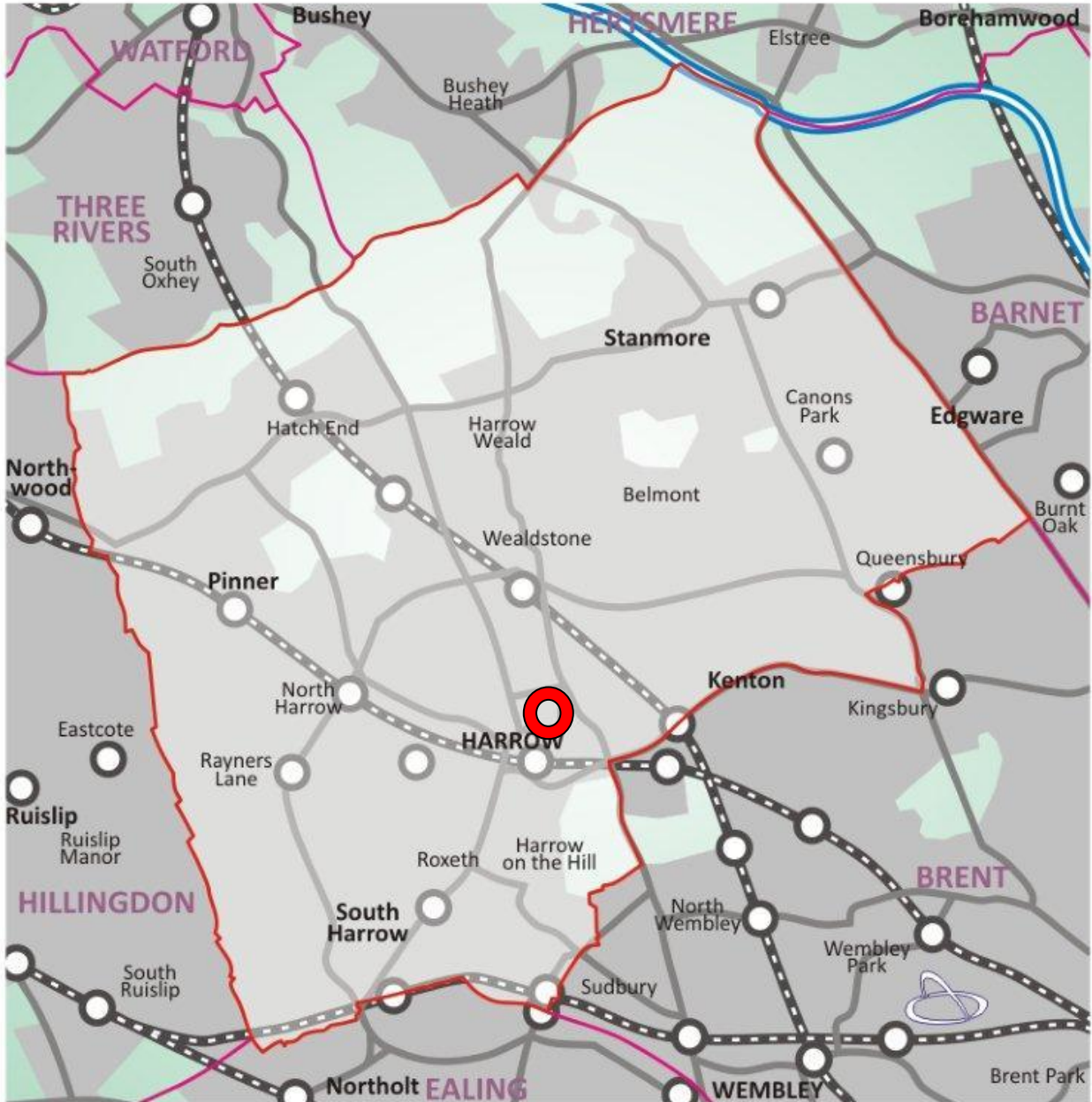


 = application site



77 Salisbury Road, Harrow, HA1 1NX

P/3934/20

77 SALISBURY ROAD,



LONDON BOROUGH OF HARROW

PLANNING COMMITTEE

17th March 2021

APPLICATION NUMBER: P/3934/20
VALIDATION DATE: 23/11/2020
LOCATION: 77 SALISBURY ROAD, HARROW
WARD: HEADSTONE SOUTH
POSTCODE: HA1 1NX
APPLICANT: MR A CHEEMA
AGENT: BANCIL PARTNERSHIP LTD
CASE OFFICER: WILL HOSSACK
EXTENDED EXPIRY DATE: 19/03/2021

PROPOSAL

Conversion of ground floor into flat (1 x 2 bed) and first floor into house of multiple occupancy (hmo) for up to 4 persons; bin and cycle stores; (demolition of side extension)

RECOMMENDATION

The Planning Committee is asked to:

- 1) Agree the reason for approval as set out in this report
- 2) Grant planning permission subject to the conditions listed in Appendix 1 of this report:

REASON FOR THE RECOMMENDATIONS

The proposal would contribute towards supply of smaller accommodation that would be located in an area in close proximity to local amenities and sustainable transport modes. This proposed residential uses would provide a layout and design that would provide an appropriate quality of accommodation for the future occupiers.

