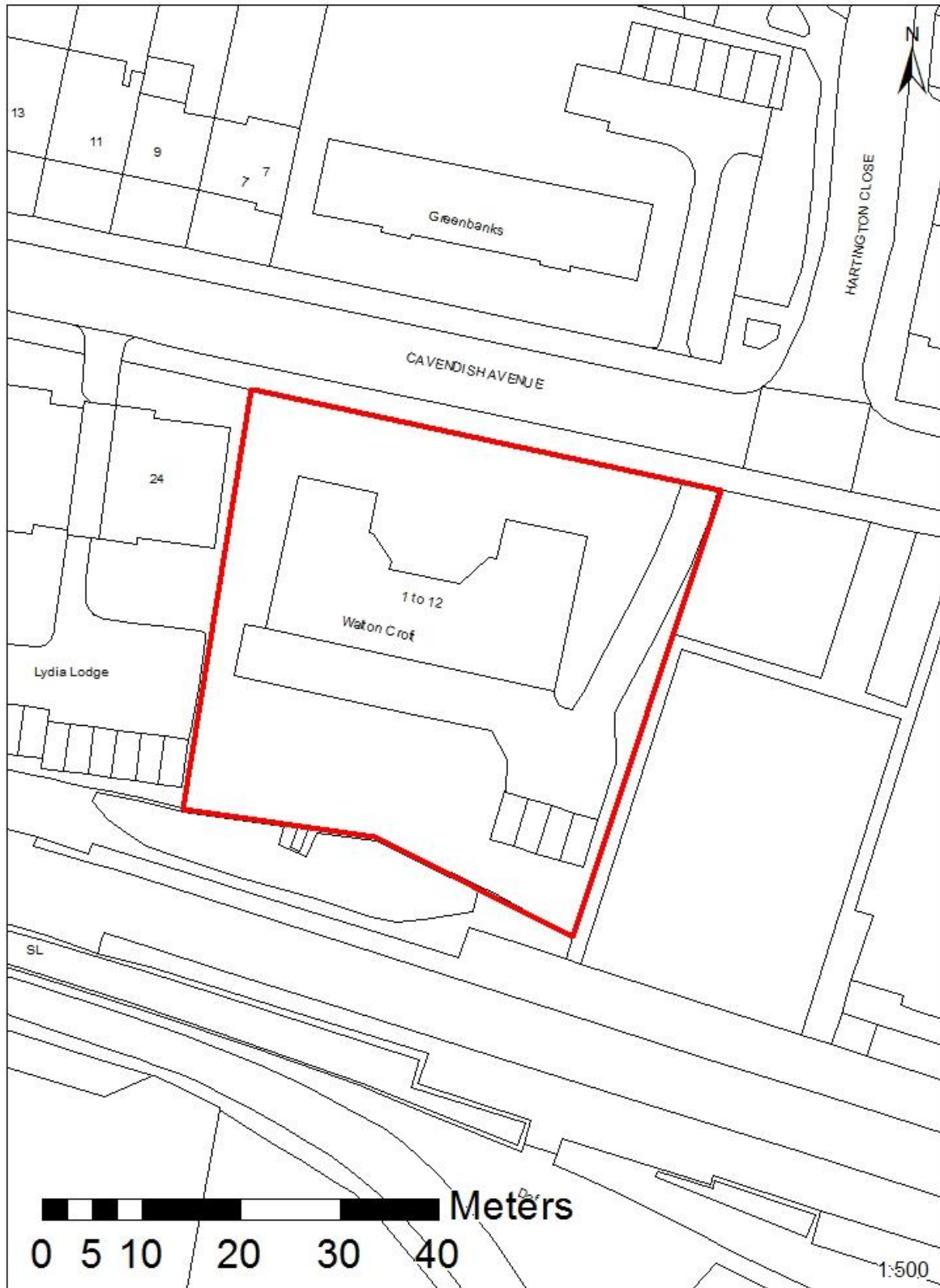


 = application site



<b>Walton Croft, Cavendish Avenue</b>	<b>P/5102/19</b>
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# Walton Croft, Cavendish Avenue



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## LONDON BOROUGH OF HARROW

### PLANNING COMMITTEE

20<sup>th</sup> May 2020

**APPLICATION NUMBER:** P/5102/19  
**VALID DATE:** 30<sup>th</sup> JANUARY 2020  
**LOCATION:** WALTON CROFT, CAVENDISH AVENUE, HARROW  
**WARD:** HARROW ON THE HILL  
**POSTCODE:** HA1 3RH  
**APPLICANT:** LANE PARK PROPERTIES LTD  
**AGENT:** UPP- URBAN PLANNING PRACTICE  
**CASE OFFICER:** SELINA HOTWANI  
**EXPIRY DATE:** 26<sup>th</sup> MARCH 2020 (EXTENDED EXPIRY DATE 27<sup>th</sup> MAY 2020)

#### PROPOSAL

Addition of fourth floor to provide four flats; Refuse and Cycle Storage

#### RECOMMENDATION A

#### 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 RECOMMENDATION

The proposed development would bring forward housing provision of a satisfactory mix, layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

## **INFORMATION**

This application is reported to Planning Committee as it would provide in excess of 3 new residential units. The application is therefore referred to the Planning Committee as it does not fall within any of the provisions set out at paragraphs 1(a) – 1(h) of the Scheme of Delegation dated 12th December 2018.

Statutory Return Type:	E13 Minor Dwellings
Council Interest:	N/A
Net additional Floorspace:	204sqm
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	£12,240
Local CIL requirement:	£32,313.60

## **HUMAN RIGHTS ACT**

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

## **EQUALITIES**

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

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

## **S17 CRIME & DISORDER ACT**

Policies 7.3.B and 7.13.B of The London Plan and Policy DM1 of the Development Management Policies Local Plan require all new developments to have regard to safety and the measures to reduce crime in the design of development proposal. It is considered that the development does not adversely affect crime risk. However, a condition has been recommended for evidence of certification of Secure by Design Accreditation for the development to be submitted to and approved in writing by the Local Planning Authority before any part of the development is occupied or used.

## **1.0 SITE DESCRIPTION**

- 1.2 The subject site comprises a three storey, 'arc shape' building (to the front) incorporating a flat roof and located on the southern side of Cavendish Avenue. The site slopes downwards significantly to the rear by approximately one storey and as such appears as four storeys to the rear.
- 1.3 The existing property contains 12 self-contained flats. The rear of the building is set in from both rear corners to provide external staircases to the rear communal garden and also serves as balconies.
- 1.4 The property comprises a large recessed frontage with a side vehicular access which provides a route to 13 existing car parking spaces located to the rear of the site.
- 1.5 The site is bound to the rear by the railway line (Sudbury Hill Station) which is Grade II listed, directly to the west is a three storey block of flats known as Lydia Lodge. To the east is a large part 2 / part 3 storey commercial unit which is set back from the street frontage considerably so that the majority of the building is located adjacent to the rear of the subject site. Directly opposite is a three storey block of flats known as Greenbanks.
- 1.6 Whilst the site itself is not designated, the eastern boundary forms part of the town centre and part of the rear of the site and front boundary is within a surface water flood zone (3a).

