
**287, 289, 291, 293 WHITCHURCH LANE
EDGWARE, HA8 6RA**

**Item: 1/01
P/3309/06/COU/DT2**

Ward CANONS

REDEVELOPMENT TO PROVIDE TWO STOREY BLOCK (WITH ROOMS IN THE ROOF) OF 14 FLATS WITH PARKING AND BASEMENT FITNESS/SPA CENTRE (OUTLINE)

Applicant: City & Metropolitan Developments Limited
Agent: David Kann Associates
Statutory Expiry Date: 19-FEB-2007

RECOMMENDATION

Plan Nos: CM/WL/01 CM/WL/02B CM/WL/03B CM/WI/04B CM/WL/05B

GRANT permission in accordance with the development described in the application and submitted plans, subject to the following condition(s):

1 Application for the approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission. The development hereby permitted shall commence before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
REASON: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990.

2 Approval of the details shown below (the "reserved matters") shall be obtained from the local planning authority in writing before any development is commenced:
(a) external appearance of the building(s)
(b) landscaping of the site - Such landscaping to include a 1.8m high acoustic fence along the northern and western boundaries of the site
REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3 The development hereby permitted shall not commence until details that show how the principles and practices of the Secured by Design Award Scheme are to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and shall thereafter be retained.
REASON: In the interests of creating safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime.

4 The standard for all main entrance door sets to individual dwellings and communal entrance door sets throughout the development hereby permitted shall be made secure to standards, independently certified, set out in BS PAS 24-1:1999 'Security standard for domestic door sets'.
REASON: In the interests of creating safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime.

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5 The standard for all window sets on the ground floor of the development and those adjacent to flat roofs or large rainwater pipes (downpipes) shall be made secure to standards, independently certified, set out in BS.7950 'Security standard for domestic window sets'.

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

6 Before the first taxable occupation of any of the dwellings hereby approved, an obscurely glazed and fixed screen with a height of 1.8m and a width of 1.5m shall be provided on the west facing return to apartment 6, adjacent to the entrance to the property.

REASON: To safeguard the amenity of neighbouring residents

7 Prior to the commencement of the development hereby permitted, details that show how the standards set out in the Park Mark Safer Parking Award Scheme Guidelines are to be incorporated into the provision of the underground parking element of the scheme hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works. Once approved, the development shall be carried out in accordance with the agreed details.

REASON: In the interests of providing a safe parking environment compatible with delivering safer and more sustainable communities and to safeguard residential amenity by reducing the risk of crime and the fear of crime.

8 The development hereby permitted shall not commence until details of a scheme indicating the provision to be made for people with mobility impairments, to gain access to, and egress from, the building(s) (without the need to negotiate steps) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used until the works have been completed in accordance with the approved details and thereafter retained.

REASON: To ensure that the development will be accessible for people with disabilities in accordance with the policies of the Harrow Unitary Development Plan.

9 The development hereby permitted shall be constructed to Lifetime Homes standards as shown on the approved plans and at least one of the dwellings shall be built to Wheelchair Standard, as set out in the Council's guidance document and thereafter retained.

REASON: To ensure the development meets Lifetime Homes Standards in accordance with policies of the Harrow Unitary Development Plan 2004

10 No site works or development shall commence until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s), and any other changes proposed in the levels of the site, have been submitted to, and approved by, the local planning authority.

REASON: To ensure that the works are carried out at suitable levels in relation to the highway and adjoining properties in the interests of the amenity of neighbouring residents, the appearance of the development, drainage, gradient of access and future highway improvement.

11 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site in accordance with details to be submitted to, and approved in writing by, the local planning authority. The works shall thereafter be retained.

REASON: To ensure that adequate drainage facilities are provided.