Accordingly, weighing up the development plan policies and proposals, and other material considerations including comments received in response to notification and consultation as set out below, officers conclude that the proposed development is worthy of support.

INFORMATION

This application is reported to Planning Committee on request of a nominated member, to ensure the suitability of the HMO use on site, and therefore falls within proviso A of the Scheme of Delegation.

Statutory Return Type:	Minor Development
Council Interest:	None
Net additional Floorspace:	0m ²
GLA Community Infrastructure Levy (CIL) Contribution (provisional):	N/A
Local CIL requirement:	N/A

HUMAN RIGHTS ACT

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

EQUALITIES

In determining this 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

Policy D11 of the London Plan (2021) 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 subject to conditions which are recommended.

1.0 SITE DESCRIPTION

- 1.1 The application site pertains to a two-storey detached dwelling house orientated towards the north-east along Salisbury Road.
- 1.2 The existing dwelling house features a front two-storey bay window with a large gable styled projection atop. The rear of the dwelling house features an original two-storey gable styled projection whilst the southern part of the dwelling features an original side garage. The materials of the property feature a majority rendered finish with intermittent exposed brickwork on the corners of the front and rear elevations.
- 1.3 The property features roof alterations having been extended by a large side to rear dormer under permitted development (ref P/28/06/DCP). The northern flank elevation features a wooden canopy which has been built around the gate providing side access.
- 1.4 Adjoining the southern site boundary is nos 81A/B Salisbury Road. This property is a two-storey semi-detached converted dwelling house which features a two-storey outrigger projection. Adjoining the northern site boundary is no.75 Salisbury Road which is an unextended two-storey dwelling house.
- 1.5 The application site is within a Critical Drainage Area.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission to convert the family dwelling house into a 1 bed, two person self-contained flat (Use Class C3) on the ground floor and a four person House in Multiple Occupation (Use Class C4) on the upper floors.
- 2.2 There are no enlargements to the building proposed. The existing timber lean-to addition to the northern elevation would be removed.
- 2.3 The ground floor flat would have a Gross Internal Area of approx. 75m² (excluding the area of the boiler room). The flat would feature two double bedrooms (providing a maximum occupancy of four persons); open plan living/kitchen/dining room; one bathroom and one W.C and use of the attached garage as cycle storage.
- 2.4 The proposed HMO would span across the first floor and loft space providing occupancy for up to 4 persons. The first-floor features two bedrooms; a bathroom; a communal kitchen and a communal living/dining area. The loft space features two bedrooms and a bathroom.
- 2.5 The rear garden is to be sub-divided providing two private amenity spaces for each of the converted units. Three refuse bins are to be stored within each of the sub-divided gardens.

- 2.6 Four cycles are proposed to be stored within the garage for the ground floor flat whilst four cycle spaces are to be provided for the HMO within its respective rear garden.
- 2.7 The proposal would not serve to increase the amount of parking which is already afforded to the existing site (3 off-street spaces).

3.0 RELEVANT PLANNING HISTORY

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

Ref no.	Description	Status and date of decision
P/672/03/DFU	Single and Two Storey Side and Rear Extension Single Storey Side Extension Side Dormer (Revised)	Grant 04/06/2003
P/28/06/DCP	Certificate of Lawful Proposed Development: Side and Rear Dormers	Grant: 01/03/2006
P/0057/18	T10 Ash (Rear Garden Right-Hand Boundary / Fence Line): Tree In Decline Extensive Die-Back. Recently Shed Large Limb. Fell and Replace *See Below T12 Yew (Rear Garden Left-Hand Boundary): Sever Ivy At Base G2 Cypress x 2 (Rear Garden Left-Hand Boundary)	Grant: 20/07/2017

4.0 CONSULTATION

- 4.1 A total of 20 consultation letters were sent to neighbouring properties regarding this application. The overall public consultation period expired on 6th January 2021.
- 4.2 A total of 8 responses were received from 6 different objectors.

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

Summary of Neighbour Consultation Responses

Principle of the Development

Loss of single dwelling house unit

This is addressed in 6.2 in the body of the report.

Character and Appearance

Proposal would adversely impact character of the locality; Proposal would set a precedent

No enlargements are proposed to the property so no impact to the character of the physical environment would occur. It is acknowledged these objections raised concerns with character in relation the lifestyle and work patterns of those within the community however, the availability of a variety of housing stock does not serve to undermine the objectives of sustainable communities. Nor is there an evidence base to resist the proposed type of housing within the area.

Residential Amenity

Proposed use would result in anti-social behaviour and late night noise; as well as impacts to quality of life of neighbouring residents; Conversions do not provide the same quality as purpose built flats.

These concerns are addressed in section 6.4 of the report.

Traffic and Parking

Increase in no. of flats, HMOs, and bedsits has led to traffic and parking pressures and speeding issues; Risk to pedestrian and highway safety

These concerns are addressed in section 6.5 of the report.