## **2.0 PROPOSAL**

- 2.1 The proposal involves the construction of an additional floor of accommodation comprising 4 self-contained residential units. The unit mix would be 4 x 1 bedroom units.
- 2.2 The external staircase to the rear would be followed up to the new level of accommodation with additional balustrades above.
- 2.3 Refuse and recycling would be stored at the rear with a bin collection area to the front. And a cycle store would be provided to the rear of the site.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 N/A

## **4.0 Consultation**

- 4.1 A total of 44 consultation letters were sent to neighbouring properties regarding this application.
- 4.2 Two site notices were posted on 16th March 2020.

Harrow Times Advert published on 6th February 2020.

4.3 The overall public consultation period expired on 27<sup>th</sup> February 2020 and 4 objections were received and are summarised below.

4.4 Re-consultation was carried out to include verified views and inclusion of sound insulation measures in between units expired on 23<sup>rd</sup> April 2020. One objection was received as a result of the re-consultation and has been included in the summary of responses below.

**Character and appearance:**

- Significant impact to character of neighbourhood;
- The size of the development represents a significant increase in size;
- Objection to the style of the building being changed.;
- It will be an eye sore in the area particularly for residents of Greenbank.

*Officer response: The proposal would be contained within the existing building footprint. Given the varied character of the locality and the appropriate scale and design of the proposal it is considered that the proposal would not detract from the character and appearance of the area.*

**Highways:**

- Car parking is already stretched outside Walton Croft and a new development such as this would worsen the situation;
- Additional cars parked would make the existing parking situation worse.

*Officer response: The Council's Highways Officer has confirmed that given the as the existing site is not permit restricted and given that car ownership is fairly with lower occupancy units, it is not considered that the development would cause on-street parking stress.*

**Noise and disturbance:**

- Noise and disturbance during construction would affect Flat 7 and would restrict the use of communal parts during this time.

*Officer response: The Noise Report submitted confirms that appropriate mitigation measures are in place to minimise day to day noise resulting from the development. In addition the Council's Highways Officer has requested that a Construction Traffic Management Plan is submitted to ensure that a clear timetable for works to take place is set out. This would need to be approved via condition by the Council before commencement of works.*

**Amenity:**

- Visual impact of the development would cause negative impact to the existing property and neighbourhood;
- The garden provided is already too small for the existing number of residents and increasing the number of residents using it would make it even more constrained;
- There would be a loss of view for surrounding neighbouring properties.

*Officer response: The proposed development would be wholly contained within the footprint of the building and is not likely to be visible from the existing flats. Each flat proposed has their own private amenity space. The Council's Conservation Officer has confirmed that the impact on views would be negligible. General loss of views is not a material planning consideration.*

**Other issues:**

- It will devalue Flat 5 as the proposed extension would sit on top of this property;
- There are structural issues with the ground floor already and an extension above would exacerbate this situation;
- There will be 33% more waste created and collections.

*Officer response: Appropriate refuse arrangements have been made and will work with the existing arrangements. Structural issues would be addressed at the Building Control stage and the value of existing properties is not a planning consideration.*

4.5 Statutory and Non Statutory Consultation

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

Consultee and Summary of Comments

**LBH Highways**

No objection to car free intention at this site. The existing site has some car parking however it isn't clear how residents of the new flats would be restricted from using this provision. Cavendish Avenue is part of the Sudbury CPZ which operates Monday to Friday, 11am-noon. Car ownership in this location is fairly moderate for Harrow with 67.9% of households having access to at least one car or van although this figure is likely to be lower still for smaller flats.

This is a relatively small proposal and unlikely to result in a severe impact for the surrounding highway network on its own. This is due to the proposal only being for four additional one bedroom flats and generally, this would not result in high parking demand or trip generation.

Subject to conditions including a pre-commencement condition requiring a Construction Traffic Management Plan.

**LBH Drainage**

Please note there is a piped watercourse located within the site and additional loading will be imposed on the culvert due to the proposed development, hence pipe protection is required .

Please note that irrespective of a planning approval the applicant will require Land Drainage consent to undertake any works within 5m of the watercourse.

Please advise the applicant to contact us on infrastructure@harrow.gov.uk to discuss further. A fee of £101 would be charged if they wish to book a Land Drainage consent advice meeting or for review of their submissions for Land Drainage consent.

Please note that the application can be conditioned with our standard pre-commencement pipe protection condition attached.

**LBH Waste Management Policy Officer**

No objection to the consolidation of waste to provide 4 large bins for a total of 16 units.

**Landscape Officer**

No objections subject to conditions

**Transport for London**

- The site is bound to the rear by the railway line and is very close to Sudbury Hill Station. Due to this close proximity, London Infrastructure (CC'ed in) should be consulted. This is particularly important with regard to construction of the site and protecting LU assets.
- The site has a PTAL of 3 which represents a moderate level of access to public transport. No further parking is proposed which is welcomed.
- The sizes of the 4 flats are not identified within the submitted documents, therefore TfL are unable to calculate the required amount of cycle parking that is needed to be made available. Cycle parking should be provided in line with Policy T5 of the Intend to publish London Plan.
- Cycle parking should be designed in accordance with London Cycle Design Standards (LCDS). Please note, that the LCDS states that cycle parking should cater for cyclists who use adapted cycles as this is an accessibility requirement.
- During development construction, any temporary obstructions must be kept to a minimum and should not encroach on the clear space required to provide safe passage for pedestrians on the footway or obstruct the flow of traffic.
- No skips or construction materials shall be kept on the footway or carriageway at any time.

**Network Rail:**

No comments.



## **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 2019] sets out the Government's planning policies for England and how these should be applied, 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 (2019), as this will eventually replace the current London Plan (2016) when adopted and forms part of the development plan for the Borough.

5.5 The document 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 Mayor of London has considered these recommendations, and has either accepted them or where not, provided justification as to why accepting them would not be appropriate. The Mayor has now submitted to the Secretary of State an 'Intend to Publish' version of The Plan. It is for the Secretary of State to determine whether he agrees with the revised Plan and it ought to be published in that form.

5.6 The Draft London Plan is a material planning consideration that holds significant weight in determining planning applications, 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 Development
- Character and Appearance of the Area
- Residential Amenity
- Traffic, Safety and Parking
- Development and Flood Risk
- Accessibility

### 6.1.1 **Principle of Development**

The relevant policies are:

- National Planning Policy Framework (2019)
- The London Plan 2016:3.3
- The Draft London Plan 2019:D1
- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM24

6.1.2 Having regard to the planning designations on the site, there are no development plan policies that specifically preclude the provision of residential dwellings at this location. The provision of additional housing on this site would contribute to the strategic vision of Policy 3.3 of The London Plan (2016) which recognises the need for more homes throughout Greater London and Policy CS1 of the Harrow Core Strategy (2012) with regards to the provision of additional housing within the borough.