12 Development of any buildings hereby permitted shall not be commenced until surface water drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Prior to submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SuDs) in accordance with the principles of sustainable drainage systems set out in Appendix E of PPG25, and the results of the assessment shall be provided to the Local Planning Authority with the details. Where a SuDs scheme is to be implemented, the submitted details shall:

a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters; and

b) specify the responsibilities of each party for the implementation of the SuDs scheme, together with a timetable for that implementation; and

c) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details.

REASON: To ensure that adequate and sustainable drainage facilities are provided, and to prevent any increased risk of flooding.

13 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the local planning authority.

REASON: To secure the provision of archaeological excavation and the subsequent recording of the remains in the interests of national and local heritage.

14 The use of the fitness centre/spa in the basement of the development hereby approved shall be restricted to residents only and shall not be used or made available for use by non residents.

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

INFORMATIVES

1 INFORMATIVE:

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION:

The decision to grant permission has been taken having regard to the policies and proposals in the Harrow Unitary Development Plan set out below, and to all relevant material considerations including any comments received in response to publicity and consultation, as outlined in the application report:

Harrow Unitary Development Plan:

- S1 The Form of development and Pattern of Land Use
- SD1 Quality of Design
- SH1 Housing Provision and Housing Need
- EP20 Use of Previously Developed Land
- D4 Standard of Design and Layout
- D5 New Residential Development - Amenity Space and Privacy
- D9 Street Side Greenness and Forecourt Greenery
- D10 Trees and New Development
- D22 Sites of Archaeological Importance
- H4 Residential Density
- EP10 Sustainable Urban Drainage
- EP12 Control Of Surface water Run Off
- T6 The Transport Impact of Development Proposals
- T13 Parking Standards

2 INFORMATIVE:

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

3 INFORMATIVE:

In June 2006 Harrow Council adopted two Supplementary Planning Documents: "Access for All" and "Accessible Homes", containing design guidelines for the provision of safe and convenient access for all disabled groups. Both documents can be viewed on the Planning pages of Harrow Council's website - the URL address is <http://www.harrow.gov.uk/ccm/content/housing-and-planning/planning/news-letter.en>

4 INFORMATIVE:

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.

A copy of the Office of the Deputy Prime Minister booklet "The Party Wall etc. Act 1996: explanatory booklet" is available free of charge from:

ODPM Free Literature, PO Box 236, Wetherby, LS23 7NB

Tel: 0870 1226 236 Fax: 0870 1226 237

Textphone: 0870 1207 405

E-mail: odpm@twoten.press.net

Website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

5 INFORMATIVE:

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.

MAIN CONSIDERATIONS AND POLICIES (2004 UDP)

- 1) Residential Character (SD1 D4 D9 D10)
- 2) Residential Amenity (D5)
- 3) Accessibility (H18) 'Accessible Homes' (Supplementary Planning Document)
- 4) Parking and Access (T13)
- 5) S17 Crime & Disorder Act
- 6) Consultation Responses

INFORMATION

a) Summary

Statutory Return Type:	Major Dwellings
Site Area:	0.160 ha
Habitable Rooms:	42
Density:	262 hrph 87 dph
Car Parking:	Standard: 15.1 (maximum)
	Justified: 9
	Provided: 9
Council Interest:	None

b) Site Description

- Site is located on the north side of Whitchurch Lane at the junction with Howberry Road.
- Currently comprises two pairs of semi detached houses with long gardens and garages
- Surrounding locality is predominantly residential in character, with pairs of semi detached houses in the main. Although Station Parade, immediately to the east of the site, is a long, three storey terrace of shops and restaurants/cafes with flats above them.
- The former Government offices site on Honeypot Lane is due south of the site. Canons Park London Underground Station is at the eastern end of Station Parade.

c) Proposal Details

- Redevelopment involving demolition of the four semi detached houses and construction of fourteen self contained flats (12 x 2 bedroom, 1 x 3 bedroom and 1 x 1 bedroom units)
- Nine off street parking spaces and fourteen cycle parking bays are proposed at the rear of the site with access off Howberry Road.