Other

Provision of larger strategic development in the borough suggest there is no need for the proposal; Increased littering in the area; Increased amount of illegal activity

As mentioned above, there is no evidence base nor any relevant policy to resist the type of development, adequate refuse storage within the site has been provided which is not to be sited within the front of the property. Finally, the objection regarding increased illegal activity pertains to the actions of individuals and not the proposal itself and cannot be addressed by the planning system. A Secure by Design condition has been attached to the application to require security of the building to aid the functioning of sustainable communities.

4.4 Statutory and Non-Statutory Consultation

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

Summary of Consultation Responses
<p><u>LBH Highways</u> No objection to the proposal.</p> <p><u>HMO Licensing</u> No objections to the proposal</p>

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 2021 [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 A full list of all the policies used in the consideration of this application is provided as Informative 1.

6.0 ASSESSMENT

6.1 The main issues are:

- Principle of the Development
- Character, Appearance and Design
- Residential Amenity
- Traffic, Parking, Impact to the Highway
- Development and Flood Risk

6.2 Principle of Development

6.2.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2021): H1, H2, H9
- Harrow Development Management Policies (2013): DM2, DM24
- Harrow's Core Strategy (2012): CS1

6.2.2 Policy H1 of The London Plan (2021) seeks to increase the range of housing supply whilst H9 of The London Plan (2021) states that HMOs provide a strategically important part of London's housing offer.

6.2.3 The proposal provides an increase in smaller housing stock within the borough and would increase the housing choice within the borough in accordance with Policy DM24 of the Harrow Local Plan Development Management Policies (2013). As further discussed in section 6.5 of the report it is considered the proximity of the development to the town centre (within a 10 minute walk) would provide adequate facilities and services to occupiers of the site.

6.2.4 For the reason set out above, it is considered that the principle of this proposal meets the above policy requirements with regard to the overarching goal of housing choice and provision.

6.3 Character, Appearance and Design

6.3.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2021): D1, D3
- Harrow Development Management Policies (2013): DM1, DM27
- Harrow's Core Strategy (2012): CS1
- Mayor of London Housing Supplementary Planning Guidance (2016)

6.3.2 No enlargements are proposed to the existing property and therefore the character and appearance of the main building is to remain unchanged.

6.3.3 The removal of the timber lean-to addition provides a side access that would enable the occupiers of the HMO to access their respective amenity space and allows cycle storage to be kept out of sight from the street scene. Three bins are to be provided for each unit and there are also to be cycle stores within the rear gardens for each unit. Therefore, the change of use would not serve to clutter the street scene. Overall, the proposal is considered to comply with the relevant policies in regards to character and appearance.

6.4 Residential Amenity

6.4.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2021): D3, D6
- Harrow Development Management Policies (2013): DM1
- Harrow's Core Strategy (2012): CS1
- Supplementary Planning Document Residential Design Guide (2010)
- Technical housing standards - nationally described space standard (2016)

Impact of Development on Neighbouring Amenity

6.4.2 The change of use of the building would not coincide with any further enlargements to the property and as such it is not considered the proposal would cause any detriment to neighbouring residential amenities in terms of loss of light, outlook or privacy.

6.4.3 It is acknowledged the change of use of the site would result in one C4 unit, which is to be used for a maximum of four people, and one C3 unit. However, both uses are for residential purposes and any noise disturbance would be residential in nature and not too dissimilar to the existing residential use of the site or those within the vicinity.

Amenity of Future Occupiers

6.4.4 The proposed C3 unit on the ground floor would have an occupancy of 2 bedrooms and 4 persons and would need to have a gross internal area of at least 70m². The unit would have a gross internal area of approx.75.7m². It is considered the area of the garage would adequately provide spaces for 4 bicycles and provide excess room for storage exceeding 2.0m² meeting the recommended storage area.

6.4.5 Given that the technical space standards (THS) concerns self-contained units and not accommodation, regard to the THS has only been given for the HMO in relation to bedroom sizes and floor-to-ceiling standards. The applicability of an HMO is decided by its provision of appropriate bedroom sizes and communal facilities. The proposal would provide acceptable bedroom sizes

for four persons and provide adequate shared facilities within the unit to form an acceptable level of residential amenity.

6.4.6 Submitted sections show all floors of the property benefit from a floor to ceiling height of at least 2.5m complying with the recommendation of the Technical Housing Standards and policy D6 of The London Plan (2021). It is considered the vertical stacking between the units would be acceptable with like for like rooms being sited above each other on the ground and first floors. The proposed site plans also show that the rear garden is to be sub-divided to provide amenity space for the private use of the C3 and C4 units respectively.

6.4.7 In conclusion, it is considered that the proposal would not result in any undue impacts on residential amenity for neighbouring occupiers or occupiers of the proposed development, subject to conditions as detailed above, and thus would comply with the relevant policies with regard to residential amenity.

6.5 Traffic, Parking and Accessibility

6.5.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2021): T4, T5, T6
- Harrow Development Management Policies (2013): DM42
- Harrow's Core Strategy (2012): CS1

6.5.2 The site within a PTAL 1b area and would be considered to have immediately poor public transport modes. However, the property is located within a 10 minute walk from Harrow Town Centre which features the provision of acceptable facilities and the southern end of Salisbury Road (circa 30m from the application site towards Hindes Road) has a PTAL rating of 3. The PTAL rating significantly increases again to 5 when walking along Hindes Road towards the town centre. As such the location of the HMO would be acceptable being near to existing facilities and amenities whilst having appropriate accessibility to sustainable transport modes.