6.1.3 Policy DM24 of the Harrow Development Management Policies Local Plan (2013) requires that proposals secure an appropriate mix of housing on the site and contribute to the creation of inclusive and mixed communities. The appropriate mix of housing should have regard to the location of the site, the character of the surroundings and the need to optimise housing output on previously developed land.

6.1.4 The proposed residential use would be consistent with surrounding land uses. The use of the land for additional residential units could therefore be supported in principle and would make a contribution to the housing stock in the borough. For these reasons it is considered that the principle of the use of this site for the provision of housing is acceptable, subject to consideration of further policy requirements as detailed below.

6.1.5 Given the above, the principle of the proposed development to create an additional 4 flats is considered to be acceptable by officers, subject to consideration of further policy requirements as detailed below.

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

7.1.1 *The relevant policies are:*

- National Planning Policy Framework (2019)
- The London Plan 2016: 3.3, 3.5, 3.8, 6.3, 6.9, 6.13, 7.4, 7.6
- The Draft London Plan 2019: D1, D2, D3
- Harrow Core Strategy 2012: CS1
- Harrow Development Management Policies Local Plan (2013): DM1, DM9, DM10, DM24, DM27, DM42, DM44, and DM45

*Relevant Supplementary Documents*

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)
- Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)

7.1.2 It is noted that within the immediate vicinity there is a mixed character albeit the predominant use is residential. The proposed additional storey would contain a flat roof which would extend upwards vertically to provide four additional residential units. The roofs around the immediate vicinity also vary with properties to the east consisting of flat and mansard style roofs and to the north and east predominantly hipped roofs. In this context, it is considered that the vertical roof extension would not detract from this varied character but would be architecturally honest to the host property and sit comfortably within the street scene. It would generally replicate the form, footprint and architectural detailing of the existing building. The fenestration proposed would match the existing property and the existing external stairwell would also follow suit and would also extend upwards.

7.1.3 At three storeys in height Walton Croft is consistent with the general pattern of development. The additional storey would essentially match the ridge height of the adjacent property to the west (Lydia Lodge). As such, the proposed development would not appear out of scale with the general character and appearance of the area. Notwithstanding this, it would be set in from the edge of the front elevation which would ensure that it would not appear visually prominent within the street scene. In this regard it is considered to have an acceptable scale, bulk and mass.

7.1.4 The additional storey would comprise zinc cladding which is considered to be a high quality material similar in appearance to that of Ambassador House at No. 2 Cavendish Avenue, which was granted permission albeit allowed on appeal (APP/M5450/W/15/3139892) for an additional storey of accommodation comparable to the current application. It is considered that the additional storey would not be highly prominent in the street scene. The site benefits from a substantial frontage resulting in the building itself being set back by over 7m from the street. Additionally the proposed extension would be set back a further 0.9m from the edge of the front elevation of the existing building which would considerably reduce its visual impact. Notwithstanding this, to ensure that high quality materials windows, materials for frames and drainage pipes are used, a condition requiring details to be submitted to the LPA for review is recommended. This will also include details of the proposed window reveals to enhance and safeguard the character and appearance of the area.

7.1.5 *Significance of Heritage Asset*

7.1.6 The proposal is in the setting of the grade II listed Sudbury Hill Underground station and generating station. The list description includes the following:

*'London Underground Station with flanking kiosks and rear generating station, 1931 by Charles Holden, supervised on site by Stanley Heaps. Red brick and reinforced concrete. Flat concrete roof slabs. Curved forecourt wall with open impaled roundel leads to symmetrical single-storey entrance flanked by kiosks, behind which rises square double-height ticket hall at side of tracks'.*

- 7.1.7 A heritage statement has been provided. The photo described as Plate 1 in the heritage statement shows 'the principal frontage of the listed building'. This shows that the part of the proposed development closest to the listed building would be visible from Sudbury Hill given the topography. Walking further south more views north east become apparent towards this site. The Council's Conservation Officer raised concerns about the additional height given that it would be visible in this principal frontage which could potentially undermine this key view and could detract from the clean and uncluttered lines of the building.
- 7.1.8 It was requested that the key view showing the side and frontage of the building looking towards this site is provided and marked up as a verified view so to show the true impact of the extension on the setting of the Grade II Listed Station. This demonstrates that the proposal would not be visible and as such the Conservation Officer has confirmed that the applicant has provided sufficient evidence to address concerns raised.
- 7.1.9 In conclusion, it is considered that the proposal would have an acceptable impact on the character and appearance of the property, wider area and setting of the nearby Grade II Listed Sudbury Hill Station in accordance with the NPPF (2019), Harrow Core Strategy (2012) CS1.B, policies 7.4.B and 7.6.B of The London Plan, Policy DM1 and DM7 of the Development Management Local Plan Policies (2013) and the SPD: Residential Design Guide (2010).

#### *Refuse and Servicing*

- 7.2.0 Policy DM45 of the Development Management Policies Local Plan states that 'all proposals will be required to make on-site provision for general waste, the separation of recyclable materials and the collection of organic material for composting'. In terms of character and appearance, this policy requires refuse storage bins to 'be located and screened to avoid nuisance to occupiers and adverse visual impact'.
- 7.2.1 The existing development serving 12 residential units currently provides an existing refuse store to the rear of the building. As part of the current proposal and in line with the Council's Code of Practice for the storage and collection of refuse and materials for recycling in domestic properties (2016) document, the plans have been amended to consolidate the refuse for the entire development under the two bin system. In general this requires one 1100 litre Waste Bin and one 1280 litre Blue Bin to be provided for every eight flats. Additional spacing must be made available to allow residents the option of taking up the Council's Optional Food Collection Service. As such, the proposed ground floor plan indicates that 2 x 1280 litre and 2 x 1100 litre bins would be provided in place of the existing refuse store to the rear for a total of 16 units. This has been agreed with the Council's Waste Officer. A collection holding area is provided at the front of the property on collection day which would also be considered acceptable. Additional space has been made available should take up of 1 or 2 140 litre food bins, should this be required.

7.2.2 A condition is appropriate to ensure such refuse bins are provided within suitable storage enclosures, prior to the first occupation of the units. An additional condition is recommended to ensure planting is provided to the front in order to screen the large bins from the public realm.

7.2.3 It is therefore considered that the proposed development would not result in a detrimental impact to the character and appearance of the surrounding area, in accordance with the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5, 7.4 and 7.6 of The London Plan (2016), policy CS1 of the Core Strategy (2012), policy DM1 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).

## 8.0 Residential Amenity

8.1.1 *The relevant policies are:*

- Harrow Core Strategy 2012:CS1
- Harrow Development Management Policies Local Plan (2013):DM1, DM27
- London Plan Policy 7.4
- The Draft London Plan Policy D1, D6

### *Relevant Supplementary Documents*

- Residential Design Guide (2010)
- The London Plan Housing Supplementary Planning Guidance (2016)

### Residential Amenity of neighbouring Occupiers

8.1.2 As noted in the table below, all of the proposed flats would meet or exceed the minimum floor space as set out in the London plan. The agent has provided confirmation from the software used that all flats would meet the minimum floor area. Each of the flats include bedrooms over 11.5sqm which is a suitable size for a double room. The main living areas of all the flats have outlooks towards the outdoor communal area which is considered to be appropriate. All bedrooms are served by a window which allows sufficient light availability, ventilation and outlook.