d) Relevant History

P/2474/06/CFU	Outline application to demolish existing houses and construct 35 flats, fitness/spa centre, shop/café and associated parking.	WITHDRAWN 13-OCT-2006
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e) Applicant Statement

- Planning and Design Statement is presented in three phases. The first phase is an assessment of the townscape and the physical characteristics of the site and its surroundings, including recognition of the possibility that the area may have archaeological importance, the social and economic fabric of the area, vehicular access to the site, local traffic conditions and the local transport network.
- The second phase is an evaluation of the development potential of the site within the context of HUDP policies.
- The third phase explains the proposal itself. It sets out the justification for the configuration of the layout, the setting of the development within its context, with reference to the architectural vernacular and the scale, bulk and massing of the built form of the locality, amenity space provision, residential density and a justification for the vehicular and pedestrian access to the site, including cycle provision and refuse bin storage, site levels, landscaping and trees, boundary treatment and sustainable drainage.
- In the third phase the applicants contend that the scale, bulk, massing and form of the proposed buildings are in keeping with the character of the area. The height of the building would be roughly the same as that of the adjoining semi detached houses to the west of the site. The eaves line of the building would be in line with those houses and the building would be lower in height than the gable ended terrace of Station Parade on the eastern side of Howberry Road. The hipped roofline respects the predominant roofscape of the area.
- The layout of the proposed development has paid attention to the openness of the locality and the generous ratio of spaces to buildings, this is demonstrated by the amount of garden space that is provided.
- The effect of the proposed development on neighbouring residential amenity has also been addressed. Adequate separation distances are maintained and overlooking and loss of privacy would not result. The 'L' shaped layout of the development would allow existing sunlight and daylight conditions for neighbouring residents to the west of the site to be maintained.
- In recognition of the townscape and the architectural vernacular of the locality, a palette of building materials that complements the surrounding area is proposed, along with a spacious garden space, low lying boundary treatment and sensitive soft landscaping and planting. It is acknowledged

that the character of the area typifies inter war urban development, the general aim of the proposed development is to be sympathetic to that pattern and form of development rather than simply trying to replicate a pastiche building design.

- Access and parking has been discussed with the Council's Highways Officer. It was agreed that the increased number of vehicles that are provided for should be best located towards the rear of the site with access off Howberry Road. The HUDP parking standard would not need to be rigorously applied because of the favourable public transport accessibility level of the locality and the existing traffic controls in the area. Pedestrian access to the site directly off the public footway is also acceptable.
- Finally, consideration is given in the proposed development to accessible homes standards and secured by design requirements, two parking bays dedicated to people with disabilities are provided at the front of the site.

f) Consultations:

- Highways and Traffic Engineer: Proposal is acceptable. In respect of the residential component the adjacent streets are protected by the current restrictions and the public transport accessibility is good, which warrants parking provision below our maximum standard. The fitness spa/internet café is small and unlikely to attract people from far away. Users are much more likely to be occupiers of the block or nearby residents or staff of local business premises.
- English Heritage (Archaeology): Site has potential for archaeological remains. It is close to Canons Park where remains from the Roman and medieval period have been identified on the Greater London Sites and Monuments Record. Whitchurch Lane appears on early OS maps and may be medieval in origin. The standard Archaeological Investigation condition is therefore recommended.

Advertisement: Major development

Expiry: 26-12-06

Notifications:

Sent:
46

Replies:
30

Expiry: 19-12-06

Summary of Response:

Applicants are misleading when they refer to the reasonable density of the proposal in comparison with the scheme at former Government Offices in Honeypot Lane. Proposal disregards the advice in the Government's Urban Task Force principles, e.g. the need for development to respect the site, its setting and surroundings. Existing traffic problems will be made worse; increased traffic flows; loss of privacy; density too high; building out of scale with local townscape, poorly thought out design, neighbours will suffer loss of daylight, sunlight and outlook, local infrastructure (e.g. schools and doctors surgeries, sewers and electricity grid) and services cannot cope; mixed usage is inappropriate in a residential environment and will be unneighbourly, overdevelopment of site, especially with the likely much larger development of Honeypot lane site, risk of flooding.