6.5.3 The proposal does not seek to increase the parking provision on site (of three spaces). The London Plan allows up to 1.5 parking spaces for dwellings within PTAL 1 locations whilst the Highway Authority have also stated it would be appropriate to allow car parking for any disabled residents of the HMO. Overall, with no change proposed to the existing parking provisions and being able to achieve policy compliance it is not considered the proposed site would feature an over-provision of parking.

6.5.4 The Highways Authority have acknowledged that Salisbury Road and the surrounding streets receive high parking demand however, HMOs tend to generate lower parking demand than larger or family accommodation. For this reason, the Highways Officer does not consider the proposal would have a severe impact on the surrounding highway network. This is further aided

by the provision of 8 cycle spaces provided throughout the site supplying an alternative means of transport for occupiers. Cycle storage for the ground floor flat is to be within the attached garage, whilst the provision of four cycle spaces in the rear garden of the HMO are provided. However, no elevations or details of secure and weather-resistant cycle stores have been provided and therefore, an appropriate condition has been attached prior to the occupation of the proposal.

6.5.5 Therefore it is considered the proposal would not be of significant detriment to the highway network and would be appropriate in relation to existing facilities and amenities and thus would comply with the relevant policies with regard to traffic, parking and accessibility.

6.6 Development and Flood Risk

6.6.1 The relevant policies are:

- The National Planning Policy Framework (2019)
- The London Plan (2021): SI 12, SI 13
- Harrow Development Management Policies (2013): DM9, DM10
- Harrow's Core Strategy (2012): CS1

6.6.2 The application site is not sited within any designated Fluvial or Surface Water Flood zones and as such it is not considered the proposal would result in an increased risk of flooding and would not be subject to a Flood Risk Assessment.

6.6.3 However, the application site is sited within a Critical Drainage Area. Informatives have been attached to notify the applicant of the need for separate surface and foul water connections which would be needed following the implementation of the proposal. Therefore, it is considered the proposal would comply with the relevant development policies in relation to flood risk management.

7.0 CONCLUSION AND REASONS FOR APPROVAL

7.1 The proposed scheme would make a small contribution to housing stock in the borough; and would provide a suitable quality of accommodation for future occupiers without unduly impacting neighbouring residential amenity. The increase in use of the site would not result in traffic and parking impacts which would be considered significant.

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

APPENDIX 1: Conditions and Informatives

Conditions

1 Timing

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

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

2 Approved Drawing and Documents

Unless otherwise agreed in writing by the local planning authority, the development shall be carried out, retained and completed in accordance with the following approved drawings and documents:

PL2/1645/00; PL2/1645/01; PL2/1645/02; PL2/1645/03; PL2/1645/04; PL2/1645/05 Rev A; PL2/1645/06 Rev D; PL2/1645/07 A; PL2/1645/08; PL2/1645/09 Rev B; PL2/1645/10 Rev D; PL2/1645/11 Rev B; Design and Access Statement

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

3 Restriction of no. of HMO Occupiers

The HMO hereby permitted shall not be occupied by more than four persons at any given time, unless otherwise agreed and approved in writing by the Local Planning Authority.

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

4 Restriction of Permitted Development Rights (Change of Use)

The development hereby permitted shall be used for a Class C3 dwellinghouse and a Class C4 HMO, as shown on the approved plans 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), and the Core Planning Principles of the National Planning Policy Framework (2019).

5. Cycle Parking Details

Notwithstanding the details shown on the approved drawing, the development hereby approved shall not be first occupied until details of the proposed cycle parking, for the HMO unit, have been submitted to and agreed in writing by the Local Planning Authority in writing to be agreed. The details shall include full details of the secure, sheltered long-stay cycle parking, including the type and number of cycle stands and shelters, with a minimum of 4 spaces. The cycle parking shall be implemented on site prior to the first occupation of the development for the sole use of the development in accordance with the details so agreed and shall be retained for the lifetime of the development.

REASON: To ensure the satisfactory provision of safe cycle storage facilities.

6. Secure by Design Accreditation (Pre-Occupation)

Prior to the first occupation of the development, evidence of Secured by Design Certification shall be submitted to the Local Planning Authority in writing to be agreed, or justification shall be submitted where the accreditation requirements cannot be met. Secure by design measures shall be implemented the development shall be retained in accordance with the approved details.

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

7. Refuse Storage

The refuse and waste bins shall be stored at all times, other than on collection days, within the designated refuse storage areas as shown on the approved plans.

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

8. Fencing

The outdoor rear private garden areas shown on the approved plans shall be bounded by close-boarded timber fencing to a height of 1.8metres. The fencing required by this condition shall be erected prior to the occupation of the flats and HMO and shall be retained thereafter.