	<b>Proposed Size</b>	<b>Proposed GIA</b>	<b>Minimum GIA</b>	<b>Minimum Storage</b>
Flat1	1 bed 2 persons	52sqm	50sqm	2sqm
Flat 2	1 bed 2 persons	50sqm	50sqm	0.9sqm
Flat 3	1 bed 2 persons	50sqm	50sqm	0.9sqm
Flat 4	1 bed 2 persons	51sqm	50sqm	1sqm

8.1.3 The ceiling height of each of the flats will be 2.5m for the entire floor area which is exceeds the prescribed national guidelines and meets the London Plan requirements and it is therefore considered acceptable. Although some flats fall of short of adequate storage area, given that all meet or exceed the minimum floor

areas it is considered that the additional storage could be adequately provided and a condition is attached accordingly.

- 8.1.4 In terms of stacking, although the floors below were not surveyed for the purposes of the current application, the applicant has provided details of sound proofing measures to ensure no undue sound transmission or vibration would result from any inappropriate stacking arrangements. In addition, a new build would need to comply with building regulations as regards to sound insulation measures which would ensure there would be no unacceptable noise transmission. Notwithstanding this, a condition ensuring that these mitigation measures are implemented as per the submitted details is recommended.

#### *Amenity Space*

- 8.1.5 The external lawn area measures approximately 59sqm to be shared amongst all the flats. Notwithstanding this, each flat would be provided with a private balcony comprising between 5-6 sqm which is considered to be acceptable and compliant with London Plan policy. In order to protect the amenities for future occupiers, each would be provided with secure and enclosed private amenity areas. A condition has been recommended requiring details of boundary fencing to be submitted for assessment in order to protect the amenities of the proposed units.
- 8.1.6 The Council's landscape architect suggests that an enhancement of soft landscaping would be required particularly to the frontage of the site to offset the introduction of a bin collection area. Soft landscaping (shrub and hedge planting) is required to define the site boundaries. A landscape masterplan to include planting, hard landscaping, boundary treatment, levels, landscape management and maintenance plan would be required to ensure the amenity value of the communal, private and front areas. This can be secured by condition which is recommended.
- 8.1.7 Overall, it is considered that the proposed development is likely to provide an acceptable level of amenity for future occupiers, subject to conditions

#### Neighbour Amenity

- 8.1.8 Given that the existing building at four storeys in height is generally consistent with the surrounding area and the property has considerable space around the site so as not to appear imposing to any neighbouring property it is considered that the alterations to create a fourth floor of accommodation would not result in any additional impact with regard to loss of light or visual amenity. Furthermore, no side facing windows are proposed.
- 8.1.9 The proposed additional storey would accommodate an additional four flats. It is considered that the likely increase in activity associated with the additional flats would not be significant and are not likely to cause unreasonable disturbance to the neighbouring properties.
- 8.2 It is considered the proposal would not have an unacceptable impact on the residential amenities of adjoining occupiers or the occupiers of the subject site in

accordance with London Plan policy 7.6B and Development Management Policies Local Plan (2013) Policy DM1 and would therefore have an acceptable impact on neighbouring amenity.

## **9.0 Traffic, Safety and Parking**

- 9.1.1 The relevant policies are policies 6.3, 6.9 and 6.13 of The London Plan (2016), Policies T4, T5 and T6 of the Draft London Plan (2019) Policy CS1 R of the Harrow CS (2012) and policy DM 42 of the Harrow Development Management Policies Local Plan (2013).
- 9.1.2 This proposal is within a PTAL 3 location with good access to public transport. There are bus stops, a rail and an underground station within a short walk and there are various shops along a small town centre shopping parade. The proposal for four flats is intended to be car free, both the Council's Highways Officer and Transport for London welcome the car free intention. The existing site has some car parking and the applicants have confirmed that a locked entry/exit system at the entrance to the parking area would be provided. This would only provide access to existing residents via a key/fob to access the rear of the site. Cavendish Avenue is part of the Sudbury CPZ which operates Monday to Friday, 11am-noon. Car ownership in this location is fairly moderate for Harrow with 67.9% of households having access to at least one car or van although this figure is likely to be lower still for smaller flats.
- 9.1.3 The Council's Highways Officer considers that as this is a relatively modest proposal it would be unlikely to result in a severe impact for the surrounding highway network in its own right. This is due to the proposal only being for four additional one bedroom flats and this would not result in high parking demand or trip generation. Furthermore, given that the existing site does not have a permit restriction in place and based on the fairly low car ownership levels in the area, the low occupancy of the proposed development and low PTAL of the site, it is not considered necessary to impose a permit restriction to this development.
- 9.1.4 In terms of cycle storage, it is noted that this has been provided to the rear of the site. These would need to adhere to Draft London Plan (2019) standards to include the appropriate number of cycles for one bed, 2 person flats as well as short stay visitor facilities which would be required to be provided close to the entrance. Revised details of this are suggested in a suitably worded pre-occupation condition.
- 9.1.5 In addition to this, the Council's Highways Officer has requested in line with comments from Transport for London that a pre-commencement condition requiring a traffic management plan is secured to ensure that, during development construction, any temporary obstructions are kept to a minimum and should not encroach on the clear space required to provide safe passage for pedestrians on the footway or obstruct the flow of traffic and to ensure no skips or construction materials are kept on the footway or carriageway at any time.

- 9.1.6 The site is situated close to the railway infrastructure to the rear, owned by London Underground. Therefore in order to ensure that the development will not have a detrimental effect on their structure in either the short or long term and the loading imposed on the London Underground structure is not increased or removed and would not offer any right of support to the subject land a pre-commencement condition requiring a detailed design and method statement has been recommended.
- 9.1.7 Subject to the above conditions, it is therefore considered that the proposed development would be acceptable in Highway terms and would accord with policies 6.9B and 6.13 of The London Plan (2016) and T5, T6, T6.1 of the “Intend to Publish” Draft London Plan (2019) and policy DM42 of the Harrow Development Management Policies Local Plan (2013).

## **10.0 Development and Flood Risk**

- 10.1.1 The relevant policies are DM 9 and DM 10 of the Development Management Policies Local Plan (2013).
- 10.1.2 Whilst the site itself it at low risk of flooding (Flood Zone 1), the Council’s Drainage Officer has stated there is a piped watercourse located within the site and additional loading will be imposed on the culvert due to the proposed development and as such a pipe protection would be required. As such, irrespective of the current planning application, the applicant will be required to attain Land Drainage Consent to undertake any works within 5m of the watercourse. A pre-commencement condition requiring pipe protection is recommended as part of a formal grant for permission alongside the Council’s standard drainage informative.
- 10.1.3 Subject to the above, the proposal therefore complies with the National Planning Policy Framework (2019), policies 5.12 and 5.13 of The London Plan (2016), policy CS1 of the Core Strategy (2012) and policies DM1, DM9 and DM10 of the Harrow Development Management Policies Local Plan (2013).