APPRAISAL

The applicants have asked for layout, scale and access to be considered in outline with appearance and landscaping reserved. **NB:** *As a result of negotiations with Officers, the internet café element of the proposal has been deleted and a two bedroom flat on the ground floor substituted in place of it. The applicants now propose that the fitness centre and spa in the basement of the proposed development be used solely by future occupants of the development. Changes to the layout and appearance of the proposed development have also been made and the parking provision has been reduced. These changes are explained in detail below*

1) Residential Character

Concern was had for the appearance of the proposed block of flats in a streetscene that is distinguished by its coherence and rhythmic form. However, it was felt that as the scale, bulk, massing and footprint of the proposed development would be broadly proportionate to the existing pair of semi detached houses on the Whitchurch Lane frontage, that the proposal would be acceptable, as the building has been realigned to respect the consistency of the existing building line on the street frontage.

This has been achieved at the cost of a small reduction in the amenity space that would be provided at the rear of the site (a reduction in the already spacious provision from 386 sqm to 335 sqm). Furthermore the building line on the Howberry Road frontage has also been pulled back similarly, so that the mass and prominence that characterised the 'L' shaped building on the important eastern corner of the site, has now been lessened. The over-dominant effect that the building previously had in its relationship with the surrounding townscape has now diminished and the coherence and regularity of the suburban semi detached streetscene is not disrupted.

In this respect the proposal reflects the advice in HUDP Policy D4. It says that buildings should be designed to complement their settings and have a satisfactory relationship with adjoining buildings and spaces.

In reaching this conclusion, recognition was had of the strenuous objections on the grounds that a block of flats would have a harmful effect on the townscape of the area. Residents in the locality put the view that the proposed development would be visually obtrusive in the streetscene, having excessive bulk and massing in a locality that is distinguished by its semi detached housing and the human scale of development.

It was further put, that as a corollary of that the development would be an incongruous and discordant incident in the streetscene.

While accepting that the suburban character of the area is a relevant consideration, Officers were of the view, that on balance, the revised proposal is an acceptable transition in scale and layout that would not be out of keeping with the appearance and character of this part of Whitchurch Lane, as advised in HUDP Policy D4.

2) Residential Amenity

The applicants have maintained the existing distance of separation (3.2m) with the house on the western boundary, 295 Whitchurch Lane. The 'L' shaped configuration of the proposed development means that the footprint now extends further back into the site than is the case with the existing houses that occupy the site. However, the additional depth of the building is all on the eastern side of the site and would be too far away from the rear of the semi detached properties that extend westwards along Whitchurch Lane to give rise to concerns for overlooking and loss of privacy.

As a result of negotiations with Officers, the internet café that was originally proposed as part of the development has been removed in favour of a two bedroom flat with a private front garden having a square area of 146 sqm. There were three reasons for this. Firstly, it was felt that a commercial unit, located in a prominent position within the site, would have an incongruous effect on the appearance of the proposed development, which would not be in keeping with the urban grain of the locality. It was concluded that an internet café would be more appropriate in an urban, town centre setting. Secondly, the activity associated with such a use would have an unneighbourly effect on future residents of the development and the wider community, in terms of noise and disturbance during unsocial hours. Thirdly, internet cafes are within the A1 use class in the Town and Country Planning (Uses Classes) Order 1995. Should the owners wish, they could change the proposed use to another, possibly more unsocial use, such as a newsagent or a grocery, without the need for planning permission.

For similar reasons, it was also felt that the fitness centre and spa in the basement should be available only to future residents, rather than to the general public.