REASON: To protect the residential amenities of 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)

Informatives

1 Policies

The following policies and guidance are relevant to this decision:

National Planning Policy and Guidance:

National Planning Policy Framework (2019)

The London Plan (2021):

D1, D3, D6, H1, H2, H9, T4, T5, T6, SI 12, SI 13

Harrow Core Strategy (2012):

CS1

Development Management Policies Local Plan (2013):

DM1, DM9, DM10, DM24, DM26, DM27, DM42

Adopted Supplementary Planning Documents:

London Plan Housing Supplementary Planning Guidance (2016)

Supplementary Planning Document: Residential Design Guide (2010)

Council's Code of Practice for the Storage and Collection of Refuse and Materials for Recycling in Domestic Properties (February 2016)

2 Pre-application engagement

Statement under Article 35(2) of The Town and Country Planning (Development Management Procedures) (England) Order 2015. This decision has been taken in accordance with paragraphs 39-42 of The National Planning Policy Framework. Harrow Council has a pre-application advice service and actively encourages applicants to use this service. Please note this for future reference prior to submitting any future planning applications.

3 Considerate Contractor Code of Practice

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

4 Party Wall Act

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

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

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

"The Party Wall etc. Act 1996: Explanatory booklet" is available free of charge from: Communities and Local Government Publications, PO Box 236, Wetherby, LS23 7NB

Please quote Product code: 02 BR 00862 when ordering

Also available for download from the CLG website:

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

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: communities@twoten.com

5 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.

6 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 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.

7 Surface and foul water connections

The applicant is advised that the Drainage Authority in Harrow recommends the submission of a drainage plan, for their approval, indicating all surface and foul water connections and their outfall details. Please also note that separate systems are used in Harrow for surface water and foul water discharge. Please email infrastructure@harrow.gov.uk with your plans.

8 Thames Water

The applicant can contact Thames Water developer services by email: developer.services@thameswater.co.uk or by phone: 0800 009 3921 or on Thames Water website www.developerservices.co.uk for drainage connections consent.

9 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.

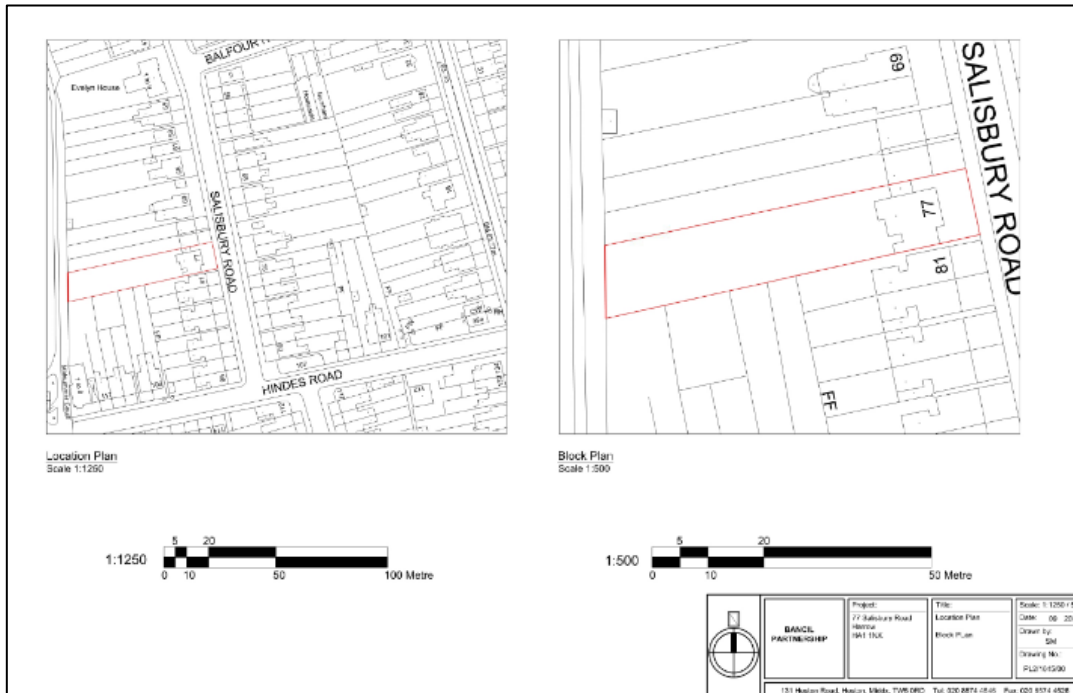
You can apply for SNN by contacting technicalservices@harrow.gov.uk or on the following link.

http://www.harrow.gov.uk/info/100011/transport_and_streets/1579/street_naming_and_numbering

CHECKED

Head of Development Management	Orla Murphy 5.3.2021
Corporate Director	Paul Walker 5.3.2021