## **11.0 Accessibility**

- 11.1.1 *The relevant policies are:*
- The London Plan 2016: 3.5, 3.8
  - The “Intend to Publish” London Plan 2019:D5
  - Harrow Core Strategy 2012:CS1
  - Harrow Development Management Polices Local Plan (2013):DM2
- 11.1.2 While the above policies require compliance with Lifetime Home Standards, in October 2015 these standards were replaced by New National Standards which require 90% of homes to meet Building regulation M4 (2) - ‘accessible and adaptable dwellings’. A Condition is recommended to ensure that the proposed development meets regulation M4(2) of the Building Regulations which would



secure an appropriate standard for future occupiers and make the units accessible to all.

- 11.1.3 On this basis, it is considered that the proposal complies with the high quality design aspirations of the National Planning Policy Framework (2019), policies 3.5 and 7.2 of The London Plan (2016), policy CS1 of the Core Strategy (2012), policies DM1 and DM2 of the Harrow Development Management Policies Local Plan (2013) and the Supplementary Planning Document: Residential Design Guide (2010).

## **12 CONCLUSION AND REASONS FOR APPROVAL**

- 12.1.1 The proposed development would bring forward housing provision of a satisfactory mix, layout and design to ensure that the future occupiers would benefit from a high standard of living accommodation. It is considered that the proposed building would have an acceptable design and external appearance and would not have an undue impact on the character and appearance of the area or the residential amenity of neighbouring occupiers. Accordingly, the development would accord with development plan policies and is recommended for approval.

**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 92 of the Town and Country Planning Act 1990.

### 2. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the following documents and plans: Email dated 02 April 2020 (Sound Insulation Options), U-J11-393-A-1.1, U-J11-393-A-2.1, U-J11-393-A-2.2, U-J11-393-A-2.3, U-J11-393-A-2.4, U-J11-393-A-2.5, U-J11-393-A-3.1, U-J11-393-A-4.1, U-J11-393-A-4.3, U-J11-393, U-J11-393-A-5.1, U-J11-393-A-5.2, U-J11-393-A-6.0, U-J11-393-A-6.1, U-J11-393-A-6.2, U-J11-393-A-7.1, U-J11-393-A-8.1, U-J11-393-A-8.2, U-J11-393-A-8.3, U-J11-393-A-8.4, U-J11-393-A-9.1, U-J11-393-A-9.2, U-J11-393-A-9.3, U-J11-393-A-9.5, U-J11-393-A-9.6, U-J11-393-A-9.7, Flood Risk Assessment Report (prepared by Innervision Design, 2019), Heritage Statement (Ref: PR122690\_AHA), Outline Construction Environmental Management Logistics Plan (Logic PM), Planning Statement (November 2019), Noise and Vibration Assessment (20 January 2020)

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

### 3. Materials

Notwithstanding the details shown on the approved plans, the development hereby permitted shall not commence until samples of the materials to be used in the construction of the external surfaces noted below (but not limited to) have been made available to view on site, and approved in writing by, the local planning authority:

- a: facing materials for the building, including down pipes
- b: windows / doors
- c: boundary treatment
- d: hard landscape materials:

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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

### 4. Details of windows and doors

Notwithstanding the details shown on the approved drawings, prior to commencement of the development hereby permitted shall not commence until details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- i) detailed sections at metric scale 1:20 through all external reveals of the

- windows and doors on each of the elevations;
- ii) sections and elevations of the parapet detail and roofline of the proposed building.

The development shall be completed in accordance with the approved details and shall thereafter be retained.

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

#### 5. Construction Traffic Management Plan

No development shall take place, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the local planning authority, This must include (but is not limited to):

- a) Parking of vehicles of site operatives/visitors;
- b) HGV access to site – loading and unloading of plant and materials;
- c) Number of HGV's anticipated;
- d) Storage of plant and materials used in constructing the development;
- e) Programme of work and phasing;
- f) Site layout plan;
- g) Highway condition (before, during, after);
- h) Measures to control dust and dirt during construction;
- f) Loading/unloading arrangements
- g) Number and types of vehicles anticipated for each phase of works
- h) Any temporary traffic management requirements eg. parking bay suspensions
- i) Vehicle tracking drawings if any large HGV's will be entering/exiting the site

The development shall be carried out in accordance with the approved Construction Traffic Management Plan, or any amendment or variation to it as may be agreed in writing by the local planning authority.

REASON: To minimise the impacts of construction upon the amenities of neighbouring occupiers and to ensure that development does not adversely affect safety on the transport network.

#### 6. Detailed Design and Method Statement

The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all works have been submitted to and approved in writing by the Local Planning Authority which:

- Provide details on all structures
- Provide details on the use of tall plant / scaffolding
- Accommodate the location of the existing London Underground structures
- Demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering London Underground land
- Demonstrate that there will at no time be any potential security risk to the

- railway, property or structures
- Accommodate ground movement arising from the construction thereof
- Mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

REASON: To ensure that the development does not impact on existing London Underground transport infrastructure.

7. Pipe Protection

The development hereby permitted shall not commence until a scheme for the protection of the piped watercourse has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall include a structural survey by CCTV and trial holes to assess the construction, position, condition and expected life of the culvert; proposal of an agreed method of repair or replacement if required; full details demonstrating that the new structure does not impart any load on the culvert or destabilise it in any way; details of any necessary build over or adjacent to the culvert; details of access for future repairs, blockage clearance, maintenance and future condition surveys.

The development shall be carried out in accordance with the approved details and shall thereafter be retained.

REASON: To protect the integrity of the piped watercourse structure, reduce and mitigate the effects of flood risk following guidance in the National Planning Policy Framework.

8. Internal Storage

The development hereby approved shall not commence until revised floor layouts showing the appropriate level of internal storage of each unit is submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development provides a high standard and quality of accommodation for future occupiers.

9. Communal Television Equipment

The development hereby approved shall not commence, 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

10. Privacy Screen

Notwithstanding the approved details, the development hereby permitted shall not be occupied, until details of the privacy screens for the balconies including the materials have been submitted to, and approved in writing by, the local planning authority. The development shall be completed in accordance with the approved details prior to first occupation, and shall thereafter be retained.

REASON: To safeguard the amenity of residents and the character of the locality.

11. Cycle Storage

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

REASON: To ensure the satisfactory provision of safe cycle storage facilities, to provide facilities for all the users of the site and in the interests of highway safety and sustainable transport.

12. Landscaping

The development hereby approved shall not be occupied until a scheme for the hard and soft landscaping details for the ground level areas have been submitted to, and agreed in writing by, the local planning authority. Soft landscaping works shall include: planting plans (at a scale not less than 1:100), written specification of planting and cultivation works to be undertaken and schedules of plants, noting species, plant sizes and proposed numbers / densities and an implementation programme. Tree planting along the boundaries in particular the frontage and screening around the communal amenity space with hedge planting. Screening of the bin collection point with soft landscaping. The hard surfacing details shall include details of all furniture, boundary treatment, samples to show the texture and colour of the materials to be used and information about their sourcing/manufacturer.