The amended application is now considered to be acceptable and would comply with the advice in HUDP Policy D5 on the need for new residential development to ensure that the amenity and privacy of occupiers of existing and proposed dwellings is safeguarded.

In coming to this conclusion, the effect on the neighbouring semi detached house on the western boundary of the site, 295 Whitchurch Lane, was given careful consideration, in particular, the effect that a larger and deeper building mass would have on that property, as it would be replacing two pairs of houses of the same scale, form and layout as that property, the additional depth of the footprint on the Howberry Road frontage being a point of concern.

Objections to the effect that the proposed development would have an over-dominant effect on 295 Whitchurch Lane were considered in this respect, but it was felt that, on balance the separation in distance on the boundary between the two sites (3.2m) and the efforts that the applicants had made to maintain the existing vehicular access for the owners of the property overcame objections on such grounds. It was also recognised that the difference in the proposed distance of separation is only 0.8m more than the existing distance of 4m. As such it was felt that no conflict would arise with HUDP Policy D5.

Similarly, the relationship that the flats on the Howberry Road frontage would

have with the houses to the west of the site and the pair of semi detached houses on the northern boundary (1 and 3 Howberry Road), was carefully considered. The footprint of the proposed development would extend to a depth of 29.5m into the site on the Howberry Road frontage, whereas the depth of the existing houses is less than 10m.

This in itself was not considered to be harmful in terms of scale, bulk and massing, as there is an adequate relationship between buildings and spaces in the proposed development, however, concern did arise for overlooking and loss of privacy from windows in the west facing flats for the occupiers of 295-297 Whitchurch Lane and also to the rear of properties on Watersfield Way.

However, given that the distance across the proposed amenity space at the rear of the site from windows to habitable rooms in the flats would be over 23m to the western boundary and some 19m to the north western boundary with rear gardens on Watersfield Way, it was concluded that no overlooking and loss of privacy would result. Therefore conflict with Policy D5 would not materialise. Moreover, the windows in the flank wall of 295 Whitchurch Lane at ground floor level are frosted and obscurely glazed, whilst 1 Howberry Road has no flank windows at first floor level and the development would be screened by appropriate screening and fencing by condition.

3) Accessibility

The applicants have acknowledged in their statement, and in the notes that are appended to the plans, the need for new residential development to be accessible to people with disabilities in all respects. All the residential units would be built to Lifetime Homes Standards and one would be wheelchair accessible. The written details that have been submitted would be dealt with in plan when details of design and appearance are submitted at the reserved matters stage of the proposal and would need to comply with the advice in Policy H18 and the SPD on Access.

4) Parking and Access

The proposal meets the concerns that the Highways and Traffic Engineer had for vehicle movement in the immediate locality, as the access to the site is on Howberry Road, away from the main flow of traffic along Whitchurch Lane towards Honeypot Lane. The parking provision and pedestrian access are also acceptable and in line with the parking standard that is set out in Policy T13. Indeed, because the site is in a location that has favourable public transport links, it was regarded as acceptable that the applicants reduce the off street parking from 9 to 7 bays, in order to overcome concerns for noise and disturbance to neighbours who share a boundary with the site. Along with a requirement for an acoustic fence to be provided along the boundary of the site, as part of the reserved matters for approval of landscaping, it is concluded that this element of the proposal would not be in conflict with Policy D5.

5) S17 Crime & Disorder Act

The layout of the proposed development has taken into account many of the principles of 'Secured By Design' and 'Safer Places', although it would be appropriate to undertake more careful consideration of such issues with the Metropolitan Police Crime Prevention Design Adviser at the reserved matters stage of the proposal. Likewise, the front entrance sketches that were originally submitted for illustrative purposes, showing an awning and an entrance that was only 600mm from the front building line, have been deleted from the revised plans, and would not be reconsidered at the reserved matters stage.

5) Consultation Responses:

As referred to in the report.

CONCLUSION

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