APPENDIX 2: SITE PLAN



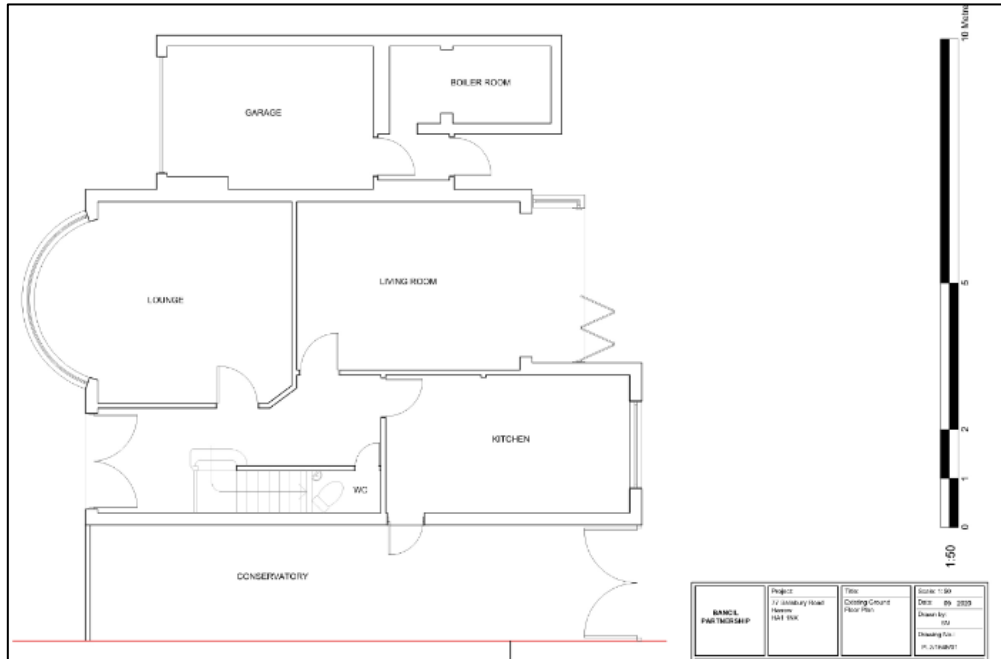
APPENDIX 3: SITE PHOTOGRAPHS



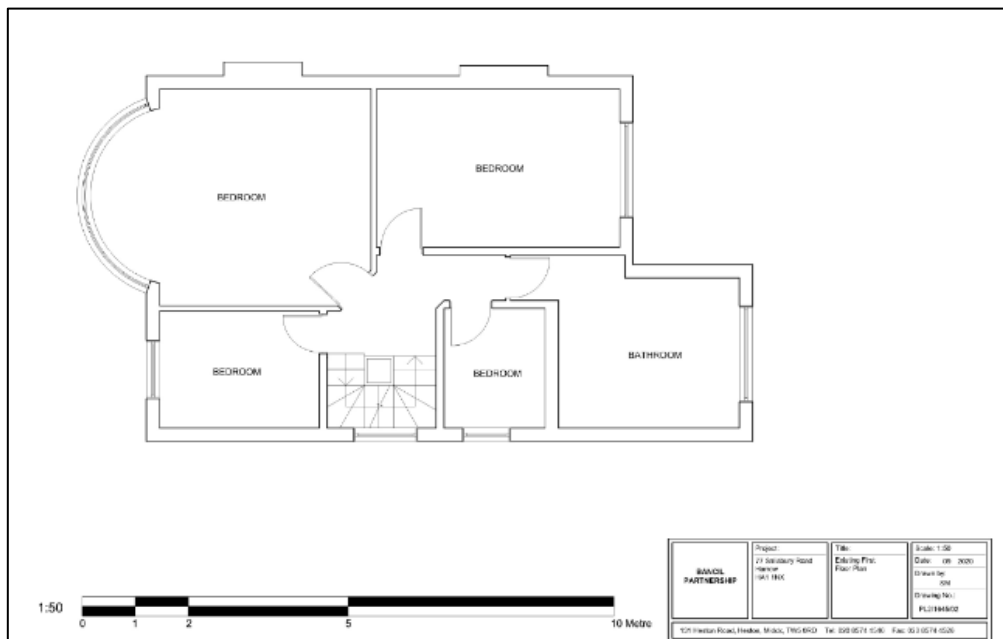


APPENDIX 4: PLANS AND ELEVATIONS

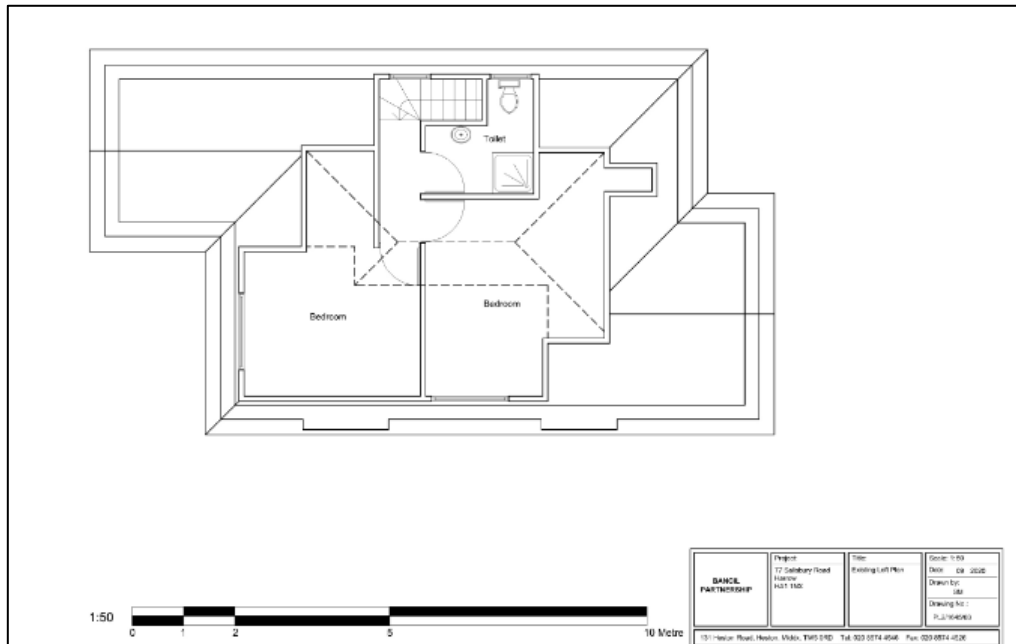