The development shall be carried out in accordance with the scheme so agreed and shall be retained as such thereafter.

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm and to ensure a high standard of design, layout and amenity.

13. Landscaping Implementation

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building, 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.

14. Acoustic Report

The sound insulation measures shall be installed correctly and be carried out in accordance with the measures outlined in the Email from the agent dated 02 April 2020 (whichever option is acceptable by the structural engineer) and the Noise and Vibration Assessment (20 January 2020) hereby approved and shall be adhered to thereafter.

REASON: To safeguard the amenity of neighbouring residents of the existing Development.

15. Part M of the Building Regulations

The development hereby permitted shall be constructed to the specifications of:

“Part M, M4 (2), Category 2: Accessible and Adaptable Dwellings” of the Building Regulations 2013 and thereafter retained in that form.

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

16. Access Control

The development hereby approved shall not be occupied until details, including plans and elevations showing a secure access control system and management plan for the residential premises to be implemented to safeguard the existing dedicated car parking spaces for the use of existing occupiers only to prevent their use by future occupiers, has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the details as so agreed and retained and managed in accordance with the management plan in that form thereafter.

REASON: To ensure that the development achieves a high standard of residential quality and to avoid conflict between the existing and future occupiers.



## **INFORMATIVES:**

### 1. Policies

**The following policies are relevant to this decision:**

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

#### **The London Plan 2016**

3.3 Increasing Housing Supply  
3.5 Quality and Design of Housing Developments  
3.8 Housing Choice  
3.9 Mixed and balanced communities  
5.3 Sustainable Design and Construction  
6.9 Cycling  
6.13 Parking  
7.2 An Inclusive Environment  
7.3 Designing Out Crime  
7.4 Local Character  
7.5 Public Realm  
7.6 Architecture  
7.8 Heritage assets and archaeology

#### **Intend to Publish Draft London Plan (2019):**

D1 London's form and characteristics  
D2 Delivering good design  
D3 Inclusive Design  
D5 Accessible Housing  
HC1 Heritage conservation and growth  
T4 Assessing and Mitigating Transport Impacts  
T5 Cycling  
T6 Car Parking

#### **Harrow Core Strategy 2012**

Core Policy CS 1 – Overarching Policy Objectives

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

DM 1 – Achieving a High Standard of Development Policy  
DM 2 – Achieving Lifetime Neighbourhoods Policy  
DM7 – Heritage Assets  
DM 9 - Managing Flood Risk Policy  
DM 10 – On Site Water Management and Surface Water Attenuation  
DM 12 – Sustainable Design and Layout  
DM22 – Trees and Landscaping  
DM 24 – Housing Mix  
DM 27 – Amenity Space  
DM 42 – Parking Standards  
DM 44 - Servicing

## **Relevant Supplementary Documents**

Mayor of London Housing Supplementary Planning Guidance (2016)  
Residential Design Guide Supplementary Planning Document (2010)  
Code of Practice for Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (2016)  
Building Regulations 2010 M4 (2) Category 2: Accessible and Adaptable Dwellings  
Historic England Good Practice Advice in Planning Note 3

### 2. Compliance with planning 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.

### 3. Considerate Contractor Code of Practice

The applicant's attention is drawn to the requirements in the attached Considerate Contractor Code of Practice, in the interests of minimising any adverse effects arising from building operations, and in particular the limitations on hours of working.

### 4. Party Wall Act:

The Party Wall etc. Act 1996 requires a building owner to notify and obtain formal agreement from adjoining owner(s) where the building owner intends to carry out building work which involves:

1. work on an existing wall shared with another property;
  2. building on the boundary with a neighbouring property;
  3. excavating near a neighbouring building,
- and that work falls within the scope of the Act.

Procedures under this Act are quite separate from the need for planning permission or building regulations approval.

“The Party Wall etc. Act 1996: Explanatory booklet” is available free of charge from:

Communities and Local Government Publications, PO Box 236, Wetherby,

LS23 7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/133214.pdf>

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: [communities@twoten.com](mailto:communities@twoten.com)

#### 5. London Mayor's CIL Charges

Please be advised that approval of this application (either by Harrow Council, or subsequently by the Planning Inspectorate if allowed on appeal following a refusal by Harrow Council) will attract a Community Infrastructure Levy (CIL) liability, which is payable upon the commencement of development. This charge is levied under s.206 of the Planning Act 2008 Harrow Council, as CIL collecting authority, has responsibility for the collection of the Mayoral CIL The Provisional Mayoral CIL liability for the application, based on the Mayoral CIL levy rate for Harrow of £60/sqm is £12,240.

The floorspace subject to CIL may also change as a result of more detailed measuring and taking into account any in-use floor space and relief grants (i.e. for example, social housing).

You are advised to visit the [planningportal](http://planningportal.co.uk) website where you can download the appropriate document templates.

Please complete and return the Assumption of Liability Form 1 and CIL Additional Information Form 0.

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf)

If you have a Commencement Date please also complete CIL Form 6:

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement\\_notice.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement_notice.pdf)

The above forms should be emailed to [HarrowCIL@Harrow.gov.uk](mailto:HarrowCIL@Harrow.gov.uk)

Please note that the above forms must be completed and provided to the Council prior to the commencement of the development; failure to do this may result in surcharges and penalties

#### 6. Harrow Council CIL Charges

Harrow has a Community Infrastructure Levy which applies Borough wide for certain developments of over 100sqm gross internal floor space.

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 Provisional Harrow CIL liability for the application, based on the Harrow CIL levy rate for Harrow of £110/sqm is £32,313.60

This amount includes indexation which is 323/224. The floorspace subject to CIL

may also change as a result of more detailed measuring and taking into account

any in-use floor space and relief grants (i.e. for example, social housing).

The CIL Liability is payable upon the commencement of development.

You are advised to visit the planningportal website where you can download the

relevant CIL Forms.

Please complete and return the Assumption of Liability Form 1 and CIL

Additional

Information Form 0.

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_1\\_assumption\\_of\\_liability.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf)

[https://ecab.planningportal.co.uk/uploads/1app/forms/cil\\_questions.pdf](https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf)

If you have a Commencement Date please also complete CIL Form 6:

[https://ecab.planningportal.co.uk/uploads/1app/forms/form\\_6\\_commencement](https://ecab.planningportal.co.uk/uploads/1app/forms/form_6_commencement)

[otice.pdf](#)

The above forms should be emailed to HarrowCIL@Harrow.gov.uk

Please note that the above forms must be completed and provided to the

Council prior to the commencement of the development; failure to do this may result in surcharges.

## 7. Street numbering

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

All new developments, sub division of existing properties or changes to street names or numbers will require an application for official Street Naming and Numbering (SNN). If you do not have your development officially named/numbered, then then it will not be officially registered and new owners etc. will have difficulty registering with utility companies etc.