Existing Ground Floor Plan



Existing 1st Floor Plan



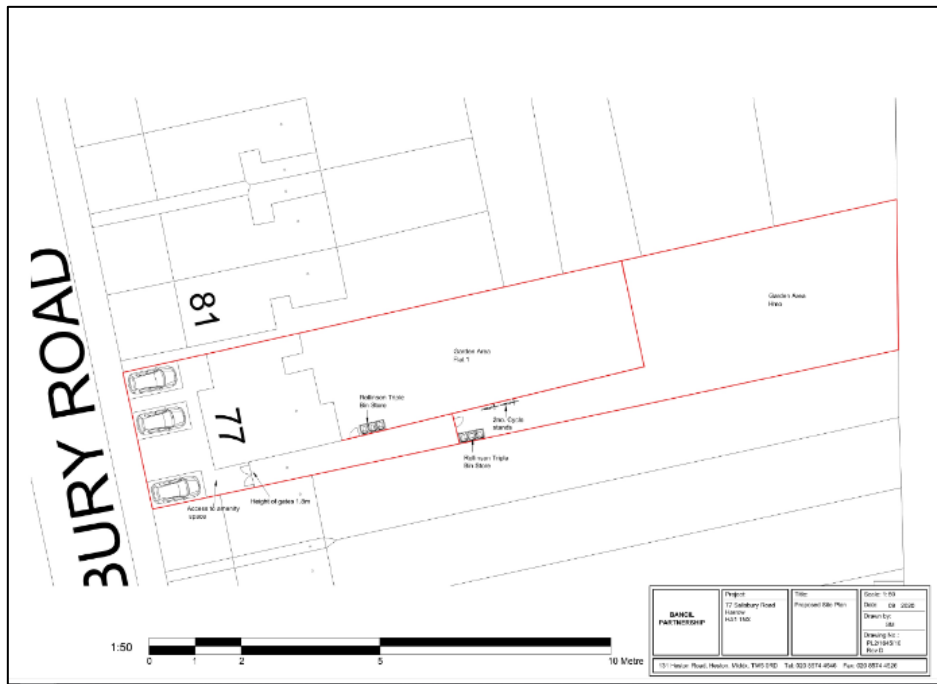
Existing 2nd Floor Plan



Existing Elevations



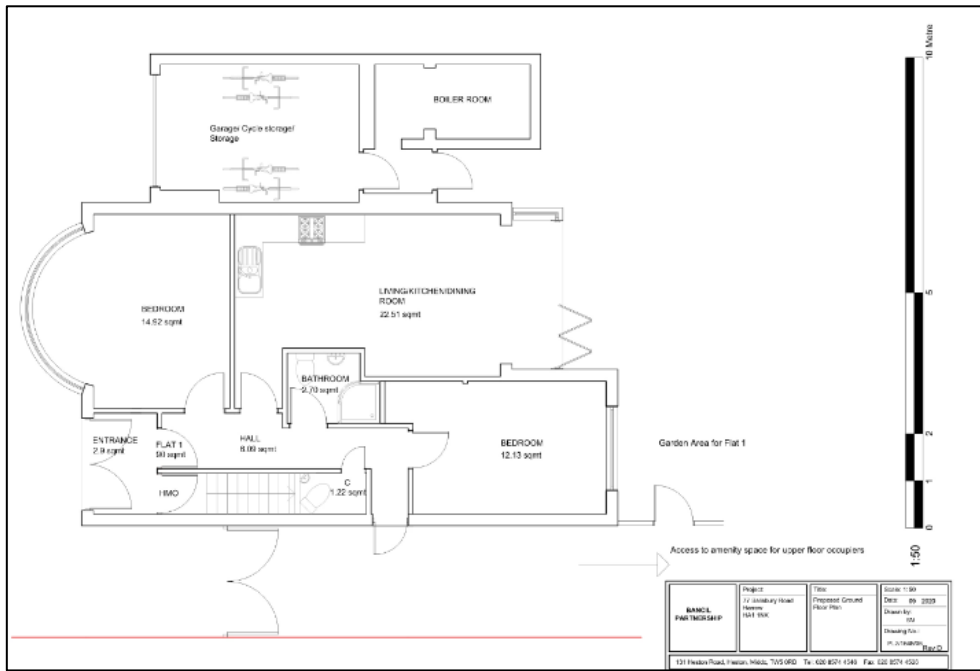
Proposed Site Plan