You can apply for SNN by contacting [technicalservices@harrow.gov.uk](mailto:technicalservices@harrow.gov.uk) or on the following link.

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

8. Liability For Damage to Highway

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

9. Sustainable Drainage Systems

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 (2016) 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.

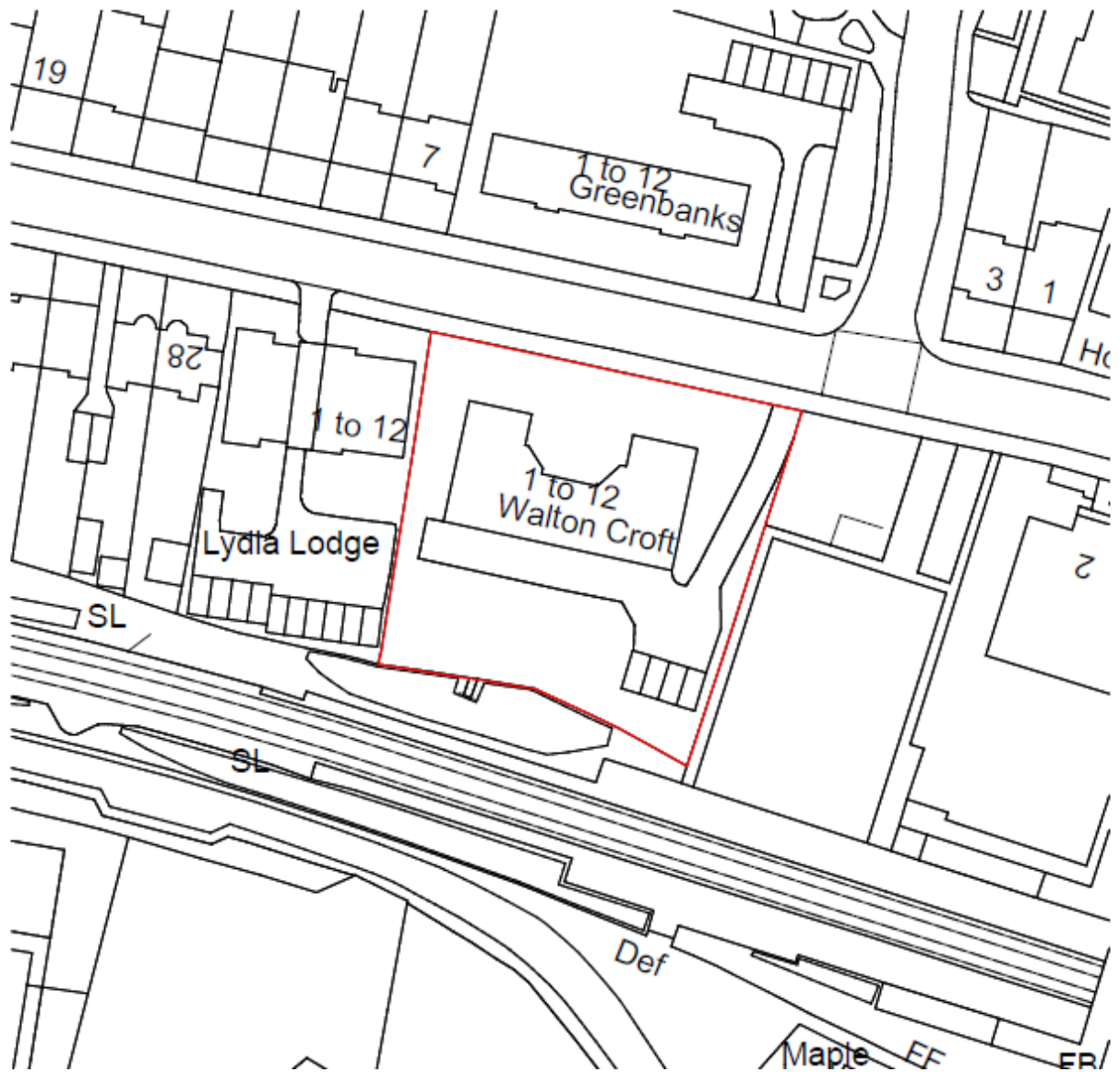
10. Flank windows:

The applicant is advised that any window in the flank elevation of the development hereby permitted will not prejudice the future outcome of any application which may be submitted in respect of the adjoining property.

Checked

Interim Chief Planning Officer	Beverley Kuchar 7.5.2020
Corporate Director	Paul Walker 7.5.2020

**APPENDIX 2: SITE PLAN**



## **APPENDIX 3: SITE PHOTOS**

Front Elevation



Garages to the rear south-east corner







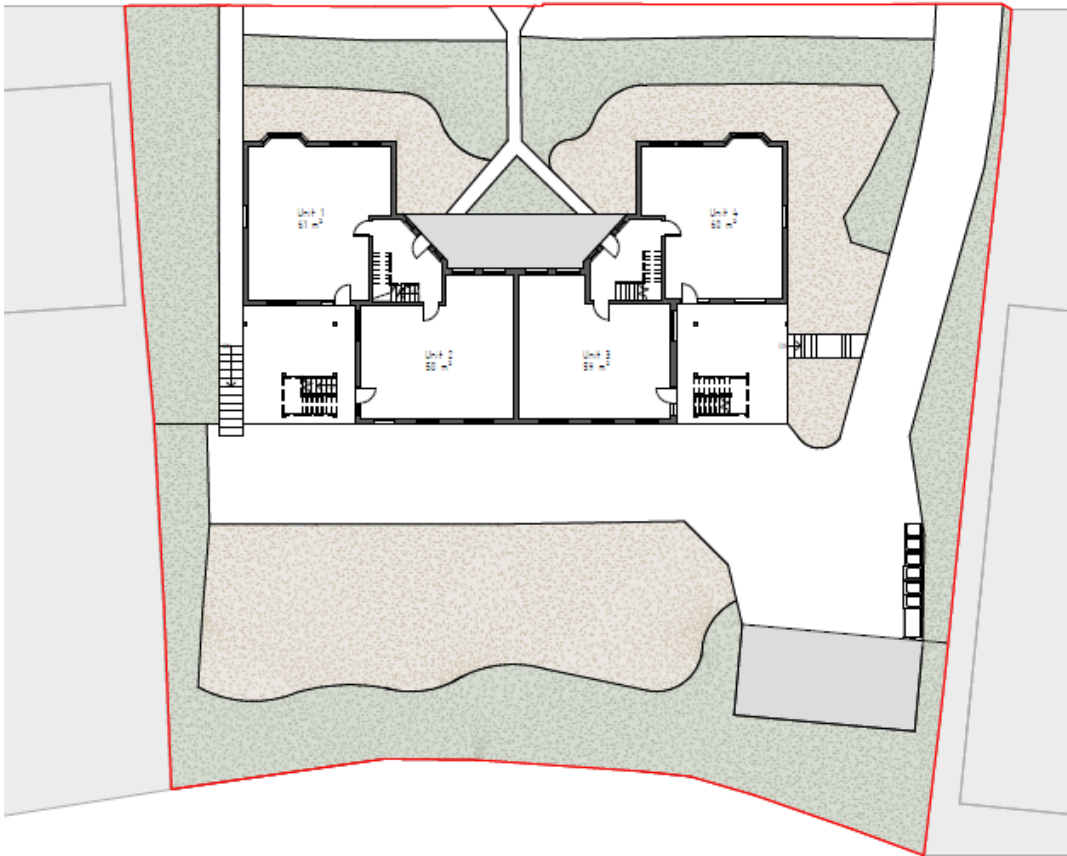
Eastern elevation

Garages to the rear basement level of building

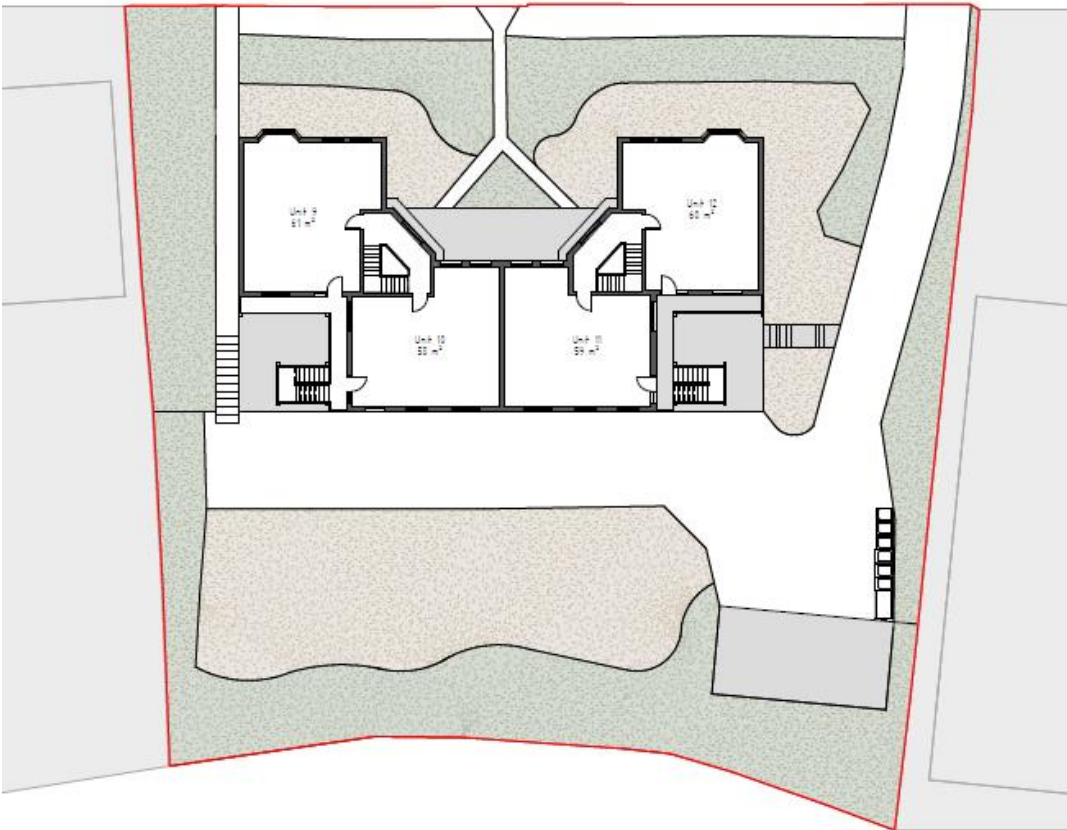


## **APPENDIX 4: PLANS AND ELEVATIONS**

Existing Site Plan



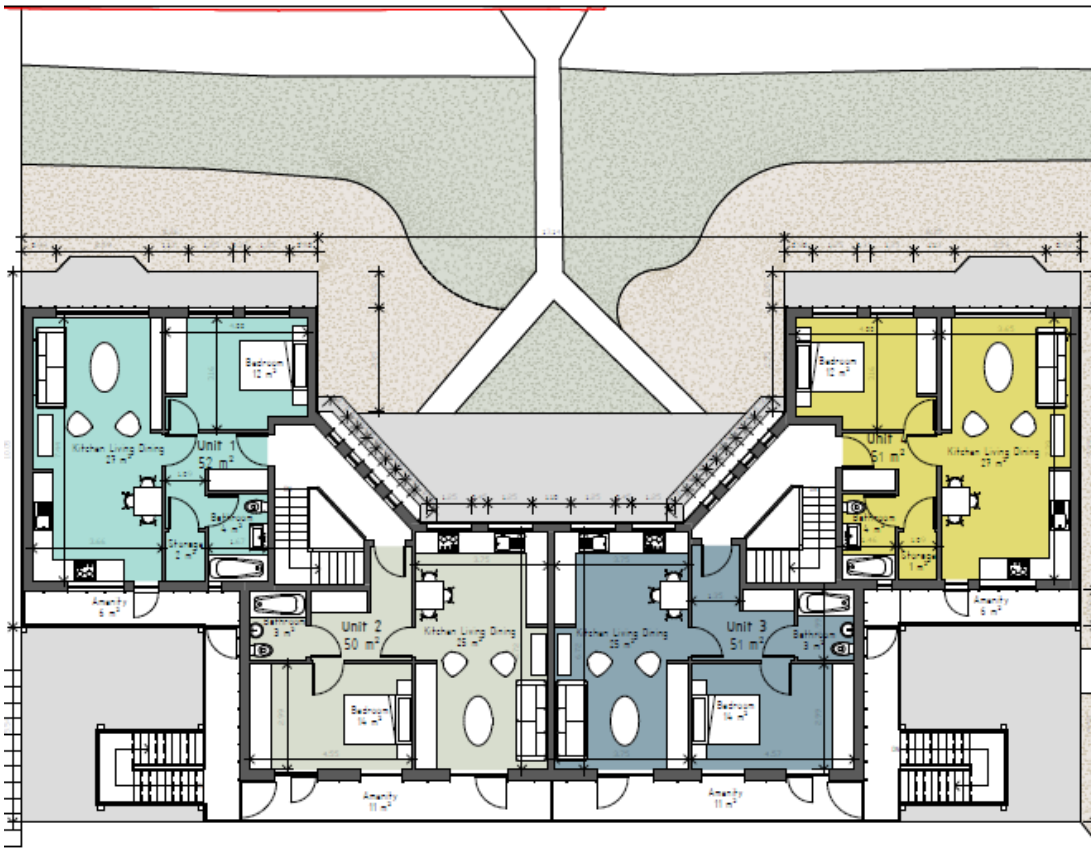
Existing First and Second Floor Plan



Proposed Site Plan



Proposed Third Floor



Existing Front Elevation



Proposed Front Elevation



Existing Rear Elevation



Proposed Rear Elevation



Existing 3D Visual (Front)



Existing 3D Visual (Rear)



Proposed 3D Visual (Front)



Proposed 3D Visual (Rear)





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