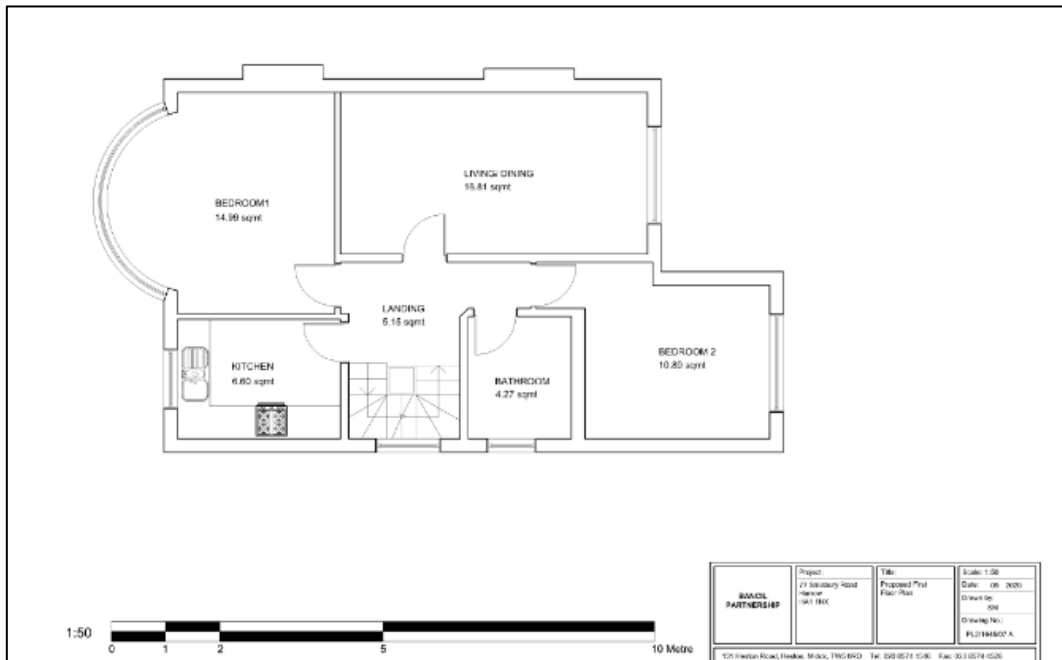
Proposed Elevations



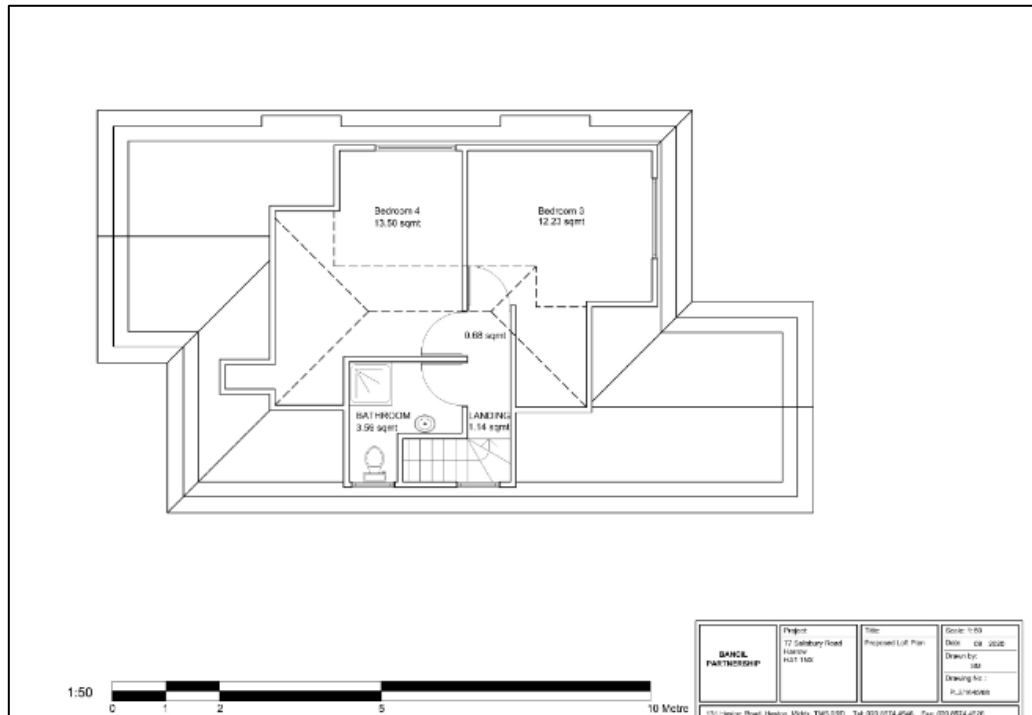
Proposed Ground Floor Plan



Proposed 1st Floor Plan



Proposed 2nd Floor Plan



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